

FAQS ABOUT ATTORNEYS' FEES

Attorneys' fees are understandably a big concern for all divorce clients.

These FAQs explain how most divorce attorneys determine fees and provide some tips for keeping fees down.

HOW MUCH WILL A DIVORCE LAWYER COST?

Most divorce lawyers charge by the hour, which means that the attorney is charging for his or her time. This includes time reviewing documents, negotiating with your spouse's attorney, preparing for court, traveling, waiting in court, and talking to you in person or on the phone.

It is very difficult to provide an estimate of the total costs at the beginning of a case. Family law matters can be more complex and more time-consuming than they first appear.

IS THERE ANYTHING I CAN DO TO SAVE MONEY ON MY ATTORNEYS' FEES?

Your cooperation with your attorney and your willingness to work with your spouse will go a long way toward minimizing the costs of your case. If your case settles, it will likely cost you far less than if it goes to trial.

You can save some money on attorney fees by:

- Providing your attorney with all of the financial information and documents he or she requests.
- Presenting the documents in an organized fashion.
- Learning basic information about divorce law on your own from books and websites recommended by your attorney.
- Reserving phone calls to your attorney for important matters.
- Being candid with your attorney.
- Trying to compromise with your spouse.

WHAT IS A RETAINER?

Most attorneys will ask you to pay a retainer before beginning work on your case. A retainer is a sum of money that the attorney will hold in an account. As he or she completes work on your case, your attorney will bill you and deduct what you owe from the retainer. When the retainer is used up, the attorney may ask you for another retainer or may just bill you periodically. If your case is finished and your retainer is not used up, the balance will be refunded to you. The amount of the retainer depends on the complexity of your case and is usually at least several thousand dollars.

I DON'T WORK. WON'T MY SPOUSE HAVE TO PAY FOR MY LAWYER?

Not necessarily. Although sometimes a court will order one spouse to pay for the other's lawyer, most often, courts hold each party responsible for his or her own fees. Even if your attorney believes the court will ultimately order your spouse to pay your fees, your attorney will likely require you to pay your fee as the case progresses. If the fee is collected from your spouse, your will get an appropriate credit for the amount collected, or a refund of fees collected but previously paid.

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