Choosing a Truck Accident Lawyer: Questions to Ask

Hiring a truck accident attorney is a different decision from hiring 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 frequently has lawyers and investigators working on the crash from the first days. These questions can make a first consultation more productive.

Check the license and the 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 publish disciplinary history. 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.

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 (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 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 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, 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 for a written closing statement at the end.

Who does the work

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 semi truck lawyer 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 consultation goes further when the paperwork is on the table. 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. If anyone photographed the company name or USDOT number on the truck, bring that photo too.

Warning signs

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 about the statute of limitations in the state where the crash happened, because every state sets its own. A commercial truck accident lawyer can explain that deadline in plain terms. This is general information, not legal advice.