

ZEN AND THE ART OF HIRING PERSONAL INJURY ATTORNEYS

MOST LAWYERS HAVE A CONTINUOUS STREAM OF CASES. YOU HAVE BUT ONE IMPORTANT TO YOU. LEARN TO INTERVIEW FOR DIFFERENCES BETWEEN GOOD INJURY LAWYERS AND THE LESS QUALIFIED, ALL OF WHOM HAVE YELLOW PAGES ADS, INTERNET ADS AND WEB SITES.

By Lawrence M. Kahn

LEARN HOW YOU HIRE A GOOD INJURY LAWYER.
READ THIS GUIDE

- ◇ **BECAUSE YOU CANNOT RELY ON THE ATTORNEY WITH THE BIGGEST OR PRETTIEST ADVERTISEMENT ON THE INTERNET, RADIO, TELEVISION, NEWSPAPER OR YELLOW PAGES;**
- ◇ **BECAUSE YOU SHOULD AVOID THE "MILLS," WHERE YOUR CASE IS JUST ONE OF HUNDREDS AND HUNDREDS THESE FIRMS HANDLE;**
- ◇ **BECAUSE BAR REFERRALS, INTERNET LAWYER DIRECTORIES AND INTERNET REFERRAL SERVICES ARE SIMPLY UNRELIABLE;**
- ◇ **BECAUSE YOU HAVE ONE CLAIM TO RECEIVE A FAIR SETTLEMENT OR ONE TRIAL TO OBTAIN A FAIR VERDICT;**
- ◇ **BECAUSE YOU SHOULD HIRE A QUALIFIED, TRIAL TESTED INJURY ATTORNEY WHO STARTS INVESTIGATING YOUR CLAIM AND OBTAINING EXPERTS THE MOMENT YOU HIRE THEM; AND,**
- ◇ **BECAUSE YOU ARE ENTITLED TO HIRE AN ETHICAL ATTORNEY WHO YOU CAN TRUST.**
- ◇ **BECAUSE YOU DESERVE TO BE TREATED PROFESSIONALLY AND THOUGHTFULLY BY THE LAWYER AND HIS STAFF THROUGHOUT THE ENTIRE CLAIM PROCESS!!!**

**DO NOT MAKE A UNINFORMED DECISION THAT YOU MAY REGRET
BECAUSE YOU HIRED THE WRONG INJURY ATTORNEY!
READ THIS REPORT TODAY!!**

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INTRODUCTION

THE 1974 BESTSELLER ZEN AND THE ART OF MOTORCYCLE MAINTENANCE BEGINS WITH THE FOLLOWING DISCLAIMER FROM AUTHOR ROBERT PIRSIG:

"[THIS BOOK] SHOULD IN NO WAY BE ASSOCIATED WITH THAT GREAT BODY OF FACTUAL INFORMATION RELATING TO ORTHODOX ZEN BUDDHIST PRACTICE. IT'S NOT VERY FACTUAL ON MOTORCYCLES, EITHER."

LIKEWISE, THIS BOOKLET ISN'T GOING TO TEACH YOU MUCH OF ANYTHING ABOUT ZEN BUDDHISM, AND ABSOLUTELY ZERO ABOUT MOTORCYCLES. IT DOES PROVIDE YOU SOME INSIGHT INTO THE EFFECTIVE HIRING OF A GOOD AND COMPETENT PERSONAL INJURY ATTORNEY, OR, AT MINIMUM, GETS YOU TO THINK DIFFERENTLY ABOUT THE IMPORTANT PROCESS OF SEEKING REPRESENTATION BECAUSE YOU OR YOURS HAVE BEEN INJURED.

BUDDHISTS BELIEVE THAT SUFFERING BEGINS WITH OUR PERCEPTION THAT WE ARE SEPARATE AND DISTINCT FROM THE REST OF REALITY. IN OTHER WORDS, OUR OWN EGOS MAKE US MISERABLE.

THIS MAY BE TRUE UNDER SOMES CIRCUMSTANCES YOU CAN IMAGINE BUT IT IS NOT TRUE IN ALL. THE WRONGFUL DEATH OR SERIOUS INJURY OF A LOVED ONE OR A DEBILITATING INJURY TO YOU, FOR EXAMPLE, HAS IN YOUR VIEW LITTLE RELATION TO THE "UNIVERSAL PERCEPTION" OF REALITY. WHO CARES? YOUR PAIN AND SUFFERING IS YOURS AND YOURS ALONE BECAUSE NO ONE FEELS IT LIKE YOU DO. NO ONE. AND, IF ONE PART OF YOU IS INJURED, ALL OF YOUR BEING IS INJURED. IT IS THAT SIMPLE AND THAT COMPLEX.

WE LOOK AT OUR BODIES AS RARELY AS WE HAVE TO, TAKING THEM FOR GRANTED. YOU HEAR PEOPLE MARVEL AT THE WONDEROUS CONSTRUCTION OF THIS MIRACLE ONLY NATURE COULD HAVE PERFORMED. IT IS ONLY WHEN YOU STUDY IT, TO UNDERSTAND IT, THAT YOU BEGIN TO REALIZE JUST HOW TRUE THIS IS. WHO, OTHER THAN INSURANCE COMPANY ADJUSTERS AND DEFENSE ATTORNEYS, ISN'T OFFENDED WHEN OUTRAGE IS DONE TO IT BY THOSE WHO, THROUGH CARELESSNESS, HAVE ASSAULTED THE CITADEL WHICH IS OUR BODY?

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FIND AN ATTORNEY TO REPRESENT YOU WHO UNDERSTANDS AND STUDIES THESE MEDICAL AND PHILOSOPHICAL CONCEPTS THEMATICALLY IN THE HANDLING YOUR CASE. THIS IS BUT ONE SKILL IN A MYRIAD OF SKILLS, PRACTICAL KNOWLEDGE AND EXPERIENCE YOUR ATTORNEY MUST POSSESS BECAUSE YOU WANT TO WIN YOUR CASE AND BECAUSE YOU WANT TO WIN IT HONORABLY.

THIS BOOK GIVES YOU VERY PRACTICAL ADVISE FOR THE HIRING OF A GOOD PERSONAL INJURY ATTORNEY. THERE ARE VERY GOOD INJURY ATTORNEYS IN WASHINGTON WHO WILL HONORABLY REPRESENT YOU. UNFORTUNATELY FOR YOU, THERE ARE MANY WHO DO LITTLE MORE THAN TRY TO MAKE A QUICK BUCK AND WHILE THEY MIGHT LOOK THE PART, CAN NOT AND DO NOT BACK IT UP IN EFFECTIVE ACTION. YOU WON'T KNOW THE DIFFERENCE BECAUSE YOU SEE THEIR YELLOW PAGE ADS OR INTERNET "POP UP" ADS AND WEB SITES. YOU NEED TO KNOW THE DIFFERENCE.

MOST LAWYERS HAVE A CONTINUOUS STREAM OF CASES. YOU HAVE BUT ONE. MAKE SURE YOU HIRE SOMEONE WHO HONORS THIS FACT AND HONORS YOUR TRUST IN THEM NOT JUST WITH TALK BUT WITH ACTION.

ZEN ENCOURAGES PRACTITIONERS TO LEARN FROM TEACHERS AND OTHER STUDENTS TO BETTER UNDERSTAND HOW TO ATTAIN TRUTH THROUGH DIRECT EXPERIENCE. THIS BOOK WILL ALLOW YOU TO ATTAIN THE TRUTH ABOUT HIRING A GOOD INJURY ATTORNEY BEFORE YOU HAVE A DIRECT "ZEN" EXPERIENCE YOU'LL WANT TO IMMEDIATELY FORGET.

SHOULD YOU HIRE A PERSONAL INJURY LAWYER?

EVERYONE UNDERSTANDS THAT WHEN YOU SUFFER A PERSONAL INJURY DUE TO SOMEONE ELSE'S NEGLIGENCE, YOU SHOULD BE ENTITLED TO COMPENSATION. IT WOULD BE A MISTAKE TO BELEIVE YOUR BUSINESS PROWESS, EXPERIENCE AND INTELLECT ARE ENOUGH WITHOUT A LAWYER TO NEGOTIATE A FAIR SETTLEMENT WITH AN INSURANCE COMPANY FOR YOUR DAMAGES. THEY COULD DENY FAULT OR THE INSURANCE COMPANY ADJUSTER WILL USE A MYRIAD OF TRICKS TO GET YOU TO TAKE ONLY A FRACTION OF THE RECOVERY TO WHICH YOU ARE ENTITLED. AND, THEY'RE TRAINED TO DO SO.

HIRING AN ATTORNEY STATISTICALLY GETS YOU ON AVERAGE 3.5 TIMES MORE IN SETTLEMENT MONEY THAN YOU HANDLING YOUR CLAIM ALONE, ACCORDING TO A STUDY PERFORMED IN 1999 BY THE INSURANCE RESEARCH COUNCIL, A NON-PROFIT

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ORGANIZATION SUPPORTED BY THE BIG PROPERTY AND CASUALTY INSURANCE COMPANIES. (IRCWEB.ORG) SO, WHEN AN INSURANCE ADJUSTER EVER IMPLIES THAT YOU DON'T NEED A LAWYER TO HELP YOU, THIS IS THE REASON WHY: AN EXPERIENCED, TRIAL TESTED PERSONAL INJURY LAWYER WILL OFTEN HELP YOU RECOVER MANY TIMES MORE MONEY THAN YOU WOULD HAVE HANDLING IT ALONE.

WHEN HIRING A PERSONAL INJURY LAWYER, YOU WOULD BE SMART NOT TO RELY ON THE ATTORNEY WITH THE BIGGEST OR PRETTIEST ADVERTISEMENT ON THE INTERNET, RADIO, TELEVISION, NEWSPAPER OR YELLOW PAGES. IF YOU ARE HURT BADLY, YOU'LL WANT TO AVOID THE "MILLS," WHERE YOUR CASE IS JUST ONE OF HUNDREDS OR MORE THAT THESE FIRMS HANDLE. INSTEAD, YOU SHOULD FIND AN ATTORNEY EXPERIENCED IN HANDLING YOUR PARTICULAR CLAIM.

JUST BECAUSE AN ATTORNEY CAN TAKE A CRIMINAL CASE TO TRIAL DOES NOT MEAN HE OR SHE IS SUITED-OR EXPERIENCED-IN TAKING A COMPLEX OR SERIOUS PERSONAL INJURY CASE TO TRIAL. JUST BECAUSE AN ATTORNEY HAS A BIG ADVERTISING AND MARKETING BUDGET DOES NOT MEAN THEY HAVE THE KNOWLEDGE, TRIAL EXPERIENCE OR TENACITY TO PROPERLY FINANCE AND PERSONALLY HANDLE YOUR SERIOUS PERSONAL INJURY MATTER.

FIND AN ATTORNEY WHO PERSONALLY COMMUNICATES WITH YOU IN A TIMELY MANNER AND EXPLAINS EVERY PART OF THE PROCESS THOROUGHLY AND WITHOUT MAKING YOU FEEL LIKE YOU ARE AN IDIOT WHO CAN'T QUESTION THEM ABOUT EVERY STEP AND DECISION IN THE PROCESS. FIND ONE WHO UNDERSTANDS THAT YOUR CASE IS EXTREMELY IMPORTANT TO YOU AND THAT YOU HAVE ONLY ONE PERSONAL INJURY CLAIM EVEN THOUGH THE LAWYER MAY BE HANDLING OTHERS. YOU DESERVE TO BE TREATED PROFESSIONALLY AND THOUGHTFULLY BY THE LAWYER AND HIS STAFF THROUGHOUT THE ENTIRE PROCESS. ANYTHING LESS SHOULD BE SIMPLY UNACCEPTABLE. SO, ASK QUESTIONS ABOUT THE LAWYER'S KNOWLEDGE, EXPERIENCE, PAST RESULTS AND PROFESSIONAL ATTENTION TO CLIENTS UNTIL YOU ARE SATISFIED THAT YOU HAVE THE ANSWERS YOU NEED, ONE WAY OR THE OTHER.

FIND AN ATTORNEY YOU FEEL YOU CAN TRUST. IF YOUR GUT INSTINCT MAKES YOU FEEL UNCOMFORTABLE WITH A PARTICULAR LAWYER, LISTEN TO IT AND SPEAK TO ANOTHER ONE UNTIL YOU DO FEEL COMFORTABLE WITH YOUR CHOICE. MAKING AN INSURANCE CLAIM WHICH MAY BECOME A LAWSUIT IS VERY STRESSFUL EVEN UNDER THE BEST OF CIRCUMSTANCES WITH AN EXPERIENCED AND WELL-FINANCED LAWYER AT THE HELM. BE SURE TO FIND SOMEONE WHO IS WILLING-AND ABLE- TO SHOULDER THAT STRESS FOR

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YOU AND WHO MAKES YOU FEEL AS COMFORTABLE AND KNOWLEDGEABLE ABOUT THE PROCESS AS POSSIBLE. A GOOD PERSONAL INJURY LAWYER IS MORE CONCERNED THAT YOU GET THE BEST MEDICAL CARE AND ATTENTION TO HELP YOU RECOVER FROM YOUR INJURIES BEFORE HE OR SHE STARTS TALKING ABOUT MONEY OR THE VALUE OF YOUR CLAIM. FIND ONE WHO CARES ABOUT YOUR SITUATION AND IN SEEING YOU THROUGH YOUR RECOVERY. FIND ONE THAT GETS YOU TO THE BEST CONSULTANTS, BE THEY MEDICAL, VOCATIONAL AND/OR FINANCIAL, WHEN YOUR INJURIES ARE PERMANENT AND LIFE ALTERING.

ASK HOW SUCCESSFUL THE ATTORNEY HAS BEEN RECOVERING DAMAGES FOR PAST CLIENTS. YOU SHOULD SELECT A PERSONAL INJURY LAWYER WITH A PROVEN TRACK RECORD FOR HELPING CLIENTS RECEIVE PROPER COMPENSATION. SOME THINGS YOU WILL WANT TO CONSIDER WHEN DETERMINING THE ATTORNEY'S SUCCESS RATE ARE HOW MANY CASES THE ATTORNEY HAS BROUGHT TO TRIAL (AND THE SUCCESS OF THOSE TRIALS) AND HOW MANY CASES THE ATTORNEY HAS SETTLED OUT OF COURT. EVEN IF YOU ARE PLANNING ON SETTLING OUT OF COURT, WHICH IS ALWAYS PREFERABLE TO EDUCE YOUR RISK, YOU WANT AN ATTORNEY WITH COURTROOM EXPERIENCE IN THE EVENT THAT A TRIAL IS THE ONLY WAY TO RECEIVE FAIR COMPENSATION FOR YOUR INJURIES. THE TRUTH IS THAT ABOUT 97% OR MORE OF ALL PERSONAL INJURY CASES SETTLE BEFORE TRIAL.

THE MOST SUCCESSFUL PERSONAL INJURY ATTORNEYS START THEIR INVESTIGATION, HIRE EXPERTS AND PREPARE THE CASE FOR TRIAL FROM THE MOMENT YOU CHOOSE TO HIRE THEM. BE ASSURED THAT THE VERY BEST MEANINGFUL SETTLEMENTS ARE ONLY OBTAINED WHEN THE INSURANCE COMPANIES, OR THEIR HOURLY PAID INSURANCE DEFENSE ATTORNEYS, RECOGNIZE THAT YOU ARE TELLING THE TRUTH ABOUT YOUR INJURIES, THAT YOUR ATTORNEY HAS THOROUGHLY PREPARED YOUR CASE FOR TRIAL AND THAT HE OR SHE HAS SPENT WHATEVER IS NECESSARY TO HIRE THE BEST EXPERT WITNESSES AND CONSULTANTS TO SUPPORT YOUR CASE.

NOT ONLY DO YOU WANT TO HIRE AN ATTORNEY WITH A PROVEN TRACK RECORD WITH CASES LIKE YOURS, BUT YOU WILL WANT TO CONSIDER THE ATTORNEY'S PERSONALITY AND LEGAL PHILOSOPHY AS WELL. OVER THE COURSE OF YOUR CASE, YOU WILL BE SPENDING A LOT OF TIME WITH YOUR ATTORNEY AND PLACING A LOT OF TRUST IN THEIR CHARACTER AND ABILITY. THEREFORE, IT IS IMPORTANT THAT YOU ARE COMFORTABLE WITH YOUR ATTORNEY'S PERSONALITY AND PHILOSOPHY.

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SPEAK TO A FEW ATTORNEYS IF YOU FEEL IT NECESSARY BEFORE YOU HIRE ONE. IT IS IMPORTANT THAT YOU COMPARE ALL OF THE INFORMATION YOU HAVE RECEIVED ABOUT POTENTIAL ATTORNEYS SO YOU CAN SELECT THE ONE WHO NOT ONLY HAS THE MOST EXPERIENCE HANDLING YOUR TYPE OF CLAIM, BUT THE ONE WHO WILL WORK WITH YOU TO HELP YOU RECEIVE FAIR COMPENSATION FOR YOUR INJURY. NOT ALL ATTORNEYS WILL BE ABLE TO HELP YOU RECOVER THE MAXIMUM AMOUNT OF MONEY YOU DESERVE FOR YOUR DAMAGES. FIND THE ONE WHO WILL.

MISCONCEPTIONS ABOUT LAWYERS AND ADVERTISING

1. ATTORNEYS HAVE THE SAME TRAINING AND EXPERIENCE;
2. ALL ATTORNEYS WITH EXPENSIVE ADVERTISEMENTS IN THE YELLOW PAGES OR MAGAZINES MUST BE VERY SUCCESSFUL AND GOOD;
3. ALL ATTORNEYS WHO ADVERTISE ON TV, RADIO OR THE INTERNET ARE EXPERIENCED INJURY ATTORNEYS;
4. ATTORNEYS FROM A "REFERRAL SERVICE" ARE PRE-QUALIFIED BY THAT SERVICE;
5. "REFERRAL SERVICES" AND INTERNET ATTORNEY DIRECTORIES ONLY RECOMMEND QUALIFIED, TRIAL TESTED INJURY ATTORNEYS'
6. ALL INJURY ATTORNEYS GO TO COURT;
7. AN ATTORNEY WHO IS GOOD AT CRIMINAL LAW IS GOOD AT INJURY LAW;
8. AN ATTORNEY WHO ADVERTISES FOR INJURY CASES ACTUALLY HAS EXPERIENCE HANDLING THESE CASES AND WILL WORK ON IT PERSONALLY RATHER THAN REFERRING IT OUT TO ANOTHER ATTORNY FOR A FEE;
9. ALL ATTORNEYS CARRY MALPRACTICE INSURANCE; AND,
10. ALL ATTORNEY ADVERTISEMENTS ARE TRUTHFUL AND ACCURATE.

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A BRIEF HISTORY OF ATTORNEY ADVERTISING

Attorney ads seem to be everywhere, featured on television, the Yellow Pages, direct-mail solicitation letters, billboards, Web sites, and the backs of bus-stop benches. They flood the marketplace, informing consumers of their choices of legal counsel. "Protect Your Rights," "We'll Fight for You," and "Don't Settle for Less" has become familiar refrains.

Such was not always the case. For most of the 20th century, attorney advertising was forbidden by bar associations. For many years, the only form of permissible advertising was business cards. In fact, the American Bar Association's first ethics code, adopted in 1908, allowed just printed cards.

In 1977, the United States Supreme Court first determined that attorney advertising was a form of commercial speech entitled to some degree of First Amendment protection in *Bates v. State Bar of Arizona*. The dispute in *Bates* began when two Arizona attorneys placed an ad in *The Arizona Republic* newspaper. The ad merely quoted prices for certain routine legal services.

The Court said that "the prohibition of advertising serves only to restrict the information that flows to consumers" and that "advertising is the traditional mechanism in a free-market economy for a supplier to inform a potential purchaser of the availability and terms of exchange." The Court cautioned that not all advertising by attorneys should receive First Amendment protection. False, deceptive or misleading attorney advertising is unprotected, the Court said. Warnings or disclaimers may be required in some attorney ads. The Court also noted that restraints on in-person solicitation may be appropriate.

Since then, the courts and many State Bar Regulators have sought to curtail some of this "Commercial Speech" by lawyers. For example, when the Florida Bar cited two attorneys for using pit bulls in their advertisements, the State Supreme court upheld the citation stating the ads "demean all lawyers and thereby harm both the legal profession and the public's trust and confidence in our system of justice."

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Other states, including Washington, are grappling with the issue of lawyer advertising that uses client testimonials. Supporters contend such testimonials provide more information to potential clients, while detractors say testimonials are potentially misleading to consumers by implying certain positive results for clients.

The New Jersey Supreme Court is currently considering whether to allow attorneys to advertise in "Super Lawyers" magazine, the same type advertised and used here in Washington, since these rankings tend to be a popularity contest rife with self serving votes and imply certain positive results. I'm sure many Washington lawyers and magazine publishers will watch this case closely right up to the U.S. Supreme Court.

MOST ATTORNEY ADVERTISING IS TRULY WORTHLESS TO YOU AND YOUR HIRING DECISION

Most attorney ads are worthless, if not shameless. Whether you "experience" them on television, radio, internet or in the Yellow Pages, these ads simply do not give you the consumer any real information, at least, none that you can use to make an intelligent decision for hiring the right injury attorney for you.

Look in the Yellow Pages. The Yellow Pages provide a listing of personal injury lawyers in your area. But you should, absolutely must, understand the type of practice the attorney advertising in the Yellow Pages is running. Pay attention to those who list too many specialties. For example, can someone really be the best in criminal law, divorce, and personal injury all at the same time? These are such very different fields and areas of practice. Many of the attorneys who run full-page or two full-page ads handle much higher case loads and typically take a volume of small cases. These practices, known as "mills," rarely have an attorney "working up" the case for settlement or trial. They will usually "associate" or simply refer your case out to an experienced and tested injury attorney for trial. Often is the case when due to time and events, crucial evidence that may have been developed by the competent injury attorney from the beginning is lost by the time these mills figure out they are in over their heads and when they are unable to settle your case for peanuts.

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The TV, Radio and Internet ads are rarely any better. You see the same "Pick me-I'll fight for you" advertising without giving you real reasons or information why you should. For example, consider the following statement from an ad: "Combined 50 Years of Experience." Well, there are several attorneys at that firm. Does one have 40 years, another 9 and yet another 1? And do these years of practice mean experience as an injury trial attorney? What does getting old mean to an attorney who has spent most of his or her professional career in pursuit of things other than fighting insurance companies seeking justice? Has he or she spent his or her professional career pursuing self improvement as a student of the trial arts? Not likely. Years of practice does not necessarily equal the experience you are seeking and deserve.

Your case likely means nothing to these big mill lawyers other than a quick buck. Their offices are geared to "get'm on, get'm over and get'm in" (to borrow the baseball phrase for "small ball.") That's fine on a simple small case. But if you're injured badly, your one important case could be getting sold by the lesser attorney like yesterday's news.

"REFERRAL SERVICES" AND ONLINE "LAWYER DIRECTORIES" ARE JUST ANOTHER PAID ADVERTISING VEHICLE, NOTHING ELSE.

Most state or local Bar Associations with referral services charge each lawyer to be listed as part of their program. Other than basic fundamental information, like the attorney is licensed in good standing (meaning no disciplinary actions against them), there is usually no other qualifying criteria that certifies to you that the attorney is experienced or good at handling your specific case. All you can know is that they used their checkbook to be listed.

Most of the internet referral services and "Lawyer Directories" are worse, often promoting themselves as the source of all knowledge and experience in every area of law. They promise the attorney who signs up with them, often at a cost of thousands of dollars a month, that they will "drive traffic" to the lawyer's web site, create the web site and write the web site, too!

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There is no pre-qualification for these services other than the lawyer can pay the fat development costs and monthly fee. The "Sponsored Listings" and "pop-up ads" cost even yet more money and are all designed to get you to their web site or to give them a call for the "free consultation" everyone provides.

There's nothing inherently wrong with this, of course, but you shouldn't hire a lawyer based on advertising alone. The "Referral Services," "Lawyer Directories," Yellow Pages and the internet are filled with ads and websites all saying about the same thing, "pick me!" The reality is you have no idea how good an injury lawyer is based on a picture of the person, a list of "practice areas," and the same promise everyone makes for a "free consultation." You need to look behind the ads to find the best injury attorney for your case.

THE BEST WAY YOU CAN MAKE A HIRING DECISION IS THROUGH AN INTERVIEW

If you ran a business, you likely wouldn't last long if you hired people based only upon their resume or listings on Craigslist, the Ladders or Monster.com. You might find some interesting candidates to interview though and you should treat the hiring of an injury attorney precisely the same way: find a few to call for your initial "interview" and, based on that conversation, determine whether you want to take the time to meet with the attorney at his or her office.

Be discerning from the very first call. What impression do you have of the staff answering the phone? Were they polite and helpful or just trying to get rid of you into "voice mail?" If you do leave a message, how quickly did the attorney or his staff member get back to you? Were they polite, helpful, compassionate and express concern for you and about your case? Were you treated professionally as you should expect? Ask the attorney, *before* you schedule a meeting, to send you information about his or firm and experience so you can review it in the comfort of your own home or office. You may be able to thin the herd of potential attorneys efficiently this way without setting up a number of "free

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consultations" that take your time and too often subject you to high pressure sales tactics. If the attorney has nothing to send you and tells you to just come in and talk, politely hang up and call the next lawyer on your list. After all, what real "service" will be provided throughout your case when providing you the basic information you need to decide whether or not to meet in person is too much trouble.

Be sure to review the attorney's website to learn more about his or her practice before you walk into the door. If you do decide to set an appointment for coming into the office, were you told what documents you should bring? Was a confirming e-mail or letter sent to you setting forth the documents and things you need for the appointment? Were directions offered and provided? Again, if the lawyer and staff do not provide these things, how professionally will your case be handled?

Gage how you feel about the initial contact. If you are at all turned off by the experience, move onto the next one. There are plenty of good injury lawyers out there. Again, what do your instincts tell you?

When you arrive at the office carefully observe of your surroundings. You don't need marble floors and crystal chandeliers but the office and staff should look professionally appointed and dressed making you feel at ease, not intimidated, whether you are a laborer or the bloody Queen of England. Are you greeted promptly and in a professional manner or made to wait an uncomfortable length of time?

Do you feel that you can easily establish a good working relationship with everyone in the office? Remember, the claim process can take a long time despite the best efforts of the attorney because you are dealing with insurance companies, defense attorneys and an underfunded court system with a tremendous number of cases going through it.

Does the attorney answer your questions professionally and directly? Do they make you feel comfortable and at ease? Or, are you made to feel somehow inferior, that you are asking a bunch of silly or stupid questions? Do they try to impress you with arrogance or do they appear well grounded and down to earth? Do they say with body language and otherwise, you need to just keep quiet because I'm the big time know it

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all lawyer or, conversely, do they act confident but not cocky, informative and trusting? Do they want to earn your trust and your business? An attorney who takes the time to answer your questions thoughtfully, completely and respectfully is very likely to personally attend to you and your case as it develops.

Every attorney in Washington must have a signed written contract called a Retainer Agreement in order to represent you. Ask to go over the agreement with the attorney and see his or her reaction when you ask to take it home and review it closer. If they welcome the opportunity and encourage you to do so, that's a good sign. If you feel in any way pressured to sign right then and there, don't do it. You're likely getting a sales job and good trial tested lawyers are not worried whether or not you shop around because (a) they have plenty of work although they would be willing to do a great job on your case and (b) they are confident with justification that the skill and service they can provide you is as good or better than anyone else you might consult.

QUESTIONS YOU MIGHT ASK WHEN INTERVIEWING YOUR POTENTIAL INJURY ATTORNEY

1. Do you handle any types of cases other than personal injury? Personal injury law is extremely complicated. Personal injury lawyers must be experts and knowledgeable about medicine, at dealing with insurance company adjusters and the hired gun defense attorneys as well as finding all the available insurance.
2. How many trials have you taken through verdict? What were the results?
3. What percent of your cases settle? Have you handled million dollar and multi-million dollar cases? Are you a member of the Million Dollar and/or Multi-Million Dollar Advocates Forum? Can you tell me about these cases?
4. Have you ever had cases that were featured in the media? Do you have experience in handling the media, doing press conferences or appearing on TV and radio for these cases?

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5. Have you handled many wrongful death and serious injury cases? How many cases do you handle at any one time?
6. Will you hire the best most qualified experts to support my case? How do you find them? What are you looking for in an expert? (If he or she says anything other than they look for the most qualified, fair and independent expert, be extremely wary. Who will pay for them?)
7. Do you use multi-media for settlement and at trial? Most good injury attorneys will make generous use of multi-media these, including the production of a settlement video that highlights the injury, damages and witnesses who will testify for you. At trial, these tools assist the jury greatly and are consistent with the way they generally learn and are persuaded these days.
8. Are you computer savvy? Technology is critical to your case, especially in the smaller firms. Technology provides you with e-mail contact, access to all your documents electronically and is a secure and an efficient way to store your documents.
9. Have you ever had a bar complaint filed against you? If so, what was the result of the investigation? Have you ever been sued for malpractice? What was the case about and what was the result?
10. Who will be handling my case day-to-day? Find out who you will be calling when you have a question about your case? Ask who will be attending depositions and court for motions for your case.
11. Do you take phone calls after normal business hours? Will you give me your cell phone number in case I have a question after hours or on the weekend? Personal service should be the hallmark of every attorney-client relationship.
12. Do you outsource any of your work, including research? Specifically, what will you be doing in my case?

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13. Why do you want to represent me? Is my case worth your time and effort?
14. What do you love most about being a lawyer? Find out whether he or she hesitates or truly loves the work they perform. You don't want anyone else working on your case.
15. What do you include in your "costs" for handling the case? Some attorneys charge for everything from making copies, postage and for their legal research costs. If anything is not spelled out plainly in the Retainer Agreement, be wary.
16. If my case is one where attorney fees are awarded, do you get those on top of your contingency fee? Some attorneys actually look at it as the "bonus" they earned rather than fairly adding it to the total amount of the recovery from which the contingency fee is earned.
17. Have you ever taken a fee larger than the amount your client received after paying medical liens, fees and costs? Where liability or other issues require a smaller settlement than originally anticipated or if the jury gives a low verdict, some attorneys feel they have earned the fee no matter what the client gets. A fair and ethical lawyer will at minimum reduce his or her fees so that the client walks out with equal or more than the attorney receives. After all, whose case is it anyway?
18. Are you an active member of any local, state or national consumer attorney organizations? Ask them how "active?" Someone who is engaged in these organizations is most likely very well informed of all the latest cases, issues and trial methodologies.
19. Do you regularly attend Continuing Legal Education seminars? Do you have the minimum number of credit hours required by the Washington State Bar or do you have more. If more, why? Do you regularly send your staff to informational and training seminars?
20. Do you write any published articles, guides or books for consumers or other attorneys?

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21. Do you represent any insurance companies at all? Find out where allegiances stand. Most experienced injury attorneys would loathe the thought of working for the "enemy." If you don't think the insurance company is your enemy when you are making a claim, an experienced injury attorney should convince you otherwise. As I said in my book, *Costly Mistakes to Avoid in Handling Your Personal Injury Claim*,

You're in 'good hands' with 'a good neighbor', 'so easy a caveman could do it' because they 'are on your side'... **as long as you are buying insurance and not making a claim!** Insurance companies make no money paying claims and if you think they care or want to do the right thing, you are flat out mistaken! So, it should be no surprise that insurance company drones try to pay out as little as possible or nothing at all if they can get away with it.

These questions should get you well along the way to determining who best should handle your case and champion your cause. Choose wisely because, you only have one case to seek justice and to make it count for your loss.

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ABOUT THE AUTHOR

(AND WHY YOU SHOULD BOTHER LISTENING TO HIM)



Thank you for ordering Zen And the Art of Hiring a Personal Injury Lawyer. You've taken an important step towards being an educated consumer. By reading and using this information, you and your family have a much better chance finding an experienced, trial tested and great injury attorney following a wreck where you were not at fault.

For nearly a quarter century, I've practiced law handling serious, too often tough catastrophic injuries and wrongful death cases caused car, truck, motorcycle, bicycle and pedestrian collisions. Over the years I've seen many attorney ads that were worthless for information to potential clients or simply shamed and disgusted me. I've to date never advertised my services preferring word of mouth referrals, most often from other attorneys seeking my expertise and trial prowess.

I am a lawyer dedicated to the truth. If you are telling less than the truth, I am not the lawyer for you. It's hard enough to win these cases against well financed insurance companies and their insurance defense lawyers when you are telling only the truth. The defense bar will tell you their job isn't to find the truth. It's to keep their clients from paying out money. Good for them is bad for you.

For me, every case is a humbling opportunity to represent good people in bad straits and to learn something new so it can be taught in an interesting and exciting way to a jury. I prepare every case for trial from the moment we accept it in the door. I believe this is why the vast majority of cases settle. If it doesn't settle, I am ready, willing and able to champion the courtroom for

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my clients. It's far better to be prepared for battle and put the weapons down than to not be prepared for a battle that despite best efforts still rages.

My name is Larry Kahn and I've been representing individuals against insurance companies since 1986. I limit my practice to personal injury cases, medical malpractice and elder negligence and abuse cases so if you need a will, business transaction, or have a traffic ticket, my office can't help you other than to recommend someone who can. Similarly, if you have a personal injury case where the medical bills are less than \$5,000, we will gladly refer you to a good and competent attorney to help you out since I can't help you with those smaller cases either.

At this point in my career, I have been fortunate enough to selectively limit my practice to helping seriously injured folks. In handling these cases, particularly when death and the loss of a loved one is involved, I understand and appreciate the sensitive and, in my view, sacred trust involved in seeking justice for the victim and their family. On each individual case, my entire staff works together tirelessly seeking and often obtaining the best results possible. We seek out and hire the most authoritative and brightest experts possible for each case we accept because our clients deserve the best. We do everything within the bounds of law, good ethics and that years of battle have taught me to obtain a successful result in every case we accept for representation.

My experience, skill and litigation methods have resulted in numerous multi-million dollar and significant verdicts and settlements. This is no guarantee as every case must stand on its own merits. Any lawyer who unethically makes such a guarantee of results has not only violated the Rules of Professional Conduct, but is flat out lying to you. We don't have a crystal ball and can't guarantee what a judge or jury will do with your case. We just know what should be done, what must be done and when to do it in order to properly maximize your results.

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If you have any questions left unanswered after reading this report, please e-mail me at lmk@llegal.com. I'll respond to every question as quickly as possible and usually within 24 hours.



ABOUT THE LAWRENCE KAHN LAW GROUP, P.S.

Our number one mission and goal as a law firm is to maximize verdict or settlement results for each client we represent and, where possible, to cause institutional changes so what happened to you or yours does not happen to another person. To accomplish this, we only take a few select cases every year allowing each attorney and staff member to work efficiently and to become thoroughly familiar with each case. Handling fewer cases means more time for you in order to obtain the best result as quickly as possible.

We

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We sincerely hope you and yours never need our services but, if you do, we would be honored to review your case for a free professional evaluation. We hope to earn your trust and confidence.



**Call (425) 453-5679 or
1(866) 366-5679**

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