



NY Crime Victims Legal Network

Connecting Crime Victims with Civil Legal Assistance

CHILD VICTIMS ACT QUESTIONS TO ASK A LAWYER

I want to hire a lawyer to start a Child Victims Act case. How do I do this?

Many people find that filing a civil case against the person who abused them can be empowering, but it may also be emotionally hard. So, it is important that you are prepared for this reaction and that you find a lawyer who has experience with child sexual abuse cases. We created this guide to help you learn where to find experienced lawyers, what kind of questions to ask a lawyer, and to know what your rights are as a client.

Where do I look for a lawyer?

You can ask friends or family for recommendations if you are comfortable.

You can do an online search, which will show several New York law firms who are representing victims in these claims and who offer free consultations.

You can contact the New York State Bar Association Lawyer Referral Service 800-342-3661 to speak to a lawyer about a civil case. It will cost \$35 for 30-minute consultation.

Unfortunately, attorneys in the Crime Victims Legal Network cannot help with these types of cases. We suggest that you contact a Victim Assistance Provider (VAP). An advocate from a VAP can offer you emotional support and may be able to help you find a lawyer. Below is a list of several providers.

- NYS Domestic and Sexual Violence Hotline 1-800-942-6906
- [NYS Office of Victim Services - Resource Connect](#)
- [NYS Department of Health Rape Crisis Programs by County](#)
- [NYS Coalition Against Sexual Assault](#)
- [NYS Coalition Against DV \(NYSCADV\) Program Directory](#)
- [Rape, Abuse and Incest National Network \(RAINN\)](#)
- [The National Alliance to End Sexual Violence](#)
- [National Sexual Assault Resource Center](#)

How do I find the right lawyer for me?

Here are sample questions you can ask a lawyer during a consultation:

➤ **How familiar are you with child sexual abuse?**

You will want a lawyer who knows the laws and understands the lasting traumatic effects of child sexual abuse.

➤ **What do you know about sexual abuse survivors? What training have you received with respect to sexual abuse survivors?**

Look for someone who has attended trainings about the child victim act and trauma-informed lawyering. They may have read articles and books on these topics too.

➤ **How much experience and expertise do you have with child sexual abuse cases?**

You want to know how long they have been representing victims of sexual abuse, how many cases they have handled, how many trials they have done, and what the outcomes of these cases have been. Since most cases do not go to trial, you also want to know how they were able to settle cases successfully.

You can look at the law firm's website to see if they have experience with child sexual abuse cases. Several firms specialize in these cases and will identify it as their specialty.

You can also look for or ask about legal articles they have written or speeches they have given to professional organizations.

➤ **What kinds of support do you have for clients pursuing justice under the Child Victims Act?**

Look for a lawyer who has both the legal expertise and understanding that clients in these cases may need additional support during emotionally difficult times. Ask them if they have social workers on staff or if they work with Victim Assistance Programs who can help support you.

➤ **Is your main office in New York State?**

You want a lawyer who has a strong understanding of New York's courts, procedures and practices, and laws.

➤ **How much will a case cost and how long do you think this will take?**

This will depend on your case, but a lawyer should provide you with a general estimate of both the cost and the timeframe. The lawyer should also be clear about their fees and how they collect them, including whether they have a fee for an initial consultation, and

whether they charge an hourly rate (and what that rate is) or a percentage of the potential monetary award.

What are my rights in dealing with a lawyer?

Remember, you are the client and the lawyer works for you. The professional relationship between a lawyer and client is an important one, so select someone you trust. You do not have to make up your mind right away. If you feel pressured, they may not be the right lawyer for you.

You have the right to:

- Interview a lawyer to decide whether to hire them.
- Make the major decisions about your case.
- Be kept informed about the status of your case on a reasonable basis.
- Have your phone calls returned by the lawyer in a reasonable time (same with any other form of communication).
- Have your questions answered by the lawyer.
- Be treated with courtesy and consideration at all times.
- Have your lawyer handle your legal matter competently and diligently.

Here is a complete list of a [Client's Rights with a Lawyer](#).

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