Choosing a Tractor-Trailer Crash Attorney: Questions to Ask

Choosing a truck accident lawyer is a different task from choosing a lawyer for a minor fender bender. Tractor-trailer claims often involve federal safety regulations, electronic evidence and several insurance policies, and the trucking company frequently has lawyers and investigators working on the crash from the first days. The questions below can make a consultation more useful.

Check the license and the record

Before meeting a truck crash lawyer, confirm the basics. Every state bar or licensing agency offers a way to confirm that a lawyer is licensed and in good standing, and many also publish public discipline records. A listing in a directory or a badge from a rating publisher is a selection by that publisher, rather than a license check or a prediction of results. If the crash occurred in another state, ask whether the lawyer is licensed there or plans to work with local Atlanta Truck Accident Lawyers Wiki counsel.

Questions about truck-specific experience

Ask how many tractor-trailer cases the lawyer has handled and how recently. A truck accident attorney should be familiar with the Federal Motor Carrier Safety Regulations in 49 CFR Parts 390-399, including hours-of-service rules, driver qualification files and inspection and maintenance records. Ask how the firm handles electronic evidence, such as ELD records, engine control module (ECM) downloads and dash camera video, and whether it works with accident reconstructionists. Ask whether the lawyer has tried truck cases before a jury, since trial experience can affect how a case is prepared, even though most claims settle without a trial.

Understand the fee agreement

Many injury lawyers work on a contingency fee, which is a percentage of any recovery. ABA Model Rule 1.5(c), which many states follow in some form, requires a contingent fee agreement to be in writing and signed by the client, and to state how the fee is calculated and whether expenses are deducted before or after the fee. Ask who pays case costs, such as filing fees and the cost of depositions and reconstruction work, if there is no recovery. Ask whether the percentage changes if a lawsuit is filed or the case goes to trial, and ask about the written closing statement at the end of the case.

Who does the work

Ask whether the truck accident attorney at the consultation will handle the case personally, who will manage it day to day and how often updates will come. Some firms refer truck cases to other firms or co-counsel with them. ABA Model Rule 1.5(e) generally requires the client to agree to a fee division between lawyers in different firms, with the agreement confirmed in writing, so the arrangement should be explained at the start.

Preparing for the first meeting

A first meeting is more useful when the lawyer can see the documents. Bring the crash report, or the report number if the report is not ready yet, along with scene photos and the names of any witnesses. Letters from

insurers, claim numbers and any forms already signed also matter, since they show who has made contact and what has already been agreed. Medical bills and records, plus pay stubs or other proof of missed work, help document the losses so far. If anyone photographed the company name or USDOT number on the truck, bring that photo too.

Warning signs

Be cautious of anyone who promises a specific dollar amount at the first meeting. No lawyer can know the outcome of a claim in advance, and lawyer advertising rules prohibit false or misleading statements about a lawyer's services. A good consultation covers the facts, the deadlines and the evidence that needs protecting. Ask about the statute of limitations in the state where the crash happened, because every state sets its own. A semi-truck accident attorney should be able to explain that deadline in plain terms. This article is general information and not legal advice.