Choosing an 18-Wheeler 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 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 publish disciplinary history. 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.

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 deals with 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, since trial experience can affect how a case is prepared, https://truckaccidentlawyer.wiki/topics/liability-and-claims/ even though most claims resolve without a trial.

Read the fee agreement closely

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 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 does the work

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.

Preparing for the first meeting

A first meeting is more useful truck accident lawyer when the lawyer can see the documents. 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. Insurance letters, claim numbers and any forms already signed matter as well, 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. If anyone photographed the company name or USDOT number on the truck, bring that photo too.

What no lawyer can promise

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 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, since each state sets its own. A commercial truck accident lawyer can explain that deadline in plain terms. This is general information, not legal advice.