

Before you retain a lawyer for a specific service, do some comparison shopping. Judge Jacob Fuchsberg, formerly of the New York State Court of Appeals, suggests that consumers ask in advance about a lawyer's fee. "It is reasonable," Judge Fuchsberg stated, "to know what the lawyer will charge and what services will be provided for the fee." Then, consult several other lawyers to find out about their fees.

If a lawyer's bill seems excessive and the lawyer was referred by a referral agency, request that the agency intervene in the dispute after you have spoken to the lawyer. Also, check with the Bar Association in your area to learn whether there is an arbitration program which handles fee disputes.

Avoiding High-Priced Lawyers

by Maria Dering

The American Arbitration Association sponsors community dispute services which may be a good alternative to traditional legal proceedings. Both disputing parties pay a small fee for the dispute settlement service. Consumers and businesses interested should address inquiries to: American Arbitration Association, Director, Community Dispute Services, 140 West 51st Street, New York, NY 10019 (212-977-2070).

Three insurance companies are currently offering prepaid legal service policies. The American Prepaid Legal Services Institute which is an affiliate of the American Bar Association can fill you in on the details (312-988-5751). Midwest Mutual (800-247-4184) and Prudential (201-994-8349) offer the service through groups only, while Bankers Multiple Line Insurance (800-373-8392) offers it to individuals as well.

William Ward, director of Legal Products Planning for Bankers Multiple Line, explained his company's plan (presently available in New York, New Jersey, Pennsylvania, Florida, California and Illinois). A client takes out an insurance policy which costs \$12.00-\$14.50 per month, depending on whether the policy is for a family or for one person. For this fee, the client is given a toll-free number to call if legal problems arise. There is no limit to the number of calls she can make, but requests for advice are limited to personal matters. This service does not apply to business questions. Calls go directly to a lawyer at the law firm with which the insurance company has contracted.

If the phone-in service does not satisfy the client's needs, she can then go to her own lawyer and be reimbursed at the rate of \$50-\$75, up to a specified amount, depending on the offense and the prepaid plan.

The referral services of state and county Bar Associations are a good way to find a lawyer. The service has incentive to find a qualified person because it retains some responsibility for its recommendations. Ask the referral service what minimum standards of experience it requires of the lawyers it recommends. You might also inquire whether the referral service is covered by insurance. According to Nancy Slonim of the ABA, if a lawyer is unqualified and you are damaged you can sue (for malpractice) the Bar Association which made the referral. Some Bar Association referral services do charge a small fee for the service.

Of the 300 lawyer referral services in the United States, over 80 are located in California and all of these have low-fee programs. In fact, about 50% of the state Bar Associations in the United States have free legal services of some kind for clients of any income level. These services include an initial consultation and may extend to other services.

The Legal Defense and Education Fund of the National Organization for Women (NOW) has a write-in referral service. According to Marsha Levick, legal director, they will refer both individuals and organizations to reasonably-priced lawyers. Write to her at 99 Hudson St., New York, NY 10013 and state the type of matter for which you are seeking representation.

Legal clinics provide another means of reasonably-priced representation. One such clinic is Hyatt Legal Ser-

LEGAL SERVICES What should they cost?

Uncontested Divorce	\$275-\$375
Contested Divorce	\$675 plus court costs
Personal Bankruptcy	\$400
	\$500 for a couple filing together
Wills	\$50
	\$75 for a husband and wife
Real Estate Closing	\$250
	\$500 with preparation of a contract
Eviction	\$350
Misdemeanor Cases	\$450 (plea bargain)
	\$1,000 (trial by Judge)
	\$1,500 (trial by Jury)
Contract Disputes	\$150-\$300
	\$500 with a lawsuit

vices which charges a fixed fee for handling most standard cases. Their main office is in Kansas City, Missouri, 816-753-5000.

One-half of Hyatt's total fee, which includes the lawyer's fee and court costs, is payable in advance; the lawyer then prepares the necessary documents. Before filing, however, the client must pay the remaining fee. Exceptions are estates, divorce, criminal proceedings, and contract disputes. In an estate settlement, the client pays the court costs initially and the attorney's fee at the close of probate. All defendants in divorce and criminal proceedings must pay the total fee at the outset of the case. Fees for contract disputes are payable at the conclusion of the case.

CHECKLIST

Before You Choose a Lawyer

- Examine the lawyer's qualifications. Ask about her experience with your type of case.
- Don't hesitate to discuss fees and what services the lawyer will do for them.
- Check the extent of the services offered. What is a simple will, for instance? What is an uncontested simple divorce? Will there be add-ons (extra charges) for such items as serving court papers in your divorce action? Add-ons for property settlement costs and court costs? Have your lawyer spell it out.
- If your lawyer charges an hourly rate, get it in writing and try to ascertain the number of hours of work that may be involved.
- If your lawyer works on a contingency fee basis, find out whether or not it is off the gross award. Recovery on the net amount after expenses, for example, can make a big difference as to what you might get in the action.
- Get a receipt if you pay a retainer.
- Be aware that you can change lawyers even if you have signed an agreement.

Excerpted from **The American Lawyer: How to Choose and Use One**, available for \$1.00 plus \$1.00 handling charge, from the American Bar Association, Order Fulfillment Department, 750 Lake Shore Drive, Chicago, IL 60611.