

Smart Planners

Interview Your Potential Attorney

I had a client come in two days ago. He has a special needs son. He is a retired military officer and professor at a military academy. A no-nonsense guy.

Right off the top, he politely excused himself, said he hoped he would not offend me, but that he had a list of questions for me about special needs trusts (SNTs).

I was thrilled by the prospect of a potential client who actually had a list of questions for me—who actually wanted to interview me for the job of helping him and his son. Seriously. I knew this was a client who was intelligent, someone I could work with. This was a client who would appreciate the host of surprises that could occur and would do everything necessary to prevent them from occurring.

His first question had to do with “Crummey” powers in a special needs trust. It was a pleasure to look him in the eyes and immediately explain the case of “Crummey v. Commissioner” and the use of Crummey powers in an SNT. The questions went on from there.

I am certain that if this man had not been comfortable with my answers to every question he had, he would have graciously indicated he needed to think about his situation and would have walked out—never to return. Instead he wrote out a retainer check.

To all of you looking for a good attorney. There is no reason for you to be intimidated in the least by another human being who calls himself an attorney. You are the one hiring the attorney. Be prepared to put that potential attorney to the test. No matter how highly recommended the attorney is, interview him or her with questions. If an attorney cannot answer your questions in a way you can easily understand, or dismisses your questions in any way, or if you are simply uncomfortable, then politely excuse yourself and do not go back.

Craig E. Hughes