

NEW MEXICO INJURY ATTORNEY BLOG

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Trucking Accident Investigations Should Begin Immediately

Corporate defendants in personal injury lawsuits can be extremely uncooperative and evasive. After all, payment of claims does not fit within their profit model. In trucking accident cases, the level of obstruction will on occasion rise to the level of outright dishonesty and deceit. This is a problem on a national level and New Mexico is not immune to these abusive practices.

In trucking accident cases, the trucking company and its insurance carrier send in their investigative teams immediately. This would appear to be sound corporate responsibility. They call these their "Go Teams" and their mission is anything but responsible.

The Go Teams consist of investigators, accident reconstructionists and of course insurance defense attorneys. From the very beginning, the Go Teams are focused on defending any possible personal injury lawsuit to come. The entire investigation is geared toward defending the lawsuit. Understanding that the insurance company is leading the charge, this is not surprising. It almost too obvious to say that the first instincts of the insurance companies is to deny liability to avoid their financial responsibility for damages to the public they are charged with protecting.

The Go Team will often neglect to identify or obtain statements from witnesses adverse to their defense. Likewise they will often ignore evidence that does not support their position which instinctively is to deny responsibility for the accident. Instead, they will focus only on those witnesses and evidence that supports their position. These investigations are not about bringing the facts to the surface but about defending the claim.

Trucking accidents generally involved very serious injuries or death to the unfortunate drivers on the other end of the collision. A trucking accident, by virtue of simple physics, are typically far more serious than the run of the mill auto accident. A very high percentage of these accidents involves fatalities. Unfortunately, the severely injured or dead are in no position to conduct an on site investigation of their own at the time of the accident. As a result, it is very important to collect as much information as possible as soon as possible after the accident. This is often left to the family, friend or other loved ones of the injured or deceased victim of the trucking accident.

Due to the unique problems and challenges of trucking accident cases, it is important to get an attorney involved as early as possible. By early, I mean immediately. Evidence and witnesses have a way of disappearing for many

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reasons, some innocent, some not. Make no mistake, the evidence and witnesses not documented by the Go Teams is the evidence most important for a personal injury claim in the trucking accident case.

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