



Getting Legal Representation

Promoting
justice for
women

Getting involved with a legal dispute can be a daunting process, and sometimes finding a solicitor and getting started can be a difficult step. This information will guide you through the process of finding a solicitor, knowing what to look for, and what you can do to prepare for an initial meeting with a solicitor.

Finding the right solicitor for you

It is important to find the right solicitor for your particular legal needs. This will depend on what sort of case you have. If you need assistance with separation, divorce, aspects of the law regarding children (such as residence and contact proceedings, children's hearings, adoption etc.) or protective orders, it will likely be a family law solicitor that you need. You can search for appropriate solicitors in your area through the Family Law Association website: www.familylawassociation.org by clicking on “**contact a family law solicitor**”.

When you click on this, you will have several options available to you. You can enter a town or postcode, which will ensure the solicitors you find will be easily accessible to you. You will also have the option to only see family law solicitors who offer legal aid.

Legal aid is provided for people who cannot afford to pay for a solicitor by themselves. Not everyone is eligible for legal aid, and we would recommend that you check on the Scottish Legal Aid website to see if you would be eligible in advance of contacting or meeting a solicitor. The solicitor will go through the Legal Aid application form with you further, but it is a good idea to roughly know whether or not you are likely to be eligible. The Scottish Legal Aid Board provides online calculators so you can check: slab.org.uk/public/civil/calculator and slab.org.uk/public/childrens/calculator

You may be entitled to legal aid but asked to pay a contribution to your legal fees. The amount will depend on your financial position. Please also be aware that in deciding whether you are eligible for legal aid, the Scottish Legal Aid Board will also have to consider the merits of your case.

Choosing which solicitor would be most suitable

Once you have done the above, the Family Law Association will give you a list of potential solicitors who fit your location preferences and who provide legal aid. You may also have found recommended solicitors from friends and family, or from being referred to them by another organisation.

We would recommend that once you have a list of solicitors you should do a little bit of background research into them. You can look up specific solicitors on the Law Society of Scotland website:

www.lawscot.org.uk/find-a-solicitor and this can give you more information about the areas of law that solicitor works in. You can also look up the firm's website online. Firms will often list areas that they specialise in on their websites, and will sometimes have blogs or guidance notes on there as well. Having a look at these can help you to find out more about their work and what sort of firm they are.

It is a good idea to do some research and narrow down your list of solicitors to two or three names. Sometimes solicitors can be busy, and not able to take on new clients. Therefore, having a few options that you would feel comfortable with makes it more likely that you will find a suitable solicitor.

Making first contact

Once you have chosen a few solicitors, the next stage is to make contact with them. The best thing to do generally is to give their office a call. When doing this you should bear in mind that you can phone round a few solicitors and get a feel for what they are like before you choose who to make an appointment with.

There are several things you should ask in your initial phone call

1. **Ask if they provide legal aid for family law matters.**
2. **Ask if they are taking on new clients for family law matters.**
3. **Clarify if the initial meeting will be free of charge.**
4. **Ask when their next available time would be for a meeting, and make sure that you can find a time which suits both of you.**

5. Ask if you can take someone to the first appointment to support you – for example an advocacy worker (if there is someone you work with) or a friend or family member.
6. You can also ask if other things are available. For example you may be more comfortable with a female solicitor. It is completely understandable if this is the case, but you should be clear about this from the outset. You may also want to outline your case's circumstances and ask if the firm has dealt with that sort of case before

Once you have made contact, it is likely that you will need to arrange to meet the solicitor face to face. You can normally make an appointment over the phone, but make sure that you have clarified the things you asked in your initial phone call when making the appointment.

Your first meeting with the solicitor

You may also want to note down exactly what it is that you are looking for legal assistance with, and what it is that you want to get out of instructing a solicitor. For example, you may need help with an abusive partner, and you want a court order to stop him from contacting you. Or you may be concerned about leaving your partner, and you want to find out your rights to stay in the home you share. This can help you to get the most out of your meeting, and can help the solicitor to analyse how they can help you achieve what you are looking for.

It is also likely that the solicitor will want you to bring certain documents with you. This may be identification documents (like a passport or a driving license), proof of your current address and bank statements/ pay slips if they are helping you apply for legal aid. It is very important that you bring these documents with you, as the solicitor may not be able to act for you if you don't bring them. We would therefore recommend looking them out in advance, and if you have any queries about what you should bring contacting the solicitor's office. You may also want to bring some paper and a pen with you, in case there are any details of the meeting that you want to note down.

What happens in the meeting will depend a lot on what sort of case you have. However, there are likely to be some initial questions about you, and requests for basic information, like your full name, your date of birth, where you are currently living etc. It is likely that the solicitor will also ask you to explain what you want help with, and what the situation is. They will then be likely to ask you further questions, and it may be more like a conversation than the solicitor asking you questions and you answering them. They may also make suggestions for action they could take on your behalf. Do not feel under pressure to make any decisions immediately, and you can ask to have a bit of time to think things over.

They may want to take photocopies of the documents they asked you to bring in. This is completely normal, and the solicitor will not be able to use these documents other than in connection with the work they are doing for you. They may also sign you up for Legal Aid at this point, and they will be able to guide you through this process. As explained above, it may be that you will have to pay contributions to your legal aid or, if you are looking to obtain a sum of money from another person through legal action, your legal fees may be taken from this sum. However this depends on your personal circumstances and the solicitor will be able to advise you further.

For further information about the SWRC and
its services please visit our website at:
www.scottishwomensrightscentre.org.uk

HELPLINE:

08088 010 789

Tues: 6 - 9pm / Wed: 1.30 - 4.30pm / Fri: 10am - 1pm

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