

How to Select an Attorney to Represent You When You or A Family Member are Injured

By Mark Hefter¹

When a catastrophic injury or the sudden tragic death of a family occurs, there often are many questions. Frequently, the questions may also be accompanied by a variety of emotional responses ranging from anger, to frustration or even guilt. There may also be immediate concerns that are time-sensitive such as preserving evidence or obtaining witness statements. Many times family, friends or co-workers will recommend an attorney that they used in the past. Other times, however, clients don't even know where to begin to find a good reputable attorney whom they can trust.

We live in an age of specialization. For example, your doctors specialize in specific areas of medical care. The same holds true with attorneys. When an injury or death occurs due to negligence, one of the best ways to find a reputable attorney is to look for an attorney who is Board Certified in Personal Injury Trial Law. Another consideration will be the geographic location of the attorney in relationship to where the injury occurred or to where the client lives. Most often the client may need to visit the attorneys office several times over the course of the period of representation. The client should take this into consideration when making the decision to hire an attorney.

The fee structure is another consideration. Here it is important to do your research. Most frequently, attorneys that work in this area will propose a Contingency Fee Contract. Under such an agreement, the client generally only pays a fee if there is a recovery, whether by way of an out-of court settlement or as the result of a trial. Fees usually range from 33 1/3% to 40% of the recovery, but can vary from attorney to attorney and case to case. The case expenses such as copy charges, postage, investigators, expert witness fees, medical records costs are kept separately for each client and to the extent that a recovery is obtained are reimbursed to the attorney out of the client's share of the recovery. Most attorneys will offer a free initial consultation.

So once you have a list of possible qualified reputable attorneys, how do you determine the right attorney to represent you. Once the qualifications and experience issues are resolved, you will need to meet fact-to face with your potential attorney. At these initial meetings, the attorney will be collecting information from you regarding your case. But you will also be collecting information from the attorney. More importantly though you will need to decide if you like this person. When selecting an attorney it is important to understand that you may be spending a lot of time under stressful circumstances with this individual. Select an attorney with a personality that you will be able enjoy working with. You may also find that some law firms will shuffle your case off to support staff and associates with less experience. It is important at the initial interview to determine what aspect of your case will be handled by the attorney with whom you are interviewing.

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