

What Are Good Questions to Ask a Criminal Defense Lawyer?

Why Your First Conversation With a Defense Attorney Matters

When you're under investigation or [facing criminal charges](#) in Texas, it can feel like the ground just dropped out from under you. In that moment, the [criminal defense lawyer](#) you choose isn't just another professional in a suit; that person will be your voice in the courtroom, your shield against the government's case, and often the only one standing between you and long-term consequences for your freedom, career, and reputation.

[Botsford & Roark](#) knows that most people meet us on one of the worst days of their lives, and that they're trying to make a smart decision while stress, fear, and confusion are all competing for their attention. When asking the right questions during a consultation, you start to see who you're dealing with, what your options are, and how a defense could realistically take shape.

What Should You Ask About a Lawyer's Experience?

One of the first things you should uncover in a consultation is how closely the lawyer's background lines up with the reality of your charges and the courts where your case will be heard. Criminal law is driven by real-world judgment, local knowledge, and the ability to read both people and situations, so it matters whether your attorney has walked this road many times before.

Here are examples of experience-focused questions that can help you get clarity early on:

- How long have you been practicing criminal law, and is it the main focus of your practice?
- What percentage of your cases involve charges like mine (for example, [DWI](#), assault, drug offenses, [Title IX](#), or white-collar crime)?
- How often do you appear in the court where my case will be handled, and how familiar are you with the judges and prosecutors there?
- Have you handled cases with facts or charges that look similar to mine, and what kinds of outcomes have you obtained?

How Can You Learn About Strategy and Possible Outcomes?

Once you've gotten a sense of a lawyer's experience, your next set of questions should dig into how they think about your case and what they see as the possible paths forward. A good criminal defense strategy is never one-size-fits-all; it grows out of the specific facts, the evidence, your goals, and the legal landscape in your court.

When you sit down with our attorneys at Botsford & Roark, we typically start by listening carefully to your account, reviewing any paperwork you have, and asking detailed follow-up questions about the stop, the search, the statements you gave, and any witnesses involved. From there, you can ask questions such as:

- Based on what you know so far, what are the strongest parts of my case and the weakest parts from a defense perspective?
- What are the best-case, middle-ground, and worst-case outcomes you think are realistically possible?
- How often do your cases resolve through negotiation compared to going to trial, and why?
- What steps would you take early on (such as challenging evidence, filing motions, or conducting an independent investigation) to strengthen my position?

What Do You Need to Know About the Criminal Process?

Texas criminal cases follow a series of stages that can stretch out over months or longer, and the unknowns can wear people down almost as much as the charges themselves. When you meet with a lawyer, it helps to ask them to walk you through what the road ahead might look like so you're not constantly bracing for the next surprise.

Some useful process-focused questions include:

- What are the immediate next steps after this consultation if I hire your law firm?
- What should I expect at my first court date (often the arraignment or initial appearance), and what will my role be?
- How often will I need to appear in court, and will you be there with me each time?
- What deadlines or decision points tend to come up in cases like mine, such as plea offers or motion hearings?
- How long do cases like this typically take to resolve in this county?

Why Questions About Fees and Costs Are So Important

Money questions can feel uncomfortable, but in criminal defense they're directly tied to your ability to keep a defense going for as long as you need it. Different firms structure their fees in different ways, so you should never leave a consultation with only a rough guess about what your case will cost.

We encourage people to ask direct questions such as:

- Do you charge a flat fee, an hourly rate, or some combination for my kind of case?
- What does your fee include (for example, pretrial hearings, negotiation, trial preparation, and a jury trial if it becomes necessary)?
- Are there separate costs for investigators, experts, or travel, and how are those handled if they become necessary?
- How are payments scheduled, and do you offer any flexibility if my financial situation changes?

How Should You Talk About Communication and Availability?

A strong defense is built on trust, and trust grows when you know how and when you'll hear from your lawyer. It's frustrating and frightening to sit with unanswered questions while court dates are approaching, so it's important to get a feel for a lawyer's communication habits before you sign on.

To do that, consider asking:

- How often will you update me on my case even if there's nothing dramatic happening?
- What's the best way to contact you if I have a question, and how quickly do you usually respond?
- Will I mostly be dealing with you, with another attorney, or with staff, and who will appear with me in court?
- How do you handle urgent issues, like a sudden police contact or a new development in the case?

What Can You Learn from a Lawyer's Track Record and Reputation?

While no attorney can or should promise a particular outcome, you're still entitled to understand how they've handled similar problems in the past. Public information such as peer-reviewed listings and professional recognition can give you additional context about a firm's standing in the legal community.

During your consultation, you might ask:

- Can you share examples of past cases with similar charges where you were able to reduce or dismiss charges or limit penalties (without revealing confidential details)?
- How often do you take cases to trial, and what's your general approach in front of a jury?

- Have you received recognition in the area of criminal defense from reputable organizations, and what do those recognitions actually mean in practice?

How Do I Know If a Texas Criminal Defense Lawyer Is the Right Fit for Me?

Even if a lawyer checks every box on paper, you still need to feel that you can speak openly with them and that they genuinely hear you. A criminal case often involves intensely personal details about your life, your relationships, and your past, and you won't be well served if you feel judged or dismissed.

You can get at this fit question with things like:

- How do you usually involve clients in strategic decisions about plea offers, whether to testify, and whether to go to trial?
- How do you explain complicated legal issues so I can make informed choices without a legal background?
- After hearing my situation, do you see any concerns or conflicts that might affect your ability to represent me effectively?

What Are Some Red Flags You Should Watch For?

Just as the right questions help you identify a strong fit, they also help you spot warning signs early. While every lawyer has a different style, there are patterns that should make you cautious.

Common red flags include:

- Promises of specific outcomes, like "I'll get this dismissed" or "you won't do any time," before the lawyer has reviewed discovery or investigated the case
- Reluctance to answer basic questions about experience, past work, or fee structures
- Poor communication even before you hire the firm, such as unreturned calls or rushed, distracted conversations
- A focus on quick plea deals without a clear explanation of alternative paths or the pros and cons of waiting for more information

Seeing one of these signs doesn't automatically mean a criminal defense lawyer is the wrong choice, but they're strong reasons to slow down and keep asking questions. One wise decision at the beginning of a case can prevent a long string of problems later.

How Botsford & Roark Can Help You Move Forward

When you're facing criminal charges or an investigation in Austin or Central Texas, the questions you ask in those first conversations with a lawyer can shape every step that follows. Botsford & Roark invites those questions, because honest answers about experience, strategy, process, cost, and fit are the foundation for a strong defense and a working relationship built on trust.

If you're ready to sit down with a criminal defense lawyer who will listen first, explain your options clearly, and help you make decisions that protect your future, we're here to talk. You can [contact us](#) online or call our Austin law office to schedule a confidential consultation and start putting a real strategy in place instead of facing the system alone.