

# 5 Critical Factors You **MUST** Consider **BEFORE** You Hire a Lawyer

2nd  
Edition

## What's Inside:

- ✓ What is the most important factor to consider?
- ✓ Clues you cannot afford to miss!
- ✓ Questions you must remember to ask!
- ✓ Don't forget the most vital request everyone else forgets!



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Hire a Lawyer**

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## **Introduction**

### **Why I wrote this book**

I know many of you are wondering why I would write this type of book. Why would I offer you advice on selecting an attorney that could lead you to a firm other than mine? Well, first and foremost, I take pride in the fact that The Miley Legal Group has a primary goal of helping people. That includes helping you find the best lawyer for your situation, which in the end, may not be me. If that surprises you, you are not alone. Don't get me wrong, I want your business. That is how I pay my bills, pay our employees and provide for my family. However, I also want you to be successful and part of that is to select the attorney that fits you and your case.

Another reason for writing this book is that we do not handle every type of case. Currently, The Miley Legal Group handles personal injury, auto accidents, motorcycle accidents, slip and fall cases, dog bites, workplace injuries and medical malpractice cases. If you contacted our office with a case that does not fall into these categories, we will recommend a lawyer or a series of lawyers that can and will assist you. The attorneys we recommend are the ones that I would use if I had a case that our firm could not handle. Again, this is a service we offer to ensure you are well cared for. We only recommend the best lawyers in our region that handle your type of case.

The last reason I decided to write this book was to ensure that you took your time in evaluating all your options. There are many lawyers that advertise on television, bill boards, online, in newspapers and on the radio. Some have

memorable jingles and most claim that they will get you the money you deserve. Just like any other ad, you need to discover for yourself if the claims hold true. You have to muddle through the advertisements and make an educated decision. Your attorney will be the one working for you to ensure that you get fair representation. You want the best attorney, the one with the most experience and the one who can ensure that you and your family are taken care of throughout the whole process and well after. The better educated you are in this process, the better it will serve you and your attorney in the long run. In the end, of course I want you to select The Miley Legal Group for the cases we handle.

## **Background**

Just a quick background on me and then we will get into what is important, **you**. After all, you are reading this book and I want you to understand not only what my background is, but what type of background you should be looking for in an attorney.

I have been a practicing attorney for over 20 years. I run a very successful practice with a staff of eight employees, including my wife Susan. As a firm, we have successfully obtained over \$17,000,000 in verdicts and settlements for our clients. I work tirelessly to ensure that the primary focus of our firm is the client. I have put in place policies and procedures that keep my clients informed and that work in a manner to ensure that each client receives the funds that they are entitled to.

In my spare time I enjoy spending time with my family. I am an avid West Virginia University supporter and

enjoy our local high school sports. You may also know that I serve the public in the West Virginia House of Delegates. I have served as Chair of the House Committee on the Judiciary, as Speaker of the House and currently as Minority Leader of the House. I dedicate my time to making West Virginia a better place for you and your family. My philosophy is based on the idea that we have been placed on this Earth by the good Lord to not only protect it but to leave it a better place for our children and grand children. I serve this idea through developing policies that not only protect our Great State but also enhance it through economic development, job growth and enhanced education.

That's enough about me, let's move back to you and your situation.

### **Where do you start?**

In this book you will find **5** of the most important factors that you need to consider before you sign the dotted line on an attorney agreement. Why just 5? I picked 5 so that it would not be a long drawn out process for you. I know that you are probably in a difficult situation, or you would not be reading this book. You could be hurt, in trouble or feel taken advantage of, I do not want to add any stress to those feelings. I could have added more things you should consider, but I already told you that my main goal was to ensure that you were taken care of. So I whittled the list down to make it efficient for you and your family.

So start with the list. Finish this book in its entirety; it is not a lengthy read. Do not skip a question, as I did not prioritize them. Each factor should be reviewed. I would not

recommend meeting with an attorney until you have finished this book and are prepared to ask questions. You need to have all the facts. If after you finish reading, you still have questions or need additional information, do not hesitate to contact our office. Visit our website at [www.MileyLegal.com](http://www.MileyLegal.com). I take pride in knowing we have become an authority in providing legal information to the public. Our website is full of interesting information that will allow you to be ready for your case.

Remember the ultimate goal through this process is for you to find an attorney that matches you, your preferences, and your case.

**Note:** This book is not legal advice. I am only trying to provide you with information that is helpful for you to consider when selecting an attorney.

## **Critical Factor #1**

### **The Percentage of Practice Devoted to Your Type of Case**

The first critical factor that you should consider when hiring a lawyer is ‘what percentage of their legal practice is devoted to the type of situation that you find yourself in.’ In other words, how much of their time do they spend handling cases that are similar to yours. Many consider this the most important factor to consider before making your decision. The reason you need to know is simple – YOU need to know how qualified and knowledgeable that attorney is regarding your specific legal situation. If that lawyer does not spend 80% or more of their time representing people similar to you, then you probably want to hire a different lawyer. The more experience a lawyer has in a specific area, the better he or she can help you. They will know what you should expect during your case and can better guide you to make the right decision.

You should beware of what the legal community refers to as the “general practitioner.” A general practice lawyer is very different from a general practice doctor. Where a doctor that operates a general practice has an overall general knowledge of medicine and can help you determine what issue you may have and refer you to a specialist, a general practicing lawyer can only cause you problems throughout your case. General practice lawyers practice in a bit of everything and do not specialize in one area. If a lawyer tells you that they practice law in multiple areas such as social security disability, DUI case and family law, you might not get the attention you need. Not only that, the attorney may not

have the knowledge to ensure that you receive all the benefits you are allowed by law. However, if the attorney you are considering hiring spends 75-100% of his or her time practicing in the area of law that you need, they probably know that law well and are in an excellent position to assist you.

Just to be clear, I am not trying to be critical of lawyers who consider themselves to be 'general practitioners.' I just think even they would have to be honest and admit that it is very difficult to keep up with the changing laws in so many different areas. Going back to the doctor who refers you to a specialist, they have some knowledge of all aspects of medicine, but know when you should be referred to a specialist that has years of medical practice in a specific field.

Also, please do not get the wrong impression that an attorney who has practiced law for only two years in once area of law has enough experience. Your goal should be, at minimum, a focused area of practice with at least 10+ years of experience. Looking for that type of lawyer is the first step in getting a lawyer who is knowledgeable and on the cutting edge of the information that will help you win your case.

## **Critical Factor #2**

### **How Knowledgeable the Lawyer is About the Legal Issues of Your Case**

The second most critical factor you must consider before hiring a lawyer is 'how knowledgeable is the lawyer you are considering hiring about the legal issues of your case or legal problem.' As I mentioned in the first factor, you need to think about how much of the lawyers time is spent focusing on the areas in which you need a lawyer and how much experience they have. The more experience they have, the larger the knowledge base they have built. Let's face it, the more time you spend on the job, the more you come across all types of cases and the more you learn.

You might determine the knowledge the attorney has by reviewing their website. They should provide you with ample information on the topic of law that they cover and how long that they have done so. If you visit our website, MileyLegal.com, you will note that we have extensive information on personal injury law. We provide news items, a question and answer section, blog posts and plenty of informative videos. This day and age, any lawyer of value should have an informative website that answers most of your questions, before you enter his or her office.

However, a good review of their website alone will not give you the whole picture. You need to meet with the attorney and listen to what they tell you. Ask questions about your case. Under most circumstances you will not have experience in dealing with insurance companies, medical providers, law enforcement or other interested parties, so ask

questions. You probably are unfamiliar with the processes of your case and you should understand them and your attorney should help you understand.

Most importantly, do not feel pressured to sign any document before taking the time to get a feel for their knowledge of the topic. You do not want a real estate attorney that just handles closings when you are attempting to negotiate a mineral lease on your property. Like wise you do not want an attorney that has only handled property damage cases when you have had a severe injury caused by a water truck.

### **Critical Factor #3**

#### **References from Former Clients**

The third most critical factor you must consider before hiring a lawyer is their list of references or testimonials from other clients who have had cases similar to yours. If they have been successful and have had satisfied clients, they should have testimonials from those clients telling them how happy they are with the attorney. If they do not have testimonials on hand, they should at the very least be able to provide you with names of clients that will serve as references for them.

References are important. Businesses use them when they hire a new employee, doctors give them for other doctors and landlords check references before renting to a potential tenant. Why would you not want to find out what type of experience a past client has had with a particular lawyer? A reference can not only tell you what results they received, but how they treated them as clients. Did they keep them informed? Did the attorney consult with the client before decisions were made? Did the client feel at home when visiting their office? Were they satisfied with how their case turned out? These are all important questions that you can only find out by asking past clients.

If a lawyer does not have a list of past clients, that should be a huge red flag. However, if you want to give the attorney the benefit of the doubt, you can always head back to the internet. Many law firms have a Facebook, Twitter or Google+ account. These accounts should provide insight on client interactions through reviews and even posts. You can

see if reviews are positive and how well the attorney interacts with client or potential clients on social media. If you find nothing on social media, you can also check attorney recommendation sites like Avvo.com. These sites also provide areas for review.

If after meeting with the lawyer and looking on the internet you find no reviews that are helpful, I would suggest moving on to the next possible candidate. They may be a good attorney with excellent results, but you can and should not risk your case.

## Critical Factor #4

### Results of Similar Cases

Another important consideration is the results that the attorney has reached in cases similar to yours. You want to have an experienced lawyer that has expertise in winning results in cases such as yours. Most good attorneys will have testimonials and case results on their website. You can find examples of what to look for on our website at **MileyLegal.com**. A case result should generally give you an idea of what the case was about and what was the end result. Keep in mind that in most cases, attorneys are only going to advertise positive case results.

It would be a good idea to make sure that the website reflects a few cases that are similar to yours. Do not just assume that if they list one case on the internet, that they have more similar cases. Feel free to ask the attorney the number of cases that they have handled similar to yours. It is important for me to note that even though a case had a specific result, you may not get that same ending. All cases are different including yours.

If after reviewing the website of your potential attorney and asking questions, you still are unclear if he or she can handle your case and get good results, I would recommend that you move on. Showing case results allow the attorney to advertise what he can do for you while showing what he has done in the past.

## **Critical Factor #5**

### **Communication Policy**

The fifth critical factor you must consider before hiring a lawyer is to look at how they communicate with their clients and even potential clients. One of the quickest ways to determine how well an attorney communicates is to once again take a look at their website and put them to the test. You should see at least two ways to contact the law firm. On Mileylegal.com you will note that we have four direct methods and two indirect methods. The direct method includes a live chat message, contact form on the sidebar, contact form in the footer and a information request form. That is only the first step. If you do not hear back from the attorney after contacting them through their website in an acceptable amount of time, it is more than likely they will not contact you regularly after you are signed on as a client.

A more important area of client communication is during your actual case. It is important that your attorney keeps in touch with you on a regular basis either through letters, phone call, emails or other direct means. For some guidance you should look at what we do. At the Miley Legal Group, we are in constant contact with our clients. You will hear consistently from your attorney and your assigned legal assistant. We will forward you copies of each correspondence that leaves our office related to your case and keep you informed on what has transpired. We will also touch base with you as you move through your treatment.

There are specific steps that will be taken as your case develops. Keep in mind that some cases do move slower than

others depending on the factors of the case. Communication is very critical. Your attorney should immediately ask how they can get in touch with you either by phone or email. With technology that has developed there is no reason why you should ever feel unclear as to the status of your case. Most errors in cases occur when the attorney is not in direct contact with the client. If at any time during your initial contact with an attorney, you feel that they have not reached out to you, then I would suggest moving to your next option.

## **Conclusion**

I hope the information provided in this book is helpful to you. Choosing an attorney is a difficult decision. You need to find one that fits with you. One that has experience, knowledge, testimonials, communicates and gets results. Those factors are critical to the success of your case.

If at any time you have any questions, please contact our office. Even if you decide to choose another law firm or decide you do not need an attorney, The Miley Legal Group will answer your questions. I truly believe that it is important that above all you are cared for and receive the treatment, whether medically or through the legal system, which you deserve.

## 5 Critical Factors You Must Consider Before You Hire A Lawyer

No one wants to find themselves in a situation where they need legal help but unfortunately, those situations happen. *The 5 Critical Factors You Must Consider Before You Hire a Lawyer* was written to help those seeking legal assistance make the best choice when hiring a lawyer. Finding the right person to represent you is key to success and peace of mind.



Timothy R. Miley, Esq. has practiced law for over 20 years. Tim is recognized by lawyers around the country as a highly-skilled lawyer representing individuals and their families who have suffered severe and debilitating injuries and wrongful deaths at the hands of careless individuals and corporations. He has received in excess of \$20,000,000 in verdicts and settlements on behalf of his injured clients and their families.

Since 2005, Tim Miley has represented West Virginia's 41st District in the House of Delegates serving in many leadership roles, including Speaker of the House, Chair of the Judiciary Committee and now Minority Leader of the House. He has focused his time and energy at the Legislature preserving laws that protect the rights of West Virginia's citizens. Additionally, Mr. Miley is a member of the American Association for Justice, the West Virginia Association for Justice, the West Virginia State Bar, and the Harrison County Bar Association. He resides in Bridgeport, WV, with his wife, Susan and stepdaughter, Jordin.

For sample verdicts and settlements achieved by Mr. Miley or for more information, please visit [www.MileyLegal.com](http://www.MileyLegal.com)



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