

# A Step-by-Step Guide to Choosing a Legal Adviser



*Community  
Legal Service*



A free, government-funded  
confidential advice service  
0845 345 4 345 [www.clsdirect.org.uk](http://www.clsdirect.org.uk)

# Community Legal Service Direct

As with any other service, it's a good idea to shop around before choosing a legal adviser. Then you can be sure you've found the adviser who is right for you.

This guide helps you through the steps of finding the right adviser, and has a tear-off page of checklists for you to take when you see an adviser.

Do I need a legal adviser?	3
What kinds of legal adviser are there?	4
How do I find legal advisers?	5
How should I approach an adviser?	6
What should I do when I meet an adviser?	7
How should I compare advisers?	8
What should I expect from an adviser?	9
What can I do if I'm not happy with my adviser?	10

This guide has been produced by Community Legal Service Direct (CLS Direct), a free government-funded confidential advice service.

We provide help and advice on a range of common legal problems through:

- a national helpline – 0845 345 4 345
- a website – [www.clsdirect.org.uk](http://www.clsdirect.org.uk)
- a series of free legal information leaflets

# Do I need a legal adviser?

There are many laws to protect you and help you sort out disputes and problems you may have with people and organisations. These could be, for example, problems:

- to do with your home (your landlord or your neighbours)
- to do with your relationship with your partner
- to do with your job (your boss or the organisation you work for)
- dealing with companies you buy goods and services from
- buying a house or flat.

Of course, many problems can be sorted out simply by talking to the person or people involved. But you may want help from a professional who has expert knowledge of the law to help you. This might be if, for example:

- you've been injured in an accident that you think someone was responsible for
- your landlord is trying to force you to leave your home
- a company you owe money to is harassing you
- you want to divorce your husband or wife.

# What kinds of legal adviser are there?

Legal advisers are people who are trained in the law – usually a particular area of law – to help you.

There are many types of legal adviser, including solicitors, legal executives, barristers and general advisers. Some advisers deal only with specific matters. For example, licensed conveyancers deal with the legal contracts for buying and selling houses or flats.

Using a legal adviser does not mean that your problem will be decided in a courtroom. You don't have to be wealthy or have a very complicated problem to use a legal adviser. They are there to help you understand your rights, and to use the law to solve your problem. They will do this in a way that gets you the best result as quickly as possible.

## Take control!

Having a problem that you may need legal help for can be stressful. But you can feel more confident if you know your rights, and how the law protects you.

Community Legal Service Direct has a series of free leaflets on the law and your rights on more than 30 subjects, from debt to welfare benefits, employment, renting a house, and divorce and separation. They're easy to read, and have details of organisations that can help.

To find out the topics the leaflets cover, see the back of this guide. You can download them from [www.clsdirect.org.uk](http://www.clsdirect.org.uk) or order copies by calling 0845 345 4 345.

# How do I find legal advisers?

The right legal adviser for you is a person who knows about your type of problem and can deal with it in a way you want. You may want to talk to someone who can give you general advice about your options first. This could be:

- a Citizens Advice Bureau – see under 'Citizens Advice' in the phonebook for your nearest one
- CLS Direct – **0845 345 4 345**

At the CLS Direct website, [www.clsdirect.org.uk](http://www.clsdirect.org.uk), you can search for sources of legal advice on the internet.

Several organisations can help you find advisers who specialise in your type of problem:

- The Community Legal Service Directory: phone 0845 345 4 345 or visit [www.clsdirect.org.uk](http://www.clsdirect.org.uk)
- The Law Society's directory: phone 0870 606 6575 or visit [www.solicitors-online.com](http://www.solicitors-online.com)
- Institute of Legal Executives: [www.ilex.org.uk](http://www.ilex.org.uk)
- Citizens Advice: check the phone book for your nearest Citizens Advice Bureau, or visit [www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)
- the website [www.lawyerlocator.co.uk](http://www.lawyerlocator.co.uk)
- Yellow Pages, also online at [www.yell.com](http://www.yell.com)
- Thomson Local Directory, also online at [www.thomsonlocal.com](http://www.thomsonlocal.com)
- The Bar Council (for information about barristers): phone 020 7242 0082 or visit [www.barcouncil.org.uk](http://www.barcouncil.org.uk).

# How should I approach an adviser?

You should talk to at least two advisers in your area who deal with your type of problem, before choosing an adviser to take on your case. This is so you can make sure that:

- they have the right expertise and experience for your problem
- you feel comfortable working with them
- they will offer you value for money.

Once you get the names of advisers in your area who deal with your type of problem, you should phone them and ask for an 'initial interview'. Many advisers offer an initial interview for free – **but check first**. This interview may be short, perhaps 15 minutes, but it should be enough for the adviser to understand what help you need, and for you to decide whether you feel comfortable with the adviser.

## Other options

With some kinds of problem, instead of using a legal adviser you may be better going to mediation, arbitration or an ombudsman scheme. These methods (often called 'alternative dispute resolution' or ADR) can sometimes be quicker, cheaper or less stressful.

There is information about how they work and who offers them at the ADR Now website ([www.adrnow.org.uk](http://www.adrnow.org.uk)) and in the free CLS Direct leaflet **Alternatives to Court**. You can download this from [www.clsdirect.org.uk](http://www.clsdirect.org.uk), or order a copy by calling 0845 345 4 345.

# What should I do when I meet an adviser?

To make sure you choose the right adviser, you need to make the most of your initial interview. So go prepared. Take with you copies of any:

- letters about your problem (for example, letters from the person or organisation your problem is with)
- court documents about the matter
- other documents that may help the adviser (for example, a tenancy agreement, if your problem is about your home).

Your adviser should explain several things about your case. Make sure they cover the following points (if they don't, ask them):

- your options for sorting out your problem – especially if the adviser cannot sort it out for you
- your chances of getting the result you want
- how long they think your case will take
- whether your problem can be sorted out without going to court
- whether legal aid is available to you, and other ways of paying for legal services if it is not
- what you may have to pay if you lose your case
- who will be handling your case (if it is not the adviser you are speaking to)
- what to do if you are unhappy with the service you are receiving.

They should be able to give you an estimate of the cost of the work on your case. This will only be a guide price – it is not a fixed price, which is usually called a quotation. However, their estimate should be broken down into their fees and other amounts you may have to pay, such as court fees.

# How should I compare advisers?

If you have had initial interviews with at least two advisers, you should decide which one to use based on:

- how well you believe they understood your problem
- how confident you are that they know the best way of handling your case
- how helpful they were in giving you information and advice
- their estimate, what it includes and whether you can receive legal aid.

## Worried about the cost?

Using a legal adviser can be expensive, and you may worry that you can't afford it. But you shouldn't let that put you off looking for help. There are several ways to get help with paying for legal advice.

You've probably heard of legal aid, which you may be able to get depending on the type of case and how much money you have. But there are other options, – and some of these, such as 'no-win, no-fee' agreements, are available to anyone, regardless of how much money they have.

The Legal Services Commission leaflet **A Practical Guide to CLS Funding** explains how the legal aid system works. You can download the leaflet from [www.legalservices.gov.uk](http://www.legalservices.gov.uk) or order a copy by calling **0845 345 4 345**.

# What should I expect from an adviser?

When you employ an adviser you will probably have another, longer meeting to discuss your case and how the adviser will handle it. Depending on how complicated your case is, you will probably have other meetings, too. After any meetings with your adviser you should make sure you know:

- what you need to do next
- what action your adviser will take next
- whether you need to provide any more information or documents
- whether there are any key dates or deadlines you need to know about
- when your adviser will contact you again, or when your next meeting will be.

Your adviser must follow professional rules, including keeping information you provide private and confidential. You must tell them everything about your case so they can make sure you get the best result at the lowest cost.

# What can I do if I'm not happy with my adviser?

If something goes wrong or you're unhappy with the service you've received, complain to the adviser, or their firm.

Many types of adviser will have a complaints procedure which will explain, for example:

- how to complain
- where to complain
- how your complaint will be dealt with.

If you have a problem with your adviser, ask for a copy of their complaints procedure.

With some types of adviser, if you are unhappy with their response to your complaint, you can then take your complaint to their professional body's complaints service.

Examples of these include:

- The Law Society's Consumer Complaints Service, for complaints about solicitors: phone 020 7242 1222 or visit [www.lawsociety.org.uk](http://www.lawsociety.org.uk)
- The Bar Council's Complaints Commissioner, for complaints about barristers: phone 020 7242 0082 or visit [www.barcouncil.org.uk](http://www.barcouncil.org.uk)

Whatever type of adviser you have, their complaints procedure should tell you what you can do if you are unhappy with their response to your complaint.

## Dealing with debts

‘I was having difficulties with my credit cards and had got myself into a lot of debt. I couldn’t pay them off, and the banks started to threaten me with court actions.

I really didn’t know what to do. I looked in the Yellow Pages and found an advice agency in my town. But I didn’t think the adviser there had enough experience to deal with my problems. I found a new agency nearby.

When I went I took all my bills, letters the banks had sent me, and copies of the letters I had sent back. The adviser clearly explained what he was going to do, and what I needed to do. With his help, I reached an agreement with the banks to pay back £1 a month until I could afford to pay more. I now feel confident to manage my financial affairs.’ **Clare, 27**

## Adding insult to illness

‘I had been a nurse in a children’s hospital. But after studying for years and becoming very skilled, I was diagnosed with multiple sclerosis. I continued working for a while, but eventually I found it too difficult.

I applied for Disability Living Allowance. However, I was told that I wasn’t sick enough to receive it. I asked for the decision to be reviewed, but was told that I hadn’t filled in the forms correctly. Not knowing what to do, I went to my local Citizens Advice Bureau for help.

I took along all the letters I’d written and received, and a copy of the original application form. The adviser explained how she would help me, and what my chances of success were. She helped me prepare for the appeal, and I won my case. I’m now looking for ways to continue my career.’ **Ali, 32**

## Checklist ✓

## When you have meetings with your adviser

Face-to-face meetings with your legal adviser can be better than letters or phone calls, but they can take up time, and your adviser will normally charge you for them. So make the most of any meetings you have – make sure you cover all the things in this checklist. Be sure you know:

- what you need to do next
- what action your adviser will take next
- whether you need to provide any more information or documents
- about any key dates or deadlines you need to know about
- when your adviser will contact you again, or when your next meeting will be
- how long they think your case will take

**CLS Direct: a free, government-funded confidential advice service**

**0845 345 4 345    [www.clsdirect.org.uk](http://www.clsdirect.org.uk)**

## Checklist ✓

## When you first visit an adviser

When you first visit an adviser to see if they are going to be able to help you, go prepared. Check you have these things with you:

- copies of any letters relating to your problem (for example, letters from the person or organisation your problem is with)
- copies of any court documents relating to your problem
- any other documents that may help the adviser

Your adviser should explain several things about your case. Make sure they cover the following points – if they don't, ask them.

- your options for sorting out your problem – especially if the adviser cannot sort it out for you
- your chances of getting the result you want
- whether your problem can be sorted out without going to court
- whether legal aid is available to you, and other ways of paying for legal services if it is not
- what you may have to pay if you lose your case
- who will be handling your case (if it is not the adviser you are speaking to)
- what to do if you are unhappy with the service you are receiving

The leaflets are also available online at [www.clsdirect.org.uk](http://www.clsdirect.org.uk)

### Your Legal Rights

- 1 Dealing with Debt
- 2 Employment
- 3 Divorce and Separation
- 4 Renting and Letting
- 5 Buying and Selling Property
- 6 Losing your Home
- 7 The Human Rights Act
- 8 Claiming Asylum
- 9 Welfare Benefits
- 10 Wills and Probate
- 11 Dealing with the Police
- 12 No-win, No-fee Actions
- 13 Problems with Goods and Services
- 14 Medical Accidents
- 15 Equal Opportunities
- 16 Racial Discrimination
- 17 Personal Injury
- 18 Rights for Disabled People
- 19 Community Care
- 20 Education

- 21 Immigration and Nationality
- 22 Mental Health
- 23 Alternatives to Court
- 24 Family Mediation
- 25 Veterans
- 26 Domestic Violence, Abuse and Harassment
- 27 Living Together and your Rights if you Separate
- 28 Dealing with Someone Else's Affairs
- 29 Care Proceedings
- 30 Neighbourhood and Community Disputes
- 31 Changing your Name

### Advice Guides

**G1 A Step-by-Step Guide to Choosing a Legal Adviser**

The leaflets are also available in Welsh, Braille and Audio.

To order any of these leaflets contact the LSC leaflet line on 0845 3000 343 or email [LSCLeaflets@ecgroup.uk.com](mailto:LSCLeaflets@ecgroup.uk.com) or Fax 020 8867 3225.



This leaflet is published by the Legal Services Commission (LSC) and the Department for Constitutional Affairs (DCA)



LSCG1