

Settlement lawyer or trial lawyer?

As shocking as it might sound, there are some lawyers who refuse to go to trial. They are simply not willing to do it.

Do not hire a lawyer who is unwilling to go to trial. That is the single most important piece of advice we can give you about hiring a personal injury lawyer. In our opinion, lawyers who are unwilling to go to trial should not be taking personal injury cases.

Here's the deal: insurance companies know who the so-called "settlement lawyers" are. Since they know that a "settlement lawyer" will never go to court, they have nothing to lose by only making low offers. It is our belief that if you want to get the full value of what your case is worth, your lawyer absolutely has to be willing to go to trial.

But beware of the opposite extreme: the "cowboy" lawyer who is overly eager to go to trial. To this end, you should be cautious of those lawyers who advertise that they have been to trial hundreds of times. They might have lots of criminal trial experience without much personal injury trial know-how; they might be poor negotiators who can only get the full value of a case by going to trial; and they might just have too many cases to keep track of.

The point is that how often your lawyer actually goes to trial doesn't matter much. What does matter is that your lawyer is *willing* to go to trial. So long as the insurance company knows your lawyer is willing to go to trial, they will be more likely to make a reasonable offer. Though sometimes that offer does not come until the day of trial.