

## WHAT IS A LAWYER?

Also called an attorney, a lawyer is someone who has completed law school, passed a bar exam, and is licensed by the state to help solve legal problems. There are many things a lawyer can help you do, such as write will, file a divorce, and represent you in court.

## HOW DO I FIND A LAWYER?

### Contact Legal Service Agencies.

Legal Service Agencies provide legal services for civil (non-criminal) law matters to low-income persons either for free or a reduced fee. Call your local Bar Association for the legal service agency in your neighborhood, or look in the yellow pages for a local agency.

Hire a Private Lawyer. If you choose to use a private lawyer, you can:

- Ask people you know if they can recommend a lawyer.
- Look in the phone book, newspapers, and on television to get the names of lawyers.
- Call your local county bar association to get the names of lawyers.

### Get a Public Defender.

If you are charged with a crime and you need a lawyer, but you can't afford one, the court will assign you a lawyer called a public defender.

## WHAT SHOULD I ASK BEFORE I HIRE A LAWYER?

Ask the lawyer about her experience handling similar cases, whether she has enough time to handle your case, how you will be charged for her work and her expenses, her initial thoughts about your case, and whatever else you think is important. Often, lawyers will offer a free initial consultation.

## WHAT SHOULD I EXPECT FROM MY LAWYER?

There are many things you should expect from your lawyer. Among them are:

### Regular Communications.

A lawyer has a duty to communicate with you regularly. He must keep you informed of the status of your case. The lawyer must also answer your questions and return your phone calls within a reasonable amount of time.

You may tell your lawyer information in confidence. In most circumstances, he is not allowed to tell anyone about your conversations, not even the judge.

You can tell your lawyer if you have committed a crime in the past, and he is not allowed to reveal this to the court or to anyone else. But, you cannot bring your lawyer evidence (items that are related to your case) and expect him to hide it. He will be required to turn it over to the court.

There are times when a lawyer can tell the court or other what you have told him:

- A lawyer may reveal what you have told him in order to prevent you from committing a crime in the future.
- A lawyer may reveal private conversations if you are testifying in court and he thinks that you are going to lie.

### Honesty.

Your lawyer must always be honest with you.

### Diligence.

Your lawyer must be diligent in pursuing your case or solving your problem.

## AFTER I GET A LAWYER, WHAT SHOULD I DO?

Be honest with your lawyer. If you lie to your lawyer, he cannot do his job. When you meet with your lawyer, bring whatever paperwork you have related to the problem your lawyer is trying to solve. If you do not understand what your lawyer has done, ask questions until you do. Be on time for appointments and for court. Also, stay in touch. Give your lawyer your current phone number and address.

## HOW MUCH DOES A LAWYER COST, AND HOW ARE FEES DETERMINED?

It depends on the area you live in, the experience of the lawyer, and the type of legal work. You should call other lawyers

and compare the fees to see if they are reasonable.

Fees are determined in three (3) ways:

Contingent.

A contingent fee is when the lawyer agrees that he will not be paid unless you win. If you agree to a contingency fee, your lawyer must explain the way the fee is figured and put the agreement in writing. The agreement typically will state that if you win, the lawyer will receive one-third to one-half of the verdict or settlement.

Contingency fees are not allowed in family law cases, such as divorce or child support cases, or in representation of a defendant in a criminal case.

Hourly.

Lawyers often charge fees based upon the time they spend on your case, called an hourly fee. Your lawyer should tell you his hourly rate before you hire him or her.

Flat fee.

Lawyers can also charge a flat fee for simple legal services that are performed routinely. Examples include simple divorces, name changes, bankruptcies, and uncontested adoptions.

**WHAT SHOULD I DO IF I AM UNHAPPY WITH MY LAWYER?**

Just because you do not like the outcome of your case does not mean that your lawyer did a bad job. If you no longer like your lawyer, you can fire him. However, he is

probably entitled to a reasonable fee. If your lawyer acts unethically, report her to the Indiana Supreme Court's Disciplinary commission:

Indiana Supreme Court, Disciplinary Commission  
Donald R. Lundberg, Executive Secretary  
115 W. Washington St., Suite 1165  
Indianapolis, IN 46204  
(317) 232-1807

Last Revised 11/2002 Special Code: 2010000

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<b>Bloomington:</b> (812) 339-7668 1-800-822-4774	<b>Hammond:</b>  (219) 853-2360
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<b>Gary:</b> (219) 886-3161 1-888-255-5104	<b>South Bend:</b> (574) 234-8121 1-800-288-8121

# What Should I Expect From My Lawyer

Prepared by:

**Indiana Legal Services, Inc.**

The production of this pamphlet is made possible by a grant from the Indiana Bar Foundation and the assistance of Ice Miller.

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[www.indianajustice.org](http://www.indianajustice.org)