

Questions to Ask when Obtaining an Attorney for Guardianship



Guardianship matters are complicated and you may wish to consult an attorney. Here are some things to find out as you are getting help with the guardianship process.

- How long has the attorney practiced law as a licensed attorney?
- Is guardianship one of his or her specialties?
- What percentage of the attorney's caseload is dedicated to handling guardianships?
- Ask for the contact information for previous clients the attorney represented in guardianship proceedings to check their satisfaction.

- Will the attorney be handling the guardianship him or herself?
- Who else would be working on the guardianship?
- Are you confident those involved in the process have the skills and experience to handle your specific guardianship process?

- What are the rates and fees to complete the guardianship and how are they structured?
- How often will you be billed?
- What costs may be involved in addition to the attorney fees?
- Are you comfortable with the fees and how they are structured?

- How long will the process take?
- What is your role in the guardianship process?
- How and when will you be notified about the status of the guardianship?
- How (telephone calls, emails, written correspondence, etc.) and how often will you get updates on the guardianship process?

- Are you comfortable with the attorney's clarity, attitude, and timeliness in response?
- Does he or she provide complete and understandable information about guardianship options and the process?
- Does the attorney provide other considerations such as supported decision-making?



- There are many guardianship options and decisions. It is recommended that you make every effort to obtain legal assistance.
- If you cannot afford a lawyer, you may contact the legal services program in your county to see if you qualify for free legal services. Search for “legal aid” or “legal services” in your area.
- If you do not qualify for free legal services and need help locating an attorney, you can contact the bar association in your county. Most county bar associations have a Lawyer Referral Service. The County Bar Lawyer Referral Service can supply you with the names of attorneys in your area willing to handle your particular type of case and will sometimes consult with you at a reduced fee. There are also organizations of minority lawyers throughout New Jersey, as well as organizations of lawyers who handle specialized types of cases. Ask your county court staff for a list of Lawyer Referral Services that include these organizations.
- If you decide to proceed without an attorney, there are materials which explain the procedures that must be followed to have your papers properly filed and considered by the court.

Chancery – Probate: How to Apply for Guardianship of the Person and Estate (Property) of an Individual Eligible for Services from the Division of Developmental Disabilities (DDD) February 2017

For more information about the guardianship process in New Jersey, read

How to Apply for Guardianship of the Person and Estate (Property) of an Individual Eligible for Services from the Division of Developmental Disabilities (DDD)

http://www.njcourts.gov/forms/10558_guardianship_person_and_estate.pdf



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