

Legal Lead Story: Six Things to Ask About Your Attorney

1. Is he or she honest? Does your attorney provide you with an honest statement of their experience and ability to handle your case? Does she provide you with an honest assessment of the strengths and weaknesses of your case? Honesty is not necessarily what you want to hear but, instead, what you need to hear. The worst thing your attorney can do is to paint a rosy picture for the prospects of your case while knowing you have some serious challenges to overcome. You rely upon your attorney to tell you the strengths and weaknesses of your case so that you can make a fully informed decision as to whether and how to proceed.



2. Does he or she return phone calls? I sure hope so. Realize, however, that most attorneys have many cases and between hearings, depositions, trials, and other case-related events, their time can be stretched pretty thin. So the attorney may not be able to speak with you every time you call. Further, if the attorney is tied up in a trial, it may be a few days before you can speak with him or her. When you call your attorney's office, you are usually in search of information and/or an update on your case. Paralegals, legal assistants, and secretaries are valuable members of a legal team but they do not replace your attorney. Often the information you need can be provided by another member of the legal team but when you hired Jones Law Firm you probably contemplated speaking to Attorney Jones about your case. There is something valuable about being to speak to your attorney throughout your case. If your attorney seems to avoid speaking to you on several occasions regarding important issues in your case, this is a red flag.

3. Does he or she explain things? The legal system often involves lengthy proceedings, complicated documents, varied procedures, and confusing concepts. Your attorney should take the time to answer your questions and break down concepts, theories, arguments, or other significant parts of your case so that you understand them and make well-informed decisions about your case. I have spoken to many clients who were confused about something that their attorney told them. Often the confusion involves money. Whether it is the calculation of attorneys' fees, the reimbursement of liens in a case with limited settlement funds, or how your primary doctor's opinions affect your case, your attorney should be (continued p. 2)

Legal Lead Story (continued from p. 1)

ready, willing, and able to discuss the topic with you in terms that you can understand.

4. Age or experience? There is a perception that age is an absolute predictor of quality of result. However, age is just one of many factors to be considered in choosing an attorney. In virtually every community there is a set of more seasoned attorneys who have practiced for many years and have gained a certain amount of "local legend". An attorney who has practiced for 20 years but is detached from the local and legal community may not be a good candidate to handle a case which could result in a jury trial. Your attorney should continuously devote herself to staying abreast of changes and developments in the law, teaching other attorneys, staying involved in the community, or some combination of these things. You may need someone who has significant experience in handling trials, appeals, and administrative hearings. Despite your lawyer's age, how much of this actual experience does he or she have? Note that sometimes younger lawyers have substantial connections, community involvement, and an energy that makes them worthy of consideration to be your attorney.

5. What is his or her specialty? With the many areas of law that exist, the true general practitioners are fewer and farther between. Most attorneys focus their practice of law in certain areas which allows them to better understand the law and provide effective service to their respective clients. This specialization makes sense and is consistent with the old adage "jack of trades, master of none." In order for an attorney to advertise as a "certified specialist" he or she must take a special exam provided by the North Carolina State Bar which is the organization that regulates and licenses attorneys. Only certain legal areas (ex: bankruptcy, criminal law, social security disability) have special exams but the mere fact that an attorney has not taken the exam does not mean he is not qualified to handle your case. The specialty exams are not required and many attorneys who have not taken a specialty exam have a considerable amount of experience and are uniquely qualified in their area of practice. Ask your attorney about the nature and amount of their experience in the area(s) of law covered by your case. Review your attorney's website and other information about their past cases so you can get a sense of how many cases they may have handled that were similar to your case. (continued p. 3)

Check these websites:



<http://video.aol.com/video-category/in2tv/103132> Miss your favorite TV shows of yesteryear? Check this website for the old episodes and find many other uploaded TV programs and clips. Break out the popcorn (no butter or salt, of course) and enjoy!

<http://northcarolina.ihigh.com> Want to keep track of your favorite North Carolina high school team? Check this site for scores, stories, and links to other sites to keep you cheering all year long. As a bonus, there are links to several local newspapers throughout North Carolina.

www.myorganizedlife.com Get a jump on that new year's resolution to get better organized. This site has articles, checklists, and other resources to help you get more out of your busy life. A free tip: don't print the Web content; read the information online and eliminate the need to throw away paper.

Legal Lead Story (continued from p. 3)

6. Is there a right fit? You will entrust your attorney with your important legal, financial, and often personal matters. All attorneys go to law school but the legal education does not focus on personality and communication skills. Attorneys are not kings and clients are not peons so there is no reason that a client should tolerate being talked to in a condescending or inferior manner. When talking about doctors, we use the term "bedside manner" to describe the relative ability (or lack thereof) of the doctor to communicate with the patient. How is your attorney's bedside manner? Your meetings with your attorney should feel like professional conversations in which you are comfortable asking questions or making statements that can be answered by your attorney and held in strict confidence. It is important that you feel comfortable talking with your attorney and can trust her judgment. An attorney who effectively communicates with her client can breed confidence and often help minimize the sting of what would otherwise be a very difficult loss. No attorney can guarantee a result in your case but every attorney should be able to guarantee that he will use his best efforts to advance your interests and win your case. -OLO



Recent changes in the law

Over 40 North Carolina laws went into effect on December 1, 2007 and here are a few of the more relevant laws to our everyday lives:

- No cell phone use while operating a school bus, activity bus, or other vehicle used to transport students for hire.
- Aiding and abetting underage persons in obtaining alcoholic beverages could result in the loss of your driver's license.
- You can now face criminal charges and civil liability for dealing in or dealing with stolen or altered motor vehicle parts.
- Tickets for speeding over 25 mph over the posted speed limit will become harder to resolve.
- Some people who have revoked driver's licenses will be able to qualify for a limited driving privilege.

O'Neal Law Office News



As the holidays draw near, remember the reason for the season. It is not about material items or spending large amounts of money. Instead, it is about spending time with those that you love and reflecting on another year. Celebrate safely and with vigor. Be thankful of who and what you have in your life. I extend a warm thank you to each of you who have supported me during my life and legal career. I wish you and your family a safe, happy, and prosperous holiday season.

NOTE: The information in this newsletter is not intended to be legal advice nor is it intended as a substitute for consultation with an attorney. Specific conditions always require consultation with the appropriate legal professionals.