

How To Hire An Estate Planning Attorney

- 1. Experience vs. specialization:** Experience = Stagnation (i.e., Attorney could be doing things wrong for 30 years and call it 30 years of experience. Specialization = Growth (i.e., Attorney actively pursues continued education and improvement of practice area strategies, forms, and perspectives.
- 2. Reviews (Google, Facebook, Nextdoor, Instagram, etc.):** Note: Keep the author's motivation in mind. Often a good indicator of a good service provider but you still have to account for the crazy folks.
- 3. 2nd and 3rd Opinions:** You can see and understand benefits and pros/cons better when you take a closer look at more than one vendor. (i.e., think of contractors) We recommend getting 3 opinions.
- 4. Research (Articles and blogs):** Ask for an opinion, but provide the article or blog you read and, if you talked to someone else, get them on the phone to comment.
- 5. Time Assessment:** How much time will you have with an attorney? How much time will you have to review documents or ask questions? How much time to you have to make changes at no additional cost?
- 6. Help Putting the Plan to Work:** Are you on your own or does the attorney or law firm help? How will you make sure your property and accounts are set up properly? Does the attorney even think this is important to do? Will the attorney help with that? What sort of help will be available? Will it involve any additional investment?
- 7. Maintaining the Plan:** How does the attorney or the firm maintain estate plans? What is involved with making changes? What are the options available?
- 8. Reducing Costs:** Does the attorney think about doing things to reduce your costs in the future? If so, what sorts of things do they do now?
- 9. Education on "How to" use the Documents:** Does the attorney think about how you will be using the documents now? What instructions does the attorney give to help you use the documents the attorney will provide to you?
- 10. Participation of Others:** Will the attorney talk to your loved ones who might be involved in working and using the estate plan? If so, what kind of consultation or education does the attorney provide and is there an additional investment for this service? Does it sound organized?

11. How Do You Feel?: Does the attorney feel transactional or relational? Do you feel comfortable sending your loved ones to their office?

12. Attorney's Succession Plan: Does the attorney have their own plan for if something happens to them? Ask them what it is.

13. Retention Policy: How long do they keep copies of your documents? What is the attorney's retention policy? Do they keep the originals? If so – RED FLAG! They could be looking to make money on the probate work and that's why their prices are cheaper.

14. Forms – Old or New and Reviewed?: Is the attorney using the state forms are do they change the forms to help make clients' lives better? When was the last time they updated (or talked about changes in the past 3-5 years to) a form or clause? Why did they make the update? Is there a process for updating forms and changing the default terms? How much time do they put into research each year to update their forms and standard clauses?

15. Time Involved (You and the firm): Even if the matter wouldn't be billed by the hour, how many hours can you expect to be meeting with an attorney or one of their team? Ask them how many weeks it took their last client to receive their documents.

16. Reserved Appointments: Do they pre-book their appointments? If not, how long does it take for someone to get all the way through the process with their firm?

17. Communication Systems: Do they have a system for communication with the firm? Ask what that is. If I want to talk to the lawyer, what do I need to do? Can they articulate something better than call us? If the answer is "Call us" then ask how long it typically takes for a return call. If the answer is that it depends on the attorney's schedule, RED FLAG.

18. An Attorney's Past – Bar Grievances: You can look up whether they've had a bar grievance on the state bar website. If they have had a grievance but it was resolved in their favor, it will not show up there. But if they had a grievance and there was some kind of punishment, then you can see it on the bar record. Simply go to gabar.org and look them up by name. Almost all attorneys in practice for several years will have had at least one bar grievance. You can ask an attorney how long ago their last bar grievance was. Their response could indicate how they deal with confrontation.

19. Payments and Cost versus Price: Ask about payment and how payment works and even ask them what their price is based upon.

20. Law Firm Team or Support: Take note of the attorney's team. What kind of support system do they have in place? Do they have staff who answer their phone for them and can send and pass along a message for you?

21. How do you Feel?: Ask yourself how comfortable you feel with the attorney. The attorney will be asking very personal questions in the consultation so that they can truly help you. If they don't ask these questions or if you are meeting with a paralegal instead, that can be a RED FLAG too. You don't want a cookie-cutter plan created after someone asks you the bare minimum questions to get you started. That can just create a bigger mess.