



LNP 302

32 Years as a Legal Nurse Consultant

Jane Barone

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- Pat:** Welcome to Legal Nurse Podcast, and this is Pat Iyer today talking with a person I have known for at least 30 years who is an experienced legal nurse consultant. She is a board-certified legal nurse consultant, which means that she passed the exam that is sponsored through the American Association of Legal Nurse Consultants. My guest today is Jane Barone. She began her career as a legal nurse consultant in 1985. That is many years ago, Jane. You must have been one of the earliest legal nurse consultants to be involved in the field.
- Jane:** Yes, as a matter of fact, when I started out the term legal nurse consultant had not even been coined yet.
- Pat:** I remember that. We were calling ourselves medical legal consultants, right? Nurse paralegal was another one.
- Jane:** Right. I was called a nurse paralegal initially.
- Pat:** Okay. I know that we'll talk about how you got into the field, and I know that you worked for a time in-house for a law firm and then went out on your own. You are currently the founder of Medi-Law Solutions, which is based in New Jersey, and you are also very involved in establishing the chapter for the New Jersey chapter of the American Association of Legal Nurse Consultants.
- Jane:** That is true.
- Pat:** Let's talk about how you got started, Jane, because you were in a state where nobody had heard of legal nurse consultants. How did you get that first position working in a law firm?
- Jane:** Actually I answered an ad in the paper for an attorney who was very forward thinking, a woman attorney who realized that with the asbestos litigation that she was involved in, she needed someone to look at medical records and decipher what was in those records. So, I was fortunate enough to get the job and I was basically her ghostwriter for several years. It allowed me to cut my teeth on what it

was like to work in a law firm and what it was like to be a legal nurse consultant.

Pat: When you say you were her ghostwriter, what do you mean?

Jane: We put together a very large extensive report. This attorney was involved in just the medical aspects of asbestos litigation for the defense. So, she represented multiple defendants in cases and looked at the medical aspect of the litigation. So, I would review medical records and prepare this report for her. And this report went out to all her clients.

Pat: And that asbestos litigation, boy, that reminds me of the expression, "The gift that keeps on giving." I think it was originally applied to sexually transmitted diseases in the sense that asbestos has involved suing so many defendants. I think there are still lawsuits going on today, 30 years later. Right?

Jane: Yes, there are. Like you said, it's litigation that just never stopped. And I thought way back in the early 90s when I left that firm and went on to doing medical malpractice with a plaintiff's attorney, at that point I thought that it was probably coming to an end, but it never did.

Pat: And there still is asbestos in the air. In fact, I just saw something in the newspaper about how a building was being torn down, and the contractors who were tearing down the building didn't use the appropriate asbestos containment procedures. And there was concern that it had been released into the air in that several-block radius and people were very concerned about the health effects of it, so I guess it will be with us for a long time.

Jane: I think so.

Pat: You got involved helping this female attorney with the asbestos litigation. What skills did you use during that first part of your career that you think are critical for legal nurse consultants to have when they are beginning in their field?

Jane: Especially with this job and all legal nurse consulting jobs, it's important that you have good writing skills. And when I did go to work for this attorney, she was very good, and she had classes held about writing skills for all her staff. It's a key thing.

- Pat:** I know that a lot of people who come out of legal nurse consulting programs excited and enthusiastic about getting business come into the field believing that it's going to be easy to get started. Have you encountered people who have that perspective and if so, what would you say to a person about getting started and finding clients?
- Jane:** I have met many people who do feel that way, that it's going to be easy, and some of it is that I would call that one of the myths of legal nurse consulting. You really must be persistent in networking. Always keep it in the forefront of your mind when you're talking to people. You must network and be persistent.
- Pat:** And by networking, have you found any techniques that are effective in connecting with attorneys?
- Jane:** I think it's key that you get involved with your local lawyers' meetings such as NJAJ, which is the New Jersey Association of Justice. There are Associations of Justice throughout the country in every state and I would advise getting involved with them.
- Pat:** And the Association for Justice tends to focus on plaintiff attorneys, although I think there are some defense attorneys who attend the annual meetings of the associations. I think this is primarily because the education that's provided to plaintiff attorneys is usually of a very high caliber, and the defense attorneys are there wanting to learn what their adversaries are learning. When you've been involved in Association for Justice meetings, have you been an exhibitor? Have you been a presenter? Have you been doing something else at those conferences?
- Jane:** I've been both an exhibitor and a presenter, yes. It gives you great exposure to many attorneys.
- Pat:** Any tips that you can share about being an exhibitor at an attorney conference?
- Jane:** Being an exhibitor, you can't just go once and say, "Oh, I exhibited, and I'm going to get all these referrals." It doesn't happen that way. You must exhibit continually over a long period of time so that the attorneys know that you're real and that you're not going to go away.

Pat: That's a good point because you and I have exhibited at New Jersey Association for Justice conferences probably for about the same number of years and you get to know the attorneys that way. They get comfortable with you. They enjoy talking to you and meeting a person who they will be working with in the future. But like you, I thought I would get instant gratification, and I would walk away with Redwelds under my arm after every show. And I discovered, it didn't turn out that way.

Jane: No, it doesn't.

Pat: Another interesting aspect about this change, have you noticed that you might meet an attorney, and it might be six months or a year later and the attorney's calling you from an exhibit that you were at in the past?

Jane: Definitely. That's happened several times to me where I have almost forgotten who this person was, but I look back in my database and I see that I did meet them at one of the exhibits. If you exhibit, you keep your name out there for a long period of time and the attorneys don't always need you right at the time of the exhibit, but they will come back again several months later if they like you.

Pat: And have you ever tried exhibiting at a defense conference?

Jane: Not specifically at a defense conference, but I have exhibited at the Bar Association which tends to be a little more defense oriented. I didn't find that I got much out of that type of exhibiting, but that was just me.

Pat: I have heard from legal nurse consultants that Bar Association meetings, particularly the annual meetings, have any attorney who is licensed to practice in the state be eligible for attending that conference. So, you don't have a concentration of medical malpractice and personal injury attorneys, who are typically the people who go to say the Association for Justice conferences. You've got real estate, intellectual property, family law, criminal attorneys, not attorney criminals but attorneys who practice in the criminal law area. But it's a very diverse population. Is that what you found when you were exhibiting?

Jane: Yes, I did. And so, since most of my work is centered around plaintiff attorneys, medical malpractice and personal injury, again, I didn't find it that valuable.

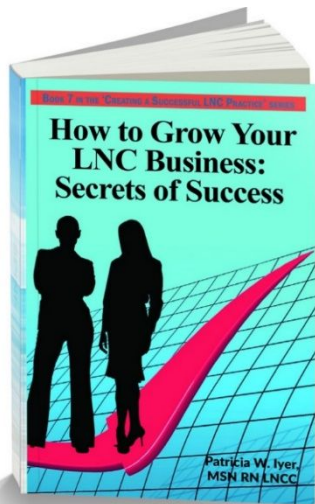
Pat: And I know that DRI, which is the Defense Research Institute in the United States, has annual meetings, and presumably they also have statewide meetings. Have you ever exhibited at one of their conferences?

Jane: I haven't exhibited at one of their conferences, but when I was working for the defense asbestos attorney, I did attend several DRIs and they were valuable for what I was doing at the time.

Pat: Okay. I have noticed that in my experience the DRI has not been particularly aggressive about trying to recruit new exhibitors or encouraging exhibitors. I had a conversation several years ago with somebody in our state who was afraid of having exhibitors at the conference because they might try to sell to the attendees.

This, of course, is the whole point of having an exhibitor there at your conference, not only to underwrite your costs but also to provide your members with opportunities to learn about new vendors. And he was so opposed to it that I dropped the idea and never pursued any further plans to exhibit for the DRI in my state. But it could be entirely different in other parts of the country, or they also have national conferences where they may be very open to exhibitors and want to have legal nurse consultants there as exhibitors. I haven't had any experience about it, and I was wondering if you had any different experiences than I had on that point.

Jane: Again, I have never exhibited at DRI, so I never pursued it.



Let me stop the program for a minute to discuss a book I wrote that covers this topic.

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that code in the promo code box when you check out. Now let's return to the show.

Pat: We were talking earlier about how you got started in legal nurse consulting, working with asbestos litigation and then went on to work in a plaintiff firm, which I think is when you and I met. You were involved in working for a group of attorneys. I remember that they were responsible and presumably with you behind them for some significant verdicts in cases. And then you left that firm and started your own independent legal nurse consulting company. Which role did you enjoy more and why?

Jane: I really can't pick one over the other. When I was working for the plaintiff attorney, I was able to do all the background work that was needed for the cases, everything from interviewing the client on the phone when they make their initial call to the office. And then I would decide whether to bring that plaintiff into the office for an informal interview and then we would get medical records and then review the records and review them with potential experts.

And then as the case proceeded, I would even be able to attend trials occasionally. So, I really had the whole background, I had everything behind me, which was very interesting. And then when I went on my own, I liked that because I had more freedom to do what I wanted to do. So, I really can't say that one was better over the other.

Pat: It sounds to me as if one of the big advantages that you had was learning while you were on somebody else's dime, if I can put it that way, how to be most useful as a legal nurse consultant. I would think that background experience that you had when you started your own business would have been invaluable when you were working on your own.

Jane: Yes, it was. In fact, when I started out as a legal nurse consultant, there were no courses out there, so what I did learn I learned on the job training.

Pat: That is true. You were, as we talked about earlier in the show, one of the first wave of nurses who discovered a way to help attorneys using your nursing knowledge well before there were online courses, community college courses, private courses. You were one of the first.

Jane: That's true.

Pat: When you went out on your own, were there ways in which you could use your connections with attorneys to get your own clients or did you have to start from scratch in terms of marketing and building up a client base?

Jane: Most of the attorneys that I knew when I left were either asbestos attorneys or attorneys who were referred to the attorney whom I worked for. So, I found that although I didn't have to start exactly from scratch that there really weren't that many people that I could tap into. In a sense, it was starting from scratch.

Pat: Tell us about a case that really left an impression on you, maybe starting first with the medical malpractice cases that you worked on while you were an in-house nurse? Is there something that comes to your mind that really gripped you?

Jane: One of the most interesting cases that I was involved in was what they call a bad baby case. In other words, the baby was born with cerebral palsy as a result of negligence. And that case, we worked up from beginning to end and took it to trial. And at the time this was in the 90s, and the verdict was a \$10 million verdict, which was the highest verdict ever at the time.

Pat: Oh yeah.

Jane: So, that was very interesting case.

Pat: That was a very significant verdict for the 1990s and I am sure warranted by all the damages, and the ongoing care that this child required.

Jane: Yes, that's true.

Pat: What would be a memorable case that you worked on after you started your business in 2003?

Jane: There was a case involving a railroad accident where the plaintiff lost three limbs, so it was catastrophic, and that case went to trial as well. I don't remember exactly what the verdict was, but it was in the millions.

Pat: How did the accident occur?

Jane: He was working on a railroad and he was standing on the edge of one of the trains and he accidentally moved the train as he was on it. He fell off and went underneath the train.

Pat: Ouch, I can see why the injuries would be catastrophic.

Jane: Yes.

Pat: You have clearly succeeded in a field that's very competitive. What are some of the tips that you would share with people who are building a career as a legal nurse consultant who aspires to do this

work full time? They're perhaps in the beginning to middle stages of their business. What do you think would be a good piece of advice for people who are at that point?

Jane: I would recommend that you join the American Association of Legal Nurse Consultants and get involved in your local chapter. Again, you might not get to walk away with 10 cases after you go to the first meeting, but it's invaluable to have people to network with that do what you do and understand the things that you need to do.

Pat: And I know that there are places in the country that do not have active chapters at this point, but I believe there are at least a couple of chapters that are virtual, where people attend the meetings remotely. I'm not sure, is it the Orlando chapter or the West Virginia chapter that does that?

Jane: Yeah, I believe it is the West Virginia chapter that does that.

Pat: Okay, so the education and networking may not be possible in person everywhere where people are listening to this program, but remote access is available. Are there any tips that you would recommend to a person who has an established business and wants to grow it even further?

Jane: Again, I would just say it's important to really network and talk to other legal nurse consultants and talk to attorneys. Again, network, network, and network. That's all I can say.

Pat: I see. Okay, now you're at a point now you've been doing this for 35 years. You're looking back and you're saying, "What would I do differently if I were entering the field fresh as a person getting involved in legal nurse consulting?" What would you tell yourself you should have done differently?

Jane: I honestly have thought about that question for some time and I don't think there is anything that I would do differently. I've been fortunate to do this for over 35 years and I just go with the flow, and I've been very fortunate.

Pat: What do you attribute your fortune to, being fortunate?

Jane: Again, being persistent and never giving up.

Pat: Tell us a little bit more about that.

Jane: In other words, take advantage of the people you meet and always keep in the back of your mind that you're a legal nurse consultant, and you have a business. And think about how when you meet people, you might be able to put yourself out there.

Pat: You know, I have used this story before but probably not everybody listening has heard this. I was coaching a legal nurse consultant who is very good at networking, and she told me about how she went to the dentist and she was telling the receptionist, "I have a new business. I'm a legal nurse consultant and here's one of my pens."

And the receptionist at the dentist office said, "Oh, my son is an attorney and he does personal injury work. I'll give your information to him." And there was a man sitting in the dentist reception area waiting to be seen who said, "I couldn't help but overhear. I have a nephew who is an attorney and he handles car accident cases. I'll take your information too." You know, she went there to get her teeth cleaned, and she was just talking about what she was doing and ended up with two prospects as a result.

Jane: Exactly. That's exactly how it works. You never know who knows who or what. And again, just keep it out there.

Pat: And the question that I wanted to also ask you, you've mentioned being involved in AALNC and I know you were involved in starting and helping to maintain the New Jersey chapter. How has being a member of AALNC affected your career?

Jane: It's always good to know that there are other people out there who, if you have a question, or you have a situation that you don't know how to deal with it, there are other people. The people at AALNC can help you out, and they also help you out by networking. You know if, for example, one nurse has a specific specialty and she gets a case that doesn't match with her specialty, you have your other nurses in AALNC that you can refer this case to.

Pat: So, it is an extension of your network, a way for you to be able to help your clients without having to go back to them and saying, "Sorry, I can't assist you. You know, good luck," which doesn't really help the attorney when he or she gets a response like that.

Jane: Right, exactly.

Pat: My last question for you is I know that listeners are going to be intrigued by your background. How can they find out more about your company and about you?

Jane: I'm on the web at Medi-Law Solutions. That's medilawsolutions.com and my email address is J.Barone@medilawsolutons.com.

Pat: Wonderful. Thank you, Jane, for being part of this program and sharing your experience with our listeners. It's been a pleasure talking with you this morning.

Jane: You as well. Thank you very much.

Pat: And this has been Pat Iyer and Jane Barone talking about some of the challenges of getting started as a legal nurse consultant. It covers some of the experiences that Jane has had both working in-house, as well as an independent legal nurse consultant and how she has built her business with persistence. That's a word that has come up several times, not giving up, being determined and sticking through the challenges of a business that's highly competitive in a high-stakes aspect of law.

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