

Tick tock, your advantage is slipping away

Recently, a large prestigious East Coast law firm contacted us to produce more than thirty 2D and 3D animations for a Markman hearing and then trial. With barely four weeks to assimilate the case, then produce and get consensus from six geographically diverse co-clients, we had to respectfully decline. It was a recipe for disaster; not a smart way to start a relationship, nor to deliver thoughtful strategies and quality images. But this was not an isolated event.

Case planning is often at the last minute. At great cost. Mark Susnow, a trial attorney for 30 years and now an executive coach for attorneys and CEO's says, "As trial attorneys, we scrutinize every detail, respond to every opposing gambit, and put on the good game face with every shifting court date. It often overwhelms us. We feel forced to put off each event until the last minute. We're blind to the very opportunities that might ease our overload and improve our success."

As strategic litigation consultants, we're aware that most cases settle and that litigators often believe that they don't need to bring in consultants until they're sure they are going to trial. But noted jury consultant Tara Trask says, "The way you plan to tell your story can have an impact in the settlement process and professional storytellers are invaluable early on. The result is that we often present our case strategy at mediation so the opposition fully understands the power of our case and knows we're prepared to do battle."

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-- Mark Susnow,
former trial attorney

Delaying this process to the last minute lowers the quality of work and can create greater overall costs with overtime and rush charges.

Mark Susnow goes on to suggest, "Talk to someone outside your harried circle. As early as mid-discovery, investing even a few hours with the trial team consultants can give us fresh perspectives; lead us to evidence and demonstratives we never before considered; and often strengthen our strategies and our settlement position. In the long run, investing those early hours actually saves time and money, and improves everyone's productivity. Most important, it produces better results for our clients."

