

ACCIDENT INVESTIGATOR

SHEILA KERWIN, NILAN JOHNSON LEWIS, PA

Years practicing: 20

Clients: USF Holland, Martin Brower, Performance Food Group

Why I do this: "I've learned that [trucking] companies are excellent companies that take safety very seriously. And these drivers are professional drivers, and they're very careful and they are always trying to do the right thing."

When Sheila Kerwin gets a call from a trucking-company client saying one of its drivers has been in an accident, she jumps in her car and goes to the accident site. A shareholder at the Minneapolis-based Nilan Johnson Lewis, PA, law firm, Kerwin is on call 24-7, and she'll typically get to a site within an hour of the accident, if it takes place in the Twin Cities area.

If the accident happens on a freeway, traffic quickly becomes snarled, so Kerwin must find alternate routes. She's even had to jump fences to get to some accident scenes. "Typically, what I do is try to go find the state trooper who is in charge of the investigation and let him know I represent the trucking company," Kerwin says. "The main goal for me is to get in touch with the driver right away and talk with him." This allows her to find out what happened and advise him during this crucial period. Of course, because these are serious situations that may involve injuries, damaged vehicles, and debris in a chaotic atmosphere, Kerwin defers to the needs of authorities on the scene.

"It's important to get an accident reconstructionist there right away and start gathering and capturing the evidence," Kerwin says. The reconstructionist takes

photographs and video of the vehicle and markings on the road are noted. "The earlier you can get on the scene, the more likely you are to have a stronger defense to your case," she says.

With accident site data and information from the truck's onboard computer, Kerwin will work with the reconstruction experts, who typically are retired state troopers. Together, they will work to determine the cause of the collision and contributing factors in the accident, including the role of the driver and other vehicles, and the condition of the roadway and environmental factors. With the data, Kerwin's team generates a three-dimensional computer model of how the vehicle moved during the accident. Kerwin says these models and animations make effective exhibits for trials.

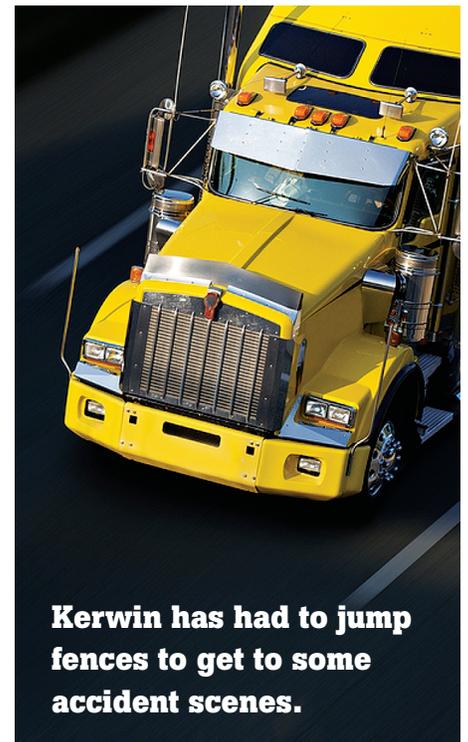
Kerwin started her career as a product liability litigator, representing companies in catastrophic injury and death litigation suits. These cases required a high level of scientific and engineering knowledge, as she worked to understand the cause of accidents involving her client's products and employees. Moving into trucking cases more than 10 years ago was a natural progression, given her experiences in accident

reconstruction.

Kerwin spends some time during litigation educating jurors about trucking companies; she says the industry is burdened with negative stereotypes. "Out in the



Sheila Kerwin



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world, many people don't like trucking companies, they don't like truckers," Kerwin says. "I've learned that these companies are excellent companies that take safety very seriously."