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. The questions below can make a consultation more useful.

Check the license and the record

Before meeting with a truck accident attorney, check 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.

Ask about trucking 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, since trial experience can affect how a case is prepared, even though most claims settle 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 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. truck accident lawyers 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 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 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 when the lawyer can see the documents. Bring the police crash report or at least the report number, together with photos of the scene and contact details for 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.

Warning signs

Be cautious of anyone who promises a specific dollar amount at the first meeting. No lawyer can know the outcome of a claim in advance, and lawyer advertising rules 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 commercial truck accident lawyer should be able to explain that deadline in plain terms. This is Truck Accident Lawyers Wiki general information, not legal advice.