Questions to Ask Before Hiring 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.

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, 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.

Questions about truck-specific 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 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, 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, which is 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 https://truckaccidentlawyer.wiki/topics/truck-and-other-injury-claims/ 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 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 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 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.

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, together with photos of the scene and contact details for 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 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.

Red flags and realistic expectations

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 useful consultation focuses on 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 can explain that deadline in plain terms. This article is general information and not legal advice.