Choosing a Truck Accident Lawyer: Questions to Ask

Picking a truck accident lawyer differs from picking a lawyer for a minor car crash. 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.

Check the license and the record

Before meeting a truck crash lawyer, confirm ***truck accident attorney*** the basics. Every state bar or licensing agency offers 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 check or 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 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 (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.

Read the fee agreement closely

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 to state how the fee is calculated and whether expenses are deducted 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 percentage changes if a lawsuit is filed or 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 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 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.

Documents worth bringing

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, 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, truck accident lawyer help document 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 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 big rig accident lawyer should be able to explain that deadline in plain terms. This article is general information and not legal advice.