

The
Employability
Expert



START, BUILD AND EXPAND A FAMILY LAW PRACTICE
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2018 ABVE ANNUAL CONFERENCE
SALT LAKE CITY, UT

GOALS & OBJECTIVES:

Learn How to Evaluate If a Family Law Practice Is Right for You

Understand How Your Current Expert Work Applies to Family Law

Understand Unique Characteristics in Family Law for Vocational Evaluations

Guidance on How to Get Started on Family Law VE

Get Tips for Successfully Marketing Your Expertise & Value in Family Law “Must Haves” for Success

A close-up photograph of a person's hand holding a small white rectangular sign. The person is wearing a white button-down shirt. The background is dark and out of focus. The sign has the text "IS FAMILY LAW RIGHT FOR ME?" written in blue, bold, sans-serif capital letters.

IS FAMILY
LAW RIGHT
FOR ME?

IS FAMILY LAW RIGHT FOR ME?

Why Do You Want to Pursue this Area as A Vocational Expert?

- Diversify your Practice
- Additional revenue source
- Competitive Opportunity
- Broaden Testimony Experience
- Opportunity to work different experts
 - forensic accountants, business valuation, others
- What Else?.....

IS FAMILY LAW RIGHT FOR ME?

So, What Has Held You Back?

- Too Messy! Too Toxic!
- Too Personal – gets uncomfortable
- Too Emotional
- Too Much Drama
- Attorneys Too Cliquish
- Attorneys Won't Value (understand) My Other VE Experience

YOUR EXPERTISE APPLIES TO FAMILY LAW PRACTICE

- Successful Experience Working with Attorneys and Legal Cases
- Solid Testifying Experience
- Same VE Methodology
- Our Work Helps Settle a Case
 - 95% of cases settle (maybe at 11th hour, but they settle)

JUST LIKE OTHER CASES

- Same Intake Process:
 - Conflict check
 - Initial conversation confirm only factual information
 - Confirm what stage in case - turnaround time
 - Retainer agreement/engagement letter
 - **Specify who retainer is with. Who pays. Payment terms**
- Same VE factors:
e.g. medical issues, transferable skills in labor market, training, hire-ability
- Same issues about malingering, timing of unemployment, drop in earnings
 - SIDS (Sudden Income Deficit Syndrome)

UNLIKE OTHER CASES

- May be appointed as Neutral Expert
 - Mutually agreed by lawyers & approved or appointed by the court
 - Impact on process and communication with attorneys
 - May affect your fee?
- Sometimes other side is Pro Se (has its own challenges)
- Procedural differences in different jurisdictions:
 - May be deposed
 - What is discoverable
 - Communication with counsel

MAYBE UNLIKE OTHER CASES

- Evaluated party may be absent from workforce for long time
 - Stay-at-home parent
 - Family caregiver
 - Medical issues (self or family, special needs child)
 - No work history
 - Minimal unpaid volunteer experience and activities
 - Aged or outdated skills
 - May indicate more testing: Career/Vocational Interest Inventory, WRAT, etc.
 - How much outdated?
 - Training or reentry programs



PREPARATION – WHAT YOU SHOULD KNOW

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- What are the benchmarks for VE fees in your region(s)?
 - Capped fees? Hourly rate & charged against retainer?
- Know who is designated client (does atty. retain you?)
- Learn about retaining firm/atty. & opposing counsel
- What can attorney tell you about Judge/Hearing Officer
 - Prior decisions about imputed income
 - Preconception or experience with VEs

PREPARATION – WHAT YOU SHOULD KNOW

- Will court compel a VE interview
 - Should still request (cost involved in making motions)
 - Accepted interview methods
 - Phone/Video interview as alternative to in-person
 - Observe deposition during info gathering about employment factors
 - Help prepare/submit deposition questions to atty
- Commonly accepted practice in the jurisdiction/courtroom
- Who else is typically in courtroom (e.g. opposing expert?)

PREPARATION – WHAT YOU SHOULD KNOW

- Different judges or courts expectations influence:
 - Methodology and accepted sources
 - Depth, scope, detail expected to provide
- Stay on-top of timeline to receive information
 - New information: New discovery & findings from prior court appearances
 - Keep informed about changing dates for assessment & report submission

YOU GOT THIS – NOW GET THE CLIENTS MARKETING YOUR PRACTICE TO FAMILY LAW ATTORNEYS



1ST: WHO IS YOUR TARGET MARKET?

- Attorneys who work with clients who can afford your services
 - Demographic areas where those lawyers (& their clients) reside
- Sources
 - Lawyers you know or work with
 - Super Lawyers
 - Best Lawyers
 - AAML (American Academy of Matrimonial Lawyers)

2ND: EMPHASIZE DIVORCE/FAMILY LAW SERVICES

- Website, Blog, Directories, Business Cards
- Networking/Branding Statement
- Be consistent in your language in all media & touchpoints
- Use examples
- Testimonials



3RD: LEARN “FAMILY LAW SPEAK”

- What keeps your clients up at night?
- Attend Local and State Bar Family Law Section CLEs or events
 - SIT IN on CLE – Learn the language, the issues, the speakers
 - Introduce self at breaks – attendees, exhibitors/sponsors, speakers*
- Collaborative Law Groups
 - Many also litigate & use you plus a referral source
 - Smaller group, more intimate

4TH: ADVERTISING

- On-line Directories
- Local Bar Association Family Law Meetings & CLEs
 - Be a sponsor or advertiser at a local CLE (cost can be low)
 - Ask to add 1 pg. insert into materials as sponsor/advertiser
 - Staff a table/booth
 - Actively dialogue
 - Many family lawyers have limited experiences with VE

5TH: SEEK SPEAKING OPPORTUNITIES

- Breakfast or “Lunch and Learn” at firms
 - 30 to 40 min. + Q & A = 1 hr. max
- Seek Family Law Section CLE Chair to suggest topics
- Collaborate with a family law atty.
 - On CLE or to publish an article/blog
 - CLE credit granted only if atty. part of program – often as moderator
 - Internet radio interviews



6TH:WRITE /PUBLISH

- Professional journals
- Co-author article in prof'l legal or divorce related publication
 - print & online
- Blog/Newsletter (build a list)
- Post on LinkedIn groups e.g divorce professionals, expert referral groups,
- Follow Divorce related groups – be visible (comment)

Remember to follow-up

7TH: GET TO KNOW OTHER EXPERTS OR SERVICE PROVIDERS IN THIS SPACE

- Forensic Accountants, Business Valuation Experts
- Wealth Advisors, Certified Divorce Financial Analysts
- Private Investigators
- Appraisers
- Court Reporters
- Others.....

Remember to Follow-up

8TH: NETWORKING

**To increase referrals and word-of mouth ALMOST NOTHING
Builds visibility, trust, collegiality like face-to-face meetings**

Part of the follow-up

- Where to find targeted lawyers & service providers
- Research B2B groups in your area (online and on-the-ground)
 - LinkedIn + your professional connections to be introduced (use intern?)
 - Frequency, consistency is key to building visibility & relationships
 - NADP (National Association of Divorce Professionals)

PREPARE FOR NETWORKING:

- Have your 15 second pitch ready – clear, easy to understand
 - Tweak, observe feedback, revise
 - Share examples, stories – Family lawyers love to share stories
 - Triggers ideas about how lawyers can use you
- Track referral sources – including calls for advice



THE KEY TO SUCCESS IS IN THE FOLLOW-UP

SOW THE SEEDS, NOURISH THEM, AND REAP THE REWARDS

Wrap Up

- **Questions-Feedback**_____
- **Invite you to follow up with me**
 - **Success stories, Questions, Resources, Pitfalls**
 - **Mentoring, Networking**
 - **Rona E. Wexler, rona@TheEmployabilityExpert.com**

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Thank you for your interest and time this early Sunday morning!

And this opportunity to share with you!

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