

Communicating With Your Lawyer

Communication between lawyers and clients is of great importance. When clients do complain it is more often about poor communication or service than about the technical aspects of legal work. This fact sheet provides guidance on how to communicate effectively with your lawyer.

Communicating effectively

When you engage a lawyer you are entering into a relationship with a professional to work on your behalf. A good client/lawyer relationship is highly reliant on strong communication.

Communication is a two-way process. It involves each party clearly and effectively expressing their expectations and views, listening carefully to the other party's responses and confirming a shared understanding of what has been said. It is important that this process continues throughout the course of your relationship with your lawyer.

Most lawyers charge "by the hour", so it is important to ensure that time is spent wisely and is focused on key objectives.

To make sure you get the most from your legal relationships it is helpful to remove possible communication barriers that can arise.

When communicating

- If you are unsure or don't understand, say so – seek confirmation, not just information.
- Concentrate on all parts of a conversation or document and don't let your feelings skew your judgement.
- Be careful you relay all the facts and don't assume your lawyer knows what you want.
- Only say "yes" when you agree with your lawyer's advice or suggestions.

Preparing to speak to your lawyer

Good preparation will save you time and money. Before going to see a lawyer:

- Write down your objectives and expectations.
- Make a list of the tasks you think your lawyer can do for you.
- Write down any questions you think you might need to ask.
- Gather all papers, documents, invoices, emails, letters you can think of that may relate to your case.

Meeting with your lawyer

During your first meeting with your lawyer:

- Ask your lawyer to document the tasks they can do, how much they are likely to cost and to highlight any other costs that may arise. This will normally be presented as a client agreement.
- Discuss and agree how you and your lawyer will communicate – by phone, email or letter.
- Check and make a note of who will be your main contact.
- Ask to be given copies of all correspondence and whether this will result in additional costs.
- Make sure you ask these five questions:
 - What are my options?
 - What are my chances?
 - What will it cost?
 - What is the process?
 - How long will it take?

Note: Remember, if you don't understand, you should let your lawyer know and ask more questions. Remember, too, to be realistic: your lawyer can only act for you within the constraints of the law. Listen carefully to the advice that is given.

Maintaining a relationship

Once you establish a relationship with your lawyer it is important to maintain it.

- Ensure you are aware of all deadlines.
- Keep all paperwork together and in some logical order, including diarised notes of any phone conversations or other occurrences.
- Respond promptly to all communications from your lawyer.
- Talk about your concerns and discuss options for possible courses of action.
- Ensure you are aware of your lawyer's costs throughout the process.

If you are dissatisfied with the advice you are receiving or the services your lawyer is providing then you should first talk to your lawyer about these problems.

If this does not resolve your concerns consider obtaining another lawyer's opinion. Be aware that this may incur further costs.

Where can you get more information?

If you have any questions regarding this information or wish to enquire about the role of the Legal Services Commission, please visit the LSC website or contact the Commission on:

Telephone: 07 3564 7726 (Brisbane)
 1300 655 754 (outside Brisbane)
 133 677 (if you require the use of the National Relay Service)
 131 450 (if you require a translator/interpreter)

For more information visit the Legal Services Commission website (www.lsc.qld.gov.au).