Questions to Ask Before Hiring a Truck Accident Attorney

Hiring a truck accident attorney is a different decision from hiring 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.

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 publish disciplinary history. 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 occurred in another state, ask whether the lawyer is licensed there or plans to work with local 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 https://truckaccidentlawyer.wiki/topics/claims-lawsuits-and-fees/ (ECM) downloads and dash camera video, and whether it retains 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.

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 state how the fee is calculated and whether expenses are deducted 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 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 another firm or bring in co-counsel. 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 first meeting is more useful when the lawyer can see the documents. 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, 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. 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 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, since each state sets its own. A commercial truck accident lawyer can explain that deadline in plain terms. This article is general information and not legal advice.