

Time to Hit the Books: How to Prepare for a Technical Case

By Andrew J. Gabel

As a young lawyer who is unfamiliar with construction law, you may find yourself representing a civil engineer in a case involving faulty construction on a bridge. You are sure to encounter complex, technical questions in this case, such as whether the standard of care was met in providing a seismic analysis for the widening of a bridge. How will you prepare yourself for this challenge?

When representing design professionals, such as architects or engineers, you must immerse yourself into your clients' profession. In lawsuits, you may even need to become a subject expert in your clients' field. This requires hard work and being a quick study. Whether it involves learning about a seismic analysis for a bridge widening or learning why your client designed a weather barrier system in a particular way, lawyers cannot let any stone go unturned if they want to effectively represent design professionals.

The hard work, however, is well worth it. As a political science major, I wondered if I could ever master the technical knowledge needed to successfully represent design professionals. But, ever since I took my first technical case, I have not looked back.

Representing design professionals affords me many rewarding moments in my young career. These professionals are leading the way in building an environmentally sustainable future that will not only save millions of dollars in energy consumption but also reduce the impact of such energy use on the environment. I like knowing that by representing these clients, I am helping build that future.

If you find yourself lacking a background in science and facing a new, technical area of law, do not despair. If I could master the requirements for a seismic analysis, you can master the necessary technical concepts in your case. The following tips can help:

- Borrow textbooks from the local university library on relevant subjects. Start with an introductory-level book to master the subject-area terminology, and then move on to the specific issue you face.
- Use your expert. Never be afraid to ask your expert the most basic question. It will not only help you learn, but also will give your expert practice explaining opinions that can be understood by the trier of fact. If you can't understand your expert, how will a judge or jury?
- Take an interest in your client's field. Spend time learning exactly what your client does on a daily basis. This also will help develop a good attorney-client relationship.
- Join a networking organization for young professionals in your client's field. They offer events where you can make contacts with potential clients, and they can be fun.
- Attend continuing education classes in your client's field.
- When in doubt, seek advice from colleagues who represent similar clients.

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