

A few tips to help you understand lawyers

I am convinced that if Dickens were writing "A Christmas Carol" today, Scrooge's character would be a lawyer. No other occupation seems to bring out the bad jokes or the bah humbug attitude as quickly.

Lawyers have long since resigned themselves to the sad fact that they seldom are loved. However, I am convinced that



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lawyers are poorly regarded because people often don't understand the role of the lawyer within the legal system. Here are a few tips which may help you appreciate your lawyer.

Lawyers have ethical responsibilities which may prevent them from doing everything you might wish them to do. Yes, I've heard all the jokes about lawyers and ethics or the lack thereof, but lawyers really can't always ask vindictive questions or let you testify to something just to get it off your chest. Clients frequently want revenge. Courts exist to provide justice, not revenge. Even though we are your lawyers, we are still officers of the court.

Lawyers have different styles and approaches. It is important to feel comfortable with the lawyer who is handling your case. If your personality styles do not match, chances are good that you will not be happy, even if the lawyer is doing an excellent job on your case.

Many times an insurance company may provide your lawyer, and you may not have a choice. If there are problems, discuss your concerns. If you can't resolve the situation, suggest that another member of the firm might be better. If you really can't communicate, speak to the insurance adjuster who is handling the file.

Lawyers aren't cheap — at least the good ones aren't, but don't be shy about discussing financial arrangements. Find out what it costs, when it's

going to cost and why. Find out if your lawyer bills in tenths or quarters of an hour. Ask for a written contract detailing the fee agreement.

If the lawyer charges a retainer, find out if the retainer is nonrefundable. Lawyers often charge flat amounts or nonrefundable retainers. That may seem harsh, but an attorney who takes a case must reserve enough time to competently handle the case and that attorney also forfeits the possibility of representing any other party involved in the case.

Avoid calling your lawyer every single day. People involved in the legal system are often insecure and need information. Lawyers want to help, but it is better if you call occasionally with a list of questions rather than become the person who causes the receptionist to roll her eyes and head immediately to voice mail. You are being charged by the minute for these questions, so don't be surprised when you get a bill for hand-holding.

Lawyers don't make the facts or the law. If you have a strong case, lawyers can do wonders but, unfortunately, not all clients have winning cases. Ask your attorney for a realistic appraisal of your case. Consider a realistic resolution, even if it's not everything you hoped for.

Always tell your lawyer the truth. Nothing is worse than getting halfway through a case and finding out that the client has not been honest. President Clinton's lawyers can tell you that's a fact.

Finally, let me just say that most lawyers really aren't villains. Lawyers do more work for free than almost any profession.

We also sponsor public education projects like the Mock Trial competition.

If you eliminated all the lawyers from nonprofit groups around town, you'd find that a lot of the best volunteers would be gone.

So on behalf of lawyers everywhere, let me ask that for your new year's resolution, think twice before repeating another bad lawyer joke.

Pam Reeves is a partner in the Knoxville law firm Watson, Hollow & Reeves PLC. Because factual situations vary, competent legal counsel should be consulted for individual advice.