

## **RE: INITIAL LEGAL CONSULTATION AND WHAT TO EXPECT**

Dear Potential Client:

This memorandum is meant to explain what you should expect from an initial consultation. It is organized in question-and-answer format.

### **Why are there no free consultations?**

We are an AV rated business and employment firm. Our experienced attorneys all went to ABA accredited law schools. We are not a plaintiffs' firm and do not practice in areas where contingency fees are prevalent, therefore, it does not make sense for us to offer free consultations. It is also not the commercially reasonable standard in our practice areas to do so. Firms that do offer free consultations generally do not have the same attributes.

### **Why is the consultation pre-paid?**

The consultation is prepaid to account for the time that the legal staff has to run conflicts, input client information required by State Bar rules and to make sure that the client pays. Law Pay payments generally take **24 - 48** hours to clear. But most importantly, an entire law firm is conflicted out of any matter by virtue of creating an attorney/client relationship with a client. To do so without compensation is not good business.

### **What is a consultation?**

A consultation is a conference set by Zoom wherein an attorney/client relationship is created but a retainer agreement has not yet been signed. You have asked the firm for legal advice and the attorney will meet with you and discuss your legal issue. Anything that is discussed is covered under the attorney client privilege. The firm is **not** agreeing to continue an ongoing relationship with the client who comes in for a consultation, but this is the first step to becoming a firm client.

### **Will the attorney review documents before the consultation?**

The attorney will look through documents and will charge time against the consultation if there is time in advance to do so. For example, if you are asking about a formation issue or a corporate transaction, the attorney may ask you for a term sheet or other information about your business. Your consultation fee of \$470 will have a charge of \$94 (**are you sure you want to put an amount to this? What if you spend more time than equates to \$94?**) because the attorney went into the consultation having reviewed the file. For employment issues, the attorney will ask you to provide a severance agreement or employee files for discussion regarding a termination. If these documents are provided many days in advance, the attorney has time to go through the documents. The attorney will charge against the consultation time in order to discuss the legal issue(s). With severance agreements (with no founder stock/stock options), this usually takes about a half hour review before the consultation. Thus, the consultation time available is reduced to a half hour.

### **What should I not expect?**

1. You should not expect, **nor will the attorney** give you any final legal opinion at the consultation. Employment matters take review of many documents, and many documents are not available in time for the consultation.
2. You should not expect the attorney to agree to represent you on the spot. The firm must run due diligence on any new client for purposes of becoming a client of the firm. This usually includes a back ground check and asset verifications.

### **How can I get the most out of my initial legal consultation?**

1. If applicable, prepare your timeline, organize any documents you want the attorney to review, and have your questions ready.
2. Take notes during the consultation.