

Five Things to Know About Hiring a Litigator

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Did you get sued for the first time? Then you've got litigation on your hands. Litigation is just another word for a court case.

Choosing an attorney to represent you in that litigation is tricky — and very important. Here are five things to know about hiring a litigator:

1. Hire Within Your Budget

Most attorneys in the New York City area have higher billable rates. This is common across the country — legal services cost more in larger cities. But just because most attorneys have higher billable rates doesn't mean you can't afford high-quality representation. Make sure you know your attorney's billable rate and ask about budgeting for your case. For example:

- What is your estimated budget for each stage of the case?
- What can we do to keep costs low in the case?
- Who will work on my case, and what is each person's billable rate?

2. Experience vs. Titles

Titles vary from firm to firm. What ultimately matters is the experience. An associate at a midsize firm might have more experience than someone who opened their own practice straight out of law school. On top of that, a midsize firm gives you the best of both worlds with experienced associates and significant resources at their disposal — but not at big law firm rates.

3. Seek a Clear Communicator

Make sure your attorney tells you what the options are for your case — in detail and in language that you understand. Litigation is stressful, emotional, and expensive. If communication isn't clear from the outset, it is likely to only add more stress, confusion, and frustration to your case — which may last for months or even years.

Many attorneys have poor bedside manners. The term “legalese” exists for a reason. The law can be complex and dense — it's your lawyer's role to communicate to you clearly what's happening. You shouldn't feel talked down to.

If your attorney is an effective communicator, you will receive updates about your case in clear and understandable language, confidently discuss each component of your case, and strategize together about how best to move forward.

4. Hire a Litigator, Not an Attorney

Even though all attorneys are admitted to practice law, they're not all the same. Litigation is a specialty. It requires being familiar with the court rules. More than that, it means having expertise in using the tools available to give you an edge in the

case. Find a litigator who knows how to practice in the court your case is in.

Even then, litigation is a wide-ranging area with many specialties. Make sure you ask about that attorney's experience in your case's area. For example:

- Have they worked on a case in this area before?
- What are some of the strategies that work well for this type of case?
- Do other attorneys in their firm have experience in this area?

5. Act Quickly

As soon as a case starts, so do the deadlines. If you delay taking action for too long, the deadlines will pass, and your attorney will have to try to undo the damage by asking the court to give you another chance to make things right. All of this work is likely to result in additional costs and time. It is imperative to move quickly. Reach out to schedule a consultation right away so that you can best protect yourself.