

A close-up photograph of a man with light brown hair and a beard, wearing a black t-shirt. He is pulling at his hair with both hands, his face contorted in a look of intense frustration or anger. His eyes are wide and staring, and his mouth is open, showing his teeth. The background is a plain, light-colored wall.

How Do I Change My Lawyer?

NEAL GOLDSTEIN, ESQ. AND ROBERT BASHNER, ESQ.

GOLDSTEIN & BASHNER
Personal Injury Law

“How Do I Change My Lawyer?”

One of the most frequent questions we get is, “How do I change my lawyer?” Our offices receive calls, emails, and website inquiries from people wanting to know:

- Is it easy?
- Does it require extra expenses?
- Is there a process for switching lawyers?

Well, I can tell you that changing lawyers is both easy and sometimes necessary if you find that your lawyer is not a good match or giving your case the attention it deserves.

And the good news is you will not pay any extra money for legal fees. It is the responsibility of the lawyers to work out an arrangement for splitting the fees that you agreed to pay with your initial lawyer.

So What Do I Need To Know?

Always keep in mind that you, the client, are the boss. In fact anytime you feel it's over with your accident lawyer then it's over! The relationship between you and your lawyer is no different than any other relationship. There must be good chemistry between the two of you and communication is key. Here's all you need to know:

1. First and most importantly, you can change your lawyer today—you have the right to terminate your lawyer's services without any notice if you are not happy for whatever reason.
2. You do not even need to contact your lawyer or do the firing yourself! When you find a new lawyer—read on for important tips and suggestions on finding a good lawyer—he or she will send your old lawyer a letter to notify them that you have terminated their services and hired a new lawyer.
3. You do not have to pay your new lawyer any additional fee or payments. All lawyers who work on your case, if they are entitled to any payment, will share the fee in your initial agreement. For example, if your case settles for \$9,000, there are no expenses and there is a one-third fee in your initial agreement, then any lawyer you used will need to come to an understanding on how to split the \$3,000 payment. You do not need to get involved in how they split the fee—if they can't come to an understanding then a court will make the decision.

4. Finally, there should not be any delay in the processing of your case. If both lawyers are civil, then your old lawyer will send the file to the new lawyer and that's it!

Remember, you as the client are in charge. You are the boss and the lawyer works for you. If you don't like your lawyer because he does not return your calls, talks down to you or you just don't think he is doing a good job then it's over. At the end of the day you need only to explain your actions to one person—you!

Do I Need to Change My Lawyer: How Can I Tell if My Lawyer Is Doing a Good Job?

There are a number of ways you can see what progress your lawyer has made and evaluate how he is doing:

1. **Check the public record.** Active court cases are on public record, so you can check to see that your case has been filed and that the information seems correct and up to date with your lawyer's claims. New York State and many jurisdictions around the country now have the cases available online. If your jurisdiction is not online, you can go to the courthouse to look up your case.
2. **Get your case files.** Ask your lawyer for a copy of your case so you can see what he or she has done.
3. **Ask for a face-to-face meeting.** A lawyer should be willing to fully discuss any questions or concerns you have.
4. **Do online research.** Check your lawyer on legal sites such as Avvo.com or Nolo.com, as well as on general sites like Google Places and Yelp! to see what other clients have to say. Search peer-reviewed online databases such as Martindale.com to see comments and opinions from other lawyers.
5. **Get another lawyer's opinion.** If you have doubts about your lawyer, you can also meet with another lawyer and see what he has to say about your case. If at any time you want to change your lawyer, you are entitled to do this without being financially penalized. It is up to the lawyers to come to an agreement on how to split any fee that is owed if you win your case.

6. **Experience Matters.** Make sure that any lawyer you're considering has adequate experience, not only in law, but also in the specific cases of your type. Have they published any reports or written articles and blogs? Check out their website.

So Now That I Know It's Easy to Change My Lawyer, How Do I Find a New, Better One?

You've decided that it is definitely time to say goodbye to your old lawyer and now you need to find someone new. Here are some tips for finding a new lawyer:

1. **Research.** Search the web, ask friends for referrals, and check on legal sites such as Nolo.com, Avvo.com, and Martindale.com. Look for testimonials from clients, endorsements from other lawyers, and any press coverage of past cases.

2.) **Communication is key.** Find a lawyer you are comfortable talking to and who seems to make time to talk to you and learn first-hand about your case. A lawyer should be willing to fully discuss any questions or concerns you have.

3.) **Experience.** Make sure that any lawyer you're considering has adequate experience, not only in law, but also with specific cases in the area of your lawsuit. In addition, make sure that he has adequate trial experience. Many lawyers don't actually try lawsuits.

4.) **Specialty.** Some law firms will claim they specialize in nearly everything under the sun. Try to find a lawyer that truly handles cases in the specific area of your lawsuit.

Goldstein and Bashner

The law firm of Goldstein and Bashner has been around for more than 40 years, serving clients on Long Island, New York City and the surrounding metro area in personal injury cases. We take time to meet with each client, answer all their questions, guide them through the legal process and let them know what to expect from their case. In fact, we have been criticized by our colleagues for spending too much time with our clients. We have handled numerous cases and consider ourselves experts in the following specialties:

- **Premise Liability**

- **Car Accidents**

- **Motorcycle Accidents**
- **Drunk Driving Cases**
- **Construction Accidents and Labor Law**
- **Sexual Assault Cases**
- **Concert and Club Accidents**
- **Railroad Cases**
- **Bullying Cases**

If you or someone you know has been injured, contact us today for a free consultation. We'll take time to discuss everything you need to know and help determine if you have a case. For more information and testimonials from past clients and fellow lawyers, visit our website at www.eglaw.com.

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