Choosing a Truck Accident Lawyer: Questions to Ask

Choosing a truck accident lawyer is a different task from choosing a lawyer for a minor fender bender. 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 a truck crash lawyer, confirm 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 directory listing or a badge from a rating publisher reflects that publisher's selection process, not a license check and not a prediction of results. If the crash happened in another state, ask whether the lawyer is licensed there or will work with local counsel.

Ask about trucking experience

Ask how many tractor-trailer cases the lawyer has handled, and how recently. A truck crash attorney should be comfortable 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 retains 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.

Fees and the written 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 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.

Communication and staffing

Ask whether the truck accident lawyer you meet will be the one who handles the case, who will work on it day to day and how often to expect updates. Some firms refer truck cases to other firms or co-counsel with them. ABA Model Rule 1.5(e) generally requires the atlantatruckaccidentlawyers.wiki client's agreement, confirmed in writing, before lawyers in different firms divide a fee, so the arrangement should be explained up front.

Preparing for the first meeting

A consultation goes further when the paperwork is on the table. Bring the crash report, or the report number if the report is not ready yet, together with photos of the scene and contact details for witnesses. Insurance

letters, claim numbers and any forms already signed matter as well, since they show who has made contact and what has already been agreed. Medical records and bills, along with pay stubs or other proof of missed work, help show the losses so far. A photo of the company name or USDOT number on the truck is also worth bringing.

Red flags and realistic expectations

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 the rules on lawyer advertising prohibit false or misleading statements about a lawyer's services. A useful consultation focuses on the facts, the deadlines and the evidence that needs protecting. Ask about the statute of limitations in the state where the crash happened, since each state sets its own. A big rig accident lawyer should be able to explain that deadline in plain terms. This article is general information and not legal advice.