

# Why Attorneys Should Retain a Crane Operations Expert Early

Crane and heavy-equipment accidents rarely result from one isolated action. Understanding the complete operation can help counsel preserve evidence, focus discovery and select the right technical disciplines.

## Edward C. Guerra

Active Crane Operator | Principal Consultant, Crane Risk Authority, LLC

When a crane, forklift or other piece of heavy equipment is involved in an accident, the first question is often: **What failed?**

That is important, but it may not be the best place to begin. Before focusing exclusively on a mechanical component, engineering calculation or individual worker, counsel should understand the entire operation.

## Operations Connect the Pieces

A crane operation can involve an operator, lift director, assembly/disassembly director, riggers, signal persons, supervisors, contractors and a controlling entity. Each participant may possess only part of the information necessary to perform the work safely.

The equipment must be properly selected, transported, configured, assembled, inspected and operated. The load must be accurately identified, correctly rigged and controlled. Ground conditions, working radius, capacity, visibility, wind, power lines and surrounding personnel must also be considered.

Looking at any one subject independently may produce an incomplete understanding of the accident.

## Early Evidence Can Disappear

Crane and heavy-equipment accident scenes can change quickly. Equipment may be moved, repaired, reconfigured, returned to service or sold. Rigging may be separated from the load. Blocking, cribbing and outrigger mats may be relocated. Electronic information may be overwritten, and recollections may become less precise.

Early involvement can help counsel identify and preserve:

- Crane and equipment configurations, load charts and manuals
- Lift plans, disassembly procedures and job-safety briefings
- LMI or crane-computer information and operational-aid data
- Rigging, lifting components, blocking, cribbing and outrigger support
- Inspection, maintenance, training and qualification records
- Photographs, surveillance video, measurements and communications

## *How was the entire job supposed to work?*

### Understanding the Human Side of Operations

Human behavior is inseparable from equipment operations. Operators act upon the information available to them. Their decisions may be affected by visibility, signals, radio communications, time pressure, supervision, training, experience and their understanding of the plan.

A technically correct plan may still fail if it was not communicated. Properly functioning equipment may still be used incorrectly. A qualified operator may be placed in a situation where essential information is missing. An operations expert can evaluate these circumstances without automatically assigning responsibility to the person sitting in the cab.

### Helping Counsel Select Other Experts

Some cases require mechanical, structural, electrical, metallurgical, human-factors or safety expertise. An operations expert can help counsel identify which disciplines are genuinely necessary and frame focused questions for those specialists.

Before asking why a component failed, counsel may first need to determine:

- How was the equipment configured and what forces were being applied?
- Was the load free to move, or was it pinned, supported or restrained?
- Where was the center of gravity and how were the pick points selected?
- What did the operator and signal person understand at the critical moment?

### Practical Experience Matters

Regulations, standards, load charts and manufacturer instructions are essential. Understanding how the work is actually performed is equally important. An expert who remains active in the field can explain how crews communicate, how lifts develop, how equipment responds and how operational decisions are made in real time.

That perspective can help translate a complex accident into language that attorneys, judges and jurors can understand.

### A Stronger Starting Point

Retaining a crane operations expert early does not replace other qualified experts. It provides counsel with a practical starting point for understanding the complete operation.

That early understanding can help preserve evidence, identify appropriate parties, focus discovery, prepare depositions and determine which additional experts may be needed. When heavy equipment is involved, understanding how all the pieces were supposed to work together is often the first step toward understanding what went wrong.

#### ABOUT THE AUTHOR

**Edward C. Guerra** is an active crane operator and Principal Consultant of Crane Risk Authority, LLC. He has more than 35 years of field experience involving cranes, forklifts, rigging, signaling, lift planning, assembly and disassembly, and heavy-equipment operations. His crane experience ranges from 15-ton carry-deck cranes to 900-ton mobile cranes. He is available nationwide for plaintiff and defense matters.

[www.expertcranewitness.com](http://www.expertcranewitness.com)