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HOW TO CHOOSE THE RIGHT LAWYER

Choosing an attorney for a legal matters is never easy. It can be particularly difficult to find the right lawyer in personal injury cases. The ads from the advertising lawyers are everywhere. There are also lawyers who do not even handle personal injury cases that advertise that they do because they think the cases are easy and they can make a quick buck on them. Worst of all, some lawyers try to actively solicit injury victims.

When trying to find a personal injury attorney, there are some lawyers that you should always avoid. Before we discuss the steps to take to find the right lawyer, here are five types of lawyers to avoid for your personal injury case.

A nighttime photograph of a city skyline with several tall skyscrapers illuminated against a dark blue sky. The buildings have various light patterns, including solid colors and dynamic displays. In the foreground, there are blurred light trails from traffic on a road.

1. The Settlement Mill Lawyer

What is a settlement mill? Generally speaking, a settlement mill is a personal injury law firm that handles a very high volume of cases and focuses on mass producing settlements. These law firms almost always advertise on TV, billboards, and the radio. With potential clients increasingly using the Internet to find lawyers, they also generally advertise heavily online.

There are a number of problems with settlement mill law firms. In “Run-of-the-Mill Justice,” an article appearing in the Georgetown Journal of Legal Ethics, Stanford University Law Professor Nora Freeman Engstrom analyzed many of the characteristics of settlement mill law firms and the problems they create. As personal injury lawyers in Atlanta, Georgia, where a number of settlement mill law firms are located, we have seen first hand many of the negative consequences that the clients of these law firms experience.

The problems with settlement mill law firms are numerous. Here are just a few—

First, settlement mill lawyers have a large number of clients—like a really large number. I am not talking like dozens; I am talking hundreds. Even on the low end, some settlement mill lawyers may be handling close to 200 cases. Some handle many more. This prevents these lawyers from giving proper attention to their cases and clients. Their clients frequently complain that their lawyers do not return their calls, and they seldom have attorney contact.

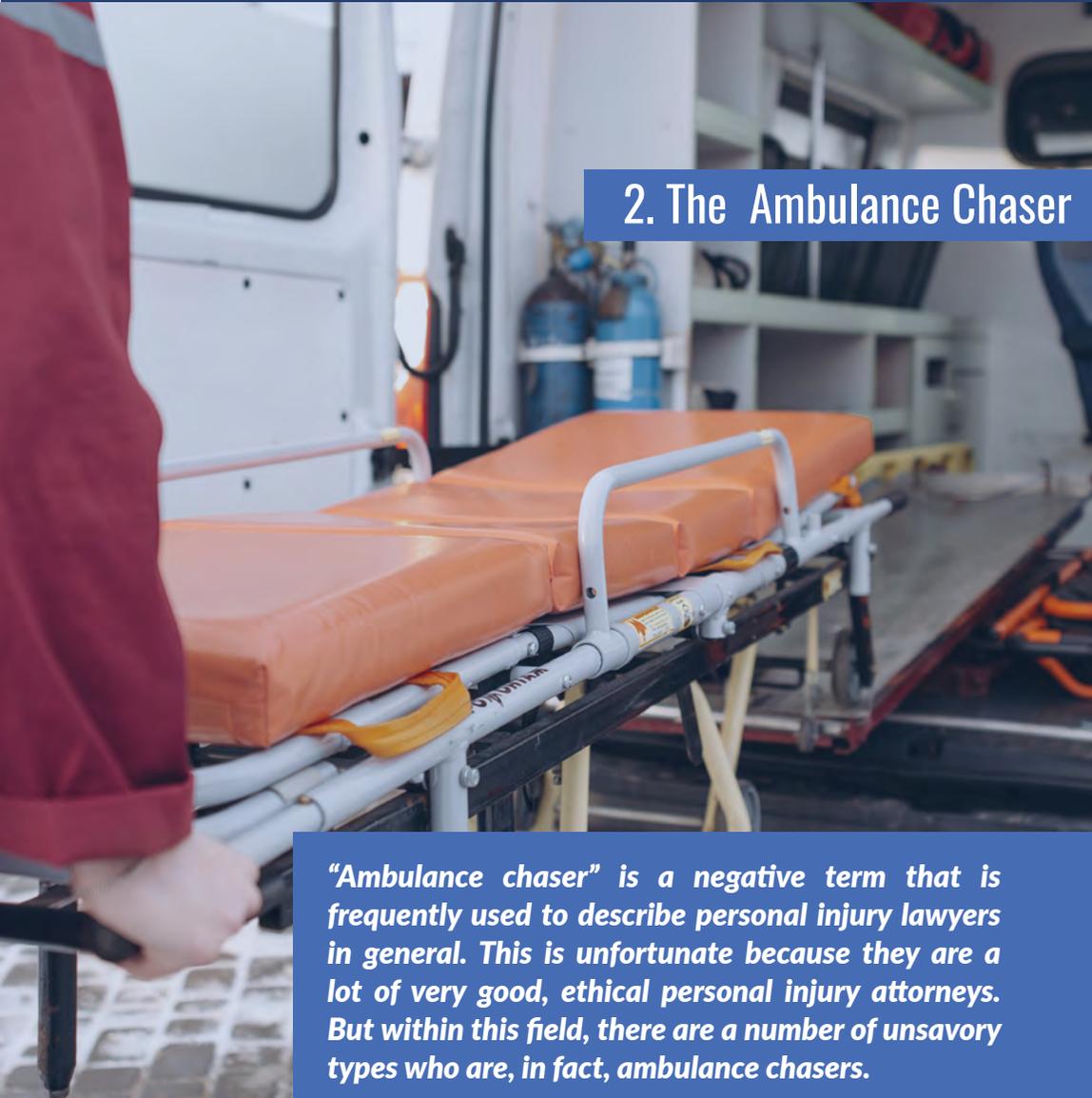
A second and related problem is that clients deal with non-attorney staff far more than they deal with an actual attorney, if they ever interact with an attorney at all. It can even be hard to speak with those staff members because of the high volume of cases they handle. While all law firms utilize staff to perform different tasks, settlement mill law firms rely on them heavily. At The Champion Firm, we believe that people who are injured need the personal attention of an attorney, not a case manager or a paralegal. After all, clients hire lawyers, not case managers.

Third, settlement mill lawyers do not prepare cases for trial. They try to turn the case over quickly because quick and efficient settlements are essential to their business models. If they were investing considerable time and money in their cases then their business model would not work.

Fourth, because of their high case load and the fact that they try to settle cases quickly, cases are frequently settled for less than they are worth. Sure, there are times when a settlement mill may get an ok result for a client. But even the most minimally competent lawyer can get \$100,000 on a \$500,000 case, or \$1,000,000 on a \$2,000,000 case.

Settlement mill lawyers frequently under settle cases and fail to get their clients full value for their cases. This is obviously a huge problem because the clients are worse off.

In short, the client experience and the case results at settlement mill law firms are frequently very bad. Those types of law firms are simply in the business to make money, and they look at clients as case numbers, not real people with real problems. If you are injured, why would you want to be treated like a number and not be able to deal with a real lawyer?

A person wearing a red uniform is pushing a stretcher with orange padding inside an ambulance. The stretcher is positioned on a metal track. In the background, there are blue oxygen tanks and other medical equipment. The scene is brightly lit, suggesting an indoor setting like an ambulance.

2. The Ambulance Chaser

“Ambulance chaser” is a negative term that is frequently used to describe personal injury lawyers in general. This is unfortunate because they are a lot of very good, ethical personal injury attorneys. But within this field, there are a number of unsavory types who are, in fact, ambulance chasers.

So what is an ambulance chaser?

This is a lawyer who on their own, or through another person, tries to solicit a personal injury victim. This is frequently done through the use of “runners.” Runners may show up at accident scenes or hospitals and give the victim the attorney’s information. The runner then gets paid by the lawyer. Runners may also have a contact at a hospital or police department who gives them the contact information for recent car accident victims. The runner tries to solicit the client on behalf of the lawyer, and again, is paid if the attorney is hired. Sometimes the lawyers bypass runners all together and do the soliciting themselves.

Why is this bad? For starters, it is illegal. Under O.C.G.A. § 33-24-53, it is illegal to solicit a personal injury victim in exchange for a financial benefit from an attorney or healthcare provider. The first offense is a misdemeanor; the second is a felony. It is also unethical. The Georgia Rules of Professional Conduct prohibit attorneys from paying someone to refer a client. They also have strict prohibitions against attorneys soliciting personal injury victims.

Despite this being illegal, and unethical, attorneys using runners or actively soliciting personal injury clients themselves are more common than you may think. The law and ethical

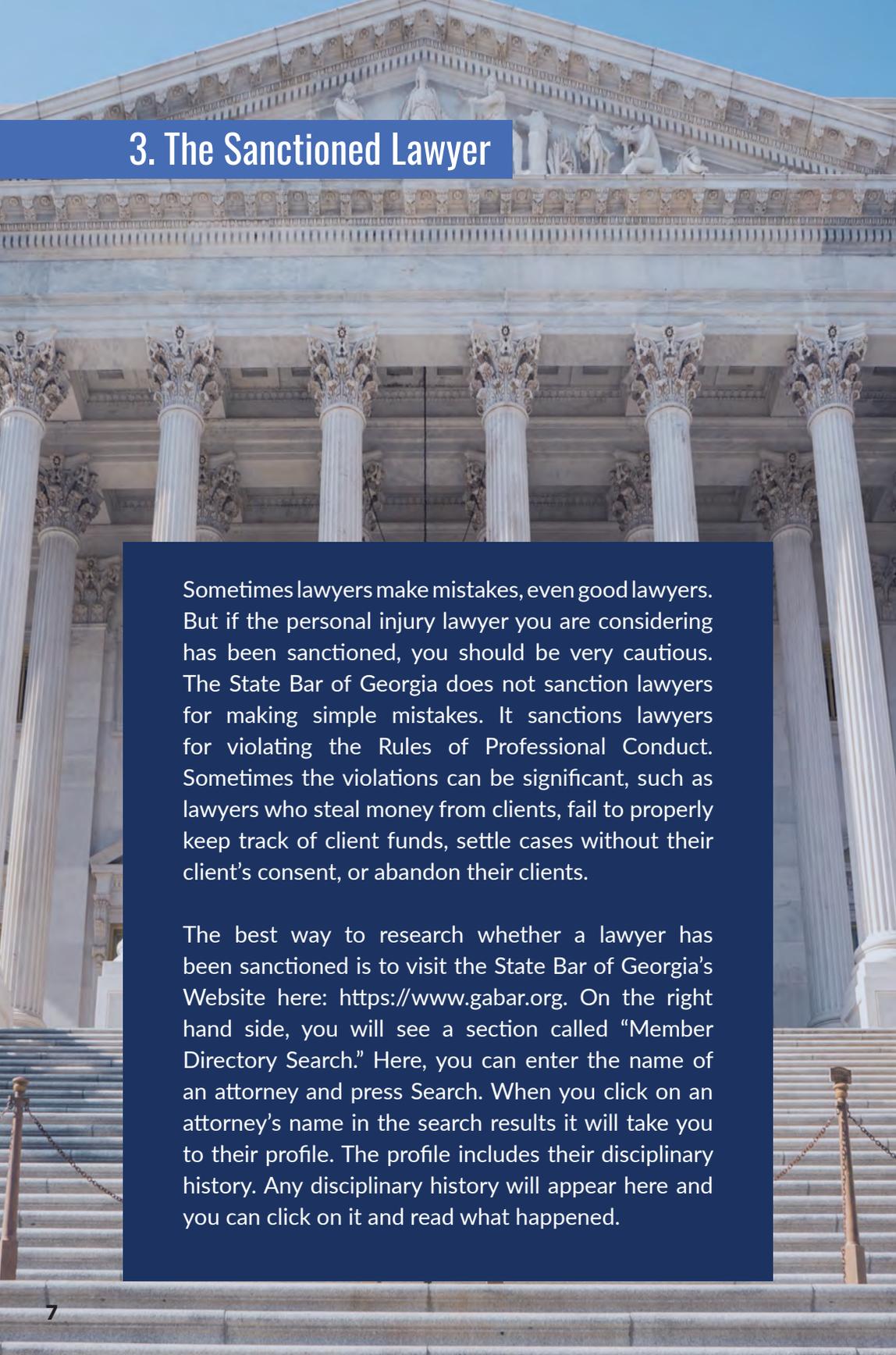


rules can be hard to enforce. The State Bar of Georgia also does not seem to take a particularly active role in investigating reports of runners and improper solicitations. Although the rules seem to be rarely enforced, in 2011, two Georgia lawyers—Thomas Sinowski and Steven

F r e e d m a n — w e r e disbarred for using runners. The Supreme Court of Georgia opinion disbaring these lawyers provides a glance into this shady underworld. There was evidence that, between 1995 and 1999, these lawyers paid 54 runners a total of \$399,733 to obtain 2,441 cases! This is a staggering number, especially over only four years.

The reason why you need to avoid using an ambulance chaser should be obvious. For one, why would you want an attorney who is willing to resort to illegal tactics to get a client? What does that tell you about that lawyer's ethical standards and morals? Second, not only is their willingness to do it troubling, but the fact they have to do it to get clients says a lot about their quality as lawyers. Good lawyers do not need to break the rules to get clients. Bad ones do. Hire a good one.





3. The Sanctioned Lawyer

Sometimes lawyers make mistakes, even good lawyers. But if the personal injury lawyer you are considering has been sanctioned, you should be very cautious. The State Bar of Georgia does not sanction lawyers for making simple mistakes. It sanctions lawyers for violating the Rules of Professional Conduct. Sometimes the violations can be significant, such as lawyers who steal money from clients, fail to properly keep track of client funds, settle cases without their client's consent, or abandon their clients.

The best way to research whether a lawyer has been sanctioned is to visit the State Bar of Georgia's Website here: <https://www.gabar.org>. On the right hand side, you will see a section called "Member Directory Search." Here, you can enter the name of an attorney and press Search. When you click on an attorney's name in the search results it will take you to their profile. The profile includes their disciplinary history. Any disciplinary history will appear here and you can click on it and read what happened.



4. The Jack of All Trades, Master of None

A Jack of All Trades, Master of None lawyer is an attorney who handles cases in a number of different practice areas. This type of lawyer is not someone who specializes in one area. These types of lawyers are easy to spot. On their website or other advertising materials, they include a laundry list of practice areas. For example, this type of lawyer may advertise criminal defense, family law, personal injury, will and estates, and real estate closings. Here is an example from an actual website:

Practice Areas

- Tax Returns and Taxation law
- Works Compensation
- Adoption Law
- Appellate Practice
- Construction Law
- Debtor and Creditor
- Wills, Trusts , Estate Planning
- Probate & Estate Administration
- Commercial Law
- Corporate Law
- Family Law
- Municipal Law
- Real Estate
- Trial Law
- Zoning, Planning, Land Use
- Agricultural Law
- Collections law
- Contracts
- Elder Law
- Litigation
- Business Law
- Insurance
- Personal Injury

If you are looking for a personal injury attorney and their practice area list looks anything remotely close to this, run the other direction.

Granted, in some smaller cities, it is impossible to find lawyers who specialize because the lawyers have to be generalists out of economic necessity.

Even so, it is almost always better to search to see if you can find an attorney close by who specializes in your specific problem, and personal injury cases are no different. If you needed brain surgery, you would want a brain surgeon operating on you, not a doctor who does shoulders and knees. Likewise, in a personal injury case, hire a personal injury attorney, not a generalist.

At The Champion Firm, we only handle personal injury cases. We do not try to be everything to everybody.

A close-up photograph of a person's hand holding a blank white rectangular card. The person is wearing a dark suit jacket over a light-colored shirt. The background is dark and out of focus.

5. The Dabbler

The Dabbler is an attorney who “dabbles” in personal injury cases. This is a close cousin to the Jack of All Trades lawyer, but they are not one in the same. Whereas the Jack of All Trades type has a lot of different practice areas, the Dabbler may appear to be a specialist because he or she only lists a couple of practice areas. The Dabbler generally specializes in a field unrelated to personal injury, such as criminal law, family law, or wills and estates, or maybe even insurance defense. But if the right plaintiff’s case comes along, they will take it.

Dabblers will never admit it, but they generally do not know what they are doing in a personal injury case. They lack the experience necessary to achieve the best result because they do not handle these cases with enough frequency to gain an appropriate level of expertise. Because they do not know any better and they think the case will be easy money, Dabblers are prone to taking cases and just expecting money to fall from the sky. They are also more likely to make mistakes that can harm the case because they just do not know any better.

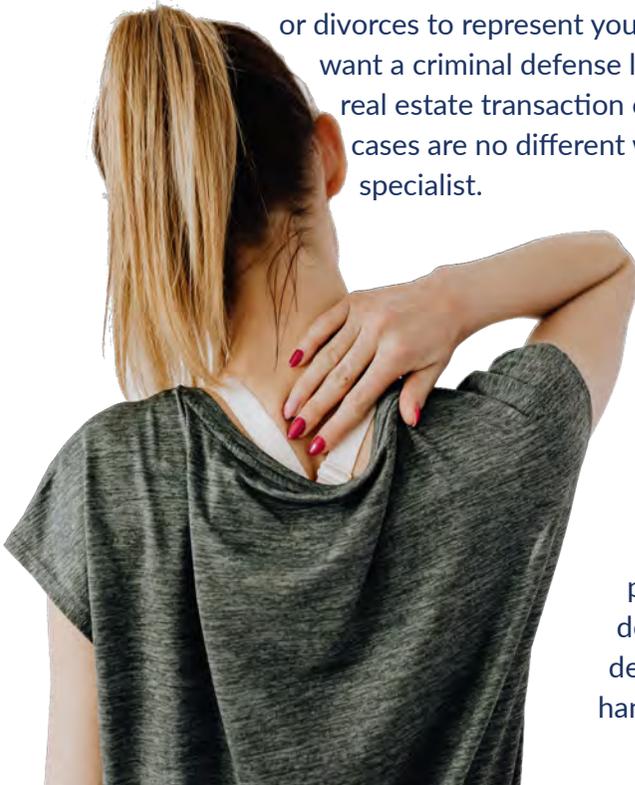
Unfortunately, there are a lot of Dabblers. Personal injury cases can be lucrative, and for some reason, a lot of lawyers think that personal injury cases are easy. That is why you

will see lawyers from all sorts of practice areas advertising on Google trying to land the big fish personal injury case. You almost never see personal injury specialists advertising for criminal law or family law cases, but you can find a large number of criminal defense attorneys, divorce attorneys, or wills and estates lawyers advertising for personal injury. Handling a personal injury case the right way is not easy. It requires experience, time, and effort to get the best possible result. Someone who does not have the proper knowledge and experience handling personal injury cases will not get you the best possible result.

By now you may be thinking this all sounds great, but how do I find the right lawyer for my case then? Here are some tips that we like to share with people.

First, you should absolutely, positively, no questions asked look for a lawyer who specializes in personal injury cases. If you were charged with a crime, you wouldn't want to hire a lawyer who specializes in real estate or divorces to represent you. Likewise, you wouldn't want a criminal defense lawyer to represent you in a real estate transaction or a divorce. Personal injury cases are no different when it comes to needing a specialist.

An attorney who specializes in injury cases is likely going to have a better understanding of how to properly handle your case and will get you a better result. I specialize in personal injury and wrongful death cases, and I have an in-depth understanding of how to handle these types of cases.



As a result, I refer cases to specialists in other areas of law when someone calls me about a problem that is outside my area of expertise.

Second, ask for recommendations from people you know and trust, like family members and close friends. But you should never take a recommendation blindly. Do your own research. In this age where everything is on the Internet, you can easily do your own research online. Check out the lawyer's website. Read their reviews. Read the lawyer's biography. Get an understanding of who it is you are being referred to for your case.



Third, ask any lawyers you are considering if they have handled a case like yours before. A personal injury attorney who only has experience with car wrecks may not be the best qualified to handle a case involving a defective product or medical malpractice. Some personal injury lawyers have a narrow focus and do not understand how to handle a variety of different cases. The last thing you need is a lawyer who takes your case and doesn't know what they are doing.

Fourth, what kinds of results has the lawyer obtained? Results are not only a good indication of whether a lawyer has been successful, but they can also be a good indication of the types of cases a lawyer has handled. A lawyer who can only claim small results either has not handled big cases or has not been successful doing so. If you have a significant case with large damages, you should hire a lawyer who has a track record of obtaining large results.

Fifth, will the lawyer be responsive and return your calls, emails, or text messages? One of the most frequent complaints that clients have is that their lawyers don't return their calls. Try your best to find out if the lawyer will return your calls because



good communication between the lawyer and client is vital to the success of your case. While we are on the subject of returning calls, a word of caution is in order about the personal injury firms that advertise a lot on the radio and TV. Many of those firms utilize paralegals and legal assistants to handle many aspects of their clients' cases. The end result is that the case does not get a lot of attention from a lawyer. This means that when you call the law firm, you will likely have a difficult time actually speaking to a real lawyer, or if you do speak to one he or she will not be as familiar with your case.

Last but not least, the biggest factor of all is whether you are comfortable entrusting the

lawyer with your case. Talk to the lawyer and meet with them. If you get a bad feeling, or if you simply do not feel comfortable with the lawyer, find someone else. Your case is very important. You should make sure that you have trust and confidence in the lawyer who is going to be responsible for handling something that is so important.

Darl H. Champion Jr.

Attorney Darl Champion is a dedicated trial lawyer who is passionate about fighting for his clients to ensure that they are fully compensated when they are harmed by someone else's negligence. His philosophy is to provide client-centered representation that is aggressive and thorough so that the client can get the best possible result.

In just the last few years alone, he has helped obtain over \$65 million in recoveries for his clients in Atlanta and throughout the state of Georgia – including a \$10.2 Million settlement in 2020. In recognition of his success, the National Trial Lawyers organization has consistently selected Darl as a Top 100 Trial Lawyer in Georgia, and as a Top 40 Under 40. In addition, in each of the last ten years, Georgia Super Lawyers has recognized him as a Rising Star, an honor given to the top 2.5% of Georgia lawyers under age 40 or those in practice for ten years or less.

Originally from North Carolina, Darl graduated summa cum laude from Methodist University in Fayetteville, North Carolina with a Bachelor of Arts degree in Political Science. He then attended Mercer University's Walter F. George School of Law in Macon, Georgia. After obtaining his law degree magna cum laude, he was honored to serve in a highly coveted federal judicial clerkship with the Honorable Hugh Lawson in the Middle District of Georgia.

Darl presently lives in Smyrna with his wife Julia and their two children, Elizabeth and Daniel. When he's not practicing law, he enjoys spending time with his family and friends, reading, traveling, watching sports, and volunteering in the community.

If you or someone you know has been injured as a result of someone else's negligence, we can help. Reach out to The Champion Firm as soon as possible for a free case consultation. Our team offers top-rated client care and delivers exceptional results for motor vehicle accidents, medical malpractice, wrongful death and premises liability cases all over the Metro Atlanta area from our main office in Marietta, GA.

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