



THE BLOG

Don't Get Stuck With The Wrong Lawyer: 6 Steps To Avoid the Most Common Divorce Mistake

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The earliest stages of a separation and divorce are usually the most stressful, and clear-headed decision-making often takes a back seat to an urgent desire to get it all over with quickly. As a result, many people end up with the wrong lawyer.

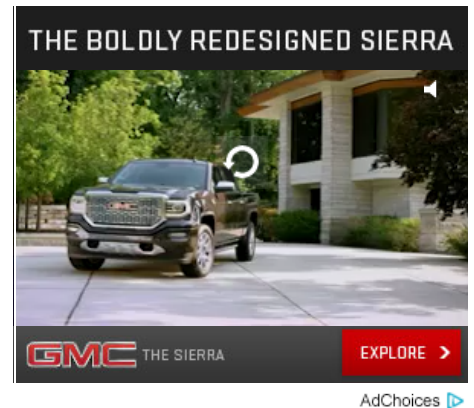
The selection of a divorce attorney is crucial not only to the ultimate outcome of your case, but also to how your case progresses from start to finish in terms of stress for you and your children, cost, and length of time.

It should come as no surprise that many people change attorneys during their divorce, even though making a change can be costly. Indeed, half of the cases I handle at any given time are cases that were first handled by another attorney.

Here are six tips to help you avoid making the wrong choice when it comes to hiring an attorney to handle your divorce:

Identify the potential need for a divorce attorney early. If you know a divorce is or may be on the horizon, it is worth your time to meet with a divorce attorney so that you are familiar with one that you like before you are in a high-pressure situation to file or you are served with papers. Otherwise, your selection may be driven by who has the time to meet with you rather than who is the best fit. Also, if your spouse meets with any attorney in a particular law firm before you do, no lawyer from that firm may want to meet with you due to a potential conflict of interest.

Reach out to trusted sources. Googling “best divorce attorney” will only help you find the attorneys with the best websites, but not necessarily the best skills. There is no substitute for word of mouth when it comes to hiring an attorney. Financial



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advisors, therapists, attorneys practicing in other areas and CPAs usually know good divorce attorneys, as do people who have been divorced in the last couple of years. Ironically, some recent divorcees may refer you to their former spouse's attorney because they were more effective.

Hire a specialist. Attorneys that specialize in family law/divorce cases are best situated to assess your case properly because they know the judges and the other divorce attorneys and have the most relevant knowledge and experience to handle your case efficiently. They also are more up-to-date on changes and trends in the law.

Ask questions of the attorney. At your initial consultation, bring a list of questions. A good attorney will appreciate your thoroughness. Suggested questions to ask include:

- *How long have you practiced family law?*
- *What is your approach to a new case?*
- *What percentage of cases do you settle?*
- *What is your approach to settling a case?*
- *What retainer do you require up front?* Although the retainer should be within your price range, keep in mind that cheaper is not always better.
- *Is any unused portion of the retainer refundable?* I would not recommend hiring any attorney who will not refund the unused portion of your retainer.
- *Who in your firm will work on my case and how much will I pay for their time?* Ask to be introduced to others who will work on your case.
- *How often will I receive an accounting of my retainer?* The answer should be at least once a month.

Take inventory. After your meeting, ask yourself the following questions:

- *Did you feel comfortable opening up to this attorney?*
- *Did you feel intimidated by them?*
- *Were they a good listener, or did they spend the entire time singing their own praises?*
- *Did you feel as though this attorney would take a practical approach to your case?* A practical but more expensive attorney is better than a cheaper attorney with no clear game plan.
- *Did they tell you anything you did not want to hear?* This is actually a good thing! Attorneys do you a disservice if they only tell you what you want to hear. In a divorce case, there is always going to be information that you do not want to hear. You need to hear it. Unrealistic expectations serve no purpose other than to generate attorney fees.

Trust your gut. If something does not seem right, it probably isn't.

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