Choosing an 18-Wheeler Accident Lawyer: Questions to Ask

Choosing a truck accident lawyer is a different task from choosing a lawyer for a minor fender bender. 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. The questions below can make a consultation more useful.

Start with the license

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 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 occurred in another state, ask whether the lawyer is licensed there or plans to work with local counsel.

Experience with trucking regulations

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 tried truck cases before a jury, since trial experience can affect how a case is prepared, even though most claims resolve without a trial.

Understand the fee agreement

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 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 about the written closing statement at the end of the case.

Who does the work

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 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 at the start.

Atlanta big rig lawyer

Preparing for the first meeting

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, along with scene photos and the names of any witnesses. Letters from

insurers, claim numbers and any forms already signed also matter, 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 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 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 semi-truck accident attorney should be able to explain that deadline in plain terms. This article is general information and not legal advice.