

Working  
with your  
solicitor

Supportive      Responsive  
Transparent   Preventative **Informative**      Accountable

## Working with your solicitor

Every year, people like you need help or advice from a solicitor, often for the first time. Choosing and using a solicitor can be daunting and expensive. We at the Legal Complaints Service know, from dealing with legal complaints, what can sometimes go wrong. We have produced this guide to help you work with your solicitor to get the service you expect and the support you need.

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## How do I arrange my first appointment

You can arrange your first appointment by phoning or visiting at the firm's offices. You will need to explain the kind of service that you need (for example, you want to make a will or you are buying or selling a house). You will need to give the firm's receptionist some information so that they can decide which solicitor you should talk to or meet with. The first appointment could be free or a fixed cost, depending on the firm.

You should be able to get an appointment within a few working days. Let the receptionist know if it is very urgent. You should also let the receptionist know if English is not your first language. The firm may have someone who speaks your language or may be willing to provide an interpreter.

If you cannot meet the solicitor at their office, you should talk to the receptionist about whether they could arrange for the solicitor to visit you at home.

When you speak to the receptionist, ask what information you need to bring to the first meeting. They may ask you to bring letters or proof of your income. You will also need to provide documents that prove who you are - this is normal and solicitors have to do this by law.

## How do I prepare for my first meeting?

You need to make the most of your first meeting with the solicitor so be as prepared as possible. Your solicitor will want to understand quickly what your needs are. Getting together all the paperwork will help. Take with you:

- any letters you have which you have written or received about the case;
- any court documents you have; and
- any other documents you think might help.

If you can't decide whether you will need certain documents, take them just in case. It will probably save time if you can put your documents in date order. Don't forget to take with you any other documents which the solicitor asked you to bring. (For example, documents to prove who you are).

If you are planning to take someone with you to the meeting, mention this when you make the appointment.

Think of all the questions you want to ask and write them down. Our checklist, at the back of this leaflet, will help you do this.

## What happens at the first meeting?

- If you have taken someone with you to the meeting, explain to the solicitor who they are.
- Ask the solicitor how long they expect the meeting to last so you can make sure all your questions are answered and you don't run out of time.
- Use your list of questions. Make sure you ask all your questions and that you understand the information you're given. If you don't understand something, ask the solicitor to explain!
- The solicitor will ask you a lot of questions so they can understand your needs and what you expect from them. Try to answer the questions clearly and accurately.
- Show the solicitor the documents you have brought with you.
- If this isn't the person who will be dealing with your case, ask to meet the person who will be.
- Ask the solicitor to send you a letter with a summary of what they have told you.

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## Should I ask the solicitor how much their services will cost?

Asking how much the work is going to cost is one of the most important questions to ask at your first meeting. You should ask the solicitor how much you are likely to have to pay in total for their services. The solicitor should tell you how they work out their charges and give you an estimate of how much you can expect to pay.

Some solicitors will charge a fixed fee for the whole job (this happens a lot in work which

involves buying and selling houses), while others charge for the time they actually spend doing the work for you. Solicitors won't always be able to tell you at the start of the case exactly how much it is going to cost, but they should give you an estimate and if the final bill is different your solicitor must explain why.

If you are concerned about how much it is going to cost, agree a fixed spending limit at the first meeting. If that limit is reached, the solicitor will have to contact you before doing any more work on your behalf.

You could consider asking your solicitor to send you regular bills - perhaps once a month. This could help you budget if you are worried about facing a large bill at the end. Your solicitor might also ask you to pay some money upfront or before the work is complete to cover money that they have had to pay out on your behalf - for example, medical reports or registration fees.

In some situations, you may have to pay the other side's legal bills as well as your own. Your solicitor should tell you whether this is likely and how much these charges are likely to be.

### Can I get help with legal costs

You might qualify for help in paying your legal expenses and your solicitor's bill. This is called legal aid. It doesn't cover every type of service and it will depend on how much money you have and earn.

Even if you do get legal aid it might not cover all your legal costs. You might still have to pay something towards the cost of your case and if you win your case you may have to pay back some of the legal aid money.

Your solicitor will tell you whether you qualify for legal aid and help you apply if they do legal aid work. If your solicitor thinks you

qualify for legal aid and they don't do legal aid work, they might be able to help you find a solicitor who does.

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## Checklist for your first meeting

Take some time at the end of your meeting with your solicitor to check you have the following information.

### Has the solicitor told me:

- how much it is going to cost?
- how much it will cost me if I win the case?
- how much it will cost me if I lose the case?
- whether I could end up paying the other side's costs?
- how long it will take?
- what my options are for sorting out the case?
- whether it can be sorted out without going to court?
- how likely it is that I will win my case?
- who will be dealing with my case?
- what to do if I am not happy with the service I am receiving?

### Has the solicitor:

- fully understood my problem?
- explained any legal terms or 'jargon'?

### Have I:

- understood what the solicitor has told me?
- explained all the facts to the solicitor?

- explained what I want the outcome of the case to be?
- explained any extra needs I have, for example, documents in large print?

### Do I feel confident about using this solicitor?

### Do I know what will happen next?

- Has the solicitor agreed to write to me confirming that they are taking on my case?
  - Do I need to do anything more at this stage?
  - How often can I expect to hear from the solicitor?
  - Do I need to provide any more documents at this stage?
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## What should I expect during the case?

### Costs

You might have already talked to your solicitor about how often you want to be given updates on how much the case is costing. If you haven't agreed how often you want to be updated, the solicitor should give you updates regularly. If you are concerned about the costs rising above a certain level, you must make sure that the solicitor is aware of this - if you have mentioned this in the first meeting then it is worthwhile confirming it in writing.

Although the solicitor may have given you an idea of how much the case will cost, sometimes things will happen that no-one was expecting which will make the costs rise. When this happens, the solicitor should let you know and give you some idea of how much the costs will rise.

You may want to pay the solicitor's costs in regular instalments - this way you are more in control of the costs and you won't have a large bill to pay at the end. Make sure you keep records of what you have paid to the firm and when.

If your solicitor is charging you an hourly rate (instead of a fixed fee), he or she will charge you for the time spent on every call or letter on your case. For example, if you call the solicitor to discuss your case then you will be charged for the time he or she spends on the phone talking to you. The same with letters - if you write to the firm and your solicitor replies, you will be charged for the time the solicitor has spent writing back to you. You need to bear this in mind when calling or writing to the solicitor - only contact them when you really need to.

### **Proving who you are**

One of the first things a solicitor will do when taking on a case is ask you to provide documents to prove who you are. It's nothing to worry about and solicitors have to do this by law. The solicitor will let you know what documents they need to see.

### **Telling you what is happening**

During your case your solicitor should regularly contact you to tell you what is happening - at least once a month. If you do ask the solicitor questions about your case or the legal process, it might not always be possible for him or her to find that information and get back to you on the same day - they might have to wait to speak to other people about your questions. However, if they don't get back to you with answers within a reasonable time (how long will depend on what your questions are), you should contact them to ask why not.

It's difficult to remember everything you talk about with your solicitor on the phone, especially if it's a long conversation. At the end of the call you can ask the solicitor to confirm the main points you discussed. (Remember, though they may charge you for this depending on how you are paying for the case.)

### **Remember to ask the solicitor to explain:**

- what their advice is if you don't understand; and
- any legal terms or 'jargon' that you don't understand.

### **Keeping in touch with solicitor**

You need to let the solicitor know as soon as possible if anything changes on your case. You should also let your solicitor know if your financial situation changes, especially if you are receiving legal aid as this may affect whether the fund will carry on helping you.

### **Documents**

If you need to send the solicitor documents during the case, make sure you keep a copy for yourself.

Keep all your paperwork together in a safe place.

If you are dealing with the solicitor by e-mail or letter, make sure you keep copies of all the e-mails or letters you send.

When you call the solicitor or they call you, write down the time and date of the call and some notes of the conversation. Keep these notes with your paperwork.

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## Timescales

The legal process is not quick. It might take much longer than you expect for the process to be completed. The solicitor should give you an idea at the start of the case of how long it will take. However, events outside of the solicitor's control might make the case take longer - the solicitor should tell you about the progress being made and if they expect any delays.

Your solicitor should tell you quickly when things have happened on your case. If you think that there has been a long delay with no progress, ask the solicitor what's going on. It might be that the solicitor is waiting for the other side's solicitor to do something before he or she can take things forward.

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## What if I am not happy with the service I am receiving?

If you are not happy with the service you are receiving from your solicitor, you should tell them straight away. If you raise your concerns by phone, make sure you keep notes of the call along with the date and the time you spent on it. You could also send the solicitor a letter setting out what you discussed on the phone - just to make sure that they know everything you are not happy about.

If your solicitor is not able to sort out your concerns, ask to speak to the person in the firm who deals with complaints. All firms must have their own procedure for handling complaints.

If your solicitor works alone, they may have an arrangement with another local firm or with the local law society.

If the firm is not able to sort out your complaint, then you may need to complain to us.

For more information about what to do if you are not happy with the service you are receiving from your solicitor, please read our leaflet 'If things go wrong'. You can find this on our website ([www.legalcomplaints.org.uk](http://www.legalcomplaints.org.uk)) and you can phone our helpline for a copy on 0845 608 6565.

## Useful contacts

### Legal Complaints Service

Victoria Court  
8 Dormer Place  
Leamington Spa  
Warwickshire  
CV32 5AE

Phone: 01926 820082

Helpline: 0845 608 6565

Minicom: 0845 601 1682

Fax: 01926 431435

Website: [www.legalcomplaints.org.uk](http://www.legalcomplaints.org.uk)

E-mail: [enquiries@legalcomplaints.org.uk](mailto:enquiries@legalcomplaints.org.uk)

### Citizens Advice

Myddleton House  
115 to 123 Pentonville Road  
London  
N1 9LZ

Phone: 020 7833 2181

Websites: [www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)  
[www.adviceguide.org.uk](http://www.adviceguide.org.uk)

### **Legal Complaints Service**

Victoria Court  
8 Dormer Place  
Leamington Spa  
Warwickshire CV32 5AE  
Dx 292320 Leamington Spa 4

**Switchboard:** 01926 820082  
**Helpline:** 0845 608 6565  
**Minicom:** 0845 601 1682  
**Fax:** 01926 431435  
**Web:** [www.legalcomplaints.org.uk](http://www.legalcomplaints.org.uk)  
**Email:** [enquiries@legalcomplaints.org.uk](mailto:enquiries@legalcomplaints.org.uk)