



CHECKLIST FOR TRANSPORTATION ACCIDENT INVESTIGATIONS

The Harmonie Group has asked its member firms and their respective transportation practice attorneys to assist in putting together this CHECKLIST FOR TRANSPORTATION ACCIDENT INVESTIGATIONS.

This checklist is provided to illustrate possible action items you may wish to review in the course of investigating and handling your particular accident, case, or event. As all states vary, and since each individual accident is different, there is no correct or complete list of investigation steps that will be appropriate for all situations. However, these specific steps are matters you should consider as possibly being necessary or required in your particular situation after carefully weighing the facts, and the legal issues, and after consulting with an experienced attorney. As always, Harmonie member firm attorneys are prepared to discuss with you the individual items listed to determine if there is applicability to your specific case. In certain cases, other steps may be required depending on the circumstances.

The Harmonie Group does not practice law, and this summary checklist should not be construed as a recommendation or a list of required steps in any particular case. It is provided as an illustration of possible matters that only you, with competent legal advice and consideration of the variables involved, can determine are necessary in your specific case.

ACCIDENT RESPONSE CHECKLIST

I. PROVIDE FIRM TRUCKING ATTORNEYS WITH CONTACT INFORMATION

- a. Assemble and complete a listing of all firm attorneys that will be involved in your case including office phone numbers, cell numbers, and home numbers.
- b. Assemble and complete a listing of all attorneys from your company that will be involved and exchange lists with the firm involved.

II. PROVIDE ACCIDENT RECONSTRUCTIONIST WITH CONTACT INFORMATION

- a. Assemble and complete a listing of one or more accident reconstructionists that may be used including office phone numbers, cell numbers, and home numbers. If you do not have one, your Harmonie firm may be able to suggest one.

III. PROVIDE CRIMINAL DEFENSE ATTORNEY WITH CONTACT INFORMATION

- a. Assemble and complete a listing of one or more criminal attorneys that may be required in the case including office phone numbers, cell numbers, and home numbers. If you do not have one, your Harmonie firm may be able to suggest one.

IV. PHOTOGRAPHERS

- a. Assemble and complete a listing of photographers that will be involved in the case including office phone numbers, cell numbers, and home numbers. If you do not have one, your Harmonie firm may be able to suggest one.
- b. Consider the need of the following:
 - i. Aerial photography
 - ii. Video photography
 - iii. Still photography

V. ADJUSTER/CLAIMS REPRESENTATIVE

- a. Do you have a preference on the use of an adjuster? If you do not have one, your Harmonie firm may be able to suggest one.
- b. Assemble and complete a listing of the adjusters that will be involved in the case including office phone numbers, cell numbers, and home numbers, and exchange with your Harmonie firm.

VI. CHAIN OF COMMAND

- a. Establish and communicate a chain of command regarding the investigation.

VII. CONTROL OF INVESTIGATION AND POSSIBLE ACTION STEPS, DETERMINE WHO WILL CONDUCT EACH STEP, CONSIDER THE ATTORNEY CLIENT PRIVILEGE AND HOW IT MAY APPLY

- a. Identify and interview all witnesses
- b. Identify and interview all police on the scene and obtain available accident reports
- c. Identify and interview all emergency medical personnel at scene and obtain available reports
- d. Interview, control and protect driver
- e. Interview, control and protect all ECM/black box/computers
- f. Photograph and/or control debris field
- g. Photograph and/or control roadway surface
- h. Photograph and control vehicles
- i. I.D. and control all driver records, including logs, fuel receipts, toll receipts, trip envelopes and other travel documents
- j. Photograph all vehicles and accident scene
- k. Aerial photograph of scene
- l. Drug and Alcohol Testing
 - i. Mandatory requirements
 - ii. Client policy
 - iii. Manage process

- m. Identify all involved towing, storage and/or repair facilities
- n. Make plans with the client to secure cargo if necessary
- o. Ascertain if there are any environmental or hazardous materials issues/spills
 - i. Governmental notifications
 - ii. Containment, remediation and clean up

VIII. MEDIA RESPONSE ISSUES

- a. Communicate company policy on media relations to all involved. Provide contact information to all involved on your public relations professional for referral and comment to the press.
- b. Identify all media representatives at scene (consider who will do this)

IX. ON SCENE RESPONSE EQUIPMENT AND SUPPLIES FOR RESPONDERS TO THE SCENE, IDENTIFY WHO WILL BE RESPONSIBLE

- a. Draft witness forms
- b. Disposable camera
- c. Dictaphone
- d. Business cards
- e. Coveralls, boots, hard hat & gloves
- f. Small umbrella
- g. Evidence log
- h. Reflective safety vest
- i. Tape measure (100' or longer is preferable)

X. TRAINING

- a. Review and provide checklist to all company professionals involved. Consider, add, delete as you determine appropriate.
- b. Consider which law firm in the area will be utilized. Stress importance of availability and response of attorneys. Harmonie firm attorneys may be reached by calling the 24 hour hotline: 1-877-247-3659.
- c. Consider notifying your law firm to research rights and obligations of driver with respect to police questions and interviews. Consider notifying your law firm to research other laws that may be applicable in the event of an accident within each respective jurisdiction.

The Harmonie Group provides a 24-hour emergency/accident response directory of transportation attorneys through its 24-hour hotline: 1-877-247-3659. The firms in the group may have relationships and be able to make suggestions on accident reconstructionists, adjusters, photographers, criminal defense attorneys, lab testing facilities, and many more resources.

INTERNATIONAL LEGAL ASSISTANCE

This checklist is geared toward the legal needs for transportation litigation in the United States; however, The Harmonie Group has an international member with offices in the UK, Spain and Mexico. Should you need legal advice in any of these countries, you may contact the law firm of Davies Arnold Cooper at +44 020 7936 2222.



The Harmonie Group also provides access to legal services across Canada through its affiliation with the Canadian Litigation Counsel. For CLC firms located throughout Canada, visit www.clnow.com or call (866) 252-5515.

For more information on The Harmonie Group, go to www.harmonie.org or contact:

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The Harmonie Group provides INTERNATIONAL ACCESS TO EXCELLENCE. The defense firms in our network handle complex and difficult high-stakes litigation for corporations, third party administrators and insurance companies. The process of looking for counsel can be time-consuming, uncertain and difficult. Harmonie is a by-invitation-only network where the firms are subjected to a rigorous review process to meet our standards, ethics and values before they are invited to join. The Harmonie Group is pleased to provide online access to our INTERNATIONAL DIRECTORY on our website at www.harmonie.org.

THE GENERAL PHONE NUMBERS OF THE HARMONIE GROUP MEMBER FIRMS (BELOW) SHOULD BE USED DURING LOCAL NORMAL BUSINESS HOURS. HARMONIE FIRM MEMBERS MAY BE REACHED AFTER HOURS BY CALLING THE 24 HOUR HOTLINE: 1-877-247-3659.

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| ALABAMA NORMAN, WOOD, KENDRICK & TURNER (205) 328-6643 | SPILE, SIEGAL, LEFF & GOOR, LLP (Los Angeles) (818) 784-6899 | FISHER, RUSHMER, WERREN RATH, DICKSON, TALLEY & DUNLAP, P.A. (Orlando) (407) 843-2111 | ILLINOIS PITZER SNODGRASS, P.C. (Southern Illinois) (314) 421-5545 | LOUISIANA COOK, YANCEY, KING & GALLOWAY, APLC (Shreveport) (318) 221-6277 |
| ALASKA DeLISIO MORAN GERAGHTY & ZOBEL, P.C. (907) 279-9574 | COLORADO COOPER & CLOUGH PC (303) 607-0077 | GUILDAY, TUCKER, SCHWARTZ & SIMPSON, P.A. (Tallahassee) (850) 224-7091 | SANCHEZ DANIELS & HOFFMAN LLP (Chicago) (312) 641-1555 | SUTTERFIELD & WEBB, L.L.C. (New Orleans) (504) 598-2715 |
| ARIZONA THE CAVANAGH LAW FIRM, P.A. (602) 322-4000 | CONNECTICUT RYAN RYAN DELUCA LLP (203) 357-9200 | KELLER LANDSBERG PA (Miami/Fort Lauderdale) (954) 761-3550 | INDIANA KIGHTLINGER & GRAY, LLP (317) 638-4521 | MAINE CAMPBELL CAMPBELL EDWARDS & CONROY, P.C. (207) 780-1190 |
| ARKANSAS BARBER, McCASKILL, JONES & HALE, P.A. (501) 372-6175 | DELAWARE SMITH, KATZENSTEIN & JENKINS LLP (302) 652-8400 | GEORGIA DREW, ECKL & FARNHAM, LLP (404) 885-1400 | IOWA AHLERS & COONEY, P.C. (515) 243-7611 | SULLOWAY & HOLLIS, PLLC (207) 253-5141 |
| CALIFORNIA BURNHAM BROWN (San Francisco/Oakland) (510) 444-6800 | DISTRICT OF COLUMBIA <i>Please see the listings for MD and VA.</i> | HAWAII YAMAMURA & SHIMAZU (808) 523-6969 | KANSAS WALLACE, SAUNDERS, AUSTIN, BROWN & ENOCHS, CHARTERED (913) 888-1000 | MARYLAND HODES, PESSIN & KATZ, P.A. (410) 938-8800 |
| MANNING & KASS, ELLROD, RAMIREZ, TRESTER, LLP (Los Angeles) (213) 624-6900 | FLORIDA BRAFF & WOULFE P.A. (Miami/Fort Lauderdale) (954) 761-8600 | IDAHO HALL, FARLEY, OBERRECHT & BLANTON, P.A. (208) 395-8500 | KENTUCKY STITES & HARBISON, PLLC (502) 587-3400 | WRIGHT, CONSTABLE & SKEEN, L.L.P. (410) 659-1300 |
| MICHIGAN GARAN LUCOW MILLER P.C. (248) 641-7600 | NEVADA OLSON, CANNON, GORMLEY & DESRUISSEAU, P.C. (702) 384-4012 | PAUL FRANK + COLLINS P.C. (Upstate NE NY) (802) 658-2311 | ILLINOIS ZIMMER KUNZ, PLLC (Pittsburgh) (412) 281-8000 | UTAH SNOW, CHRISTENSEN & MARTINEAU (800) 748-4313 |
| MINNESOTA MEAGHER & GEER, P.L.L.P. (612) 338-0661 | NEW HAMPSHIRE SULLOWAY & HOLLIS, PLLC (603) 224-2341 | NORTH CAROLINA CRANFILL, SUMNER & HARTZOG LLP (919) 828-5100 | RHODE ISLAND CAMPBELL CAMPBELL EDWARDS & CONROY, P.C. (401) 421-5123 | VERMONT PAUL FRANK + COLLINS P.C. (802) 658-2311 |
| MISSISSIPPI BUTLER, SNOW, O'MARA, STEVENS & CANNADA, PLLC (601) 948-5711 | NEW JERSEY BRAFF, HARRIS & SUKONECK (Livingston) (973) 994-6677 | NORTH DAKOTA MEAGHER & GEER, P.L.L.P. (612) 347-9196 | SOUTH CAROLINA RICHARDSON, PLOWDEN & ROBINSON, P.A. (803) 771-4400 | VIRGINIA HARMAN, CLAYTOR, CORRIGAN & WELLMAN, P.C. (804) 747-5200 |
| MISSOURI PITZER SNODGRASS, P.C. (St. Louis) (314) 421-5545 | MARGOLIS EDELSTEIN (Mount Laurel) (856) 727-6000 | OHIO REMINGER CO., L.P.A. (216) 687-1311 | SOUTH DAKOTA GUNDERSON, PALMER, NELSON & ASHMORE, LLP (605) 342-1078 | WASHINGTON BETTS, PATTERSON & MINES, P.S. (206) 292-9988 |
| WALLACE, SAUNDERS, AUSTIN, BROWN & ENOCHS, CHARTERED (Kansas City) (913) 888-1000 | NEW MEXICO RODEY, DICKASON, SLOAN, AKIN & ROBB, P.A. (505) 765-5900 | OKLAHOMA BEST & SHARP (918) 582-1234 | TENNESSEE BAKER, DONELSON, BEARMAN, CALDWELL & BERKOWITZ, PC (901) 577-2256 | WEST VIRGINIA ZIMMER KUNZ, PLLC (304) 292-8531 |
| MONTANA MILODRAGOVICH, DALE, STEINBRENNER & NYGREN, P.C. (406) 728-1455 | NEW YORK ABRAMS, GORELICK, FRIEDMAN & JACOBSON, P.C. (NYC) (212) 422-1200 | OREGON MARTIN BISCHOFF LLP (503) 224-3113 | TEXAS BROWN SIMS, P.C. (Houston) (713) 629-1580 | WISCONSIN PETERSON, JOHNSON & MURRAY, S.C. (414) 278-8800 |
| NEBRASKA Erickson & Sederstrom, P.C., L.L.O. (402) 397-2200 | HURWITZ & FINE, P.C. (Buffalo) (716) 849-8900 | FINE, WYATT & CAREY, P.C. (Scranton) (570) 343-1197 | HERMES SARGENT BATES, L.L.P. (Dallas) (214) 749-6000 | WYOMING HIRST APPLGATE, LLP (307) 632-0541 |
| | MOLOD SPITZ & DeSANTIS, P.C. (NYC) (212) 869-3200 | MARGOLIS EDELSTEIN (Philadelphia) (215) 922-1100 | | |