

HAVING THE MONEY FOR A LAWYER

by Rabbi Yisroel Belsky ztl

QUESTION 24: HAVING THE MONEY FOR A LAWYER

When a person goes to a lawyer, often the lawyer asks for some money down, and expects to be paid the balance after the service is performed. Let's say there is a pressing reason to use a lawyer, but you only have enough for the down payment, and you are pretty sure that coming up with the rest will take quite a while after the lawyer does his work. Is it essential to reveal this beforehand to the lawyer, or even wait to go to the lawyer only until you are very sure that you will have all the money when it will be required? What if it is essential that the legal service be performed now?

RABBI BELSKY'S ANSWER

If it's a legal service that's essential that it be performed now, if the person needs to be kept out of jail or something - to prevent a loss - then he needs a lawyer. He's able to give the down payment now, and when the rest of the money comes in, he'll pay the rest. Is he so absolutely certain that he won't get the money?

QUESTION

But does he have to reveal to the lawyer that he doesn't have the money now?

RABBI BELSKY

Maybe it will be a bill that he will be able to manage, perhaps by borrowing. If you have to have a lawyer, why shouldn't you? So you'll owe the money. People sometimes pay off bills over a period of time. They make payment arrangements. But if the money is totally out of your range, that is something else, and you would have to reveal that.

QUESTION

So you're not obligated to tell beforehand that there's a likelihood that you won't have the money when it is due?

RABBI BELSKY

Yes, if it's only a likelihood that you won't have the money. But if it's absolutely certain that you won't have the money, then you have to tell him..

QUESTION

So you don't have to reveal that?

RABBI BELSKY

No, unless it's pretty certain that you won't have it. How does a person know for sure that he won't get the money? He may have to borrow to get the money. - and maybe that's that's how he will pay it.

NEXT WEEK'S QUESTION 25:

Can you go to a magazine store and look at the magazines as long as you want without the intention of buying one? If you don't know the policy of the store, should you ask? Even if others do it, is there a danger of chillul Hashem (desecration of G-d's name)?

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