

**FEES SET BY A JUDGE:** In some cases, the attorney's fee is set by a court judge. An example of a fee set by a judge is for the handling of an estate. In addition, certain types of cases allow an attorney to request a judge to order an opposing party to pay for your legal fees.

Regardless of the type of fee arrangement, it is important that the client have the fee arrangement fully explained by the attorney and reduced to writing. A written fee agreement is mandatory in any contingent fee case. In any event, all fee arrangements should be negotiated and agreed to between the attorney and the client prior to any legal services being rendered.

## SUMMARY

A general practitioner attorney is a trusted friend and advisor who you can consult concerning a variety of legal problems.

By having routine "legal checkups" with your general practitioner attorney, quite often, major legal problems can be avoided and you may save money in the long run.

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**This pamphlet is prepared and published by the Illinois State Bar Association as a public service.** Every effort has been made to provide accurate information at the time of publication.

For the most current information, please consult your lawyer. If you need a lawyer and do not have one, call Illinois Lawyer Finder at (800) 922-8757 or online [www.IllinoisLawyerFinder.com](http://www.IllinoisLawyerFinder.com)

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### **Pamphlets Available**

Adoption  
Advice to Newly Marrieds  
Alternative Dispute Resolution  
Auto Accidents  
Auto Insurance  
Bankruptcy  
Being a Guardian  
Buying a Car  
Buying a Home  
Buying on Time  
Divorce  
Estate Planning  
Gender Transitioning  
General Practitioner  
Health Privacy  
Healthcare Decisions  
Hiring a Lawyer  
Illinois Traffic Courts  
Jury Duty  
Landlord-Tenant  
Law-related Careers  
Limited Scope Representation  
Living Trusts  
Patients' Rights  
Rights of LGBT  
Selling a Home  
Serving as a Guardian for a Disabled Adult  
Starting a Business  
Your Rights if Arrested

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For more information on legal issues or to obtain single copies of each of the pamphlets listed above (free to individuals), please visit [www.ISBAlawyers.com](http://www.ISBAlawyers.com)

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## Consumer Legal Guide



# The General Practitioner



## ASK A LAWYER

## WHAT IS A GENERAL PRACTITIONER?

The vast majority of attorneys are considered to be general practitioners. Most general practitioners are engaged in solo practice or practice with small firms. A general practitioner can be defined as an attorney who does not limit his or her practice of law to one specific area of concentration but is experienced and qualified to handle legal matters in a variety of areas. Examples of these areas are as follows:

- Adoptions
- Bankruptcy
- Business incorporation and related matters
- Criminal and traffic matters
- Divorce and family law
- Landlord and tenant problems
- Personal injury litigation
- Real estate transactions
- Wills and estate planning
- Workers compensation

## WHY DO YOU NEED YOUR OWN ATTORNEY?

As our society becomes more complex, it becomes more important to have your own attorney and to routinely review your legal status. This is especially true whenever there are substantial changes in your life. The following are a few common occurrences in life which often require the assistance of a general practitioner: marriage, divorce, birth of a child, death of a loved one, starting a business, ending a business, buying a house, selling a house, or suffering a personal injury or a financial loss.

A routine "checkup" of your legal affairs with your own, personal general practitioner attorney, usually saves you time and money in the long run and gives you a sense of security. When you have your own general practitioner

attorney you have a trusted friend and advisor who can serve your legal needs and can direct you to the right specialist when one is required.

## HOW DO YOU CONTACT A GENERAL PRACTITIONER?

The most common way to learn about an attorney is through word of mouth. Talk to your friends and business associates and ask them to refer you to an attorney who is a general practitioner.

Most attorneys in a particular area are listed in the local yellow page directory. This can be a good source of initial information as to which attorneys are general practitioners. You can also search the Internet for attorneys in your area through a variety of online legal directories. Online legal directories come in many shapes and sizes; some are not-for-profit, some are for-profit, some limit attorney participation, and some are more closely related to paid advertisements. No matter where you obtain information about an attorney, always be sure to talk to the attorney to make sure he or she is the right fit for you.

Another way to contact a general practitioner attorney is through the Illinois Lawyer Referral Service. This is a service operated by the Illinois State Bar Association for the convenience of the public. You can contact the referral service at 1-800-922-8757 toll-free in Illinois or visit it online at [IllinoisLawyerFinder.com](http://IllinoisLawyerFinder.com).

Some local city or county bar associations also operate their own attorney referral systems and you can obtain a phone number for a referral system in your area by contacting the local city or county bar association.

## HOW DOES A GENERAL PRACTITIONER CHARGE FOR SERVICES?

Most general practitioners will afford you a free consultation or will charge you a nominal fee for an initial consultation. If you retain

a general practitioner and further services are needed, there are four basic ways of charging for legal services:

**HOURLY CHARGE:** Some attorneys establish a fixed hourly charge for their services. The attorney's fee is computed by multiplying this fixed hourly charge by the number of hours the attorney has spent working for you. The attorney then adds direct out-of-pocket expenses such as court filing costs, long distance telephone charges, transportation costs, photocopy charges, and the like.

When retaining an attorney on this basis, you may wish to ask for an estimate of the charge for the requested service and to have explained what complications might arise and what effect the complications would have on your fee.

Hourly rates of attorneys will vary depending upon an attorney's experience and the demand for the particular service. There is no set hourly rate and the rates do vary.

**FIXED OR FLAT FEES:** For frequently performed services such as drafting an uncomplicated will or assisting with an uncomplicated real estate transaction, some attorneys charge a fixed or flat rate that covers all the attorney's time in handling your matter.

**CONTINGENT FEES:** In certain types of cases, such as personal injury, collections and workers compensation, the attorney representing a person accepts a portion of the recovery as the fee. This is called a contingent fee arrangement. The fee is generally fixed at a percentage of the recovery, but many attorneys charge an additional percentage if the matter is re-tried or appealed to a higher court. Customarily, the attorney does not receive a fee when a contingent fee action is unsuccessful, but the client is expected to reimburse the attorney for out-of-pocket expenses such as court filing costs, transportation costs, investigation costs, and fees paid to witnesses. If the client wins the lawsuit, the same expenses are deducted from the client's share of the recovery.