Questions to Ask Your Divorce Lawyer

Ask up front whether the attorney will provide an initial consultation for free – for you to be able to interview them and ask questions. If not, try to find out by phone information about their hourly rate, retainer required, and see if you can get some of your other questions answered. Ask them questions about the process and what you can expect from them. Before you hand over the retainer, make sure you get the answers to the following questions.

Questions to ask or things to consider:

- How many years of experience do you have? What is your primary practice area? (should be family law, preferably 10 years or more experience)
- Hourly rate and retainer required. Retainers seem to run $3,000, $5,000 or up to $10,000.
- Will we sign a written retainer agreement that states everything the lawyer is expected to do for you and his/her respective fees. Will I be sent itemized bills and how often?
- Who will be primarily working on my case (the attorney, or their team of assistants/legal associates, junior lawyers)? Each of these people have a different fee for the hours they put into your case if they are involved, so it matters who is doing what, when and how long and how you will be charged.
- What steps are involved in the divorce process? What can I expect from the process? Do most of your cases go to trial or do most get settled before?
- How long do they expect the process to take and an approximate overall expected cost given your general circumstances? (How contentious do you expect the divorce to be?)
- What other fees and costs can I expect other than hourly charges?
- How will you communicate with me – e-mail, phone, both? How often will you meet with me or how often do you expect to be in contact with me? What should I expect in terms of getting my phone calls returned – how long will it take for them to respond to you? Who will be returning my calls – your lawyer or an assistant/associate attorney? Will I be kept informed of all developments in my case and be provided with all documents filed with the court, communications with my spouse’s attorney, etc?
- Do you practice collaborative divorce and how does it work? Do you recommend mediation? Is my case appropriate for collaborative divorce or mediation – why or why not? How often do you use mediation with clients?
- Given my circumstances – can you predict how a judge would rule, or what the expected outcome would be on issues like custody, child support, division of assets, etc. (Missouri courts do have certain preferences on how they handle things - they should explain what some of these preferences are.)
- Are you familiar with the local family court judges and how they rule?
- Are there any resources that you make available to clients – self education of clients (recommended reading), community resource lists, articles, websites, blogs, referrals for professional services
- How busy are they – do they have time to take on your case?