Top tips

Be prepared for your first meeting. Give the lawyer a clear picture of what your situation is and what you hope to achieve. Take all the documents related to your issue and write a list of questions to ask the lawyer. A lawyer’s services are expensive, so use the time productively.

Communication with your lawyer should be clear and understandable, so ask them to use everyday language. A lawyer should be able to explain even the most complex legal situation in a way you understand.

Seek references from similar small business owners. Ask them about lawyers they have used and how satisfied they were with the results.

Make sure you’re comfortable with the lawyer’s style; they will be acting as your advocate. Are you comfortable asking this person for advice? Do you trust this person with your business?

Contact the Law Society of WA’s referral service for a list of lawyers with experience in the legal area you are seeking advice on. Telephone 9322 7877, email info@lawsocietywa.asn.au or visit lawsocietywa.asn.au
Questions to ask

What are their qualifications?
Lawyers should hold accredited qualifications and be registered to practice law in Western Australia. To verify they are certified to practice in WA you can search the Legal Practice Board of Western Australia at public.lpbwa.org.au.

Do they have experience with your type of business and industry?
To gain the best outcome, it is important they know what is most relevant to your industry. If they don’t have much experience in this area, do they express a willingness and interest in learning more?

What can be done to reduce time and costs for a case?
Look for potential ways to reduce the lawyer’s time and costs, for example you can gather documents and write a summary of events for the case yourself.

Can they provide an estimate of the time likely to be involved?
Request a breakdown of how long each step in the process is likely to take. Also, check if they can start work on your case immediately.

What are their fees and how are they calculated?
Ask upfront how much they charge and if they have set fees for certain tasks. Be aware that flat fees do not always include the lawyer’s out of pocket expenses, such as filing costs.

How do they charge?
Some lawyers bill in six minute blocks or by the hour. Be clear on how they charge and when they expect payment.

Who will be working on your case and who should you contact if you have questions?
It is important to ask if the lawyer you are meeting with will be the one assigned to you. If you are considering engaging a smaller practice, it will probably be the same person. However in larger practices, although they may be better placed to provide specialised services, your case could be handled by more junior staff members.

How do they keep clients informed of progress?
Each lawyer has their preferred style; some may keep in touch via email or phone while others don’t communicate beyond scheduled office meetings. Seek to engage a lawyer who is available to answer questions in a way that suits you.