

# Know Your Rights

## Victims of the Hermit's Peak/Calf Canyon Fire deserve justice. You have control over your legal representation.

### You Have Rights

#### You have the right to:

- Hire (or not hire) any attorney that accepts your representation
- Decide the objective of the case
- Decide whether you settle a case or not
- Be kept reasonably informed about the status of a matter

### Choosing an Attorney



#### Hiring an Attorney

In New Mexico, an attorney-client relationship begins when a lawyer has agreed to represent you and act on your behalf. This usually results in a contract but a written contract is *not* required.



#### Firing an Attorney

You have the right to discharge a lawyer at any time, with or without cause. Doing so *may* result in payment owed for work already done, provided that services were actually performed. The amount you owe for services performed depends on prior agreements made, including any signed contracts.



#### Firing under "Good Cause"

In some cases, if an attorney fails in their duties or gives you a good reason to fire them, you may be able to discharge an attorney without any requirement to pay for prior work.

#### Examples of Good Cause

An attorney stops communicating, abandons your case, or consistently violates rules of professional conduct

### Warning Signs

#### Solicitation

- Solicitation violates the rules of professional conduct and is also known as "ambulance chasing."
- Solicitation occurs when an attorney seeks your business with a motivation for financial gain.

#### Coercion or Harassment

- An attorney cannot seek your business through coercion, duress, or harassment.
- If an attorney continues to contact you after declining their business, that is harassment!

#### Silent Treatment

- A lawyer must keep you reasonably informed about your case.
- If you experience a long period of no contact from your attorney, this may be a reason for firing under Good Cause.

#### Kept Out of the Loop

- You should be made aware of changes to your claim, including updates and settlement offers.
- If your attorney has not made you aware of a change to the objectives of your case, they may have violated the rules of professional conduct.

