

Your guide to using a solicitor



The Law Society

Most of us need expert legal help at some time in our lives. Some of the most common issues are to do with buying a house, getting a divorce or making a will. But you might also need help if you are setting up home with your partner, starting your own business or organising an elderly person's finances.

The law can be complicated so it's important to get the best advice you can. Solicitors are the experts when it comes to the law and how it affects you. So for legal advice that you can rely on, contact a solicitor.

Choosing a solicitor

Finding a list of solicitors in your area is easy using our helpline or website. Call 0870 606 2555 or visit www.lawsociety.org.uk/findasolicitor to start your search, but think carefully about what type of service you need. Here are just some of the issues you should consider:

What sort of legal help do I need?

A firm of solicitors may offer services in a wide range of legal subjects, although more and more individual solicitors are specialising in only one or two subjects. If your usual firm of solicitors cannot help you with all your needs, they will be happy to refer you to another solicitor. Or, if you prefer, they can get the advice of a specialist on your behalf.

How can I be sure they are qualified to help me?

All solicitors in private practice must hold a practising certificate issued by the Solicitors Regulation Authority, the independent regulator (set up by the Law Society) which sets the rules that all solicitors must follow. This guarantees that the solicitor is qualified to practise and has insurance to protect you if anything goes wrong. If you want to be sure, ask to see the certificate (which should be on display in your solicitor's office) or phone the Solicitors Regulation Authority on 0870 606 2555 to check.

You can also ask your solicitor whether the firm has received any quality awards to prove that they have good standards of practice in place. If the firm has received our 'Lexcel' quality award, we will be able to confirm this (you can e-mail us at lexcel@lawsociety.org.uk or phone 020 7320 5933).

Individual solicitors might also be members of 'quality-assured accreditation schemes', run by the Solicitors Regulation Authority that cover a number of legal subjects. To join one of these schemes, solicitors must show that they have considerable specialist knowledge and expert skills. You can find details of solicitors in your area who are members of one of these schemes by visiting the 'Find a Solicitor' area of our website, www.lawsociety.org.uk. You can get more details of particular schemes from the website.

Where is the firm based?

Where a firm is based is obviously an issue of convenience, particularly for elderly, sick or disabled people. Do you need to use a firm that is close to where you live? If so, this will narrow your search. Some solicitors are happy to visit you at home, so if you find travelling difficult, it's well worth asking about this.

Do they do legal aid work?

If you are on a low income or receiving benefits, you may be eligible for legal aid. You can find this out by contacting your nearest citizens' advice bureau or law centre. As some solicitors' firms do legal aid work and some do not, if you are eligible for this kind of funding, you will need to narrow your search to firms that do. You can find solicitors that do legal aid work on the Community Legal Service website at www.clsdirect.org.uk.

Legal aid is managed by the Legal Services Commission, which makes sure that all solicitors' firms that offer legal aid meet high quality standards.

Do they work on a conditional fee basis?

For certain types of case, including personal injury, your solicitor may be prepared to work on a conditional fee basis. This is more commonly known as a 'no win, no fee' arrangement. If you win the case, your solicitor's fees will usually be paid by the other side. If you lose, you do not have to pay your solicitor's fees. You may be asked to take out an insurance policy to pay for the other side's costs if you lose. There are various types of conditional fee arrangement, but not all solicitors' firms take cases on this basis.

Will they be sympathetic?

If you need to see a solicitor about a personal matter, such as a relationship breakdown, you will want to choose someone who makes you feel comfortable. Most solicitors will be sympathetic and understanding if you are distressed, but you may prefer to deal with someone who is the same sex as you. Don't be afraid to say that this is what you want.

Will they speak my language?

If English is not your first language, you should mention this when you are trying to find a solicitor. If you tell them in good time, a firm can arrange for an interpreter to be present at your meetings.

Making an appointment

Once you have found a suitable firm, you need to make an appointment. Let them know if there's anyone you need to bring to the meeting with you. Ask if you should bring any documents with you, such as proof of identity or income.

Be prepared

The more preparation you do before the meeting, the more you'll get out of it. Make a list of the main points you want to make or the questions you want to ask. Get together any paperwork that is relevant and put it in some kind of order so you can refer to it quickly. This will make it quicker and easier for your solicitor to understand your circumstances and give you proper advice.

At the meeting

Check how long the meeting will last so that you don't

Your guide to using a solicitor



The Law Society

suddenly find that 'time is up' before you've made all your points. Have your notes in front of you, tick off each point as it is covered, and don't be afraid to ask if anything is said that you do not understand.

Finally, ask your solicitor to send you a letter after the meeting to summarise the advice you've been given, and confirm the following details.

- That he or she has taken on the work.
- The name of the person in the firm who will be dealing with your case day to day.
- The amount of time the firm will need to see your case through.
- An estimate of costs and any agreed spending limit.
- Any more information you need to supply.

Solicitors' charges

Legal advice, like anything else you buy, costs money, but its value can be enormous. Charges vary between solicitors, and will depend on the expertise and experience of the individual solicitor as well as how complicated the work is.

Before making a decision about which firm to use, you may want to 'shop around'. Decide on what sort of solicitor you need to speak to and get quotes from several. Many solicitors charge little or nothing for a short first interview. It is worth asking.

However, price is not the only thing you have to consider. Above all, try to find a solicitor who you are comfortable with and whose advice you feel you understand.

Fixed or hourly rate?

Solicitors don't always charge a fixed fee for a particular job. The bill will often be worked out on an hourly basis, so the longer it takes, the more it costs. A solicitor must give you a cost estimate at the outset, usually at the first interview.

If an hourly rate is quoted, you may want to agree a fixed spending limit. If the costs look likely to go over this limit your solicitor will contact you to warn you and get your agreement to continue.

Keeping in touch

Once you have appointed a solicitor, they must consult you at every important stage, to check how you want to proceed. Similarly, you need to tell your solicitor about any changes to your personal circumstances which could affect the case. This includes any changes in your financial position which could alter your eligibility for legal aid.

More information

This is one of a series of leaflets produced by the Law Society. Other leaflets in the series are listed below. You can get them from your solicitor or by phoning the Law Society on 0870 3333 084.

- Your guide to renting out your property
- Your guide to buying a home
- Your guide to renting a home
- Your guide to making a will
- Your guide to getting a divorce
- Your guide to problems at work
- Your guide to setting up in business
- Your guide to making a personal injury claim
- Your guide to financial matters for the elderly
- Your guide to setting up home with your partner
- Your guide to probate
- Your guide to claiming asylum

You can get this leaflet in large print, in Braille, on audio tape and on CD. If you need one of these versions, please contact us by e-mail at accessibility@lawsociety.org.uk or phone 0870 606 2555.

You can also get this leaflet in different languages. You can get these by visiting our website, www.lawsociety.org.uk.

Lexcel

Look for Lexcel - the mark of excellence

