

Live in Las Vegas Trial Presentation Technologies

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Are you overwhelmed by the array of tools available to present your cases? Knowing which media to use when, and the best way to incorporate it in the presentation of your case is the focus of this article. Mixing media is also an advantage once you understand the capabilities, strengths and benefits of each type. When employed correctly, the media you decide to use in presenting your case will create a winning combination!

When determining which type of media will best work, you should understand the basic rules of application and what preparation and equipment will be required. In all visual presentations, no matter what you select, your objective is always to simplify, clarify and unify a case theme.

SUMMARY

Traditional Media/Fixed Objects:

- Demonstrative Exhibits “Anchor” - Creative Presentation Boards
- Flip Chart Drawings – Butcher Block Paper
- Enlargements & Excerpts
- Demonstrative Evidence – Objects & Models

State-of-the-Art/Projected:

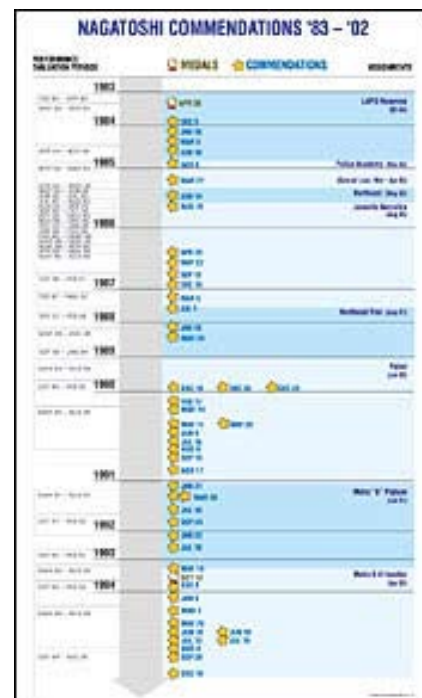
- Digital Trial Presentation Systems “Interactive Access” (Sanction, Visionary, Director)
- Digital Overhead Projection Cameras (such as Elmo)
- Slide Projectors & Video Playback

- Scripted Digital Presentation Media “Trial Choreography” (PowerPoint, Animation)

TRADITIONAL MEDIA/FIXED OBJECTS

Demonstrative Exhibits “Anchor” – Creative Presentation Boards

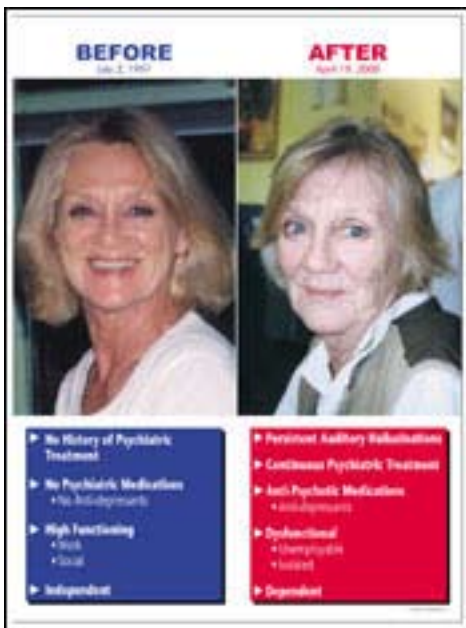
- Creative boards create an anchor for the case, used repeatedly or displayed constantly as a reference point for events and players
- Walk the jury through timelines and events, clearly illustrating complex or confusing points
- Clarify a complicated sequence of events in a medical malpractice case with a timeline



- Simplify a confusing cast of characters in a contract dispute with a players chart
- Render a diagram of a route traveled
- Unify actions and events in a timeline by creating a theme using color, symbols and icons
- Incorporate scanned documents or photos into your timeline, graph or diagram
- Add magnet pieces to cover-up and then reveal events not disclosed until later

Use this for:

- “Anchors” of the events
- Casts of characters or procedures
- Understanding of complex events or processes
- Acronyms and frequently used definitions



Pitfalls:

- Excessive details or copy
- Confusing graphic layouts
- Too many confusing colors or graphic symbols
- Putting too much on one board – use more boards

Special Considerations:

- Color coding, lamination, pens, easels

Flip Chart Drawings – Butcher Block Paper

This traditional medium is still a popular and essential tool for presenting to the jury. It is a big asset when

you use it for illustrating ideas or teaching “on the fly.” When used with the anchor board, you can excerpt ideas for added reinforcement. For example, you can write out the math to illustrate that dollar damages did not get pulled out of “thin air.” Once accepted into evidence, the drawings can later be cleaned up or typed out so the jury may access them during deliberations.

Use this when:

- Already in court for visual display
- Experts need to diagram “on the fly”
- Adding emphasis to testimony you want to remain visible

Pitfalls:

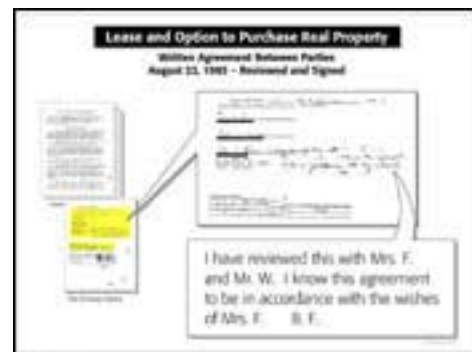
- Handwriting clarity
- Lost eye contact when your back is to the jury
- Illustrating of process unclear or confusing – better on a board

Special Considerations:

- Dark markers in multi colors easy to read, rehearse your illustration, limit the amount of text, clear printing or writing are a must

Enlargements and Excerpts

Document enlargements allow a jury to easily view a document in its original state, such as doctor or nursing notes. Color highlighting can be added to blocks of text to draw attention to particular paragraphs. Photo enlargements can help the jury understand the evidence, the site, and damages. They can also produce an emotional impact. When limited to only the vital documents, enlargements are cost-effective displays. Flip chart enlargements can be



created out of multiple-page documents to illustrate an entire contract.

Excerpts quite simply allow you to enlarge and highlight text from any scanned document. You can show multiple pages of one document, and add arrows and labels to point to specific parts of a diagram. This allows the juror to grasp the critical information of a complex exhibit without having to understand the contract language. Present side by side documents for a comparison, such as, a corporate policy manual, government codes, city regulations, vehicle manuals versus a photo of what actually occurred.

Use this when:

- At a glance understanding of documents
- Emphasis on vital language
- Combining photos with captions, highlighting, and labeling

Pitfalls:

- Too many documents to blow up can be non-cost effective
- Rough looking, faxed or degraded document copies

Special Considerations:

- Clarity of original documents, pre-highlighting, lamination, pens, easels

Demonstrative Evidence – Objects & Models

Having a model or an actual object of evidence in the room can assist the jury in experiencing what happened. An object such as a fractured bolt remaining from an accident can tell the whole story. A model built to scale can facilitate an educational segment while presenting your case.



Permit the jury to feel what it is like to be in a rollover accident by using a vehicle simulator. Display the effects of a contaminated piece of clothing or shoe. Add electronics to re-create the movement of the object or model. This allows the jury to experience the events with the tangible evidence of the case – making it real for them.



Use this when:

- Actual evidence can be displayed for impact
- Creates “touch and feel” of the evidence
- Good educational device

Pitfalls:

- Bulky models
- Mechanical models which must function on cue

Special Considerations:

- Can be costly and time consuming to prepare and exhibit, ease of use, display cases

STATE OF THE ART – PROJECTED

Digital Trial Presentation Systems – “Interactive Access”

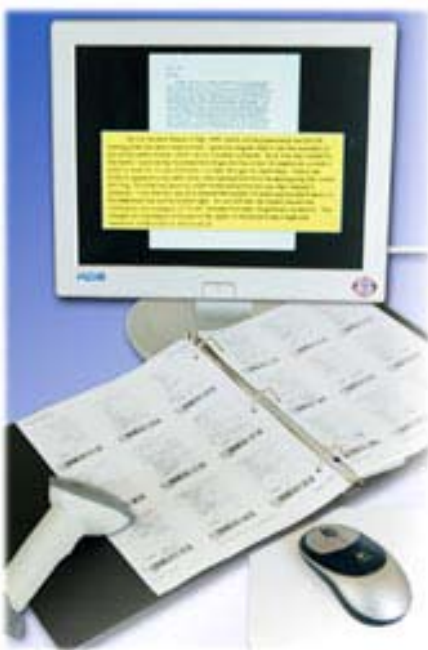
Trial software programs such as Sanction II, Visionary and TrialDirector are vital for document intensive trials. They allow “on the fly” and non-linear retrieval. Documents can be enlarged, highlighted and then saved as new images. Access your presentation documents via bar code stickers on your



trial notes, from a document binder or by entering an exhibit number.

Excerpts and photos can be enlarged and highlighted, providing the judge and jury with clear portions of any trial exhibit, which is then projected onto a large screen.

Video depositions can be synched to the transcript, allowing quick clip creations. Clips can be shown with or without synchronized exhibits. Multiple experts or witnesses can be available in digital video playback files without costly courtroom appearances and their testimony is available to play on command.



Use this when:

- Volumes of video depositions or deponents
- Document intensive cases
- Highlighting and enlarging specific parts of evidence “on the fly”

Pitfalls:

- Not having time or persons to adequately prep the technical requirements such as document scanning, video preparation and digitizing, organizing files for retrieval
- Speaking and operating the computer simultaneously will distract from your impact
- Being unprepared to deal with technical issues “on the fly” can cause interruptions

Special Considerations:

- Playback considerations require laptops, projector, screen, carts, extension cords, speakers, power strip, and barcode scanners. The technical requirements are intensive; have a technician present to assist. Allow adequate time for preparation and pre-flight of all hardware and software. Projection contrast, good color contrast and document resolution are important for legibility

Digital Overhead Projectors and Cameras

These useful tools, like the Elmo, have nearly replaced traditional overhead projectors and can be found in most California Federal/Superior Courtrooms. The powerful brightness (lumens) of today’s systems let you keep up the lights. They allow you to place both documents and 3-D objects on the platform. X-rays and MRIs can be displayed on a back-lit platform. Zoom in on small items, like stamps, or sections of any image, to view even the most minute detail. Enlarge parts of a photograph to view background evidence like a clock or suspect, which will then be projected onto a large screen for easy jury viewing.

Use this when:

- Large quantities of documents, but not a huge volume for rapid recall
- Organized stack of documents
- Need flexibility to select a document or object at will



Pitfalls:

- Too many documents – better with Trial Software
- Not having your materials organized for quick access
- Rapid highlighting not as easy as Trial Software

Special Considerations:

- Digital projector, equipment installation specialist, well organized materials, carts and stands, screens for viewing, extension cord and power strip

Slide Projectors & Video Playback

While projected media is making its way onto computers, slide projectors and video playback is still used. The recent introduction of DVD playback offers exciting new possibilities for presenting your case.

Slides generally have higher resolution than scanned images projected digitally, assisting legibility. Media conversion of historic slide archives can stress tight budgets. Slide projectors may be considered loud in the courtroom.



Video playback systems are usually readily available and are typically easy to use with the understanding of the play/pause functions. Cueing

up video tape is critical in the presentation of this media. DVD playback will facilitate showing video categorized by chapters. Fast forward through a DVD instantly when something like “nursing care” footage has proven too long for a jury to endure.

Use this when:

- There is no need to transfer an archive to digital media formats
- Exclusively video tape footage
- Hearings and mediations are appropriate for this media

Pitfalls:

- Slide mounts which hang in the projector, pre-check the carousel
- Not editing video tape in easy to use segments – overly long segments
- Difficulty viewing on television, dimmed lighting required for projection



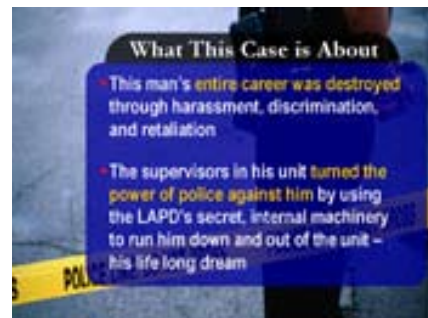
Special Considerations:

- Slide projector, extra projector bulbs, video tape format, playback equipment, carts & stands, screens or monitors for viewing, extension cords and power strips

Scripted Digital Presentation Media – “Trial Choreography”

PowerPoint Presentations and Animation

PowerPoint (computer-driven slide shows) allows you to organize and choreograph a presentation into a linear scripted format. This makes an organized presentation of evidence and arguments easier to deliver. Add documents, video testimony, photos or animations to play on command, simplifying the scripting and editing of opening or closing statements.



Create impact or emphasis as you speak, animate illustrations or documents, or highlight a build up of events. With this type of media, you can create a more compelling argument than a presentation with just static exhibits, allowing you to create a more dramatic psychological impact.

Animation – Key events or processes which may be difficult to describe or for which no evidence is

available can be animated, thus allowing the jury to experience the event as if it is happening. Animations can be played independently, or incorporated into presentation software like PowerPoint, or accessed “on the fly” through digital trial presentation systems.



Use this when:

- Scripting an argument which follows a logical path
- Creating dynamic sequences and buildups
- Keeping the presenter on track
- Knowledgeable presentation technician is available

Pitfalls:

- Eye contact with the jury can be interrupted when reading the screen
- Material or special effects overload – visuals should support, not distract or confuse
- Last minute preparation or changes can cause the speaker confusion and technical problems
- Not rehearsing

Special Considerations:

- Rehearsing is crucial. Playback and technical considerations are intensive. You will need a laptop or computer, data projector, speakers, extension cords, cart, screen, cueing devices, and any other peripherals and cabling such as video players used in your combination. Have a technician present to assist; allow adequate time for prep and pre-flight of all hardware and software. Have a backup copy of your file, plus a hardcopy of your visuals and a backup computer when possible

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