

How to Hire a Business Litigation Attorney

Choosing an attorney to represent you is an important but daunting task. The decision certainly should not be made on the basis of advertising. The Yellow Pages are filled with ads--all of which say basically the same thing. You should not hire based solely on TV advertising--anyone can buy a slick commercial.

How Do You Choose? How do you find out who, in your local community, is the best for your case? We believe that there are certain questions to ask that will lead to the best person for your case--no matter what the specialty. It may involve some time on your part, but that's OK because the decision as to who your attorney will be is very important. I don't practice Personal Injury law (including Medical Malpractice), Family Law, immigration, real estate or tax law. I will be happy to give you some names of other attorneys I know and respect who do work in these areas. Many of them will also give you free information on their speciality.

The world of business and commercial litigation is much too specialized for someone who does not regularly handle these cases. Too many times we have looked at cases that other, inexperienced, attorneys have handled. You should be aware that the law firms who represent many of the larger businesses know who the attorneys are in your area who actually go into court to try cases and who does not. They will use that information to evaluate their client's risk. One of the first questions any good business litigation attorney will ask when a serious claim comes in is: who is representing the other side?

If you are represented by an attorney who has never tried a business case or who "handles" a lot of business and commercial cases but settles them all, you may not be in the best of hands. We believe that it is so important that you get into the right hands that at the end of this article we print the names and telephone numbers of other good attorneys in our area. Why do we give you the names of our competition? Easy--we believe that we are all on the same side in battling for your rights. These people are attorneys who we have a great deal of respect for in our area. It is our desire that people with meritorious cases get into the hands of the experienced, good, trial lawyers in our area.

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So how do you find out who is good in your area? Here are some tips.

1. Get a referral from an attorney that you do know. He or she will probably know someone who does specialize in your area. If you don't know anyone at all, go to the bottom of this page for a link to the best attorney search tool.

2. The Yellow Pages are not a very good source of names for business and commercial attorneys. First, not everyone advertises in the Yellow Pages. We don't--most of our cases come from referrals from other attorneys. Second, be careful about the ads that tout too many different specialties. No one can be good at everything!

3. Your local bar association probably has a lawyer referral service. Understand that lawyers have signed up to be listed in certain specialties. Their names come up on a rotating basis. This is another good source for an initial appointment. Just take the questions we talk about here to that interview.

4. Interview several attorneys. Ask each attorney who else who else handles these cases in your area. If they won't give you any names, leave. Ask this question of each attorney. The names you see showing up on various lists of recommendation are probably good bets to be doing these cases on a regular basis in your area. *This is probably the best way to find the attorney who is right for you.*

5. Here are factors and good points to look for and question your attorney about. Note that not every attorney will meet all of these criteria, but the significant absence of the following should be a big question mark. You can also check out your attorneys' credentials going to the site at the bottom of the page.

- Experience--obviously, the longer you have been practicing a particular area of the law, the more you will know. We believe that experience is a big factor in most cases.
- Experience actually trying cases--ask the attorney how many cases he has actually tried. Has he or she achieved any significant verdicts or settlements for his/her clients? The greater your number of cases actually tried and substantial verdicts and settlements achieved, the more the other side will respect you.
- Respect in the legal community--has your lawyer lectured or taught other lawyers?
- Membership in trial lawyer associations. In our area, you can certainly find a lawyer who is a member of the Virginia Trial Lawyers

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Association (VTLA), the D.C. Trial Lawyers Association and the Association of Trial Lawyers of America (ATLA). All three of these organizations provide extensive education and networking for trial lawyers. Why would you hire an attorney who is not a member?

- Publications--has your attorney written anything that has been accepted for publication in legal journals? This is another sign of respect that the legal community has for his or her skills and experience.

6. Ask your attorney if he or she is licensed in the state where your case will be filed. We believe that an attorney who is not licensed in the state where the case will be filed is at a disadvantage. The other side will know who is not licensed and thus cannot actually try the case.

Once You Have Decided On An Attorney, Make Sure That You Both Understand Your Goals and That You Understand How the Relationship Between You and Your Attorney Will Work

7. How will your attorney keep you informed about the progress of the case? In our practice, we generally send a copy of every piece of correspondence and pleadings in the case to the client. We also take time to explain the "pace" of the case and in what time frames the client can expect activity to take place. The client is invited to call or email at anytime. We try to return every call within 24 hours. If we can't our office will help you set up a specific "telephone appointment" for you. You are also invited to make an appointment to come in at a time that is convenient to you.

8. Find out who will actually be working on your case. Make sure that you and your attorney have a firm understanding as to who will be handling your case. There are a lot of things that go on with a case that do not require the senior attorneys attention. On the other hand, if you are hiring an attorney because of his or her trial skills, make sure that that person is going to be trying your case for you.