Questions to Ask Before Hiring a Truck Accident Attorney

Picking a truck accident lawyer differs from picking a lawyer for a minor car crash. Tractor-trailer claims tend to involve federal safety regulations, electronic evidence and multiple insurance policies, and the trucking company often has its own lawyers and investigators involved from the start. These questions can make a first consultation more productive.

Confirm the license and disciplinary record

Before meeting with a truck accident attorney, check the basics. Each state's bar or licensing agency provides 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 truck lawyer Atlanta 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 counsel.

Ask about trucking 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 deals with 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 taken truck cases to trial, because 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, 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 explain how the fee is calculated and whether expenses come out before or after the fee. Ask who pays case costs if there is no recovery, such as filing fees and the cost of depositions and reconstruction work. Ask whether the percentage changes if a lawsuit is filed or the case goes to trial, and ask for a written closing statement at the end.

Who will handle the case

Ask whether the truck accident lawyer you meet will be the one who handles the case, 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 up front.

What to bring to the consultation

A consultation goes further when the paperwork is on the table. Bring the police crash report or at least the report number, along with scene photos and the names of any witnesses. Insurance letters, claim numbers and any forms already signed matter as well, because they show who has been contacted and what has

been agreed to. Medical records and bills, along with pay stubs or other proof of missed work, help show the losses so far. If anyone photographed the company name or USDOT number on the truck, bring that photo too.

Warning signs

Be wary of anyone who promises a specific dollar figure at a first meeting. No lawyer can predict the outcome of a claim with certainty, and the rules on lawyer advertising 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 which statute of limitations applies in the state where the crash happened, because every state sets its own. A big rig accident lawyer should be able to explain that deadline in plain terms. This is general information, not legal advice.