



SERIOUSLY INJURED? *Tips for Selecting a Lawyer*

As you know, spinal cord injury (SCI) is a chronic, lifelong disability that can have a profound impact on the health and well-being of individuals. By **Peter Athanasopoulos**, Manager, Public Policy & Government Relations

An SCI carries a tremendous economic cost; a cost shared among provincial governments, individuals, and private insurers across Canada. Roughly 33,000 Ontarians live with a permanent SCI, with close to 600 people sustaining new injuries every year. Advances in treatment and technology enable people with severe disabilities to live in communities rather than institutions. People with SCI live longer, more independent lives when they have access to the right treatment, rehabilitation, primary care, assistive technology and community and social supports.

All of us who have sustained an SCI know that extensive support is required initially from a variety of people and disciplines, often including expert legal representation.

So, how does one determine whether a particular lawyer possesses the skill, wherewithal and expertise to successfully represent a complex case involving someone with a spinal cord injury case?

Well, this can be a multi-million dollar question!

This question was put forth to the Personal Injury Alliance (PIA). Notably, the PIA consists of three of Canada's top-ranked personal injury law firms. According to the PIA website, these three firms have formed an alliance, centered on one common goal: To provide unparalleled legal representation to those people who need it.

In speaking with lawyers from each of the three PIA firms, the consistent message was that

people with serious injuries and their families need to "do their homework" before engaging a lawyer. More specifically, there are a number of peer reviewed publications and accreditations that may distinguish the expertise of one personal injury lawyer from another.

Dale Orlando of McLeish Orlando LLP, noted that the Law Society of Upper Canada (LSUC) identifies a select group of lawyers as "Certified Specialists" in the area of civil litigation. In order to become a certified specialist you must meet the following criteria:

- Practice Law for a minimum of 7 years
- Practice in your specialty for at least 5 years
- Must provide a comprehensive professional development report
- Must provide 4 peer references
- Be Approved by council and the board of LSUC

Roger Oatley of Oatley, Vigmond LLP added that the Canadian Legal Lexpert Directory is a useful resource, given that it is a peer review (lawyers ranking other lawyers) that specifically establishes a list of personal injury lawyers who are known to excel in the personal injury litigation field of law. You can visit www.lexpert.ca to view the directory.

Sloan Mandel of Thomson, Rogers remarked that, like the Lexpert Directory, the Best Lawyers listings are also based on an exhaustive and rigorous peer review survey, premised upon confidential evaluations by other top lawyers. You can

visit this online resource at bestlawyers.com

Quite apart from this readily available information, all three lawyers stressed the importance of hiring a firm with a "time-tested history of results" as well as the financial wherewithal to support the hiring of medical and economic experts to do battle at trial, if necessary. They caution that, "Some cases may require a trial." It follows that if you are going to hire a personal injury lawyer to prosecute a claim involving a spinal cord injury, then it would be wise to specifically ask the lawyers you are considering represent you, about their trial experience and available resources.

Finally, after satisfying yourself that the lawyer you wish to hire has sufficient credentials, is experienced and resourced, make sure that he or she is an appropriate "fit" for you and your family. Personal injury claims can take years to complete. As such, it is advantageous to be confident that your lawyer will represent your claim not only with expertise, but also with compassion and dedication.

Many Ontario law firms provide resources online on how to choose a lawyer. A good example can be found at: <http://www.pialaw.ca/resources/how-to-choose-a-lawyer> ●

SCI Ontario adheres to the principle of non-endorsement. It does not endorse any specific product or service that may be of benefit for use by individuals living with an SCI.