All attorneys are not created equal. Some have more experience than others. Some are better listeners; some are gifted at explaining complex ideas in easy-to-understand terms. Believe it or not, some lawyers will even return your phone calls promptly.

When you need help with a legal matter, your goal is to find a great attorney. Not just the best educated, or the most (or least) expensive, or the one who did a great job with your sister’s divorce. You need someone with a unique combination of qualities.

You need an attorney with knowledge and experience, who will listen to you and answer your questions in a way you can understand. But that’s just the beginning. You also need an attorney you feel confident working with. One who lets you know where you stand, who always lets you know what’s going to happen next, and who does what they say they’ll do.

Great attorneys exist, and this guide will help you find one.
Narrow the Field

Try searching online for an attorney, and you’re sure to be met with a long list of lawyers in your area. So how do you tell the great attorneys from the not-so-great ones? The first step is to close your browser and check with the people you know.

Referrals

Sometimes the first step in finding a great attorney is to ask around. Your friends or family members might have dealt with a wonderful attorney who would be the perfect choice to help you with your issue. The same may be true of many of the professionals you already have relationships with. Your accountant, financial advisor, or doctor likely has an entire network of professional acquaintances, including attorneys. Even better, he or she can probably give you the inside scoop on these attorneys’ reputations.

Think of a referral as a jumping-off point in your search for a great attorney, rather than as a stopping place. Legal matters are important, and it is essential that you choose the attorney best qualified to work with you. Figuring this out takes a little legwork, so there are a few more steps in the process.

What if you don’t know anyone who can refer you to a qualified attorney? Don’t worry. A personal referral is a nice starting point, but it is not essential. You can check with your local bar association or do a web search for nearby attorneys.

Law Firm Websites

The internet has made it easier than ever to get a feel for a lawyer’s background, expertise, and personality. Many law firms have websites that offer a wealth of
information—and give you clues about what it might be like to work with the attorneys in the firm.

As you look at a law firm’s website, pay attention to the following elements:

- **About Us Page:** This page gives you a little insight into the firm’s background, practice area, and culture.

- **Attorney Pages:** Many law firm websites have one or more pages that serve as a brief resume for each of their attorneys. Browsing these pages is a great way to find out about an attorney’s education and work experience, as well as any special expertise or authority, such as articles or books he or she has published.

- **Educational Materials:** Law firms often include articles, blogs, or videos on their websites. These features are aimed at educating clients and prospective clients. They can be a wealth of information, not only about legal matters, but about the firm’s personality and communication style.
Make Appointments

After you’ve asked around, and perhaps checked with your state or local bar association and perused several law firm websites, you’ll have narrowed the field to a couple of attorneys who look like good candidates.

Now is the time to talk to the attorneys on your “short list.” Call each law firm and make an appointment for a consultation. Some law firms offer a free initial consultation, while others charge for this time with an attorney. Both approaches are normal and customary within the legal industry. The best approach is to be prepared to pay a consultation fee and to be pleasantly surprised if the fee is waived.

As you make your appointment, ask if the firm has a couple of current clients who would be willing to act as references. Jot down any names and phone numbers the firm provides.
Prior to heading to the attorney’s office for your consultation, you’ll want to do some simple sleuthing.

**State Bar Association**

Each state’s bar association has requirements a lawyer must meet in order to practice law in the state. These requirements include attending a minimum number of continuing legal education classes each year and abiding by state ethics rules, among other things. The bar association keeps track of whether an attorney has met these requirements, as well as whether he or she has been the subject of disciplinary action for ethics or other violations.

A quick call to the bar association—or a visit to the association’s website—will disclose an attorney’s membership status. It will also fill you in on whether the attorney has been the subject of complaints or has been disciplined for ethics violations.

You’ll want to find out:

- How long the attorney has practiced law
- Whether the attorney is listed as an “active member in good standing”
- If there are any client complaints on file for the attorney
- The number of annual Continuing Legal Education (CLE) hours maintained by the attorney
- The kinds of CLE classes an attorney has recently taken
- The attorney’s disciplinary history, if any
Research

In addition to checking with your state’s bar association, you’ll want to spend some time preparing for your consultation. Think about the issue for which you’re seeking help. What do you hope to learn when you meet with the attorney? Sometimes, a little advance research can help you focus your thoughts and feel better prepared for your consultation. An attorney’s website might offer articles, free reports, or videos to help clarify complicated legal terms or concepts. Google can also be your friend if you’re careful to stick with reliable sources and look for client testimonials.

Some attorneys even offer seminars or classes to educate the public about common legal issues. If a law firm you’ve selected offers this type of free resource, take advantage of it. In addition to adding to your knowledge, you can gain a wealth of information about a lawyer before you commit to a consultation. At a seminar, you can:

- Evaluate the attorney’s expertise
- Get a feel for his or her personality and communication style
- Notice how the attorney relates to a variety of people
- See how he or she handles questions or unexpected situations

References

When you called to make your appointment, you might have gotten the contact information for one or more of the attorney’s current clients. Now is the time to call these people for a short chat. Use this opportunity to ask about the lawyer’s knowledge, personality, reliability, and any other questions you have about what it is like to work with this particular attorney.
The Consultation

Your initial consultation is the most important part of your search for an attorney. At this meeting, your goal is twofold:

1. To find out what steps you need to take to resolve your legal issue
2. To gather information about the kind of attorney you’re meeting with, and what kind of relationship you can expect to have if you retain him or her

There is more to your experience with a law firm than your interaction with an attorney, so you’ll want to pay attention to all aspects of your initial consultation, starting when you walk through the door.

- Are you greeted in a prompt and courteous manner?
- Are you made to feel comfortable and welcome as you wait for the attorney?
- Think back to any phone interactions you’ve had up to this point. Have the voices on the phone been friendly and professional? Have phone calls been returned promptly?

Most initial consultations follow a general pattern. The attorney will introduce him- or herself, and will then ask you questions to help pinpoint your legal issue. You’ll get a chance to ask your own questions. Near the end of the consultation, the attorney will give you a general idea of the options available to you, recommend a course of action, and discuss the fees and timeframe involved in retaining the law firm to work on your behalf. If you choose to hire the attorney, your relationship will be formalized in writing and the attorney will let you know what to expect next.

Take advantage of this meeting to ask a variety of questions and pay close attention as you evaluate the attorney. Here is what you want to find out:
Background and Practice Area

- What practice area(s) does the attorney focus on? For certain complex areas of law, such as estate planning, it is important to look for a lawyer who focuses a majority of his or her time on the area in question. This helps to ensure that the attorney is up-to-date on all relevant legal and strategic developments.

- How long has the attorney practiced law? How long has the attorney practiced law in this practice area?

- How many matters similar to yours has the lawyer handled?

- If the attorney is relatively new or inexperienced, does he or she have a more experienced lawyer who serves as a mentor in matters like yours?

- Has the attorney published books or articles or taught classes to other attorneys?

- How many hours of Continuing Legal Education (CLE) classes does the attorney attend each year? CLE requirements vary widely by state, with many states requiring attorneys to attend between 10 and 15 hours of Continuing Legal Education classes annually.

Competence

- Pay attention to how the attorney answers your questions. Does he or she know the answers and answer confidently—and in a way that you can understand?

- If the attorney does not know the answer to a specific question, doe he or she offer to find out for you?

- Does the attorney understand your issue?
Can the attorney explain your options for resolving the issue? Do you understand the attorney’s explanation?

Are you confident that the attorney can help you resolve your issue in a timely manner and within the specified fee arrangement?

**Communication**

- How does the attorney prefer to communicate with clients (phone, email, etc.)?
- When should you expect to talk to a staff member rather than the attorney?
- How long will it take for phone or email messages to be returned?

**Demeanor**

- Does the attorney listen attentively to your questions?
- Is the attorney friendly and respectful?
- Do you feel comfortable talking with the attorney? With the staff members you’ve met?
- Can you see yourself developing a good working relationship with the attorney and his or her staff?
Making the Right Choice

As you leave the consultation, take some time to reflect on all the information you’ve gathered about the attorney, as well as the impressions you formed during your meeting. Think about the attorney’s expertise, experience, and qualifications. Consider how you felt as you talked to the attorney and to his or her staff members. Were you comfortable? Was it easy to communicate? Did you feel confident that your needs would be met and your problems resolved in a timely and competent manner?

It is important to choose an attorney who is competent and experienced, but it is equally important to listen to your instincts and find an attorney with whom you can develop an effective relationship. In the end, a great attorney is one who helps you accomplish your goals as pleasantly and efficiently as possible.
### Are the Following Services Provided?

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<thead>
<tr>
<th>Services</th>
<th>Estate Plan</th>
<th>Client Education</th>
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<tbody>
<tr>
<td>❏ FREE estate planning phone calls to law firm anytime</td>
<td>❏ FREE annual review of your estate plan</td>
<td>❏ FREE Asset Protection seminars</td>
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<tr>
<td>❏ FREE newsletter about developments and changes in the law</td>
<td>❏ FREE consultation with family members upon death/incapacity</td>
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<td>❏ FREE quote of flat fee for all services offered</td>
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<td>❏ Portfolio binder and storage instructions for all documents</td>
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<td>❏ Recorded explanation of how the plan works for family members</td>
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<td>❏ Diagram/flow chart showing how the estate plan works</td>
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<td>❏ “Location List” form for inventory of important papers, etc.</td>
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<td>❏ List of friends and relatives to be contacted</td>
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<td>❏ List of key advisors</td>
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<td></td>
<td>❏ Form for explanation of burial and funeral wishes</td>
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<tr>
<td></td>
<td>❏ Memorandum for distributing personal effects and heirlooms</td>
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<tr>
<td></td>
<td>❏ Checklist outlining “trust funding” status</td>
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<tr>
<td></td>
<td>❏ Health Care documents faxed/emailed to hospitals upon request</td>
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<tr>
<td>❏ FREE family orientation meetings</td>
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<td>❏ FREE Long Term Care seminars</td>
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FREE preliminary financial and estate plan coordination

FREE referrals to Long Term Care planning consultants
FREE referrals to accountants

Attorney Qualification

Seek an attorney with a practice focused on estate planning, not a general practice that may occasionally plan for existing clients

Contact the state bar and inquire about past complaints

Ask about the nature of Continuing Legal Education the attorney has recently taken. Such education should be focused on topics relating to estate and tax planning, not on unrelated topics

How many CLE Hours does this attorney fulfill each year? (Academy members are required to complete 36 hours/year in estate planning and elder law, most states require less than 15 hours and it may be in unrelated areas).

Your family will need this firm in the future—how long have they existed and how will their clients be served if your attorney leaves?

Beware of “trust mills,” often out of town visitors offering discounted plans with a back-end sale of another type (insurance, etc).
Will Your Estate Plan Be Customized to Meet Your Needs?

- Must offer basic Will services
  - Living Trust Services should include:
    - Documents for funding of trust; unlimited processing support
    - Certificate of Trust
    - Last Will (Pour Over)
    - Property Power of Attorney
    - Power of Attorney for Health Care
    - Property Agreement
    - Living Will
    - HIPAA Release
    - Medicaid Triggers
      - Provisions which enable Medicaid planning
    - IRA Provisions
      - Allow the Trust to be named beneficiary of retirements and be considered a “look through” Trust and still get a stretch out on distributions

Customized Legal Documents and Services

- Disability Provisions
- Hold Back Provisions
  - Allows the Trustee to withhold distributions from beneficiaries who should not receive assets. (For example, due to their lack of maturity)
- Powers of Appointment
  - Allows beneficiaries flexibility in determining where assets go after their own death
- Flexible Distribution Options for Beneficiaries
  - Creditor Protection
  - Divorce Protection
  - Generation-Skipping
  - Special Needs Trusts
- Special Co-Trustee Provisions
  - Allows independent party to amend for change in law or circumstances
  - Allows independent party to mediate disputes
- No Contest Clause
  - Helps avoid estate dissuade challenges to the estate plan
- State qualified QTIP Trust
  - Helps avoid estate taxation at the state level while taking advantage of a larger federal exclusion amount
- Must offer advanced planning, probate and trust administration services

- Easy-to-understand explanation for each document
- Transfer of out-of-state real property to your Trust
- Trust customized for client’s needs and circumstances