



7 things to look for when hiring a personal injury law firm in California

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Seven things to consider when hiring a personal injury attorney

If you've been injured in an accident or lost a loved one due to someone else's negligence, you may be contemplating hiring a personal injury attorney.

Chances are it may be the first time you've ever had to hire a lawyer. So you get on the internet or open the yellow pages and search for personal injury attorneys in Northern California.

You're immediately confronted with hundreds of choices. How do you decide whom to hire? Below are seven questions you can ask any personal injury attorney or law firm to help narrow down your choices.



1. Does the firm specialize in personal injury cases?

The field of personal injury law is highly challenging and constantly evolving. When you are thinking about hiring an attorney to represent you, it is wise to choose one who specializes in handling personal injury cases. If you needed a heart transplant, you wouldn't hire an orthopedic surgeon. Similarly, if you've been injured in an accident, you wouldn't hire a lawyer who specializes in employment issues.

As surprising as it may seem, many personal injury law firms represent both injured victims as well as the parties responsible for the negligence that caused those injuries.



2. Who are you really hiring and who will handle your case?

Be wary of websites that refer cases to lawyers. While searching for personal injury attorneys, you may have noticed that some websites do not provide you with any information about specific attorneys who will handle your claim.

That is because hundreds of companies have set up websites that simply serve as referral sources to attorneys in your area, who pay a fee to be listed. These websites will typically ask you to fill out quick contact information and then automatically email your information to a local law firm. Make sure that you are contacting a specific attorney or law firm directly, not merely filling out a form for one of these referral companies.



3. Does the firm have the experience and resources to prosecute your case?

Every injury accident is unique. It doesn't matter if a car, truck, drug corporation, government agency or insurance company caused the damage. Your injury is personal, and you need an attorney that not only takes it personally, but has the experience to back it up. As you can see from our website, Demas Law Group has a breadth of experience successfully representing victims in a wide variety of personal injury cases.

Besides having extensive experience with similar cases and injuries, the attorney or firm you choose should have adequate financial resources to prosecute your claim. This is particularly important if you have been seriously injured or have a complex case, such as one involving nursing home abuse, a trucking accident, or a defective product, such as a defective airbag or tire.

These types of cases require significant financial expenditures if they are to be properly prosecuted. Monetary resources are needed to hire the best investigators, accident reconstruction experts, material safety specialists, biomechanic experts, medical specialists, vocational rehabilitation experts, economists, as well as other professionals.



Insurance companies and large corporations often have unlimited budgets. They are more than willing to spend any resources required for the best experts in the field in an effort to defeat your case. The only way that you and your attorney can fairly compete is if you have the resources and ability to hire your own highly respected experts.

The knowledge and experience of the professionals hired to testify on your behalf can make a significant difference in how the insurance company evaluates your case and determine the size of the settlement offer they will be willing to seriously consider.

These case costs are typically fronted and paid for by the attorney or law firm handling your case. If a lawyer asks you to pay these costs, it is a sure sign that the firm does not have the necessary resources to handle your claim. Ask the attorney how the firm intends to fund your case. You might also ask, what is the largest sum of money the firm has ever fronted for a case.



4. Does the firm have significant trial experience?

When a case is not settled and goes to trial, it can be intimidating. More than 90 percent of all personal injury cases settle before trial, but nevertheless, you should hire a lawyer who is not reluctant to go to trial, and who has already gained significant trial experience.

Insurance companies make their profits by investing the money they earn from the premiums they charge and by paying out as little money as possible on claims. When they evaluate a case to determine their possible exposure—the money they may have to pay out to settle a claim—they focus on the risk they will be taking if the case goes to trial. In other words, they are trying to predict what the likelihood is that a jury might return a large damages verdict in favor of the plaintiff. When trying to arrive at an accurate “risk” assessment, insurance companies consider:

- a) The likelihood that the plaintiff's attorney will actually take the case to trial, and
- b) The known skill, expertise and jury verdict history of the plaintiff's attorney.



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Stated differently, insurance companies try to determine how likely they are to lose to a plaintiff's attorney. If that individual is a highly experienced trial lawyer, the insurance company is much more likely to generously pay to settle the case and avoid the "risk" of trial.



5. Are the firm's attorneys leaders in the personal injury field?

Nowadays, it is easy for consumers to be misled about a law firm's expertise and reputation, because so many personal injury attorneys advertise heavily on television, the yellow pages, and over the Internet. In fact, it seems like anyone with a decent advertising budget can claim expertise in handling personal injury cases.

Therefore, we recommend that you do some research to identify the firms with credibility, a good reputation, and status in the legal community.



6. How will the attorney communicate with you and what kind of relationship will you have?

The relationship you develop with your attorney is critical. It's very important that you feel comfortable working with a specific lawyer. Your lawyer, as your advocate, needs to thoroughly understand your case, and be willing and able to address your particular needs and concerns. Every case is unique and so is every client. Do not feel coerced to hire an attorney who may have a good reputation and experience but is not a good fit for you.

A good personal injury attorney answers a client's questions, which can be numerous. You should feel free to ask the attorney about his/her experience and philosophy, as well as the firm's history and approach. Additionally, you should ask about the meaning of any legal terms you may not understand, such as general damages, pain and suffering and change in the quality of your life due to your injuries. Your lawyer should be able to help you determine how your recreational activities, household tasks, work and family life have been affected by your injuries.

Although it may seem attractive to hire an attorney from a large law firm with multiple lawyers on staff, it's unlikely that you'll get this kind of personal attention. For example, you may initially meet with a more experienced partner, but your case will be handled by a younger, less experienced attorney. Before hiring an attorney, it is important to ask questions about who will handle your case.



7. Has the firm ever sought to recover costs from a client after losing a case?

At Demas Law Group, our attorneys are hired on a contingency fee, meaning you will not pay any legal costs until there is a settlement or a winning verdict at trial. Typically, after your settlement or verdict, your attorney will receive a percentage fee of the total case recovery, in addition to case costs.

If there is no settlement or winning verdict, you won't be charged any legal costs. Period.





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