

Selecting an Attorney

The selection of a competent attorney with whom you are comfortable and can afford is, perhaps, the most important decision you will make in your divorce. Your selection should focus upon the three "C's": Competency, Cost and Chemistry.

A. Competency - Competency is the most objective and the easiest to determine. You must hire someone who is experienced and objectively competent in handling divorces. Under no circumstances should you hire someone who is not experienced in divorce law simply because they are a family friend, because they are less expensive, because they have done other work for you or your employer, or for any reason other than the fact that they are experienced and competent as a divorce attorney.

You should consider attorneys who are active in the bar association in the county where your divorce will occur. Specifically, you should look for an attorney who is active in the Family Law Section of the Bar Association and consider their involvement in related Bar Association committees.

B. Cost - All divorce attorneys will charge you for their services at an hourly rate. However, do not accept an "hourly rate quote." Ask the attorney to give you a good faith estimate of the budget which you may expect for the completion of your case. In addition, ask the attorney whether or not he/she will use associate attorneys or paralegals to assist on your case and, if so, at what hourly rate.

Remember that if you hire a solo practitioner at a lower hourly rate, all of the work done will be billed at that rate. If, on the other hand, you hire a more experienced attorney at a higher hourly rate who will use associates or paralegals to perform some of the work on your case at a reduced billing rate, the ultimate combined rate may actually be cheaper.

C. Chemistry - This is the most subjective and most difficult component to assess, but perhaps, the most important. The criteria is totally subjective; is the attorney and their personality the right fit for you? That is a very difficult decision to make and equally hard to articulate. However, some criteria which you should identify and assess are:

- I. How did the person speak and present themselves when they were with you?
- II. Were they attentive and respectful?
- III. Did they interrupt your time with them to take calls or messages from their staff?
- IV. Did they introduce you to their staff?
- V. Was their approach and presentation to you courteous and attentive or did they appear to be overbearing or speak down to you?

It may help for you to call the attorney back after the office conference. Ask them several follow-up questions and assess how they respond. Do they remember you? Are they patient and attentive to your questions? Or, do they appear disinterested and impatient? If in doubt, the obvious answer is to go back for a second visit to be as sure as possible regarding your initial impressions.