

## **IMPORTANT INFORMATION**

### **OFFICE HOURS**

Our business hours are as follows: Mondays and Thursdays from 9:00 am until 6:00 pm EST; Tuesdays 9:00 am until 3:00 pm EST; and Wednesdays from 9:00 am until 5:00 pm EST. Friday appointments are available either telephonically or via Zoom only upon request. We do not generally have weekend hours available although in the event that is necessary, I am willing to accommodate my clients' needs. Appointments after regular business hours are at the discretion of the attorney. Please note, that ALL after hour appointments will be either telephonic or via Zoom.

During our normal business the office may be open, but I may not be at the office unless I have in-person appointments scheduled. I will often be in court due to the nature of my cases. In addition, I have a part-time assistant who will be at the office during some business hours but these may vary based on our schedule and client needs.

Therefore, I request that you call, email, or text the office before stopping by to ensure that someone will be available to assist you. If you do not contact us, please understand that there is a good chance that no one will be in the office at the time you arrive.

We also offer online alternatives for your convenience which is explained in more detail below.

### **COMMUNICATION**

As noted above and below, our office is a primarily virtual office, and we are often not in the office or available by telephone.

Most times when you call, you will not be able to immediately reach us. The nature of my practice is such that I am in court quite often or assisting other clients. If I cannot be reached immediately, there are numerous ways that you can communicate. Please note, virtual options are the quickest way to reach me. You may:

- Send an email to [michelle@michellehildebrandlaw.com](mailto:michelle@michellehildebrandlaw.com), cc'ing [assistant.hildebrandlaw@gmail.com](mailto:assistant.hildebrandlaw@gmail.com)
- Send me a message on MyCase
- Texting a quick question with a short answer expected to 574-303-6578. DO NOT text 574-323-5126 (this phone does not accept messages)
- Leave a message with my assistant. Generally, my assistant will return your call if I am not able to return it within 48 business hours
- Leave a voicemail. Please keep in mind that we may only check voicemails once or twice a day and they will not be checked outside of normal business hours.

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- Schedule a telephone or Zoom conference when you have questions or need advice concerning your case. You can send an email or message summarizing what you would like to discuss, your availability, and your preferred conference method. We will schedule something as soon as possible to discuss your questions or concerns.

Regardless of your form of communication, please note, business hours DO NOT include Fridays. In addition, your best option is to send an email or MyCase message. I am more likely to respond to emails than any other form of communication outside of normal business hours.

Also, please remember that you have retained an attorney to advise you. Your case is different from all others, and what the Judge did in your friend's case may be totally different from your fact situation. We understand that you may be seeking advice from others

### **VIRTUAL LAW PRACTICE**

Our office operates primarily as a Virtual Law Practice. This means that we have many online features in order to provide legal services in a much less traditional manner. *Please note, these services are expected to be utilized by our clients first and foremost.* In the event that you wish to utilize more traditional means, we must have this in writing signed by you and our office. If this occurs, you will be put on call/mail list so that we communicate with you through your preferred means.

MyCase – Our Secure Client Portal. When you retain our office, we will open your client portal for you, and you will receive an email from “MyCase.” You will need to follow the prompts to be able to access your case in the portal. Through the portal, you will be able ***and expected to***:

- Communicate: We communicate through messaging on MyCase. We also make comments on documents and calendar events through the portal. When you send messages through MyCase, we request that you send messages in regards to the same topic using the same message chain. Please do not send multiple messages “to follow up” starting new communication chains. However, if you do not receive a response in a timely manner, please do send a follow up message in the same chain or in an email.
- Share documents. You will need to upload documents to our office. This is especially important in bankruptcy cases where there may be a lot of documents that you will need to provide us to move your case ahead.
- Receive documents. We will upload and share with you any documents that we receive regarding your case. This includes correspondence from opposing parties, documents from the courts (including court orders), and anything else that we receive regarding your case. We will not mail copies of any documents unless expressly requested in writing.
- Sign documents. Except for Bankruptcy documents, you are able to sign your documents through the portal. Generally when we have a document ready for you, we will upload it for your review and signature. When this occurs we are requesting

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that you first, review the document carefully. If everything is correct in the document, you may then sign the document.

- If you do not approve of the document as shared with you, please let us know what needs to be updated, prior to signing, and we will make the necessary changes. When, and only when, the document has been approved by you, you should sign it.
- Please note: Bankruptcy documents CANNOT be signed electronically through the portal. We have other methods to address this issue which are noted in your retainer agreements.
- Schedule events. You will be notified of events through the portal. We have a calendar system that will provide you with a notice when an event has been put on the calendar (i.e. a court hearing). You will also receive notifications reminding you of the upcoming event as noted on your event. It is your responsibility to ensure you make note of your events and check the portal for this information. Again, we will not mail out a separate notice.
- Make Payments/Trust Deposits.
  - When you retain our office, you will be required to make a deposit into your trust account. This may be done several different ways. If we open your case first, you will be able to make your initial trust deposit through the portal. After the case has been opened, you may continue to make deposits into your trust account as required.
  - When you do not have a trust balance, or your case is a flat fee, you will have an invoice that needs to be paid. You will be able to make a payment through your invoice and our system will immediately show the payment toward your balance.
- Store Documents. You will have access to your documents that are shared with you. This will continue when we have completed your case. All client files will be stored in electronic format for up to five (5) years following the completion of their case as discussed under the scope of your retainer agreement. These documents shall be continue to be available on MyCase.
- While your access to the portal will generally not be restricted when your case has been completed, there are exceptions. ***In the event that you send inappropriate messages to our office, leave threatening voicemails, threaten myself and/or my staff, your access to the portal will be discontinued.***

Email: We also have email that is monitored by this office. The best way to reach me directly is through email. However, if you do not receive a response in a timely manner, I ask that you send a follow up email, *in the same email chain*, In the event there are issues with MyCase, we are also available via email. In addition to communicating through email, you may also provide documents can be sent via email if it is easier for you. However, email is not as secure as MyCase and we recommend that you do not send confidential information through email.

Payments: In regard to payments to Law Firm, we have several options available The preferred method is through your client portal.

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In the event that your case is not currently open, you may use link below for deposits into your trust account. When you are making deposits and paying for services in advance, you may use the trust account link. <https://secure.lawpay.com/pages/hildebrandlawoffice/trust>

When you are making payment on services rendered, or certain flat fee services, you may use the operating account link. <https://secure.lawpay.com/pages/hildebrandlawoffice/operating>

In the event that you wish to make payments in cash, check, money order, or other format, please contact Law Firm to discuss a time to stop by the office. You may also send payment (except for cash) in the mail to:

Hildebrand Law Office  
Attn: Michelle L. Hildebrand  
115 N. William St.  
South Bend, IN 46601

### **LENGTH OF CASE**

Please be aware that I cannot make any promises regarding how long it will take your case to be resolved. There are matters that can be resolved quickly however, there are also matters that take many months, even years to resolve. Here are some guidelines:

- Divorce cases. While the minimum length of time is only 60 days from the date of filing, generally take much longer. An uncontested divorce, as long as you have completed any necessary parenting classes, can be finalized with an agreement on all issues after the waiting period. If the divorce is contested, it may take six (6) months or longer to finalize your divorce. I have worked on cases that have taken several years to finalize a divorce.
- Establishing Paternity. As with divorces, these cases may take a short period of time, such as sixty (60) days from the date of filing, or a longer period of time, depending upon the issues involved, the cooperation of Client, and the cooperation of the opposing side. Please be aware, at times, the opposing counsel and/or opposing party may not respond as timely as we would like, delaying the resolution of the case.
- Bankruptcy. Our office assists with Chapter 7 and Chapter 13 bankruptcies.
  - Chapter 7 – these can take as long or as short as you wish to get filed, within reason. If you have paid in full and have provided all necessary information, we should be able to have it ready to file within three weeks. For additional fees, it can be completed much sooner if necessary.
    - After filing the case, it takes at least three (3) months before you can receive your discharge. However, the court generally grants these shortly after the the three (3) months have passed.
    - In addition to the discharge, the case will need to be closed. If there are no assets to liquidate, the case closure will likely occur within a couple of weeks of discharge. However, if there are assets to provide to creditors, the closure may take much longer. There are times that it may take a couple of years, depending on your specific case.
  - Chapter 13 – just like Chapter 7 cases, the amount of time that it takes to file the case is mostly controlled by you. The deposits are lower, but a plan also has to be

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created. If we receive the full deposit and all of the information, we should be able to have it ready to file in no more than three (3) weeks.

- In Chapter 13 cases, you will generally be required to make monthly payments to the trustee for either three (3) or five (5) years, depending on your circumstances.
  - You will not receive a discharge until you have met the requirements of the plan, which includes completing your monthly payments.
  - The case will be closed after your discharge.
  - If your case is dismissed for any reason prior to the discharge, please note that it will also take some time to finish up the closing process and close the case. If you are due a refund from your payments, it may take an additional two months or so before you receive that and your case is closed.
- Custody Disputes. These cases tend to take a significant amount of time. When parents are in a custody dispute, there are often numerous procedures that the court will require be completed prior to having a full evidentiary hearing and making a final ruling.
- When the custody issue is initially filed, generally the court will set an initial hearing. These hearings are short (15 minutes or so) and give the court an idea of the issues and a brief understanding of the parties positions. Generally the court will not make any changes to a current custody order unless there are serious concerns.
  - At the initial hearing, the court will make orders on how to proceed.
  - The court will usually order that the parties are to engage in a settlement conference and/or mediation.
  - If there are serious enough issues, the court may appoint a Guardian ad Litem to do an investigation and make a recommendation to the court. These investigations will last at least two (2) months and may take much longer. Sometimes, the court will make interim orders during the investigation.
  - All of these procedures generally be completed prior to any evidentiary hearing. If a resolution cannot be reached outside of an evidentiary hearing, the court will schedule one and, depending on the amount of time the hearing is anticipated to take, it could be scheduled out several months as well.
  - Often, once the evidentiary hearing has been held, the court does not make an immediate decision. The judge will often “take it under advisement.” This means the judge is going to take some time to think about the case before making a decision. This time may be as short as a few days or it can be several months.
  - Overall custody disputes can last anywhere from a few months (less likely) to several years, with a year or more being more likely.

These are just some examples of the lengths of time a case may last. The general rule is that if a family law case is uncontested (i.e. guardianships, divorces, paternity, adoptions) it will likely last between two (2) and four (4) months. If they are contested, the length of time may be much, much longer. Estate planning cases can generally be completed within a few weeks. Evictions, from start to finish (with a judgment), two (2) to three (3) months.

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**TRUST ACCOUNTS AND PAYMENTS**

When you retain our office, you will sign the retainer agreement that lays out the scope of our representation and the fees that are to be paid for that representation. We expect that as well provided our services to you, that you will maintain a positive trust balance. What this means is that when your trust deposit reaches a certain level, we will request an additional deposit in order to continue providing you services without interruption. An Attorney-Client relationship is a mutually beneficial agreement. We provide you with our service and you pay for that service.

In order to best serve you and make sure we receive compensation for our services, depending on the case, we will have a required minimum trust balance requirement. You may make payments into the trust as we request. In the alternative, you can make automatic regular weekly, biweekly, or monthly payments into your trust account. We are willing to do payment arrangements for your trust account, so long as you have provided credit card, debit card, or bank account information for these payments. As long as you have automatic payments set up, if your balance drops too low, we will continue to provide services to you.

However, in the event that you do not have a positive trust balance, or automatic trust account payments running, we are unable to continue to provide ongoing representation. We hope that you understand this and ensure that we can continue to work together in a mutually beneficial manner. We ask that you think about it this way. Each week you work for your employer and receive your paycheck. If you did not receive your paychecks, would you continue to work for your employer? How would you feel if you were not getting paid? Our office has bills to pay, employees to pay, employees who have bills to pay, and needs to receive payment for our services provided. We love to work with our clients and will work with you as long as you work with us.

Thank you for taking the time to review this information. If you have any questions regarding any provision in the retainer agreement or the additional information provided, please feel free to discuss your questions or concerns with us.

I/we acknowledge receipt of the “Important Information” and understand that I/we shall be bound by these terms unless agreed in writing.

Signed this \_\_\_\_\_

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Client

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Client

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