

10 questions before you sign

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Ask every lawyer you are considering the same questions, and write down the answers. Tick each one when you have a clear answer.

- ☐ **What exactly are you going to do for me, and what is not included?**
The scope decides everything else. Exclusions (court appearances, appeals, revisions) are where surprise bills come from.
- ☐ **How will you charge, and will you put it in writing?**
ABA Model Rule 1.5 says the basis of the fee should be communicated, preferably in writing; contingency agreements must be in writing.
- ☐ **What is your realistic estimate of the total cost if it goes smoothly, and if it does not?**
Ask for a range in dollars or hours. Compare totals between lawyers, not hourly rates.
- ☐ **Who will work on my matter, and at what rates?**
Partners, associates and paralegals often bill at different rates.
- ☐ **In what increments do you bill, and do you charge for short calls and emails?**
Six-minute (0.1 hour) increments are common.
- ☐ **How much is the retainer, is it held in a trust account, and is unused money refunded?**
A retainer is usually an advance that is billed against, not the total cost.
- ☐ **What costs will I pay on top of your fee?**
Filing fees, experts, transcripts, travel and copies are usually separate.
- ☐ **For contingency fees: what percentage, does it change if a lawsuit is filed, and are expenses taken out before or after your fee?**
These three terms decide what you take home. The agreement must state them.
- ☐ **How often will I get an itemized bill?**
Monthly itemized invoices let you spot problems early.
- ☐ **If we disagree about a bill, how is it resolved?**
Many state bars run fee arbitration programs. Our state guides list them where we found one.

Want to compare up to three quotes automatically and check the fee agreement line by line? The **Lawyer Quote & Fee Agreement Toolkit** does it in a spreadsheet:
legalcostguides.com/products/lawyer-quote-fee-agreement-toolkit

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