

Choosing a Lawyer

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Our society often holds lawyers out as an untrustworthy bunch – perhaps even devious or, worse, unethical. Like any profession, ours is tainted with practitioners who contribute to the weak public perception that some would argue the legal profession deserves. As a lawyer, and as someone who tries to serve clients with honesty and respect, that hurts.

I was recently approached by someone who had clearly experienced a painful experience with her attorney. It carried with it several bad results, the least of which was not the impact on her perception of lawyers, I'm sure. She was apparently left with a complete distrust for her own attorney and, I suspect, many questions about the ethical standards of the rest of us. That's understandable. What she experienced should happen to no one, and I believe it represents an aberration in an otherwise upstanding profession. If a few bad apples spoil the bunch, then it is up to the rest of us to ensure our profession remains responsive, helpful, and respectful to our clients and those with whom we interact in our practices.

Although I can philosophize on the prevailing perception of the legal profession and its origins, I thought it more useful to offer some suggestions as to how to find and use a lawyer. Yes, I said “*use*” a lawyer. Clients' expectations and behaviors vary widely, and not all of them support the level of trust and efficiency that are critical to the lawyer-client relationship.

First, ask around. Word-of-mouth recommendations are valuable because the recipient can evaluate their quality based upon their sources. If a close and trusted friend gives a favorable recommendation for a lawyer, and you trust that friend's judgment, there's an increased likelihood that you'll like and trust that lawyer, too. Direct referrals also offer opportunities to ask questions.

Second, look at objective sources, perhaps even online. Many internet resources are hastily assembled and perhaps even inaccurate, so judge the credibility of the publisher. LexisNexis, the publisher of one of the oldest and

most recognized legal directories, Martindale-Hubbell, publishes helpful information about lawyers. Many states' judiciaries publish basic information about lawyers on their websites. And, especially within larger firms, the lawyer's own website probably contains helpful background information. Be wary of lawyer "ratings;" the methodologies used to calculate what appear to be objective ratings can vary widely and create misleading results.

Finally, take a moment to interview a prospective attorney. Although we're all under time constraints, few lawyers would refuse to respond to some general questions about their practices and experiences. Sometimes, simply the tone of a conversation helps one measure the likelihood that a successful and trusting relationship can be built with a particular lawyer.

I remarked about how a client can properly use a lawyer. It may surprise some, but lawyers have expectations of their clients much like clients do of their lawyers. Certain client behaviors can help define the lawyer-client relationship. As examples, I believe most lawyers appreciate clients who communicate efficiently about their respective legal issues and allow the lawyer to analyze those issues and form an appropriate strategy. Consolidate questions into few telephone calls or e-mail messages. Be slow to criticize the lawyer's strategies in negotiation or litigation, but try to understand them. Do not integrate too much self-help into the matters on which your lawyer is providing representation – good faith attempts to minimize the lawyer's role may actually complicate the process and create inefficiencies for your lawyer.

Above all, trust your lawyer. That's difficult for me to suggest when ours is a profession tainted by those bad apples. Patience will help build a productive lawyer-client relationship, and that trust will follow.