

Also, if things do go wrong with your lawyer, you have the right to file a complaint with the state attorney discipline organization and seek compensation for any losses due to your lawyer's misconduct.



The better informed you are about your rights when you hire an attorney, the more able you will be to control your legal affairs and demand quality legal representation. The bottom line is—**you are the one who is in charge of your legal affairs.**

If you want more information on the **Legal Consumers Bill of Rights**, visit HALT's web site (www.halt.org). It has a wealth of information on your legal rights as well as HALT's **Model Attorney-Client Agreement**. Also, HALT's Citizens Legal Manual **Using a Lawyer... And What To Do If Things Go Wrong** explains in detail what your rights are when you hire a lawyer and how to deal with any problems that arise.

Take advantage of the information that HALT provides and use it to insist upon getting the kind of legal service you deserve. After all, your legal affairs are far too important to be left in someone else's hands.

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Before You Hire a Lawyer,

Know Your Rights

... *Why can't I find out what's going on in my case?*

... *Why can't I ever get my lawyer on the phone?*

... *Why are my fees so much higher than I expected?*

... *What can I do now?*

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Too often when people hire attorneys, they feel as if the lawyer is the one calling the shots. Clients are often in the dark about key information in their case—even the fees they will pay.

Common sense and basic legal ethics say that every client has the right to this information. HALT's **Legal Consumers Bill of Rights** tells you what you should demand from your lawyer.

THE LEGAL CONSUMERS BILL OF RIGHTS

1 **You have the right to control your legal affairs**

Lawyers are service providers—their job is to serve their clients. When you hire a lawyer—you're the boss. This means **you** make **all** of the key decisions in your matter, including whether and on what terms to settle a dispute. This also means that if you are not satisfied with how your matter is being handled, you have the right to fire your lawyer and file a formal complaint with the agency responsible for attorney discipline in your state.

The best way to control your legal affairs is to be informed. That's why you should demand that your lawyer:

- *keep you fully informed with regular written monthly progress reports about the status of your matter;*
- *promptly answer your questions;*
- *promptly return your telephone calls;*

- *promptly disclose all alternatives available to you for resolving your matter; and*
- *fully discuss the advantages and risks involved in each decision.*

2 **You have the right to an affordable legal system**

No matter how good the legal system may be, it is worthless if you can't afford to use it. Hiring a lawyer is expensive and too often the attorney doesn't tell you what to expect up front.

To avoid this, you should know your rights, shop carefully and insist your lawyer discuss:

- *all alternative fee arrangements;*
- *total anticipated fees;*
- *total anticipated costs; and*
- *any referral fees paid to other lawyers.*

And it should not end there. Even beyond obtaining fee information, you should expect your lawyer to:

- *provide you with an honest appraisal of the likelihood of a successful representation;*
- *sign a written fee agreement that spells out the financial terms of every representation;*
- *agree not to exceed estimated costs and fees without your written consent;*
- *agree to return any unused portion of your retainer or other advanced payments;*
- *make full use of economical legal support services such as paralegals and legal secretaries, as well as your own personal services to reduce the total bill to you; and*
- *provide you with a written itemized bill each month.*

Also, no matter what kind of fee arrangement you decide on—whether it is an hourly fee, a flat rate or contingent fee agreement—your lawyer can only charge you a reasonable fee for the work actually performed.

Finally, you have the right to receive all of this information **before** your lawyer even starts to represent you, and it should all be explained in clear language that you can understand. You should never enter an agreement with a lawyer unless you fully understand what it means.

3 **You have the right to competent and accountable legal representation**

Lawyers not only have the responsibility to keep you informed, but also to provide high quality service. That is why you should expect your lawyer to:

- *provide legal services that are timely, thorough and professional;*
- *tell you to seek other help, or arrange for co-counsel, if they do not regularly practice law in the areas involved in your matter;*
- *treat you courteously;*
- *not neglect your matter;*
- *respect your right to privacy and protect your secrets and confidential information;*
- *ensure that they have no conflicts of interest in representing you;*
- *maintain accurate records; and*
- *provide you with copies of all court documents and letters they produce or receive while representing you.*