How to Choose a Truck Accident Attorney

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 often has its own lawyers and investigators involved from the start. These questions can make a first consultation more productive.

Start with the license

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 listing in a directory or a badge from a rating publisher is a selection by truckaccidentlawyers.wiki 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 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 resolve 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 have adopted 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, such as filing fees and the cost of depositions and reconstruction work, if there is no recovery. Ask whether the fee percentage changes if the case goes to trial, and ask about the written closing statement at the end of the case.

Who will handle the case

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 another firm or bring in co-counsel. ABA Model Rule 1.5(e) generally requires the client's agreement, confirmed in writing, before lawyers in different firms divide a fee, 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 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, because they show who has been

contacted and what has been agreed to. Medical bills and records, plus pay stubs or other proof of missed work, help document the losses so far. A photo of the company name or USDOT number on the truck is also worth bringing.

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 lawyer advertising rules 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, because every state sets its own. A semi-truck accident attorney can explain that deadline in plain terms. This article is general information and not legal advice.