

SUGGESTIONS FOR REDUCING FEES

Divorce often comes at a time when a family is going through crisis -- financial as well as emotional. Sometimes the emotional crisis can further aggravate the financial one by “upping” the expenditure of attorneys’ fees and costs. For example, if a spouse is vindictive, or just plain upset, that spouse can refuse to negotiate in good faith, or act in such a way as to provoke numerous court appearances or otherwise delay the proceedings. Obviously, such a situation, if it occurs, is beyond your control, and we have to cope the best we can through the mechanisms provided by the court. Frankly, it can be expensive and wearying.

However, my client is capable of reducing fees by following these simple rules:

1. **Remember the high cost of telephone calls.** When you call and I am not available, leave as detailed a message as possible. This way, I will be able to have the answer for you when I return the call or when you check back in with my office. Also remember to leave your phone number every time that you call. If I am not in the office, I may not have your phone number with me, which means that I cannot return your call until I am back in the office.

2. **Remember that my services are primarily legal.** Certainly, unless I understand the underlying nature of your interaction with your spouse, I cannot represent you as well as I might. Also, recognizing that involvement in a Family Law matter represents one of the greatest stresses of a person’s life, it is to your legal advantage that you cope with this stress effectively. Unless you are thinking clearly, some of your decisions -- whether you settle the case or not -- could ultimately be extremely costly. For these reasons, I will spend some time exploring this interaction, especially toward the beginning of the case. From what you tell me, I may be able to point out some of the “games” that are being played and how to avoid being one of the players. However, at some point my listening to your experiences will fail to generate a return to you worth the added costs that will appear on your monthly statement.

3. **Participate as effectively as you can in your own case.** Your time is likely to be less expensive to you than mine. Therefore, I will request that you obtain as much of the information and documents for your case as possible, consistent with its proper and expeditious handling. For example, the other party is legally entitled to information which will be elicited from you in the form of “Interrogatories”, a long questionnaire. It is our responsibility to see that the information asked for is supplied. You may well need our guidance in answering some of the questions, especially since many of the questions are legal in nature. But you don’t need me to spend hours of expensive painstaking research through your records to come up with the necessary facts and figures when you can do so yourself for “free”. Of course, I will do this research for you if you request me to, but it will be very costly.

It is important, too, that your participation be timely. If there is a delay in answering such documents as Interrogatories, the other side could apply to the court for sanctions in the form of a money judgment against you, or use the delay in answering as an excuse to gain a continuance.

4. **Organize and file the papers involved in your case, and bring them to all conferences and hearings unless otherwise directed.** This way client and attorney will be on the same wavelength when settlement negotiations are attempted and both will have a full set of papers to refer to.

5. **Organize your questions and concerns** so that they may all be discussed at one time rather than on separate occasions. One way of accomplishing this is to make a checklist of your questions, concerns, and/or comments as they occur to you. When you and I next meet, bring the checklist with you so that you can get the answers to those items.

6. **Think positively toward the settlement of the case.** I can hardly remember a case where husband and wife had the same memory with respect to their acquisition of assets and numerous other matters. As a result of these many disputes in fact, and as a result of still other disputes as to what the law is in these areas, I cannot give you percentages of probability of outcome, nor can I guarantee any single result in the case, should it go to trial. For that reason, and because a judge can often dispose of a case in such a way as to enrich the Internal Revenue Service rather than the parties, it is almost always best to settle the case if one can obtain a reasonably fair settlement. Therefore, as soon as we have enough information to understand what is at issue, I will seek your authority to negotiate a settlement.