Choosing an Auto Accident Attorney: Questions to Ask

Choosing a car accident lawyer goes better with a few clear questions. Some crashes involve a single insurer and a modest property claim, while others bring serious injuries, several policies and disputed fault. These questions can make a first meeting more productive, whatever the size of the claim.

Check the license first

Before any meeting, confirm the basics. Every state bar or licensing agency offers a way to check that a lawyer is caraccidentlawyers.wiki licensed and in good standing, and many also publish disciplinary history. A listing in a directory or a badge from a rating publisher reflects that publisher's selection, rather than a license check or a prediction of results. If the crash occurred out of state, ask whether the lawyer is licensed there or plans to work with local counsel.

Ask about relevant experience

Ask how many car crash claims the lawyer handles and what kinds. An auto accident attorney should be comfortable with insurance coverage questions, such as uninsured motorist (UM) claims, PIP and MedPay, and liens from health plans or Medicare. Ask how the firm gathers evidence such as crash reports, dashcam video and event data recorder (EDR) downloads. Ask whether the lawyer has taken car crash cases to trial, since trial experience can affect how a case is prepared, even though most claims resolve without a trial.

Understand the fee agreement

Injury lawyers often handle these claims on a contingency fee, meaning 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 if there is no recovery, including filing fees, record charges and deposition costs. Ask whether the percentage changes if a lawsuit is filed, and ask about the written closing statement at the end of the case.

Who will handle the case

Ask whether the car accident lawyer you meet will be the one handling the case, and how often to expect updates. Ask who answers questions when the lawyer is in court, and how updates are usually sent. ABA Model Rule 1.5(e) generally requires the client's written agreement before lawyers in different firms divide a fee, so any referral or co-counsel plan should be explained at the start.

Preparing for the consultation

A first meeting goes further when the paperwork is on the table. Bring the police report, or at least the report number, along with photos of the scene and the vehicles. Insurance letters, claim numbers and any forms already signed matter as well, because they show what has already been said and signed. Medical bills and pay stubs help show the losses so far.

What no lawyer can promise

Be wary of anyone who promises a specific dollar amount at a first meeting. No lawyer can know the outcome of a claim in advance. Unsolicited calls or visits after a crash are another warning sign, because ABA Model Rule 7.3 generally restricts lawyers from soliciting clients through live person-to-person contact. A car accident lawyer should be able to explain the statute of limitations that applies. This article is general information and not legal advice.