

Family Law covers a wide range of subjects including Marriage and Divorce, Child Custody and Parenting Issues, Child Support, Paternity, and Adoption. In a broader sense, it also includes issues of Children's Rights and Juvenile Justice.

Questions to Ask and Information to Obtain About your Prospective Attorney:

Do you concentrate your practice in Family Law? This is a highly specialized area of law and few attorneys can stay up to date in this field without doing a lot of it. The more complicated your problem is, the more this is important.

How long have you been practicing family law? Experience is an important factor, especially for a more complicated matter. Ask about experience with the type of case that you are interested in retaining the lawyer to handle; for instance, *Prior to this, how many adoptions have you handled?*

Support staff - Frequently you will be dealing with paralegals or legal assistants. This is completely appropriate, but you must be clear at the outset what the division of labor will be so that you are not later surprised by the involvement of support staff. For hourly billing, you should remember that items handled by support staff will cost you less, so that anything that can be competently done by staff is cost effective.

Do you serve on any bar committees or other organizations involved in Family Law issues? This is not essential, but if they do you can be assured that this area of law is an important part of their practice. In the divorce area, ask if the attorney works with the Collaborative Law group? This is a new methodology being employed to try to resolve divorce cases in a less adversarial environment.

How much will it cost?

1. Do you charge for an initial consultation? If so, how much and what do I get for it?
2. Do you require a retainer? If so, how much and what does it cover?
3. What is your hourly rate?
4. What is the shortest period of time you bill?
5. If I call you on the phone, will you charge this rate to talk to me?
6. Do you charge for secretarial and/or legal assistant time? If so, how much?
7. Given my issues, can you give a good faith estimate about what this will cost me?
8. What are your billing terms? How often do you bill and how soon do I have to pay?
9. Will we have a written retainer agreement?
10. Who is responsible for expenses? Do I have to front these expenses? How often? Can you give me a good faith estimate of what my expenses will be?

Have you ever been disciplined? Attorneys are strictly regulated by the State of New York through the Attorney Grievance Committee of each of the four Appellate Divisions. It is completely appropriate to ask if an attorney has ever been disciplined and if so, for what offense.

Do you have malpractice insurance? Attorneys make mistakes because they are human like everyone else. Most but not all attorneys carry insurance to protect clients from the effects of any mistakes that are made. You should hire one that provides this protection.