

Legalese

## HOW TO APPROACH A LAWYER

By Attorney Fajer Ahmed

It may be unconventional for me to be writing about how to approach a lawyer, but as a lawyer myself, I have experienced dealing with lawyers and clients alike, so I thought it would be useful to write how to find the best lawyer. Fortunately and unfortunately, the Kuwaiti market is saturated with lawyers. This should make it easy to find a lawyer, but it is still confusing to many clients on what information to share, what level of trust should be there and what are the expectations. Therefore, I have decided today to write about a few common questions.

**Keep in mind**

**Question:** What to keep in mind when approaching a lawyer? Can I trust that everything will be confidential?

**Fajer:** Yes, everything by law should be under a confidentiality clause. When you approach your lawyer, you should be clear with the following:

1. What documents or correspondences you have in writing.
2. What do you want out of it? Vengeance should not be a goal - instead it should be for x amount of money, to know what your rights are, or obtaining a certain right or obligation.

**Power of attorney**

**Question:** What is a POA and how much power should I give my lawyer? Also, where can I obtain one?

**Fajer:** First of all let me explain what a POA is - it is a power of attorney that gives your lawyer the right to continue on your behalf with any legal processes required. Some POA will give the lawyer the right to obtain money on your behalf, while others will let them do administrative work on your behalf. Let me give a common example - let us say you sue your previous employer for not giving you your indemnity. Your lawyer wins and your indemnity is KD 15,000. If you gave your lawyer the right to obtain money on your behalf, then they could take the amounts and then transfer them to you. This is something you should discuss with your lawyer, because there are positive and negative consequences. Positive being that it is less work for you to execute the verdict, and it is only negative if you are having difficulties trusting your lawyer. So I suggest you understand this point carefully with your lawyer.

You can obtain one from any court of law in Kuwait, the bar association, the ministry complex or Liberation Tower. You will need a KD 2 stamp, a letter from the lawyer and the lawyer's ID as well as yours.

**Lawyer charges**

**Question:** What are the common charges for lawyers?

**Fajer:** I get this question a lot and really, it depends on the type of case and the type of proof required (what documents you have and what documents are missing). It is a service industry and therefore each lawyer has a different way of charging their clients. One thing to keep in mind though is only trust a lawyer that has studied your case before they provide you with a quotation. I personally do not trust lawyers that give quotations without seeing the whole picture.

**Contract with a lawyer**

**Question:** I am about to sign a contract with a lawyer and was wondering if you have any advice on what to keep an eye out for?

**Fajer:** There are many things to be wary of when signing any contract in general. The most important thing though for any contract is that the obligations and responsibilities of each party are clearly written out. It is highly important that both parties involved understand what is required from them.

Let me give an example - when signing the service agreement with your lawyer for an employment case, your contract should clearly state what your lawyer is asking on your behalf by writing out all the benefits that you are rightfully entitled to. So the contract between your lawyer and yourself would mention, for example, that your lawyer will obtain your termination indemnity plus your economy return class ticket to your home country, remuneration for your off days and so on.

The payments should be agreed on in the contract, including the amount to be paid, the dates of payment and the preferred method of payment for the amounts mentioned. Also, keep in mind that if the lawyer is representing you for any cases or issues that involve them obtaining money on your behalf, then your contract should include their method of payment to you. Will they obtain the money from the court in their name and then transfer it to you? And if so, when will they pay you back, etc.

*Should you have any questions or concerns, or you require a consultation, please email me at ask@fajerthelawyer.com.*

## MAN QUESTIONED OVER HOAX BOMB REPORT

**KUWAIT:** The Ahmadi prosecutor ordered detectives to arrest a man who claimed to be an Australian national named Deshoka and charged him with false information. Deshoka told police that there was a bomb in Fintas, gave them directions, then turned off his phone. Police went to the area and combed the streets, but found nothing.

**Body found**

Hawally detectives are investigating the case of dead body found in a rented car in front of a Jabriya house. Police who arrived to the scene in response to an emergency call discovered that the body had been there for a full day, where extreme heat caused it to start decomposing. Forensics recovered the body and sent it to the coroner.

**Theft**

A man stole KD 4,000 from his sponsor who asked him to deposit it in the bank. The citizen went to Nugra police station and told them he always trusted his Indian employee and used to give money to deposit in the bank, but the last time he gave him KD 4,000, the man escaped instead. Detectives are working on the case.

**Drug possession**

A citizen was arrested with possession of one kilogram of hashish. He seemed nervous when he saw a police patrol and obstructed traffic. The young man was on his way to deliver some drugs, but became nervous when he saw the police and obstructed traffic. Policemen asked the driver to pull over, then noticed the drugs inside his vehicle. The man was arrested and sent to concerned authorities. —Translated from the Arabic press

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