

## Getting Help: Legal Guidelines for Domestic Violence

### **Questions to Ask Before You Hire An Attorney**

#### *General questions about divorce or custody cases*

- Have you or any members of your firm ever represented my partner or anyone associated with my partner?
- Do you handle divorce or custody cases? How many of these cases have you handled?
- How many of them were contested?
- How many of them went to trial?
- Did any of the cases involve expert witnesses?
- How many were before the judge(s) who will hear my case?
- What kind of decisions does this judge usually make?
- Have you ever appealed a case, and if so, what were the issue(s) appealed? How many of these appealed cases did you win? (Remember that even excellent attorneys lose cases.)

#### *Questions about attorney fees and costs*

- What are your fees? What work do these fees cover? Is this an hourly fee or a flat fee for the entire case?
- Is there an additional charge for appearing in court?
- Do you ever charge less for people who do not have much money?
- Do you charge a retainer? How much? What does it cover? Do you refund all or part of the retainer if my case ends up being dropped or not taking much time? (Attorneys should be willing to refund any part of the retainer not spent.) Are there other expenses which I may have to pay? What are they and how much are they likely to be?
- Will you be the only person working on my case? What will other people do? How will I be charged for their work? Will I be charged for speaking to your secretary? Your receptionist?
- Are there ways that I can assist you so as to keep down my costs?
- Will you send me a copy of letters, documents, and court papers that you file or receive regarding my case?
- Do you charge extra if the case gets more complicated or we have to go back to court?
- Will you require that I have paid everything that I owe you before you will go to court with me or finish my case? (Many attorneys do this. They may also refuse to return your original papers or copies of your file, and in some states this may be legal. Therefore you should insist on getting a copy of any paper filed with the court or given or received from another party or otherwise relevant to your case. Be sure to keep all of them in a safe place, in case you ever need them.)
- Are you willing to work out a payment plan with me?
- Will you put our agreement about fees and what work you will perform in writing?

Adapted from the National Coalition Against Domestic Violence.  
<http://www.ncadv.org/gettinghelp/legal.htm>. Retrieved 12/09/02.