



ASBESTOS RESOURCE CENTER

Asbestos Litigation

Choosing an Asbestos Lawyer

Choosing a lawyer to represent you in court can be a very stressful, confusing, and trying task. Here are some tips that can help you to make the right decision:

Does the lawyer have asbestos lawsuit experience?

Most lawyers specialize in a particular field of law. You want to make sure that the lawyer you choose is familiar with your issues and has relevant experience in mesothelioma law. A lawyer that regularly drafts wills may not be the best choice when the subject is an asbestos law.



Do your research before selecting a mesothelioma lawyer.

Ask the lawyer what experience he or his firm has in handling asbestos cases. Ask how many cases the firm has handled, how many cases the firm has tried, and how your case will be handled.

Make sure you know the role of the asbestos lawyer.

Once you've decided to hire an asbestos lawyer, be sure that you understand the terms of your agreement. How often will the lawyer update you? What information will you have to provide for the lawsuit? Do you understand all of your options? What will the total cost be? If you are not clear on exactly the lawyer is doing, ask for clarification. Even though your chances of success cannot be guaranteed, discuss the approaches to your case. You should be comfortable with your lawyer as you approach your case. Be up front on all the facts and circumstances that surround your asbestos lawsuit. You want to get the agreement you make with your lawyer in writing.

Lawyer and asbestos lawsuit fees and costs.

Ask what the cost will be for the asbestos lawyer service before any work begins. Also ask whether you will be responsible for other fees and charges. State ethics rule that lawyers are required to charge a reasonable fee. The American Bar Association recommends that lawyers explain their fees, preferably in writing, within a reasonable time after agreeing to represent you. Some state bars require that lawyers put their fees in writing before they take a case. Your lawyer may charge you extra for copying documents, court filing fees, courier service, or research services. Make sure that you understand what you will be charged for and for how much.

Asbestos lawyer and asbestos lawsuit payment arrangements.

The most expensive lawyer is not always the best one, nor is a "bargain" rate always a great deal. You want to look for the best balance of experience and cost. To lower costs, you may want to ask your asbestos lawyer if a junior lawyer or paralegal can perform some of the work. You may also want to ask if there are

some tasks that you can perform yourself to save time and money. You may be able to copy, pick up or deliver documents, or other menial tasks. An asbestos lawyer may charge a flat fee for a specific task or offer other methods of payment.

- **Contingency fees.** A contingent fee arrangement is that your lawyer gets a percentage of the compensation money you receive as resolution of your asbestos lawsuit. If you do not receive compensation for the lawsuit then your lawyer collects no fees. However, you may owe charges for court fees, copying, and hiring expert witnesses. A contingency fee is a good option for those unable to pay hourly.

Mesothelioma lawsuit records.

Your asbestos lawyer may ask you for documents that relate to your lawsuit. Keep copies if you give your lawyer the originals. Also ask for copies of all other important documents. When you get a bill from your lawyer, review it carefully and ask for clarification about any charges that are unclear to you.

Asbestos lawsuit class actions.

In a class action, a court decides that a group of people (a "class") may have been harmed in a similar way. You may receive a notice giving you the decision to take part in the asbestos lawsuit. Read the notice carefully. If you do not take any action, you most likely will become a member of the class by default. If that happens then you are bound by the outcome of the lawsuit class action, you can't bring your own asbestos lawsuit case, and you won't have direct control of the lawsuit. If you decide to not become a member of the class, you keep the right to bring your own suit and control it directly. You will have to hire and pay for your own asbestos lawyer and you will not share in any benefits that may be won in the asbestos lawsuit class action.

Asbestos lawyer service.

You may fire your asbestos lawyer at any time if you are not satisfied with the work he or she has performed on your behalf. In some cases you may need the permission of a judge to do this. **Please keep in mind that the legal system can move slowly and that an asbestos case may take some time to resolve.** Weigh the costs and benefits of starting over with a new lawyer. Your lawsuit might be delayed and that could cost more. Lawyers are subject to state ethics rules and are required to charge reasonable fees; if you think that your lawyer did not treat you fairly, represent you adequately, or charged you too much, communicate with him or her and try to work out a solution. If the attempt to resolve the matter directly with your lawyer is unsuccessful, you may consider filing a complaint with your state or local bar association. For some states, arbitration is available to mediate such problems. If you are satisfied with the work your lawyer has done for you, communicate that as well.