



National Board of Trial Advocacy
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General Principles for Certification of Truck Accident Attorneys

- (A) The National Board of Truck Accident Attorneys is dedicated to the identification of lawyers who possess an enhanced level of skill and expertise in truck accident law and have demonstrated integrity and dedication to the interests of their clients, thereby improving the professional competence of lawyers.
- (B) Application will be made to the National Board of Truck Accident Attorneys, on the forms supplied by the Board, and accompanied by the appropriate fee.
- (C) Applicant must complete all requirements, including the examination, within two years of application. If the certification process is not satisfactorily completed within the two-year period, the applicant will need to reapply and re-submit all required fees. An application can be denied at any time within the two-year application period for failure to successfully meet the requirements for certification.
- (D) A certificate will be issued upon a showing by the applicant, and by the National Board of Truck Accident Attorneys' own investigation, that the applicant complies with the standards and regulations for certification.
- (E) Certification shall be for five years, after which time the certificate cannot be used unless the lawyer is recertified. Certification may be revoked at any time for violations of the General Principles or Standards of the National Board of Truck Accident Attorneys (a division of the National Board of Trial Advocacy).
- (F) No standards shall in any way limit the right of a truck accident lawyer to practice law in all fields.
- (G) No lawyer shall be required to obtain a certificate in truck accident law before he or she can practice.
- (H) Certification is individual and voluntary. Certification is open to all who qualify.
- (I) All applications and other information submitted to the National Board of Truck Accident Attorneys shall be privileged and confidential, except as compelled by law and, except that the Board may reveal the fact of an application for the purpose of verifying information submitted by the applicant, and for the purpose of making such inquiries with respect to the character and professional reputation of the applicant as may be authorized by its rules.
- (J) The National Board of Truck Accident Attorneys does not discriminate against any lawyer seeking certification on the basis of race, religion, gender, sexual orientation, disability, or age.
- (K) A qualified lawyer may have more than one board certification, whether from other divisions of the National Board of Trial Advocacy, other ABA accredited national attorney board certification programs, or state sponsored attorney board certification programs.

Recertification Standards for Truck Accident Law- draft rev. 5/2024

A. Good Standing and Period of Practice

The applicant shall furnish evidence of his or her good standing in the state of his or her admission, or if admitted in more than one state, in the state of his or her principal practice.

B. Substantial Involvement

Instructions:

In this section you are providing information to satisfy both the substantial involvement requirements and the required experience requirements for board eligibility.

Notes: "CMV Cases" include all cases where a defendant was operating a vehicle that qualifies under the FMCSRs and/or applicable state trucking regulations as a "Commercial Motor Vehicle." "Lead Counsel" shall mean the lead lawyer primarily responsible for the handling of the case. All other lawyers involved in the case would be considered "counsel of record".

- (1) The applicant must make a satisfactory showing of substantial involvement relevant to truck accident law with at least thirty percent of his or her time spent practicing truck accident law during the five years preceding recertification.
- (2) The applicant must further demonstrate substantial involvement relevant to truck accident law by showing that, during the five years preceding recertification, he or she has been:
 - (a) substantially involved in at least 20 litigated matters that have been brought to conclusion (settlement or verdict) in at least 10 litigated truck accident cases. Substantially involved means serving as counsel of record or having been retained for a fee or fee interest as a consulting attorney to handle trucking law aspects of case; and
 - (b) substantially be involved in at least 3 current open litigation cases involving truck accident law.

C. Educational Experience

- (1) The applicant must demonstrate substantial participation in continuing legal education and the development of the law relevant to the field of truck accident law, in the five-years preceding recertification:
 - a. By attendance and/or electronic participation at not less than forty-five hours in programs of continuing legal education relevant to truck accident law, approved by the Commission and the Standards Committee (up to twenty (20) percent of the continuing legal education may be in ethics), or
 - b. By equivalent participation through, but not limited to, the following means, approved by the Commission and the Standards Committee:
 - (I) Teaching courses or seminars in truck accident law or ethics;

- (II) Participation as panelist, speaker, or workshop leader, at educational or professional conferences in truck accident law or ethics;
- (III) Authorship of books, or of articles published in professional journals, on truck accident law or ethics;
- (IV) By combination of the three subsections above.

Please note: Florida, South Carolina and Ohio require a higher number of CLE credit hours in order to advertise or communicate the NBTA certification. Check with your local rules or the NBTA for more details.

NBTA does not recognize an age or years in practice exemption for CLE.

D. Peer Review

- (1) The applicant shall submit with application the names of six references who are not present partners, associates, or relatives. Such references should be familiar with the applicant's practice in the relevant field within the past three years and who can attest to the applicant's proficiency in handling commercial motor vehicle cases. References satisfactory to the NBTA must be received from at least one judge before whom you have practiced before, one opposing counsel against whom you have worked, and one lawyer who has handled a commercial motor vehicle case.
- (2) The National Board of Truck Accident Attorneys will solicit confidential statements from all persons listed as references and may solicit confidential statements of reference from other persons, familiar with the applicant's practice, not specifically named by the applicant. All reference statements received will be reviewed by the National Board of Truck Accident Attorneys to assess whether the applicant has demonstrated an enhanced level of skill and expertise in the practice area, integrity and consideration for the interests of clients necessary to merit recertification.

E. Disclosure of Conduct

- (1) In order to assist the evaluation of whether the applicant possesses an enhanced level of skill and expertise in trial advocacy and has demonstrated integrity and dedication to the interest of clients, the applicant shall, to the extent known, disclose to the National Board of Truck Accident Attorneys as soon as permitted by law:
 - (a) The filing of any criminal charges against the applicant together with all details called for by the Disclosure of Conduct Form;
 - (b) The filing or submission of any allegation of unethical or inappropriate professional conduct with any court, grievance committee or disciplinary board or body together with all details called for by the Disclosure of Conduct Form.
 - (c) The assertion of any claim of professional negligence or professional liability, whether or not suit has been filed, which is based in any part on alleged acts or omissions of the applicant or member or on the acts or omissions of any other attorney over whom the applicant or member had any responsibility together with all details called for by the Disclosure of Conduct Form.
- (2) The National Board of Truck Accident Attorneys shall determine, in accordance with its standards and procedures whether the conduct is such that certification should be granted, denied, suspended or revoked, or whether action should be deferred pending receipt of additional information. The National Board of Truck Accident Attorneys will take into consideration any findings made by other bodies concerning such conduct, but is not bound by any such findings and will make its own independent assessment concerning how such conduct bears on whether an attorney is qualified to obtain or maintain certification.
- (3) The failure of an applicant to disclose such conduct is a material misrepresentation and may be cause for rejecting an application or refusing to grant certification, or for suspending or revoking a certificate. The applicant shall have a continuing duty to disclose such matters to the board.

Annual Reporting

Annually, members will be required to submit a Disclosure of Conduct/Liability and annual dues. The applicant's annual dues and Disclosure of Conduct (Part E of the Recertification Standards) must be current before an application for recertification will be granted. Disclosures of Conduct/Liability shall be submitted to the Standards Committee to determine if certification should be continued.

Denial or Revocation of Certification

- (A) An application for certification may be denied for failure to comply with any of the requirements relating to good standing, substantial involvement, educational experience, peer review, examination, legal writing document, disclosure of conduct, financial responsibility, or any other failure to demonstrate possession of an enhanced level of skill and expertise in trial advocacy and demonstrated integrity and dedication to the interests of clients.
- (B) An application for recertification may be denied for failure to comply with any of the requirements relating to good standing, substantial involvement, educational experience, peer review, disclosure of conduct or any other failure to demonstrate possession of an enhanced level of skill and expertise in trial advocacy and integrity and dedication to the interests of clients.
- (C) An existing certification may be revoked for failure to demonstrate maintenance of an enhanced level of skill and experience in trial advocacy and integrity and dedication to the interests of clients as required for certification or for failure to maintain compliance with the financial responsibility requirements.
- (D) Decisions of the Examination Committee and the Legal Writing Review Committee are final and not subject to further review or appeal. An attorney who is refused certification for any other reason, or who is refused recertification or whose certification is revoked may pursue review under the Appeal Procedures of the NBTA. Exhaustion of this right shall be a condition precedent to judicial review.
- (E) A lawyer who is refused certification or recertification, or whose certification is revoked, may not apply for certification until one year after the date of such refusal, denial or revocation.
- (F) Suspension of the license to practice law shall operate as an automatic revocation of certification.
 - A lawyer who publicizes a certification or application for certification prior to its being granted, or continues to publish a certification after it has been revoked or suspended, may be barred from certification.