

# **YOUR GUIDE TO HIRING AN ACCIDENT LAWYER**

What You Should Know Before Filing a Lawsuit



# Your Guide to Hiring an Accident Lawyer (And How to Protect Your Rights to Compensation)

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## Introduction

Injury victims and disabled workers need strong advocates on their side. At the Preszler Law Firm, we focus on helping victims of motor vehicle accidents, slip and fall and trip and fall accidents (and other types of occupiers' liability torts), and Long Term Disability claims. Personal injury law is our passion and our professional focus – we have successfully prosecuted more than 12,000 serious personal injury claims.

People often wonder if it's worth it to hire a lawyer for their car accident claim, slip or trip and fall claim or Long Term Disability dispute. I remind them to think about what they stand to lose if they do not seek professional guidance. A quick resolution isn't always the best option, especially if it doesn't take your full injuries and losses into account.

At the Preszler Law Firm, we put our money and time where our mouth is. You do not pay for our services unless we successfully recover money for you. If we lose your case, you pay nothing. We take a calculated risk on each case, believing in what you represent, our skills as lawyers and our knowledge of the law. There are no guarantees in life, but we do not take on cases that we think we could lose. You can walk away knowing you have found a firm that believes in you and your case.

Our firm is very customer service oriented. We want you to understand your claim and what it will mean for your future. You deserve to have your questions answered in a timely manner and to have as much information as you need to make educated decisions about your case. That's part of the reason I wrote this book – to provide a free resource for victims as they decide the course they will follow. In these chapters, you will find valuable information about everything from the deadline to file for Accident Benefits, to the questions you should ask a lawyer before signing a retainer agreement.

This information, while useful in making decisions about hiring a lawyer, is in no way a substitute for speaking with a lawyer about your case. A free case consultation allows you the opportunity to get individualized answers to your questions.

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## Chapter 1: Why You Need to Act Quickly After an Accident

The days and weeks after your accident or injury may be a painful and chaotic time. Unfortunately, swift action is needed to protect your rights to full financial recovery. This is true whether you decide to hire a personal injury lawyer or you choose to handle your post-accident affairs on your own.

Deadlines and other legal considerations mean it is in your interest to act quickly when you have suffered injury. In addition to the strict timelines imposed by insurance and provincial laws, your quick action may actually serve to strengthen your case – this may improve your chances of getting fair and full compensation.

### After an Automotive Accident – the Clock is Ticking

Current insurance laws require you to *inform your insurance company of the motor vehicle accident within seven days of the incident*. This is true regardless of who was at fault for the accident.

**This timeline applies for any accident involving a motor vehicle, including:**

#### Did you know?

In a lawsuit filed after a car accident, you may recover up to 70% of your lost gross income, beginning 7 days after the crash until the trial. After the trial, the value is based on 100% of your gross income loss and lost earning capacity.

- **a single or multi-car accident;**
- **commercial truck/semi-truck crash;**
- **bicycle accident;**
- **pedestrian accident; or**
- **motorcycle crash.**

Your insurance agent or a representative from the company should promptly send you an Application for Accident Benefits. *You must complete and submit this application within 30 days of receipt*. Ignorance of this timeline may not be considered a reasonable excuse – any delay in applying could diminish your right to benefits and compensation.

Accident Benefits – also known as “No-Fault Benefits” – will be available to you regardless of who caused the accident. This compensation may include up to \$400 per week in income replacement benefits from seven days post accident, \$3,000 per month for attendant care benefits, up to \$50,000 for medical and rehabilitation costs or if you were not working \$185 per week for non-earner benefits (paid only after 26 weeks post-accident). Remember – this compensation is available only if you act

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within the legislated timeframe. The more you delay, the less you may receive.

### **Other Deadlines to Consider – Lawsuits, Slip and Fall Accidents, and More**

You must also be mindful of deadlines if you intend to sue an at-fault driver for injuries suffered in your motor vehicle accident. The Insurance Act requires you to provide the at fault driver with a notice of intent within 120 days of the accident. You must then commence the lawsuit within two years of the date of the accident. If you meet with a lawyer from our offices, we can talk to you in greater detail about these deadlines as they apply to your case and what we can do to ensure you are in compliance with the law.

Other accidents – like slip and falls, trip and falls and injuries on another person’s property – come with their own deadlines to consider. Generally speaking, you have two years in which to file a lawsuit after a slip and fall or similar injury. You may have significantly less time in which to file a notice of the accident and intent – especially if the negligent party was a municipality or government entity. Again, we can help you to meet these deadlines, but only if you take quick action after an accident.

### **Quick Action Better Protects Your Case**

Insurance deadlines and other rules aren’t the only argument for taking quick action after an accident. **Other considerations include:**

- **Evidence** – Valuable evidence (such as surveillance footage, vehicle wreckage, medical records and so on) can become lost or damaged as time progresses. The sooner you contact us, the sooner we can get to work collecting and preserving the evidence necessary to verify your claim or lawsuit.
- **Witness testimony** – Witnesses can provide testimony that supports your case, such as descriptions of an accident scene or information about lax company policies that led to a slip and fall accident. Over time, witnesses may forget key details of an event or become difficult to locate. Getting a head start on your case provides us with adequate time to locate and interview witnesses – while the memory of what happened remains fresh in their mind.

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- **Financial concerns** – As an accident victim, you have immediate financial needs, such as medical bills, being unable to work and other out-of-pocket expenses. The sooner you take steps to receive compensation, the sooner you can start tending to your financial considerations.
- **Protecting your case** – Accident victims can unwittingly damage a personal injury case by agreeing to a recorded statement for the insurance companies or by signing away their rights to additional compensation. By consulting us early in the process, you can receive personalized instructions on how best to protect your case and potential compensation.

I encourage you – once your immediate medical needs have been tended to, consult a personal injury lawyer to learn more about your rights and responsibilities. Appoint a trusted family member or friend to help if your injuries prevent you from doing so. The sooner you take action, the better your chances for full financial recovery.

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## Chapter 2: Should You Hire a Personal Injury Lawyer to Handle Your Case?

One of the most common questions I hear is “Do I really need to hire a lawyer?” The **answer to that question depends on a number of factors, including, but not limited to:**

- the **severity of your injuries;**
- whether someone’s **negligence caused your accident and injuries;**
- the **amount of time you’ll miss from work** while recovering from your injuries; and
- **otherways in which the accident has impacted you physically and financially.**

These are the types of issues I discuss with potential clients during their free case evaluation. This is when we take an honest assessment of the case to determine if it merits legal action and the involvement of a lawyer.

### What Kinds of Cases Benefit from a Lawyer’s Input?

Let’s consider several accident and injury scenarios and evaluate whether they would call for a personal injury lawyer’s assistance.

**Scenario One:** James is driving on Yonge Street in downtown Toronto when his car is sideswiped at a busy intersection. There is some damage to his sedan, but the car is not totaled. He suffers some bruising to his ribs and is sore for a few days. A doctor’s checkup verifies there is no serious injury – there is no need for follow-up care and James won’t miss any time from work. James reports the accident within a few days to his insurance company and submits his Application for Benefits within the specified time period. His compensation package adequately addresses his accident-related costs to repair his vehicle and pay his doctor’s bill.

***Would this case benefit from a lawyer’s assistance?*** An accident with no serious injuries or damages does not typically warrant hiring a personal injury lawyer. This scenario is fairly straightforward and likely could be satisfactorily resolved without the intervention of a personal injury lawyer.

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**Scenario Two:** Emma is driving to work on the Gardiner Expressway when she is rear-ended by a driver who fails to stop for backed-up rush-hour traffic. The driver later admits to police and witnesses that he was texting at the time of the crash and “Didn’t even see the brake lights.” Emma is knocked unconscious in the crash and is transported to a local medical center where it is discovered she has suffered a traumatic brain injury, facial fractures, whiplash, a broken leg and several broken ribs. She will require hospitalization for several days followed by months of follow-up medical and therapeutic care. Her car is totaled and she will miss four to six months of work. She also must hire in-home care to help with cooking, cleaning and other household necessities. Her family helps her to file her Application for Benefits, but the process confuses them. Everyone is concerned the compensation offered will not be sufficient to cover even Emma’s short-term care, let alone her long-term healthcare needs.

***Would this case benefit from a lawyer’s assistance?*** Any accident involving serious, long-term injuries would benefit from the assistance of a personal injury lawyer. This is especially true when there is a fairly clear-cut example of negligence. At our firm, we focus on calculating the short- and long-term financial needs of our clients. We also explore all viable means of compensation. In this scenario, that would include a lawsuit against the negligent driver in addition to filing a claim for Accident Benefits.

**Scenario Three:** Tom is visiting a grocery store in Scarborough on his way home from work on a cold wintery day. He is getting out of his car in the parking lot of the store when he slips and falls on ice. He falls to the ground hitting his head and hurting his back. He notices that certain areas of property have been salted but other have not. A few days later, he goes to the doctor’s office and discovers he suffered a minor concussion and several herniated discs. He will require physical therapy and additional follow-up care. His injuries prevent him from being able to immediately return to his construction job.

***Would this case benefit from a lawyer’s assistance?*** Because there is likely confusion about his rights to compensation and whether the owner of the property or the store was negligent with respect to winter maintenance, Tom would benefit from talking to a lawyer about his case. Tom would also be confused about whether he has any access to Accident Benefits through his car insurance given that he was getting out of his car. I would want to hear more about the extent of Tom’s spinal and head injuries and whether his doctors anticipate extensive follow-up care and medical bills. At the very least, Tom should consider scheduling

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a free case evaluation with a personal injury lawyer to explore his options for financial recovery.

## Deciding Whether You Should Hire a Lawyer

You have the right to decide whether you should hire a lawyer for your accident case.

### **Some of the most commonly cited reasons our clients choose to hire a personal injury lawyer include:**

- **Experience** – Most accident victims have very little experience navigating the insurance or injury law systems. They do not have the knowledge or know-how to “go up against” seasoned insurance agents or a defendant’s lawyer. As a personal injury lawyer, I have handled thousands of accident cases. I have successfully resolved complex cases involving multiple defendants and life-altering injuries and I can bring that professional experience to your case.
- **Financial security** – Working with a lawyer may increase your chances of achieving a full and fair compensation package. Why? Lawyers understand how to calculate the short- and long-term financial impacts of an accident and injury. A lawyer can work with doctors, forensic accountants, life care planners and other experts to determine a fair settlement or award figure. Further, a lawyer can present a compelling case that supports a comprehensive claim.
- **Protection of rights** – Accident victims who hire a lawyer often express a desire to protect their rights to fair recovery. If you hire a personal injury lawyer, you’ve taken an important step in securing an advocate for your side. This is especially important if the negligent party has already hired a lawyer to represent his or her interests.
- **Convenience** – A personal injury lawyer can handle all of the details in an accident claim, including communicating with the insurance companies, negotiations, investigations and other time-consuming tasks. This allows you, the victim, to focus on physical recovery.

Many lawyers, myself included, offer a free case evaluation and initial consultation. This allows you an opportunity to determine if your case merits hiring a lawyer. It also gives you a chance to learn whether a particular lawyer is a good fit for your needs.

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Another aspect to consider: You may not even have to pay lawyers' fees unless your case is successfully resolved. My firm does not charge clients unless we recover a financial settlement or award. *(Please read more about our fee structure in [Chapter 10 of this book.](#))*

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## **Chapter 3: 10 Questions to Ask a Lawyer Before Hiring Him or Her**

If you have decided to hire a lawyer to handle your personal injury case, the next step is to choose the right lawyer for your needs. There are many factors to consider when hiring a lawyer. In this chapter, I've put together a list of ten sample questions you can ask during a free initial consultation. I've also offered an explanation of why each question is relevant in your search.

### **Question 1-What is your primary area of focus?**

Some lawyers operate as "jacks of all trades" (handling everything from personal injury to criminal defense and divorce) while other lawyers focus on a particular area of law, such as auto accidents or slip and falls.

Knowing a lawyer's primary practice areas allows you to determine if they have the specific knowledge and experience necessary to handle your case.

### **Question 2 - How many cases have you handled that are similar to my own case?**

Particularly complex cases benefit from a lawyer who has handled very similar cases. For instance, if your traumatic brain injury case involves multiple defendants, consider a lawyer who has tried similar cases as opposed to someone who has never fielded a case involving more than one liable party.

### **Question 3 - How long have you been practicing this type of law?**

Skilled and intelligent law school graduates join the field every year in Ontario. That said, there is no amount of book smarts that can compete with the know-how and real-world experience afforded by years of practice. I have practiced personal injury law for more than 50 years, and it shows in our case results. The firm was established in 1959 and all of the lawyers at the firm have significant experience in the areas of personal injury law.

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## **Question 4 – Who at your firm will handle my case?**

You should be given clear direction on who will handle what in your case. For instance, will a paralegal or legal assistant handle the paperwork and phone calls, while the lead lawyer handles the negotiations and trial? A lawyer should be able to provide a clear outline of who will do what and why, and who you should speak to when you have a question about your case.

## **Question 5 – Are you willing to take my case to trial if initial settlement offers are insufficient?**

Some lawyers deal exclusively in boardroom negotiations and never set foot in a courtroom. You want to ensure your lawyer will be prepared to take your case to trial if the circumstances deem necessary. My firm will go to whatever length is required in order to get a just and fair result. If that means going to trial, then so be it.

## **Question 6 – What are the potential strengths and weaknesses you see in my case?**

A lawyer should be forthcoming and honest about what will increase and decrease your chances at a full financial recovery. It is important to hire a lawyer who can evaluate a case from multiple angles and anticipate any potential defenses to your claim.

Be wary of a lawyer who shrugs off your inquiries about potential weaknesses with statements like, “It’s a slam dunk – we can win this for you no problem.” Those kinds of statements are unethical and inaccurate. No lawyer can predict a case’s outcome. My firm focuses on offering well-reasoned, educated evaluations – not empty promises.

## **Question 7 – How do you determine the value of an injury claim?**

Choose a lawyer who takes a “big picture” approach to valuing your injury and claim. A lawyer should consider things like your pain and suffering, short- and long-term medical care, whether you’ll require ongoing therapy, how much income you’ll lose because of your injuries and any other economic factors that have impacted your life. A lawyer who consults with medical and financial experts may reach a more comprehensive value for your claim.

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## Question 8 – How does your law firm handle client communications?

Will you be able to contact a lawyer off-hours or on the weekend? Does the law firm communicate exclusively by email? How long does it take for someone to reply to your status update request? These answers help you to choose a lawyer whose communication style best suits your own personality and needs.

### Did you know?

Your insurance company should contact you within 10 days of your completing your Application for Accident Benefits Package.

## Question 9 – What are your rates and when and how often will I be billed?

A lawyer should be open about his or her fee structure and timeline and offer a basic estimate of costs. Note that many lawyers – including myself – do not charge unless you are financially compensated. If that is the case, a lawyer should tell you the percentage of winnings charged and when you will be expected to pay.

## Question 10 – How will pursuing legal action disrupt or otherwise impact my daily life?

This will tell you how much time you can anticipate having to devote to pursuing compensation (i.e. Will you be expected to appear in multiple negotiation sessions? Will you be required to make frequent visits to the law firm?). This provides you an opportunity to learn more about what a lawyer will do for you. For instance, will the lawyer handle the bulk of communications with the insurance company, or will that burden continue to fall on your shoulders?

## Preparing For Your Initial Consultation

I recommend that you come armed with these questions and any other specific concerns you may have. Listen carefully and take notes, and be prepared to share details of your case. This helps ensure you find a good match. Most importantly, you should always feel comfortable with the lawyer you select.

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## **Chapter 4: Lawyer Experience: Finding the Best Lawyer for Your Case**

You've likely heard the phrase, "jack of all trades, master of none." In [Chapter Three](#), I touched briefly on the topic of specific case experience and why this should factor into your hiring process. While there is nothing inherently wrong with a lawyer who has a wide range of professional interests, it may not be the most effective strategy for your own personal injury or Long Term Disability case.

Think of it this way: When you find a suspicious-looking mole on your shoulder, do you get it checked out by your general practitioner? Or do you schedule an appointment with a dermatologist? The family doctor has general experience in skin health, but the dermatologist has focused her practice exclusively to matters like skin cancer.

The same principle applies with legal matters. While some lawyers practice in a broad range of areas – personal injury, estate planning, criminal defense, family law and so on – others choose to focus narrowly on one or two related fields.

At Preszler Law Firm, I focus exclusively on helping accident and injury victims, including those who've been injured in automobile accidents, dog bite attacks, slip and fall accidents and by birth trauma, or who have been denied Long Term Disability benefits. This tactic has allowed me to gain a firm understanding of the legal aspects of each kind of injury case.

It also has allowed me to build an extensive case history from which to draw. I am prepared for most any "surprise" at the negotiation table or courtroom because I have successfully resolved thousands of similar injury cases. This would simply not be possible if I were to devote only a quarter of my time to injury cases, while also balancing a caseload of divorce, drunk driving defense and copyright cases.

### **How to Measure a Lawyer's Experience**

Ask lots of questions and for proof of experience and results.

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**In addition to the 10 questions outlined in Chapter Three, ask other questions including:**

- What in your educational background has prepared you to handle my case?
- Do you have client testimonies you can share?
- How many cases like my own did you handle last year?
- Do you belong to any professional organizations or associations?
- Have you received any additional professional training that is relevant to my case?

I believe it's important for a lawyer to take the time to help a potential client to understand why or why not they are a good fit for the case. Avoid working with a lawyer who won't discuss specifics about his or her professional experience and past results, or who talks "around" your questions instead of offering direct, tangible answers.

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## Chapter 5: How a Lawyer Will Determine the Value of Your Claim

### Did you know?

You may be eligible for reimbursement for lost or damaged items like hearing aids, eyeglasses and dentures – even the clothes you were wearing at the time of the auto accident.

As your lawyer, my chief concerns are your physical and financial wellbeing. In some ways, the two are connected. The more secure your financial resources, the more likely you are to receive the healthcare you need and deserve.

### As an accident victim, you're most likely concerned about:

- loss of regular income if your injuries prevent you from returning to work;
- unpaid bills;
- how to pay for ongoing treatment, including physical and cognitive therapy;
- the cost of hiring someone to help you at home if you are unable to cook or clean as you recover; and
- replacing lost or damaged property, prescription eyeglasses and other items.

One of my top priorities as a lawyer is to put a dollar value on your accident injuries. I do this by taking all of the above-mentioned factors into consideration, plus looking at **any other relevant financial concerns, such as:**

- Did you accrue any out-of-pocket expenses, such as home maintenance or housekeeping?
- Did your spouse or children incur any expenses when they visited you during your recovery and treatment?
- Did you pay to extra stay in a long-term care facility?
- Did you pay to have someone come to your home to help you with basic activities like bathing and dressing?
- Will you require counseling (whether family therapy, financial counseling, vocational assessments, and so on)?
- Will you require specialized therapy (including but not limited to physical, cognitive, occupational and speech-language)?
- Will you require a wheelchair, cane, prosthetics or any other assistive device?
- Will you require any elective surgery (for instance, plastic surgery)
- What is the severity of your injury (were you permanently disfigured or disabled, or suffer severe brain trauma)?
- How long will you be unable to work?

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- Will you be able to return to your previously held job, or will your injuries impact your ability to advance in your career?
- Will you require retraining?
- Has your injury impacted your daily life in a measurable way, including family, work and educational relationships?
- Have you experienced severe pain and suffering as a result of your injuries?
- Was your accident caused by someone else's negligence or reckless behavior?

### Did you know?

The court may order the defendant to pay a portion of your legal fees if you successfully prove negligence in a car accident lawsuit. This will depend on the circumstances and outcome of your liability case.

All of these issues factor into the value of your case. My team and I determine the answers to these questions by closely examining your medical records and consulting with medical experts. We may speak to an economist or similar expert who can attest to the financial impacts on your career and expected earnings.

I will work closely with you to determine the full impact of the accident on your life and what is necessary for your recovery. The goal is to “restore” things to as close as possible to the way they were pre-accident. We strive for a compensation figure that will make this possible.

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## Chapter 6: What You Can Do to Increase Your Chances for a Fair, Successful Claim

While this book focuses on the process of selecting and hiring a lawyer, there are ways that you personally can help your own claim. This chapter explores a succinct list of “do’s” and “don’ts” to consider as you navigate this difficult time. These steps are designed to protect and maximize the value of your potential claim.

### Did you know?

Your auto insurance company may ask you to undergo an “insurer examination” before issuing your Accident Benefits Package payment.

### The Do’s and Don’ts After a Serious Accident or Injury

**Don’t delay in taking action:** You must bring a proceeding or lawsuit in accordance with a strict set of deadlines.

**Do preserve all evidence of the accident:** Store evidence -- like police reports, medical records and photographs of the accident scene -- in a safe place. This evidence serves to verify your version of events. Some evidence, like medical bills and pay records, help to determine an accurate value for your claim.

**Don’t give a recorded statement:** Do not provide written or recorded statements to the insurance company or defendant’s counsel without first consulting with your own personal injury lawyer. You may unwittingly sign away your rights to compensation or prejudice your case unknowingly.

**Do seek complete medical care:** Follow up on all of your doctor’s visits and continue with your prescribed care until you have been cleared of your injuries.

**Don’t talk about your accident on social media:** Protect your privacy and the details of your case by refraining from posting about your accident or injuries in any public forum, such as Facebook or Twitter.

**Do consider hiring a personal injury lawyer:** A lawyer can offer you personalized advice about how best to protect your claim. A lawyer can handle all negotiations on your behalf and proceed with a courtroom trial should that become necessary.

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### **Chapter 7: What to do if You Have Been Offered an Insufficient Compensation Package**

Many clients come to us after they have received a settlement offer that does not fully address their accident related damages and expenses. We take a careful look at the fair value of their claim (using factors discussed in [Chapter Five](#)) and determine if the proposed offer falls short of that value.

For instance: Say Anne suffered a broken pelvis and head injury in a car wreck outside of Toronto that wasn't her fault. Her own insurance company doesn't categorize her injury as catastrophic, thereby limiting the amount of money she can receive for medical care for her injuries. The initial Accident Benefits entitlement is \$50,000 (total) for her medical care and therapeutic expenses. They also only want to pay her \$400 per week for a maximum of 2 years.

Unfortunately, Anne will require reconstructive orthopedic surgery, cognitive and physical therapy and other forms of medical and personal care for life, with costs estimated at \$350,000 or more. In addition, she will be unable to work indefinitely and may never be able to work again.

In this case, Anne would be best served by immediately talking to a personal injury lawyer about her options for recovery. A lawyer will help gather the evidence she requires to validate her claim and will file a lawsuit against the other driver to recover all amounts that are not paid by her own car insurance company. A lawyer also will work to ensure that Anne's insurance company honors their agreement and pays not what they want but what she is truly entitled to by law.

If you believe what is being offered to you is insufficient to meet your healthcare and other financial needs, consider consulting with a lawyer. He or she can use their experience to determine if there are additional options – including filing a lawsuit – for compensation.

If you choose to file a lawsuit, you will be required to present compelling evidence of negligence, liability, damages and injury. This may include cell phone records, witness testimony, accident reports, photos of the accident scene and many other documents and items, plus medical proof to support your claim. A lawyer can collect and organize this information to make a case for negligence and to prove your damages.

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## **Chapter 8: How a Lawyer Can Ease Your Burden After an Injury or Accident**

It's not unusual for an accident or injury victim to feel overwhelmed, anxious and even depressed. It is unimaginably difficult to cope with painful injuries while also worrying about a growing pile of medical bills, not being able to work and numerous other financial concerns.

A personal injury lawyer is in a unique position to help clients secure the financial resources they need while sparing them the exhaustive paperwork and legal legwork required getting there.

**Some of the ways in which a lawyer can help you after an accident include:**

- **ensuring you meet all of the deadlines** (such as for filing for Accident Benefits, alerting a defendant of your intent to file a lawsuit and any other legally-mandated timelines);
- **organizing, collecting and filing insurance paperwork on your behalf;**
- **interviewing witnesses;**
- **collecting evidence;**
- **researching and investigating defendants** (such as investigating a commercial truck driver's driving records or a property owner's maintenance reports);
- **facilitating and arranging communication between you and the insurance company and/or defendant;**
- **proving your injuries and impairments;** and
- **making travel arrangements if your injuries prevent you from being able to leave the hospital or your home.**

Making your post-injury life less stressful and more financially stable is an important part of my job. Our personal injury team handles the day-to-day details of your case so you can focus on healing.

# Your Guide to Hiring an Accident Lawyer (And How to Protect Your Rights to Compensation)

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## Chapter 9: Lawyer Ads Don't Tell You Everything You Need to Know About a Law Firm

### Did you know?

The number of traffic fatalities in Ontario rose from 2009 to 2010. The Ministry of Transportation reports 579 people died in traffic collisions and 2,558 suffered serious injury in 2010.

We are all, whether we admit it or not, swayed by clever advertising and marketing schemes. This is a relatively benign fact in many consumer decisions – after all, what does it really matter if you choose your morning coffee and bagel based on an eye-catching billboard or TV ad?

It pays to look far beyond catchy slogans and slick ads when it comes to making a significant, life-altering decision such as who to hire as your lawyer. Just because a law firm can afford to plaster the city with billboards or broadcast its radio ads during the morning commute doesn't mean it's the right fit for your needs.

At the Preszler Law Firm, I encourage potential clients to look below the surface and learn more about a lawyer before making a commitment. Use the guidelines put forth in Chapters Three and Four of this book and allow the lawyer's responses, experience and background to steer those decisions.

### What You Should Expect – and Demand – of a Law Firm

Lawyer ads don't do a great job of telling you what you can and should expect from a law firm in terms of communication and client relations. Your experience is unique and you deserve to be treated as more than a case number or an item on someone's "To Do" list. A law firm should be, first and foremost, a customer oriented practice.

At the Preszler Law Firm, we pride ourselves on delivering top-notch, personalized service. My team and I strive to treat you in the same manner we would wish to be treated.

### What does this mean for you?:

- Your inquiries will be answered within 24 hours, whether by phone, email or in person.
- A lawyer always will be available to answer your questions – even if that lawyer is not currently working on your file.
- You will never be asked to do something you do not understand – we will take the time to answer your questions and explain legal processes in user-friendly terms.

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We want you to sleep well at night knowing that we have the answers to all of your questions.

### **The Preszler Law Firm's Approach to Handling a Case**

Our firm handles all personal injury and Long Term Disability claims in house. Unlike many of our competitors, we do not “farm out” our cases. We’re a hands-on firm, and we have the experience and expertise necessary to handle even the most complex cases – there’s simply no reason to pass the work off to another lawyer or firm.

As soon as you hire us, you can expect us to get to work prosecuting your claim. We push the case forward and deal with any obstacles as they arise. This swift action is a necessary response to the insurance companies’ efforts to delay injury and disability claims.

We typically can have your lawsuit moving forward within six months of hire. In this timeframe, we will have put the Defendant on notice and access all medical records and other necessary documentation needed to prove your case. While we are pressing forward, we must balance the need to measure whether or not you have reached your maximum medical recovery. This allows us to accurately assess and quantify your damages and the value of your claim. Your case will not be ready to settle until my team and I have a firm understanding of your full prognosis and how it will impact your ability to earn a livelihood and any future care required. We are able to resolve most claims within one-and-a-half to three years.

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## Chapter 10: How Much Does it Cost to Hire a Lawyer?

### Did you know?

Disability lawyers can help clients hold insurance companies liable for acts of bad faith, such as offering settlements far less than a fair value, demanding the use of biased medical examiners and using intrusive surveillance tactics.

Price is a very important consideration when hiring a lawyer. Be certain to talk about rates and fee structures before retaining the services of an injury law firm.

The Preszler Law Firm operates on a pure contingency fee basis. We do not earn a penny unless we recover money for you – no strings attached. If you choose our firm, we enter into a Contingency Fee Retainer Agreement. This provides you a number of protections and incorporates all required provisions under the Solicitors Act.

You can rest easy knowing you will not be surprised with a significant legal bill that you never anticipated. Your rights and obligations are clearly spelled out in writing so you know exactly where you stand. Payment occurs only once you receive money. We receive a percentage of your overall recovery and our rates are lower than many of our competitors.

You will not be required to invest money into your own file. We finance the entire cost of the litigation. We will not ask for money upfront or at any point in the proceedings.

### What Happens If We Lose Your Case?

Clients often ask me: *What happens if Preszler Law Firm loses my case?* The answer is quite simple: We lose our money and the time that we've invested in your case. We are driven to win, not only for your wellbeing, but our own. This helps you to know, we are in this fight together.