

## ICBC Personal Injury Claims, Lawyers And Trust

*December 18th, 2008*

I have previously written about [some practical things to consider for people wishing to fire their ICBC Injury Claims Lawyer](#).

Today while stuck at the Kelowna Airport waiting to fly back to Victoria and got to chatting with a fellow traveler who was contemplating firing his accountant. Hearing this and the reasons for it made me think of sharing some further thoughts on the topic of hiring/firing an ICBC Claims Lawyer. And being stuck in an airport I have plenty of time to do so!

Trust. Trust is the most important factor in having a successful relationship with your ICBC Injury Claims Lawyer. Trial experience, past settlement results, experience with your type of case, whether your lawyer sometimes acts for ICBC, [whether your lawyer signed the SAA](#) are all very important factors to consider when hiring an ICBC Injury Claims Lawyer but nothing can undo a relationship between a lawyer and client faster than lack of trust.

Your ICBC Injury Claims Lawyer will have to give you advice on many topic most importantly, advice on what a fair range of settlement is. If you don't trust that your lawyer is taking your claim seriously and don't trust his/her advice it will be difficult if not impossible to make an informed decision regarding whether to settle your ICBC injury claim or proceed to trial.

Settlement offers are made in almost all ICBC personal injury claims. Your lawyer's job is to give you advice on the merits of any offer and to offer a 'risk assessment' about the potential benefits and pitfalls of trial. You must trust that your ICBC Injury Lawyer is giving you good advice otherwise you risk making a poor decision. If you don't trust your lawyer your decision-making ability will be compromised and this can lead to very unfair results. For example you may take a settlement offer that your lawyer says is unfair because you don't trust his/her judgment or on the other hand you could proceed to trial, lose and face significant 'costs' consequences after failing to heed advice that an ICBC settlement offer is fair and should be seriously considered.

Trust goes to the heart of a lawyer/client relationship and if this is missing then a claim may be compromised. So what can be done? If there is a lack of trust the first and most important thing you should do is communicate this to your lawyer. Try to work through the problem. Make your lawyer make time for you. Most ICBC Injury Claims Lawyers work on a contingency basis meaning they don't bill you for every phone call, e-mail or meeting. Make time to sit down and speak with your lawyer and work through any perceived problems. This will likely cost you nothing and can go a long way to building up a mutual trust which will help your lawyer get a good result for you.

If, after all reasonable efforts, you still can't build a level of trust in your lawyer you will need to seriously consider retaining new counsel.

The bottom line is this: If you run into problems in your legal relationship you should talk to your lawyer. He/she works for you and you are entitled to have all of your questions answered. Put effort into working things through. If things can't be worked out consider moving on. You don't want to second guess yourself when you decide if and how you resolve your ICBC Personal Injury Claim.