

Preparing for Your Free Workers' Compensation Consultation

Make sure you're ready to start your claim on the right foot

When you're hurt on the job in New York, you shouldn't have to face the [workers' compensation](#) system alone. That's why workers' compensation attorneys offer free consultations. You can sit down with an experienced lawyer and talk through your legal options at no charge and with no pressure or obligation to move forward.

Talking your situation over with someone who understands the system can make all the difference in your workers' compensation claim. Keep these tips in mind to make sure you're prepared for your workers' comp consultation.

Bring important documents if you have them

In the initial consultation, we will review any documentation you bring to get a sense of the scope and viability of your case. Some of the documents you'll want to bring us include:

- The **report of the injury** you made to your employer.
- Name and contact information for your **immediate supervisor** or other manager at your company who received your report of the injury.
- Recent **pay stubs or bank statements** to verify your income.
- **Employment records**: date of hire, position, job duties, and so on.
- Name and address of the **medical facility** where you received treatment, and contact information for your **treating physician**.
- Dates of treatment and **medical records** of the treatment you received, including visit summaries, discharge instructions, doctor's orders, and similar.
- **Medical bills** and other costs, including mileage to and from your appointments.
- **Pictures** of the injury and the scene of the accident.
- Copy of any **accident reports** or incident reports from your employer or another entity (e.g., police, property owner).
- Contact information for any **witnesses** to the accident.
- Any **correspondence** between you and your employer or their insurance company about your injury claim.

We can't stress this enough, however: do not delay talking to an attorney because you are waiting for documentation. Some documents may be difficult to obtain or simply unavailable for weeks after the injury. Bring what you have now or can easily acquire before your consultation, and we will investigate to find any other documents you need.

Be prepared to answer a few questions

For the most part, there are two topics that need to be covered in a workers' comp consultation: whether you were at work when the injury happened, and the extent of the injury

itself. If you're talking to a lawyer about a work accident that happened at a specific moment in time, we'll ask about the date, time, and location of the accident, as well as any witnesses or physical evidence that can confirm your story. If your injury happened over a period of time, we will ask questions about your job duties and working conditions to help prove that the injury or illness was causally related to your employment.

We'll also ask about your injuries, your medical treatment, and the effects your injuries have had on your ability to do your job, as the answers to these questions will help us assess the value of your claim. Besides your medical bills, if you are unable to work or must take on lighter duties or reduced hours because of the injury, workers' compensation pays for a percentage of those losses. If you have permanent damage to certain parts of the body, New York law provides for Schedule Loss of Use (SLU) benefits for those losses.

In short, we need to ask some questions about your health in order to get a sense of the scope of your claim. Of course, the answer to some of these questions may be "I don't know yet," and that's perfectly fine. We won't know the full value of your workers' compensation claim until you have reached maximum medical improvement (MMI) and your condition stabilizes, which may be months or even years away. The initial consultation is just that, a starting point for an ongoing conversation throughout the workers' compensation process.

Bring your own questions, too

A consultation is intended to be a two-way street. The attorney needs to get a sense of your case, and you need to get a sense of whether you're hiring the right lawyer. Some of the questions you may want to ask include:

- How much experience do you have handling workers' comp cases in New York?
- Who will be doing the bulk of the work on my case?
- What are the strong and weak points of my case?
- How often will we communicate while the case is ongoing?
- Can I talk to a former client about their experience?

In addition, use the consultation as an opportunity to ask about fees and costs. By law, workers' compensation attorneys in New York are not allowed to charge a fee unless and until you receive a monetary award – either when the Workers' Compensation Board approves your claim, or when you reach a negotiated settlement with the workers' comp insurance company. Those fees, along with reimbursement for any expenses to move the case forward, must be approved by a judge, and you won't pay them out of pocket; they will come out of your workers' comp award. Your lawyer will be happy to explain how this [contingency fee](#) agreement works and make sure you're comfortable before moving forward.

Feel free to talk to more than one law firm

Workers' compensation can be a difficult process, so it's important to make sure you have confidence and a good rapport with your attorney. If you aren't sure about the first lawyer you speak with, feel free to investigate one or two additional law firms to make sure you have the right fit. Ultimately, you're looking for a firm with the right approach for you – and the experience, resources, and winning track record needed to give you confidence in their ability to represent you.

The key is to act quickly. The sooner you get an attorney involved in your case, the better, as we need to begin our investigation promptly and take legal action before important deadlines expire. If you've been hurt on the job, schedule your [free consultation](#) today.