

RECOMMENDATIONS FOR BLET MEMBERS WHEN SELECTING A PERSONAL INJURY LAWYER

BLET members who are injured on the job possess valuable rights under the Federal Employers' Liability Act (FELA). There are many competent personal injury lawyers who can assist you in protecting those rights and recovering damages from your railroad employer to compensate you for the harm such injuries cause you. The BLET recommends that you contact a lawyer who is a member of the Academy of Rail Labor Attorneys (ARLA), a group of personal injury lawyers who specialize in representing injured railroad workers in FELA cases. Here is a list of questions to assist you in deciding which lawyer can best represent your interests:

- Does the attorney have an established record of successful litigation experience?
- How many FELA cases has the attorney tried before jury?
- What is the attorney's success record at trial?
- Has the attorney tried cases involving the same injury you have suffered?
- Has the attorney tried cases against the same railroad?
- Will the attorney provide you with the names of other railroad employees he/she has represented so that you can ask them about their experiences with the attorney before you decide whom to retain?
- Does the attorney maintain current malpractice insurance in the amount of at least \$1,000,000 per occurrence?
- Does the attorney maintain membership in good standing in the bar of the state in which he or she practices law?
- Has the attorney been suspended or disbarred from the practice of law in any state?
- Will the attorney give injured members free advice in connection with their injury, and render assistance to them in related matters (RUIA, etc.)?
- Will the attorney agree not charge to you more than 25% of the gross settlement or award, or 33 1/3% of the net settlement or award?
- Are the costs you will be charged reasonable and incurred as a direct result of representing you?
- Will you have to pay for those costs during the prosecution of your case or will they be taken out of any settlement or verdict at the end of the case?
- Will you be given, in written form, a full accounting and breakdown of all expenses incurred, fees charged, or any other expenditures or deductions from the proceeds of any settlement or verdict?

- Will you have to pay anything if you lose?
- How will the attorney conduct the investigation and prosecution of your case?
- Will the attorney personally represent you or will he/she refer your case to another attorney for handling? If the latter, will the attorney you retain keep control of the case and remain fully responsible and accountable to you? Will you have the right to meet with and approve the other attorney?
- Does the attorney take an active part in matters of concern to railroad employees and the rail industry, including supporting the legislative programs of the BLET?

You certainly will have other questions that you consider relevant. Do not limit yourself to these. Don't be pressured into making a decision. Only retain an attorney whom you feel fully comfortable is the one who will best represent your interests in a manner which you consider acceptable.

BLET members should be aware that all attorneys are prohibited from engaging, either directly or indirectly, in Union politics at any level of the BLET (the National Division, the General Committees of Adjustment, the Local Divisions, and the National and State Legislative Boards). They may not contribute financially to the campaign of any candidate for union office, promote or otherwise seek support for or against a candidate, nor in any way attempt to influence any Union election or vote on any Union issue.

No BLET officer or employee at any level of the Union is permitted to accept from any attorney any permissible gratuity, payment or gift of any more than \$250 in the aggregate during any calendar year. ("Gratuity, payment or gift" includes both money, tangible items, and services of any kind.) Further, no BLET officer or employee, at any level of the Union, is allowed to accept (a) any gratuity, payment or gift of any amount from any lawyer for the purpose of obtaining representation of an injured member or (b) any portion of any attorney's fee earned in connection with representing any BLET member.