

Preparation vital when dealing with your lawyer

Some people do not need to see their lawyer often.

It may only be for a will or house transaction every so often.

Others, need to get advice and assistance far more often.

If you need advice, it pays to be prepared.

Doing the preparation yourself will save time and money.

If you engage a lawyer, you should make the most of your initial consultation.

Preparation will help you get all your issues on the table, and ensure your lawyer gets the information needed to advise you properly on the law, your rights, and your options.

We suggest you write a brief summary of what's happened (including key dates and events), questions you have, and your goals.

It is also useful to write the names and contact details of the people involved in your legal issue.

It is useful to bring as much information to your consultation as possible, including copies of court documents, contracts, or letters about your matter.

At your consultation, expect your lawyer to ask lots of questions.

Your lawyer will want to fully understand what has happened and the legal issues involved.

Everything you tell your lawyer is treated in confidence, so feel free to talk frankly.

Once your lawyer has enough information, he or she will usually talk to you about the legal issues involved, what the applicable law is, and your options.

If your case is complex, your lawyer may want to do further research before advising you.

By the end of the meeting, you should know:

- If your lawyer needs any further information from you

- What your lawyer will do next (if anything)

- What you should do next (if anything)

- Also, possibly how much you can expect to spend in legal fees for the matter or next stage of the matter.

What will you need to invest in your legal issue?

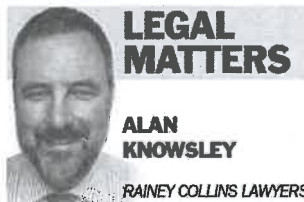
The investment you need to make depends on how important it is to you.

Some things you can do yourself, such as being fully prepared for meetings or discussions – organising the paperwork into a logical order etc will make it quicker and easier for your lawyer to give you advice.

The number of times your lawyer will need to meet with you, or meet with witnesses and appear in court to resolve a legal problem is often hard to initially estimate.

There are often several legal options for trying to resolve your legal problems with different costs, so it is important to discuss the pros and cons of all options and establish a plan you feel comfortable with.

Lawyers can charge for the services they provide in several



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proposes to charge and payment options.

At other times there is a set fee for a particular type of matter.

Lawyers may charge for special expertise or urgency.

Sometimes a bill is made up of several different types of charges and there are many factors to be taken into account in setting a reasonable fee.

You will need to pay GST as well.

You will also usually need to pay all payments (disbursements) the lawyer makes on your behalf.

Usually your lawyer can give you an idea of what they will be, but sometimes they are not known until further down the track.

Items will depend on the sort of matter involved, but can include court filing fees, travel costs (such as airfares and accommodation), toll calls, service agents' fees, and experts' costs (valuers, surveyors, engineers).

Your lawyer will tell you how often and under what circumstances you will need to pay fees and usually will let you know regularly what the costs on your matter are so you can assess the level of investment you are making and budget for the costs.

He or she should also discuss your preferences in relation to the reporting they do to you, so they fit in with systems you may have. Some clients need monthly reports.

Others prefer them quarterly etc.

Before any substantive work is done, lawyers are required to set out to clients the terms on which they will act. Discuss these with your lawyer to ensure you are happy with what you agree to.

All lawyers are required to have an internal disputes resolution process, so if you are not happy with something (eg, a bill) you can raise the matter.

If you are not satisfied with the outcome you can also raise issues with the New Zealand Law Society.

It can investigate matters (including bills), so no clients should feel they have been overcharged and have no avenues to address that issue.

ways.
Sometimes it is at an hourly rate
for the time they work for you.
You can discuss how the lawyer

■ Column courtesy of Rainey Collins
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