

The Traits of the Best Personal Injury Lawyers

When you're injured in an accident, get the right representation

After a car accident, or any other injury caused by negligence, you need a personal injury lawyer. That much is clear: even the insurance industry admits that people who hire a lawyer recover significantly more on average than those who do not.

That said, that's an *average*, not a guarantee. Not every attorney is the right choice to handle an injury claim, especially a serious injury claim. The cost of going it alone after an accident is high, but the cost of hiring the wrong lawyer can be just as high, if not higher.

When you need a lawyer, you need to know what to look for so that you can hire the right lawyer. In our experience, here are some distinctive traits of top personal injury lawyers.

The best personal injury attorneys focus primarily or exclusively on injury law.

If you need help with a legal matter, you should get an attorney who has experience in and focuses on that area of law. This is true in any practice area – if you're buying a house, you want a real estate lawyer, not just an attorney who dabbles in real estate – but it's especially important in personal injury because you only get one shot at compensation. If you accept a settlement that falls short of what you need because of bad advice from a lawyer who isn't specifically familiar with personal injury law, your case is over; a more experienced lawyer generally can't step in and fix it at that point.

Dedicated personal injury attorneys know how to assess the value of a claim, calculate the full amount of damages you deserve, and advocate for full compensation and justice for your injury. They also understand the tactics the insurance companies use and have developed strategies to counter them.

Top personal injury lawyers listen to their clients...

At the end of the day, you are the most important witness and the key source of evidence in your claim. You were there, you know what happened, and you know how the injury has affected your life. Your side of the story matters, and your lawyer should understand that.

A personal injury attorney's job is to listen to your story and seek out the right information to build a strong case. That includes hearing you out, asking follow-up questions, reviewing any documents you've brought, and taking a listening posture first.

...and aren't afraid to ask tough questions.

A personal injury claim is fundamentally *personal*: it's about the effects the injury has had on your health, your finances, and your life. Top personal injury lawyers don't shy away from asking pointed questions to understand how a client's health, work, finances, and home life have changed. Digging into fault for the accident, too, can involve some difficult questions.

These hard conversations aren't fun for anyone, but lawyers who don't have them do their clients a disservice. First, if your case does proceed to a deposition or trial, you will hear those tough questions from the insurance company's lawyers, and it's important to be prepared. Second, tough questions are necessary to get a full, realistic assessment of your case and determine the best way forward.

That said, when asking those tough questions, good personal injury lawyers go out of their way to make sure the client or prospective client is comfortable. Again, injury claims are highly personal, so a strong rapport between the attorney and the client is key to success.

Top personal injury lawyers act quickly...

Timing is critical in a personal injury claim. Evidence must be secured before it disappears, and sometimes that is a very tight timeframe – security camera footage, for instance, is sometimes overwritten within days if an attorney doesn't take action to preserve it. Witnesses need to be contacted and interviewed before they forget what they saw. Moreover, the sooner a personal injury lawyer gets involved, the sooner they can start dealing with the insurance company on the client's behalf to protect their legal rights.

Personal injury cases also have strict legal deadlines that can affect the injured person's ability to get compensation. In Texas, the statute of limitations (deadline to file a lawsuit) is two years from the date of injury for most personal injury claims and two years from the date of death for most wrongful death claims. However, different deadlines can apply under different circumstances. An experienced attorney who knows personal injury law will be mindful of those deadlines and ensure all appropriate actions are taken to protect their client's legal rights.

...but are in it for the long haul.

Too many personal injury attorneys will just take whatever the insurance company offers to settle the case quickly. Often, this is a "lowball" figure that may cover the initial medical treatment and nothing more. Building a case for the full compensation you need for a serious injury requires time, effort, and resources. We may need to hire expert witnesses, such as a doctor who can explain that your injury will likely require future surgery, or an economist who can quantify the effects of the injury on your long-term earning potential.

Instead of taking the insurance company's first offer, the best personal injury lawyers will counteroffer and negotiate, finding and presenting evidence to support their claim for more compensation. The initial offer is rarely the best the insurance company can do, especially when we apply the leverage that comes with the threat of going to trial.

Speaking of which:

The best personal injury lawyers are trial lawyers.

To be clear, just because you hire a trial lawyer doesn't mean you're going to trial. Most personal injury claims settle out of court, sometimes without even filing a lawsuit. However,

getting a personal injury attorney who knows how to take cases to trial ensures that all your legal options remain open. If the insurance company refuses to negotiate, a trial lawyer is prepared to take the next step. Moreover, the level of investigation and preparation needed to get a case ready for trial also serves your interests in negotiations with the insurance company. In short, trial lawyers get bigger settlements, too.

Ultimately, insurance companies think in terms of risk and reward. To them, a personal injury claim is just numbers on a ledger, not a person's life that has been changed. The way to get an insurance company to pay up is to put pressure on them, and nothing scares an insurance company more than the prospect of going up against an experienced trial lawyer with a track record of significant results.

In short, if you've been injured in an accident, you need a personal injury law firm that will listen to you, take immediate action on your behalf, invest resources in your case, and leverage trial experience to fight for the full compensation you need. That's the standard we strive to meet at Smith & Hassler, and our reputation speaks for itself.