

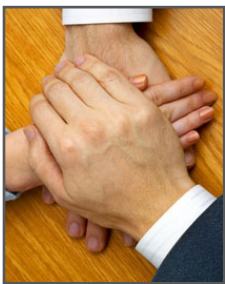


Feature

## Legal Nurse Consultants Provide Medical Expertise to Firms in Need

By Ursula Furi-Perry

**When a case involves medical questions and requires extensive medical knowledge, attorneys often turn to a fairly new breed of experts for help: legal nurse consultants. They may be the key to sorting out medical issues in a case.**



“Legal nurse consultants utilize their nursing expertise to help attorneys determine whether a case has merit, what the standard of care was, and whether it was breached,” said Beth C. Diehl-Svrjcek, certified legal nurse consultant and case manager and a member of the American Association of Legal Nurse Consultants. “Because of their medical background, they’re very

familiar with medical research and have the ability to locate information.” A legal nurse consultant will outline medical information for the firm in layman’s terms and bring to the attorney’s attention anything that seems out of place. “I review medical records for merit and also do timelines and chronologies,” said Deborah Dicken, legal nurse consultant and sole proprietor of Legal Nurse Services and a member of the National Alliance of Certified Legal Nurse Consultants. In addition to reviewing and drafting documents, the position often entails preparing expert witnesses and medical professionals for depositions or testimony at trial. “A lot of times, attorneys are not familiar with medical terms, and in deposing a medical person, they need that terminology,” Dicken explained.

Some areas of the law, like medical malpractice and personal injury, are naturally more receptive to using legal nurse consultants, who may play an essential part in a case regardless of the side they help represent. “Society expects medicine to be perfect, and it’s not. Everyone responds differently,” Dicken said. “On defendants’ cases, [it’s rewarding] seeing that the truth is brought out on exactly what happened and explaining that there may have been a bad result, but it wasn’t anyone’s fault. On the plaintiff’s side, on cases where somebody was truly injured, it’s great to see that they’re compensated.”

Although some firms hire legal nurse consultants to work in-house full time, most serve the legal community as independent contractors, and many are their own bosses. “Most of us do this part time, so many go to regular nursing jobs as well,” said Dicken. As with any other position in the legal field, legal nurse consultants often face fluctuating deadlines; those who are their own bosses also face the constant need to market their services and land new cases. “If you are self-employed, there’s always the challenge of maintaining enough work,” said Diehl-Svrjcek.

Although certification and licensing are not required in any state, experienced legal nurse consultants recommend that professionals be certified and that attorneys look for candidates with some training and official recognition, in addition to clinical experience. Attention to detail and great organization skills are likewise at the top of the list. “Analyzing a case requires meticulous practice, and you also have to communicate well. You have to tell the attorney a story as to what you think happened,” Diehl-Svrjcek said. “You also have to have a high level of professionalism. In my work as an expert witness, I have to be incredibly credible.”

Unlike paralegals and legal assistants, legal nurse consultants focus not on legal issues, but medical questions. “Paralegals generally don’t have a medical education and background,” said Diehl-Svrjcek. “Legal nurse consultants have more depth of understanding of medical records than a paralegal might, but a paralegal may have more understanding of legal procedures.” Yet for paralegals who specialize in fields that require the use of legal nurse consultants, hiring an outsider to help with a case may be intimidating. As such, examples of hostility between paralegals and nurses do exist. But legal nurse consultants fit into a firm’s tapestry not as legal assistants, but rather as specialists, much like all other non-attorney legal staff who serve law firms on specific questions. “View them as a colleague and as an adjunct to the staff of



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the firm," Diehl-Svrjcek advised. "Let them be the medical specialists on the case, and let the paralegal or legal assistant

assist the legal nurse consultant on the legal side of the case," Dicken said.

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