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Article:

Business Owners – How To Get The Best Out Of Your Lawyers

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Instructing lawyers is without doubt, an art. The penalty of getting it wrong is pain and suffering or, at the very least, frustration. It's worth adhering to some very simple rules. If you give them too much respect it will often lead you to a place that you don't want to be, and if you don't give them enough it will lead to other problems.

In this article we will provide some simple guidelines to follow when instructing lawyers that can reduce many of these problems.

1. Choose an individual to undertake or lead your piece of work, not a firm. Apart from generally much higher fees, the profit model of larger practices is to charge more and push the work down to the least qualified lawyers and their least experienced and least expensive lawyers. Why would you accept that? Take time choosing your lawyer, check references, check their experience and speciality. Most of all ensure that the relationship is right. You get so much more out of good relationships.
2. Spend as much time as you can with your lawyer scoping the project. Ensure that they understand your business and they know what your real drivers are. Lawyers sell themselves as being commercial animals when the reality is that few of them are. They will want you to act as their quality control, sending you documents and asking for your approval, or letting you negotiate your deal at interminable all parties meeting. What you really want is someone that you can trust to lead and negotiate your deal, referring back to you but allowing you to continue to focus on your business. That comes from a combination of the right lawyer and scoping the project properly.
3. Only accept fixed fees, it may be that these fixed fees will have to be agreed in stages but don't accept a list of assumptions or conditions that make fixed fees irrelevant. Hopefully soon time costing will become a thing of the past. Why accept a system whereby a lawyer can take as long as he wishes to do a job and you have no control? Fixed fees allow a lawyer to become more efficient. No wasted meetings, no duplication of or superfluous documents. Agree a fixed fee and then encourage him or her to manage the process.

With the right lawyer, a proper understanding of the scope and drivers, fixed fees and the ability to lead and manage the transaction and you will have a better chance of a hassle-free deal.

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