

TIPS FOR KEEPING YOUR FAMILY LAWYER'S LEGAL FEES DOWN

A divorce or separation can be an emotional, painful and very expensive process. However, there are certain steps you can take to keep your legal costs down. The following are suggestions that could help you to keep your lawyer's fees down:

1. Lawyers will bill you when they have to listen to voicemail you have left for them, or when they have to leave a voicemail for you. For this reason, it is a good idea not to play phone tag with a lawyer, since you are charged per message left or received. A better method is to speak to a law clerk to book a telephone appointment with the lawyer. If the question is non-legal in nature it may be more cost-effective to speak to the law clerk first to see if they can help you.
2. Speak candidly to your lawyer, and formulate realistic goals and expectations as early as possible in the representation. You don't want your lawyer spending time discovering what you could have told him at the onset. You also don't want the case to drag on unnecessarily, so be honest and forthcoming from the beginning.
3. Keep your material and documents organized. The more organized and detailed you are with your documents and evidence, the more you may be able to keep your costs down.
4. Use voicemail, e-mail and fax to communicate with the law clerk, or where necessary the lawyer, as much as possible. In person meetings with your lawyer will be more expensive.
5. If you don't currently have an email or voicemail system, we suggest that you get one. Sometimes the lawyer needs to get in touch with you promptly to alert you to new developments. The lawyer will charge you per call/email made in the effort to reach you, so you save yourself money with an email and voicemail system.
6. Prepare for all meetings, telephone calls and correspondence with your lawyer. Make note of questions you would like to ask. If you have questions of a general legal nature, it may help to do an internet search first. Being as informed as possible can save you a lot of money.
7. Consider taking notes during your meetings and telephone calls with your lawyer so that you don't have to ask the same question twice. Always remember that your lawyer will bill you for his time, so make the most efficient use of it.
8. Use email instead of the telephone. Email is quicker than a phone conversation. Keep in mind that your lawyer is likely receiving a high volume of emails every day from other clients and opposing lawyers, and may not be able to respond to you immediately. Keep your questions short and clear. Email also allows you to keep track of your lawyer's advice for future reference.
9. Establish a good rapport with your lawyer's law clerk. While a law clerk cannot give you legal advice, she can answer many procedural questions, and her billing rate is much lower. For example, the law clerk can tell you if your ex-partner has served his reply to your application, but the law clerk cannot give you legal advice.

10. You may be asked to provide your lawyer with written material. This is often an efficient way to get the necessary information from you in order to prepare court documents. The written material you provide may be used in several aspects of your case, and will result in greater efficiency for the lawyer and reduced legal fees for you. Lawyers prefer to get this material from you via email attachments. This is cheaper than faxing the material.

11. Be as organized as possible. The more time a lawyer spends on preparing a case, the more you are going to be charged. Many documents will need to be reviewed during litigation. Compile as many as you can yourself, and keep them neatly organized either in folders or as PDFs on your computer. If acceptable, send soft copies of all the requested documents to your lawyer's law clerk, via email. This will reduce both the lawyer's and law clerk's time spent working on your case.

12. Your lawyer may need to prepare your financial statement. To do this your lawyer needs documentation of all your bank accounts, mortgage/line of credit accounts, paystubs, and your income tax returns to substantiate all the figures asserted in your financial statement and to provide a copy to the opposing counsel. So to reduce processing costs, you should provide your lawyer with two copies of all documentation.

13. When you are giving documents to your lawyer's office or transferring your file from another lawyer, organize court documents and letters in chronological order and make a list of all the documents in chronological order. Providing an electronic version of the list will also save the law clerk's time and therefore, save you money.

14. Make sure you choose an experienced family law lawyer. Picking a lawyer who practices exclusively in family law will have plenty of experience in cases similar to your case and this should keep your bill down. Avoid lawyers, however cheap they may seem, who don't really know what they're doing.

15. Finally, and perhaps most importantly, respond to your lawyer's requests in a timely manner. Lawyers have deadlines they must meet and also need to be responsive to opposing counsel's requests. You don't want to pay extra for your lawyer to keep following up with you or for unnecessary appeals and motions.

by Joseph P. Hamon