



Feature

Not Your Average Private Eye: Legal Investigators Bring Expertise and Ethics to the Field

By Ursula Furi-Perry

When attorneys need the facts, and nothing but the facts, they often don't go hunting for those facts alone: they hire legal investigators, choice experts who specialize in gathering information and interviewing witnesses in connection with pending or possible suits.



“(Legal investigators) usually focus on one of two avenues,” said Robert Townsend, sole practitioner at R.H. Townsend Associates and National Director of the National Association of Legal Investigators (NALI). “They may be working with either plaintiffs, particularly in personal injury cases, or

criminal defendants,” said Mr. Townsend, who represents mostly plaintiffs’ cases and specializes in catastrophic personal injury involving the intended or unintended malfunction of products. “I specialize in criminal defense, (often dealing with) the death penalty and capital litigation,” said H. Ellis Armistead, legal investigator, Assistant National Director of NALI, and Chairman of the Board of the Professional Private Investigators Association of Colorado.

Whether it is gathering information to help a wrongly convicted defendant or interviewing witnesses to an accident, legal investigators wear multiple hats. “(My tasks include) contacting and locating witnesses, interviewing, and scene reconstruction,” Mr. Armistead said. “We work as a team member with the attorney, so that we can coordinate the (client’s) needs and obtain the necessary information,” said Mr. Townsend. Some legal investigators remain in-house at law firms, while others choose to work in independent contractor capacities.

The wide range of cases makes the profession exciting. “My job brings me a great deal of satisfaction,” Mr. Townsend said. “Most legal investigators are very passionate about what they do.” The position is also emotionally rewarding, and investigators often see the results of their labor through the gratitude of the plaintiff or defendant. “We’re helping people... get justice and compensation,” Mr. Armistead explained. Those personal rewards are some of the best parts of the job, legal investigators say. “I just concluded a complex, massive case involving personal injury from a watercraft,” recounted Mr.

Townsend, “and it was very satisfying to say to the victim, ‘even though we can’t give you (healthy) legs back, here are the funds to cover your medical expenses for the rest of your life.’”

But the job doesn’t come without its challenges. “Some people may not want to talk to us, and it takes great people skills (to get the information),” said Mr. Armistead. “You always want to make a witness your friend (in hopes the person will) provide any info they may or may not have,” Mr. Townsend added. Then there are those who distrust investigators and legal professionals in general. “(Legal investigators) face the burden of persuasion to be accepted by the individual they’re approaching as a professional,” Mr. Townsend explained. “Many people still adhere to the image that the legal profession is a hassle, yet it doesn’t have to be (that way).”

In fact, legal investigators are quite different from private investigators and others. “Legal investigators work for attorneys, unlike traditional private investigators who may take cases from the public,” Mr. Armistead said. In addition, those in the profession strive to project a professional image, rather than the often-distorted and negative image many people have about them. “NALI was formed to provide ongoing continuing education to legal investigators,” Mr. Townsend said. “We offer a certificate to individuals, upon being tested for skills, knowledge, and ethics.” Mr. Armistead added, “We take pride in the profession and are constantly seeking out continuing education methods, like conferences and seminars.”

In addition to training and testing, ethical considerations are emphasized throughout the profession. “There’s a strict code of ethics in force,” Mr. Townsend stated. “I don’t know of any legal investigator who deliberately violates anyone’s right to privacy or any city ordinances and statutory laws. There’s no obtaining information through the back door (in this profession).”



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For those interested in becoming a legal investigator, people skills are essential. "Good person-to-person skills and writing skills are needed," said Mr. Armistead. "Focus and concentration are also significant," Mr. Townsend said. "It's important to set out the goals and understand the legality of the investigation." Legal investigators come from all walks of life, experience, and educational levels. "I've known pilots and engineers who have (become legal investigators). In fact, even some attorneys do this instead of practicing," Mr. Armistead said. "Perhaps the best mix is a broad-based liberal education, with on-the-job training," believes Mr. Armistead. "Especially in states where licensure is required, I would advise new trainees to get in-house with an already licensed

firm and receive hands-on training and supervision," stated Mr. Townsend. "Then, (continue learning by) picking up a law journal and attending meetings with the attorneys about special needs and skills."

Although legal investigators have a small presence in the legal community, their contribution to it is appreciated and valued by attorneys. "I see the profession growing, particularly in the field of criminal defense," said Mr. Armistead. "I would encourage anyone with a passion for righting a wrong and a real interest in people to consider the profession," added Mr. Townsend.

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