

Coffee Talk: Marketing the “Single Shingle” Forensic Engineering Firm

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I recently got together for coffee with a long time friend and forensic engineer in the Chicago Loop. I had marketed this particular expert for years and, as long-time friends tend to do, we rehashed old “war stories” from past cases. He was an easy expert for me to market because he knew his craft and I knew his personal history. This made me wonder how “single shingle” sole practitioner forensic engineering experts market themselves?

Being a dedicated legal marketing professional, I knew the landscape, the players, and would actually read case filings every day with my morning coffee. While reading the filings, I learned how to differentiate between “live” cases and those that were being filed just to protect the statute.

The basic “currency” in marketing forensic engineering is the curriculum vitae (CV). This presents a problem for many multi-disciplined experts. How do you highlight a specific skill set you have that relates strongly to a case you are trying to land? Many forensic engineers feel the answer is rewriting their C.V. to move specific strengths to the forefront. I think that is a dangerous path to take. Multiple versions of your C.V. can lead to disaster in a deposition. You can wind up being portrayed as desperate to find business and less than the consummate testifying professional.

Let’s go back to my friend who I met for coffee. He is a Mechanical Engineer who worked heavily in the product liability arena. He has been a forensic engineer/testifying expert for the past 20+ years. He is not a Certified Vehicle Fire and Explosion Investigator (CVFEI), yet I was able to provide him annually with a steady diet of motor vehicle/truck/mining equipment/farm equipment fire cases.

The key? I knew that his first job out of college was working for a major manufacturer of fire engines, tasked with discovering the causes of their vehicle fires that amounted to significant dollar losses.

Whenever I submitted his C.V. to a potential client, I included this information in my email AND attached a photo. The photo was a picture of my expert wearing a hardhat and eye protection standing next to a highly specialized piece of mining equipment that he investigated to find what was causing these units to catch on fire. I mentioned that the tires were 14 feet tall (you could see the actual scale with him standing next to them), the engine was three times the size of a Cadillac Escalade, and the actual inspection had to be done in the mine, alone, from 8:00pm to 4:00am.

We probably landed 90% of the cases I marketed in this manner. Why? The backstory was a nice touch – we all like stories BUT the picture nailed it. I believe the adage is ‘a picture is worth a thousand words.’ Lastly, I would follow up and send the client one of the peer-reviewed papers he published on the topic that further demonstrated a high degree of subject matter expertise.

I cannot overestimate the value of authoring peer-reviewed papers. Attorneys search the Internet for these when sourcing potential experts. My friend authored an American Society of Mechanical Engineers

(ASME) paper on backup alarms some 20+ years ago and was still getting 2-3 cases a year as a result of it. The Internet memorializes these efforts to your advantage.

Another good source for finding cases is verdict reporters. I signed up for every free trial I could get to see who the players were in specific venues, the cases they took to trial AND the experts that were used on both sides, along with the result. The best time to market a new legal client is after they lost a case. Nobody breaks up a winning team.

So let's go back to what you need to do to improve your marketability. Have somebody else (preferably a litigator) whose opinion you respect, review and critique your C.V. Think about writing some papers that reflect your level of subject matter expertise on disciplines that are in your wheelhouse. Submit these papers for peer-review. Collect some photos that you can attach to emails to further enhance your credibility to a client when you submit your C.V. Come up with 3-5 snippets about your prior life that fit in with your engineering discipline and might be of interest to a potential client. This is where you want to put your creative juices to work.

I used to market a Ph. D. Mechanical Engineer whose specialty was "heat transfer." When I would casually mention that he had served as mayor of his hometown many attorneys would jump all over that, to my initial surprise. I later found out that many clients found great value in the fact that their expert understood what it took to get past regulatory hurdles. It demonstrated a level of expertise they found comfort in.

Do an Internet search on verdict reporters (many are specific by legal discipline) and sign up for free trials. When they arrive, devour the contents. Consider a membership in the local bar association. This allows you access to many free legal educational opportunities plus the opportunity to meet potential clients.

Lastly, ask your clients for referrals to other attorneys. EVERYBODY likes to brag, "I've got a guy..." Be that person; fill that void. When you are referred, you are already 75% there and will meet much less potential price resistance.

Good luck and good marketing.

Jim