

How to Select the Right Lawyer

We often select consumer products based on slick television advertisements, billboards, and print media. Some lawyers use those same means to solicit business, but is that any way to pick a lawyer?

In Florida, a small percentage of lawyers are recognized as experts in their field. These are "Board Certified" lawyers, and only 5% of Florida's lawyers have the recognized competency and experience to be Board Certified. Finding a Board Certified attorney is easy. Simply visit the Florida Bar's website www.floridabar.org, click on "Find a Lawyer", and from there you can search by board certification, city, or by practice area. You may also benefit from the Florida Bar's Lawyer Referral Service at that same site, and by visiting www.lawyers.com, where you can obtain information on lawyers all over the world as well as free legal forms and online forums for discussion of legal issues.

Word of mouth is an even better means of selecting a lawyer. Ask your friends, neighbors, and other professionals to make a recommendation to you. But make certain that you ask the right question, not just "who is a good lawyer?", but "who is a good lawyer in the field involving your legal needs"? Some lawyers will provide a free consultation. Others charge a minimum consultation fee. Understand that specialists who may charge a minimum consultation fee are often the ones with the right answer. You may "get what you pay for", so free advice may not always be the best advice.

Many lawyers promote themselves as "trial lawyers", but most litigation is resolved before trial, and while trial skills are important, substantive skills in the subject matter in dispute are even more important. That is why, for example, if a matter in dispute involves say, real estate litigation, a real estate lawyer may be a better choice than the best trial lawyer who may be great in the courtroom but have limited underlying knowledge of the intricacies of real estate law.

What many consumers do not realize is that most litigation never goes to trial. Pre-suit negotiation, post-suit motion practice, mediation and other dispute resolution tools are the means by which the great majority of legal disputes are brought to a conclusion. It may take years for a case to work its way through the legal system to get to trial. This is especially true in these hard economic times where the courts are overloaded and backlogged. Having a lawyer who is skilled in the subject area of the dispute can bring about a much quicker conclusion for far less money than the lawyer who may have particular trial skills but it will likely be a couple of years and thousands of dollars before those trial skills can be utilized. In the meantime, there may be lost opportunities to resolve a case satisfactorily and economically since the non-specialized lawyer could miss important issues that a Board Certified or other better-qualified lawyer would have more quickly grasped.

When choosing a lawyer, hourly rates matter less than the experience of your counsel. A knowledgeable lawyer at \$300 or more per hour is a better choice than one who is struggling to find the right answers at half of that rate.

In your quest for the best lawyer for your particular situation, don't hesitate to get a second opinion. Remember that like all professionals whether they are doctors, accountants,

lawyers or any others, all they have to offer are opinions. Some opinions are better than others. Some opinions prove to be right and others are wrong.

Even having a lawyer that may convince a trial judge that he is right doesn't necessarily make that lawyer the better choice, since the appellate courts are ultimately the ones that may decide a case that has gone to trial. A victory at trial may end up as a defeat after an appeal, and vice versa, of course.

Making the right selection of your counsel at the outset will greatly increase the likelihood of a successful result at the end of the dispute.

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