

**DISCLAIMER: The information below is the opinion of Patricia L. McKinnon, Esq., and should not be considered “legal advice.” Each person’s legal case is unique, with its own set of facts and applicable laws. You should consult with an attorney, of your own choosing, before acting on any of the information below.**

**QUESTIONS TO ASK BEFORE RETAINING AN ATTORNEY**  
**FOR A FAMILY LAW CASE**

You must trust your attorney to promote your interests and act as an advocate for your case. The following questions are offered for advisory purposes only with the hope that the questions help you find the “right” lawyer. I strongly suggest every client meet with an attorney, face-to-face, before retaining an attorney. If you are not comfortable with the attorney, after meeting with the attorney, or if you do not trust the attorney to do a good job for you, then you should consider retaining another attorney to represent you in order to avoid future problems for both you and your attorney.

1. Do you offer a consultation before I must retain you to be my attorney? If so, what is the fee?
2. How long have you been in practice as an attorney?
3. What areas of law do you practice? Do you limit your practice to family law cases, or do you accept cases in other areas of the law? If so, what percentage of your cases are in each area?
4. Do you have a specialty certification of any kind?
5. What is your philosophy regarding what decisions the attorney makes and what decisions a client makes?
6. What is your normal hourly rate per hour?
7. What would you charge as a retainer in my case?
8. What happens when my retainer funds have been exhausted and I have no more retainer fund left? Do I need to replenish my retainer? If so, what is the minimum amount?
9. Are expenses billed separately from your hourly rate? What kind of expenses will I be charged for? Is there a dollar amount for an expense charge that I must approve before you incur the cost?
10. Will you be the attorney handling my case or will my case be given to another attorney?
11. Do you use legal assistants or paralegals? If so, what is the hourly rate charged for their time on my case?
12. Do you return your own phone messages or will your legal assistant or paralegal be returning my calls?

13. Do you have a policy on how quickly you return client phone calls?
14. If I owe you money, regarding an Invoice for my account, do you add interest to my account? What is the percentage of interest added? Is there an additional billing fee added to my account if I use a payment plan to pay off a past due balance on top of the interest charged?
15. When was the last time you had a case in the county where my case is located? Do you regularly practice in this county or are most of your cases in another county?
16. Do you know the Judge/Magistrate/Commissioner assigned to my case? If so, what has been your past experience with him or her? When was the last time you had a hearing in front of that Judge/Magistrate/Commissioner?
17. Do you know the opposing party's attorney in my case? If so, please describe your past experience with the opposing party.
18. Have you ever been investigated by the Indiana Supreme Court Disciplinary Commission for an ethics violation? If so, what was the result?
19. Have you ever had a malpractice case filed against you by a former client? If so, what was the result?
20. What can I expect out of you as my attorney?
21. What do you expect out of me as your client?
22. Have you ever had to fire clients in the past? If so, what was the reason you fired the client?
23. What advice do you have for me today to help me with my case?