

## What do I pay for?

There are two components to your invoice:

- Professional fees
  - are charged for the solicitor's expertise, eg drafting correspondence, preparing legal documentation, liaising with other parties
  - can be fixed hourly fees (or agreed retainers) or conditional cost agreements, eg based on the successful outcome of a case.
- Disbursements include other fees spent on your behalf, eg filing fees, witness fees or search fees.

## What are the costs likely to be?

Most solicitors charge on an hourly basis, however some solicitors offer retainers (fixed fees) for specific legal services. Costs depend on a number of factors:

- the level of experience of your solicitor
- the size of the firm
- the geographic location
- the type of work.

Other factors include the use of legal aid services, conditional costs agreements ('no win, no fee') and litigation loans. It is advisable to enquire about charges and payment before you retain a solicitor.

## How do I pay?

Many solicitors require payment into their trust account within 14 days of an invoice, though this may be negotiable.

## What if I'm unhappy with the costs?

The *Legal Profession Act 2007* requires all legal firms to disclose the client's rights with every invoice. You can request an itemised bill that lists each item of work and the amount charged for. There are time limits to challenge a legal bill, so it is essential to speak to your solicitor as soon as possible if you have an issue. If you cannot resolve the dispute directly you can contact the Department of Justice and Attorney-General on 1800 017 288 for a cost mediation.

If you have a complaint regarding legal services provided by your solicitor, contact the Legal Services Commission Queensland on 1300 655 754 or [lsc.qld.gov.au](http://lsc.qld.gov.au)

## Looking for a solicitor?

You can find one via the Queensland Law Society referral service at [qls.com.au](http://qls.com.au) or phone 1300 367 757.



Contact us

1300 FOR QLS (1300 367 757)  
F 07 3842 5999 | [info@qls.com.au](mailto:info@qls.com.au)

Law Society House  
179 Ann Street, Brisbane Qld 4000  
GPO Box 1785, Brisbane Qld 4001

[qls.com.au](http://qls.com.au)

*The information in this brochure is merely a guide and is not meant to be a detailed explanation of the law and does not constitute legal advice. Queensland Law Society recommends you see your solicitor about particular legal concerns.*



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a guide to engage  
legal professionals

# questions to ask your solicitor

public information



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*For many people, using a solicitors' services for a legal issue is unfamiliar territory. Some may be unsure about the legal process, concerned about the emotional toll of detailing a particular problem, or are apprehensive about costs.*

*However, put simply – solicitors are here to help people and you should feel confident that in engaging one, you are taking an important step in protecting your rights and interests. Below are some recommendations regarding the selection of your solicitor and what you should ask.*

## Before your first appointment

### Choosing legal advice

Conduct some research before engaging a solicitor to ensure your needs will be met by:

- identifying the area of practice most closely related to your issue, eg family, wills and estates or property law
- locating potential solicitors – [qls.com.au](http://qls.com.au) is a great resource for finding a solicitor and also helps you identify the relevant area of practice. You could also ask friends, family, work associates or other solicitors you may know for a referral, or conduct some web research.

Meet a potential solicitor in person to see if you feel comfortable with their services and fees.

Check a solicitor's credentials and background online, ie how long they have been practising or whether they are specialised in the particular area of practice you need.

### Accredited specialists

You can narrow your selection to a legal practitioner whose sole interest is the area of law in which you require assistance.

Alternatively, Queensland Law Society can refer you to an accredited specialist solicitor who has successfully completed an advanced, peer reviewed assessment program in a specific area of law and is highly skilled in that area.

### Is my first appointment free?

Many legal firms offer the initial consultation free of charge so you can explain your case and your solicitor can scope the amount of work required and outline a fee structure. If your prospective solicitor does not offer a free consultation you can ask about fees in your initial contact over the phone.

## The first meeting

The first appointment is essential to see if you feel comfortable with the solicitor and their fees. You are under no obligation to hire a solicitor after the first consultation.

In your first consultation you should discuss your legal issues and your expectations with your solicitor. It is important that you disclose anything that may be important to help the solicitor fully understand your case.

You should be aware that all lawyers must provide a client agreement once they agree to act for you. This should outline an estimate or the basis on which work will be charged. Most lawyers will want an initial meeting with a client to scope the work prior to engagement and sending you the client agreement.

### Can I change my solicitor?

Yes, but you need to advise your original solicitor that you would like your case finalised, and once you have paid for the work already completed you can engage another solicitor.

## What to ask your solicitor

### What documentation do I need to bring to the first meeting?

Your solicitor may need evidence or legal documentation for your case, so you should ask what to bring with you to your first appointment. Some documentation may be sufficient in copy, but your solicitor may need to see originals.

### Have you handled similar situations/cases?

You should do some research before you meet with your solicitor. You can also ask your solicitor questions such as:

- how long have you been practising?
- have you managed similar situations?
- what was the outcome?

### Who is handling my issue?

You may choose an accredited specialist who is experienced in dealing with a particular area of practice. The requirements of your case will determine if an associate or someone more senior manages your work. It is important that you understand who will be carrying out the work and if it will be the solicitor you are meeting with.

### How long will my matter take?

Your solicitor should be able to estimate the time needed to complete the work. This depends on many factors such as the size of the firm, current workload, previous experience or if, in adversarial circumstances, you will be involved in dispute resolution, mediation, arbitration or court proceedings. Solicitors have an ethical obligation to ensure your issue is managed as expediently as possible.

### If I'm taking action against someone, what are my prospects of success?

The success rate depends on various factors related to the details of the case. Your solicitor will consult with you on this. This is also a good opportunity to enquire about what happens if you lose the case, eg having to pay the other side's costs.

### Can I ask for a progress report?

Yes. Your solicitor can provide a written progress report on your case and you should be regularly updated on developments. Please note, that you may be charged for this service. However, your solicitor cannot charge for simply updating you on accrued legal costs if you ask for them.

