



Choosing a criminal lawyer

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Choosing the right lawyer to defend you in a criminal matter is crucial.

The skills of your lawyer will not only affect the ultimate outcome of your case but will also impact on how stressful you find the journey through the criminal justice system.

When choosing a criminal lawyer, you should bear these things in mind:

1. Use an expert

Criminal proceedings are too important to be entrusted to someone who does not specialise in the area. The law is too complex, with too many pitfalls, to entrust your case to someone who only dabbles in criminal law or someone who practices in several areas of law, rather than specialising in one.

Where possible, choose an accredited specialist. The Queensland Law Society has a strict scheme of specialist accreditation in various areas of law, including criminal law.

Recognised specialists have successfully completed a searching course which has tested all areas of knowledge in their chosen area of practice. There are a number of criminal lawyers who have been awarded specialist accreditation, including several at our firm.

Visit the Queensland Law Society ["Find an accredited specialist"](#) for a full list.

2. It's all about trust

You have to feel comfortable talking to your criminal lawyer and be confident that they are listening to you, on your wavelength, and will speak to you in a way that you understand.

It should be a relationship of trust where you feel comfortable and confident not only in their legal abilities but also their ability to assist you with your difficult journey through the criminal justice system. If you don't feel a level of personal comfort and trust with your lawyer, you should be looking for a new lawyer.

3. Choose someone who tells it straight

You wouldn't want a doctor who won't give you the honest truth. Likewise, criminal lawyers sometimes have to have difficult conversations with their clients - in relation to things like your prospects of success, and what sort of penalty you face. While your lawyer should always be respectful and mindful of your situation, they do you no favours by avoiding these topics.

Likewise, your lawyer does not serve your interests by simply telling you what you want to hear – any guarantees of “*you can't lose!*” should be regarded as a real danger sign.

Just like a good doctor, your criminal lawyer should help you understand both the best and worst-case scenarios, and the pros and cons of each important decision to be made.

4. You are entitled to be treated well

Your lawyer should provide you with a high level of customer service. They should explain the process carefully, spend time with you before and after your court appearances, keep you updated as to the progress of your matter, and return your calls and emails within a reasonable time. Above all, your lawyer should give you clear and honest advice, after listening to you and considering all the available options.

Your lawyer does not tell you what to do, but gives you the information you need, and guides you to make the best decision. If you aren't satisfied that your lawyer is helping you in this way, talk to them about what you want from them. If things don't improve, you should consider changing lawyers.

What not to look for in a criminal lawyer

Don't choose your lawyer based on their media profile.

Like other professions, the criminal law has its fair share of practitioners who thrive on self-promotion, and who may seem more concerned about their own profile than about your case. Most clients would prefer that their cases weren't made public; your lawyer should not be talking to the media without your express permission.

How do I change lawyers if I'm not happy?

It is relatively easy to change lawyers during a criminal matter.

While it is best for this to be done at the earliest possible time, it can be done later in the piece as well. The necessary arrangements can normally be put in place by your new lawyer.

Outstanding issues such as where your matter is up to, what needs to happen next, and accounting for the work that's been done so far, can all be worked out by your new lawyers in consultation with your previous lawyer.

Gilshenan &Luton is a specialised criminal law practice, with a number of our lawyers holding specialist accreditation in criminal law. We pride ourselves not only on our legal skills but also our high level of service and commitment to our clients.

Contacting Gilshenan &Luton criminal lawyer

[07 3361 0222](tel:0733610222) (24/7)

gnl@gnl.com.au

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