

TOP 10 TIPS TO FIND THE BEST ATTORNEY FOR YOUR CRIMINAL CASE



Ask the Right Questions to Find
the Right Attorney For Your Case

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My grandmother loved corny jokes. She also liked to tease my chosen profession and once quipped, “99% of lawyers give the rest of them a bad name.” You may think there is a reason that there are so many jokes about bad lawyers. You may be right.

Consider this: Lawyer A has an ad that says they are “experienced and aggressive.” Lawyer B has an ad that says they are “aggressive and experienced.” A lot of lawyers say the same thing. What else would you expect? So how do you distinguish between these two lawyers that look the same and have the same ads? In other words, how do you find the right lawyer for your case?

Start by asking yourself - what kind of attorney do you want? There are about a thousand websites online, your friends might recommend different people, or as one colorful judge used to say, “You can't throw a cat without hitting a lawyer in Oklahoma City.” Here are some things you might want to consider when you are looking for a criminal defense lawyer.

Tip 1: Consider a Lawyer who Practices Criminal Law Exclusively

If you are charged with a crime, you probably want a lawyer who practices criminal law exclusively, or at least the vast majority of their cases are criminal cases. In other words, you want someone who does criminal law all the time, not someone who handles a bankruptcy case on Monday, a car accident case on Tuesday, and a child custody dispute on Wednesday.

Tip 2: Look for an Attorney with Relevant Experience

You want a lawyer who has been practicing for several years, and has relevant experience. If you are talking to a lawyer that you are considering hiring, ask them some

questions about their professional background: Have they ever conducted a preliminary hearing, argued a motion, done a blind plea, or tried a case? Lots of lawyers are practicing and have never tried a case before. A trial attorney (an attorney with jury trial experience) can help you evaluate all of the specifics of your case to help you determine if a trial is in your best interest, and, if so, can zealously represent you in a trial. You may not end up going to trial, but a trial lawyer will be able to guide you through this decision, keeping all of your options open, and optimizing your chance at a good outcome.

Tip 3: How You Feel About the Lawyer Matters

You want a lawyer that you feel comfortable with. If you don't even like talking to the person, you're probably not going to feel comfortable having them handle your case. Do they seem to understand you, do you feel heard, are they listening when you talk, maybe even taking notes? Are they asking questions about your case, showing that they're trying to understand the issues, and looking for legal tactics, loopholes, and technicalities, to help get you any advantage possible? If you feel good about an attorney as you are talking to them, and they make you feel comfortable, that's a pretty good indication that it would be a good fit.

Tip 4: Find a Lawyer who Prioritizes Client Communication and Client Satisfaction

Does the attorney communicate in the manner that you prefer (email, text, in person, or over the phone)? Ask the lawyer that you are considering about their policy on client communication and responding to client messages. I definitely recommend you do a Google search on any lawyer you're considering hiring and check out their online presence: websites, social medias, online reviews. There are great lawyers that do not even have a website, so this doesn't necessarily mean you shouldn't hire a certain lawyer. But if you see a lawyer with a lot of negative reviews, that's something to consider. On the other hand, if an attorney has several

positive reviews online, that should give you some insight as to how the attorney handles his or her cases and clients.

Tip 5: A Lawyer who Thinks Outside the Box Can Often Provide Creative Solutions

“When you’re a hammer, every problem comes to look like a nail.” That’s not a good thing, especially in litigation. Finding a lawyer who can recognize the subtle differences in cases is very beneficial. Someone who treats every case the same probably will not get results that are tailored to each client – bottom line: You don’t want a lawyer who treats every case the same. Try asking the lawyer that you are interviewing: How do you handle this type of case, or what is your approach when you get hired on a new case? An example – most lawyers claim to be “aggressive,” but that may not be what is called for in your particular situation. If your lawyer starts with an open mind, they can identify the course of action that is most beneficial for you; maybe that means they need to be aggressive and antagonistic, but maybe it doesn’t.

Tip 6: Find an Attorney who is Compatible with You Financially

“If you think a good attorney is expensive, wait until you see how much a bad attorney will cost you.”

When it comes to money, you need to ask the attorney questions, and you also need to ask yourself questions. Of course you want to know how much the lawyer is going to charge you, but you also need to ask yourself: Do you want the cheapest lawyer in town? How much is it worth to you to have the best chance of getting the outcome that you want? If all you can afford is the cheapest lawyer, then that's what you need to do. But if you have options, ask yourself what it's worth to you. You know the resolution you want, what is it worth for you to have a lawyer work to get that resolution for you?

Ask the attorney if they offer payment plans and, if you prefer the convenience of paying by credit card, ask if that is an available option, and whether you can pay online versus having to make a trip to their office every time you need to make a payment. The ability to make payments online, with a credit card, is a great time saver for many clients.

Tip 7: Reputation, Reputation, Reputation

If you don't have much experience with the legal field and the criminal justice system, it may be hard to find out a lawyer's reputation. But with the wonders of the world-wide web, you can find out a lot. Check out Avvo to see what the lawyer's Avvo rating is (www.avvo.com is a website that creates a profile for licensed attorneys and calculates a rating for those attorneys), check the Oklahoma Bar Association for information, and Google the lawyer to see if they have won any awards and if they have any client reviews or testimonials.

Tip 8: Look for an Attorney Who Will Give Your Case the Attention that it Deserves

Ask the attorney how many open cases they have, or what is the ratio of cases to lawyers within the firm. If the lawyer you're talking to only has five open cases, that might be a red flag (for a criminal defense attorney). On the other hand, if you're talking to a lawyer who has 500 open cases, you have to wonder whether they are going to be able to devote the time and attention to your case that it deserves.

Tip 9: Find a Lawyer with a Good Work Ethic (not lazy)

As an example, consider asking the attorney that you are interviewing about their philosophy on motion practice. While a motion is not necessary in every case, it is not unusual for a case to present legal issues that need to be litigated. A jury determines factual questions at a trial, but legal issues are determined through motions before a judge. If your lawyer doesn't know how to write a motion, or isn't willing to do the work for a motion, you could potentially get

screwed because a major issue goes undiscovered or unexplored. Motions are a lot of work, so make sure the lawyer you are considering hiring is willing to put forth the time and effort to try to get the best result possible.

Tip 10: Only Hire a Lawyer that You Trust!

This is a follow up on Tip 3, but it bears repeating, ask yourself, as you're talking to the lawyer: Do you like this person? Do you feel comfortable with them? Do you trust them? There's a lot to be said for gut feelings.

Also, does the lawyer treat you like a person, or do they treat you like a retainer fee or a case number? If the lawyer feels like a slick used car salesman, that lawyer may not be the right match for you. Also, be wary of any lawyer who “guarantees” anything! First of all, ethics rules prohibit a lawyer from making a guarantee. Second of all, unless that lawyer has a crystal ball, they cannot guarantee a particular result – there are just too many variables and unknowns to be able to predict with certainty what is going to happen. That isn't to say that an attorney cannot give you an educated guess, based on their knowledge of the law and their experience with particular situations, but that is a far cry from giving a guarantee.

Selecting a lawyer to represent you, or to represent a loved one, in a criminal defense case is very important decision, with possibly far-reaching implications. I hope these tips are helpful in your quest to find the right criminal defense attorney! If you have any questions, contact me.

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