



Chapter 11

GETTING LEGAL HELP: WHERE TO GO FROM HERE

In This Chapter, Learn:

- Where to Go for More Legal Help
- About Solving the Issue Yourself
- How to Get Brief Legal Help
- How to Hire an Attorney
- About Much More

SOLVING THE PROBLEM YOURSELF

Where do I go for more information?

Now that you are armed with an improved knowledge of the law, you are better able to navigate the issues that face people 55 and over. Search out resources in the “More Information” sections of each chapter, go to the library and bookstores, go to a recommended website, or take a class.

How do I resolve a dispute?



If your issue involves a dispute with another person or organization, try to resolve the dispute. If you are unable to resolve the issue, see whether the organization or person is willing to go to mediation. Mediation is a great way to resolve disputes without having to go to court. Some mediation services are affiliated with the courts, while there are also private and nonprofit mediation services. A mediator acts as a neutral person who listens to both parties and tries to move them to an acceptable resolution. You can find a list of mediators, and more information about mediation services, at the Utah State Courts’ Self-Help Resource Center website (see the “More Information” section, page 151).

Can I sue in small claims court?

You can file a consumer claim (such as a breach of a contract, property damage, consumer complaint, or payment owed) against a person or a business if your claim is not above \$10,000. The rules in small claims court are simple, and you can file and present your case without an attorney. For a guide on filing a small claims case, go to the Utah State Courts' Self-Help Resources website.

Can I represent myself?

There may be a time when you are unable to hire an attorney and will need to represent yourself, or maybe you just need more information about how the court works. The Utah State Courts have an excellent Self Help Resource Center online. It has pro se (representing yourself) packets, how-to guides, and legal forms. It also provides a wealth of information on different areas of law (see the "More Information" section, page 151).

GETTING BRIEF LEGAL HELP

Where can I get a legal question answered?

Salt Lake and Washington County have free legal clinics staffed by volunteer attorneys for seniors of all income levels. These clinics specifically address elder law issues. Each appointment lasts about 20

minutes. You tell the attorney your problem, and he gives you his legal assessment. Your conversation with the attorney is confidential, but the attorney is not representing you. In addition, there are free legal clinics all over the state where people of low income can go for brief legal advice. For a list of clinics, go to the Utah State Courts' Self-Help Resources website (see page 151).

What are government legal services?

In Utah, the government funds limited legal assistance to those 60 years and older. Those who are in the greatest social and economic need are given priority in receiving services. Typically cases involve guardianship, Advance Health Care Directives, consumer fraud, housing issues, and long-term care rights, among others.

These legal services also include community legal education and legal advice. In some very rare cases, representation might be available. For more information on this resource, call your local Area Agency on Aging (AAA) (see listing in Appendix A, page 157). The AAA is the government organization that provides aging services in your local community. They can direct you to the legal service provider they contract with in your area. Most often they will refer you to the Senior Legal Helpline at Utah Legal Services.

HIRING AN ATTORNEY

How do I hire an attorney?

Although hiring an attorney may be costly, sometimes it is necessary. If cost is an issue, try to find an attorney who offers unbundled legal services. This allows you to hire an attorney for limited representation. You choose exactly what legal tasks you want the attorney to perform. For example, you could hire an attorney to just draft a document, review a document, or represent you through a legal issue.



One way to find an attorney is by asking friends, family, and professionals in the field for a recommendation. It is very important to hire an attorney who specializes in the area of law surrounding your legal question. For example, you should hire an attorney in estate planning or elder law if you have a question about a trust. Conversely, you should not hire a tax attorney for a family law issue.

Before hiring an attorney, make sure you ask the following questions:

- How long have you been practicing law?
- What is your area of expertise?
- How much do you charge?
- Is there a charge for the initial consultation?

- Have you ever had a bar complaint? (You can confirm this with the Utah State Bar.)
- How long does it take you to return a client's phone call?
- How long will my case take?
- What outcome can I expect?

MORE INFORMATION

MEDIATION

Provides mediation in small claims courts and for those with low and moderate income

Utah Dispute Resolution
877-697-7175
801-532-4841 (SLC)
801-689-1720 (Ogden)
www.utahdisputeresolution.org

SMALL CLAIMS AND PRO SE

Information on filing a small claims suit

Utah State Courts' Self-Help Resource Center
www.utcourts.gov

Online assistance for filing pro se documents

Utah State Courts' Online Court Assistance Program
www.utcourts.gov

CLINICS

Free legal clinics on elder law

St. George Legal Clinic
St. George Senior Center
245 North 200 West
435-634-5716 (by appt. only)

Salt Lake Senior Legal Clinics
Held at Various Senior Centers
Utah State Bar (call for specific locations and times)
801-297-7049

Provides a list of free legal clinics throughout Utah

Utah State Courts' Self-Help Resource Center
www.utcourts.gov

GOVERNMENT LEGAL SERVICES

Provides free brief legal advice to vulnerable seniors

Senior Legal Helpline (funded through 2012)

9 am – 2 pm

800-662-1772

Provides legal advice, information and representation to low income Utahns

Utah Legal Services

801-328-8891

800-662-4245

www.andjusticeforall.org/uls

HIRING AN ATTORNEY

Provides a lawyer referral service

LegalMatch

www.utahbar.legalmatch.com

To check for complaints against an attorney

Utah State Bar

801-531-9077

www.utahstatebar.org