

Top 5 Traits Of The Best Arkansas Truck Accident Lawyers

And how to choose the right attorney for your case

Commercial trucking is a big business nationwide, and Arkansas is no exception. Annually, the total value of goods shipped to and from sites in Arkansas is \$214 billion, and most of that shipping happens by truck, according to [research from TRIP of Washington, DC](#). Because of the sheer size of commercial trucks – a fully loaded tractor-trailer can weigh over 80,000 pounds – collisions involving these vehicles can cause devastating injuries.

Insurance claims arising from truck accidents can quickly grow complicated. There are often multiple insurance carriers involved, and because the policy limits are high and the injuries sustained are often severe, these are high-stakes, high-value cases for the insurance companies. That means choosing a highly qualified attorney can make a meaningful difference for people injured in [truck accidents](#).

Legal complexities associated with truck accident cases

While every case is unique, accidents involving tractor-trailers are generally much more complex than those involving two passenger cars.

- **Multiple insurance companies may be involved.** Tractor-trailers typically carry separate insurance policies for the cab and the trailer. The cargo itself may have separate insurance coverage as well. And if a victim accepts a settlement from one insurance company, the others' liability may be affected as well.
- **Specific laws and regulations apply to truck drivers.** For example, truckers need to follow federal hours of service (HOS) regulations that limit the number of hours they can work. They are also considered legally impaired with a blood alcohol content (BAC) of 0.04, which is half the legal limit for other adult motorists.
- **The trucking company has immediate access to critical evidence.** Evidence such as the truck's "black box" navigational data and the hours of service log is legally the trucking company's property in most jurisdictions. Such evidence can play a vital role in determining the outcome of a claim.
- **Policy limits are higher, as are damages.** Trucking companies generally carry large liability policies to protect their substantial assets, much larger than the liability limits carried by private motorists. Because of the sheer size of commercial trucks, serious and fatal injuries are common, which means claims often approach or even exceed those high policy limits.
- **Cases often cross state lines.** Trucking is a national business, and it is quite common for a truck registered and insured in another state, owned by a company in another state, to be involved in a serious accident in Arkansas. In some cases, truck accidents even cross *international* lines as the trucking company may be located in another country.

Because of these additional complexities, truck accident cases in general require a higher degree of legal acumen and experience than car accident cases. People injured in truck accidents should carefully consider their choice of attorney to make sure they are positioned to pursue fair and just compensation.

1. Top truck accident lawyers focus their practice on these cases

Many lawyers divide their focus between multiple areas of the law, and some only dabble in personal injury law. As is the case in any field, the best results generally come from professionals with the highest degree of specific knowledge. This is particularly true in the world of truck accidents, which demand a high degree of experience and knowledge of the law, the trucking industry and the insurance industry.

Top truck accident lawyers understand how the insurance companies operate and know how to navigate claims that involve multiple insurance carriers, large policies and complex rules and regulations. They have established contacts with expert witnesses, such as medical consultants, financial experts and accident reconstruction experts, who can help build strong cases. And they know how to help their clients get the medical care they need in the wake of serious and often life-altering injuries.

2. Top truck accident lawyers take action quickly

As mentioned previously, much of the evidence in a truck accident case is the trucking company's property. While federal regulations do provide some protection for the victim, in many cases, that protection is quite limited. The trucking company is free after a certain period of time to destroy evidence—such as the hours of service log—that exposes their bottom line, unless an attorney intervenes.

The best truck accident lawyers understand these rules and regulations and know how to take immediate action, such as filing a lawsuit, to block the trucking company from destroying critical evidence. In addition to the HOS log, this evidence may include video footage (which could be erased or overwritten, sometimes within days) and the truck's GPS data. Without evidence, building a winning case on behalf of the injured person is an impossible task.

3. Top truck accident lawyers conduct thorough investigations

In a car accident case, the question of liability for the crash usually comes down to the actions taken by individual drivers. While those actions are certainly relevant in truck accidents as well, often, liability for a truck accident also involves the question of whether the truck driver was qualified to be behind the wheel in the first place.

Experienced truck accident lawyers know that the key to a good recovery is often found in the trucking company's hiring and supervision records. These records may reveal that the trucking company knowingly hired a driver with a history of impaired or unsafe driving, or simply failed to conduct a background check that would have revealed this information – this is known as

negligent hiring. Or the trucking company may have learned of the truck driver's unsafe driving after hiring and chose to keep him or her employed, leading to a claim for *negligent retention*.

Other records can also prove to be vital in a truck accident case. For example, the truck's maintenance records may reveal that the trucking company knew of a critical maintenance issue, such as failing brakes or engine trouble, and did not address it before putting the truck back on the road. An experienced truck accident lawyer knows how to thoroughly review these records, and is willing to put in the time and effort required—often poring over documents for months or years—to find this critical evidence.

4. Top truck accident lawyers advocate for full compensation for their clients

Truck accidents often cause long-term disabling injuries—including traumatic brain injuries, spinal cord injuries, knee injuries and back injuries. In each case, an important part of an attorney's job is to understand and advocate for compensation for the full cost of such an injury. For example, traumatic brain injuries sustained in truck accidents may leave the injured person in need of lifetime care and unable to work. Depending on the severity of the injury, the [lifetime cost of treatment](#) for a traumatic brain injury can run between \$85,000 and \$3 million.

In partnership with medical professionals, experienced truck accident lawyers know how to advocate for those long-term costs when negotiating settlements with an insurance company. For instance, a lawyer representing a client with a knee injury may be able to advocate for compensation, not only for the short-term treatment of the injured knee, but also for a knee replacement that may be needed a decade later. Furthermore, an experienced attorney can show how the injury has rendered the client unable to work, leading to a claim for lost wages and lost future earnings.

But advocating for full compensation goes beyond the cost of medical treatment and lost wages. The best truck accident lawyers take the time to get to know their clients and understand the many ways that injuries have affected their lives. Depending on the individual circumstances, full compensation may include a claim for pain and suffering (especially if the injury leaves the victim with chronic pain), loss of consortium, or loss of quality of life.

5. Top truck accident lawyers are trial lawyers

While it's true that most injury cases ultimately settle out of court, truck accident cases are somewhat more likely to go to trial. Truck accidents are high-stakes, complex cases, and because there are more potential points of contention between the plaintiff's side and the defense, the possibility of an irreconcilable conflict is likewise higher. That means a plaintiff's attorney who does not prepare the case for trial is doing his or her client a disservice.

With that being said, even truck accident cases do settle out of court more often than not. But even when the case ultimately settles before trial, preparing the case *for* trial has great value. The same research and preparation that goes into getting cases ready for trial also helps the attorney negotiate substantial settlements. And successful truck accident lawyers know how to

use the threat of a trial and the possibility of a large verdict as leverage when negotiating with the trucking companies and their insurance carriers. Without that leverage, victims are in many respects at the mercy of the trucking companies.

Many, if not most of the best truck accident lawyers have litigation and trial experience on both the defense and plaintiff's side of injury cases. These attorneys know the traits, habits and tactics used by the other side, and they know how to counter them. They know how to prepare cases for trial and have insider knowledge of every step in the process, from multiple perspectives.

For more information

Contact [McDaniel Law Firm, PLC](#), an Arkansas law firm with extensive experience handling truck accidents and other complex injury cases. The firm is based in Jonesboro, AR and represents injured people statewide.