

Using Multimedia in Legal Proceedings

Reaction of the Jury or Factfinder

Will oral advocacy alone bore Generation X jurors?

The question is frequently posed that if you use technology in the courtroom, especially while representing a well-heeled client, will a negative reaction result from the judge or the trier of fact?

Our society, including the judges and juries, is exposed to an onslaught of technology in their lives. It is nearly impossible to go through a day without hearing or seeing information about the Internet, computers, Windows 95/98/00, Microsoft, or other technology. Our kids, relatives, and other people we come in contact with are being challenged to utilize technology in their businesses, schools, and for home use. It is estimated that in the year 1998 alone, 30,000,000 computers will be sold. An amazing 1/2 of those will be purchased for home use. Judges and juries are part of this society and generally are not intimidated by the use of technology.

In fact, a positive reaction from the use of computers can result if the court and the trier of fact are shown the benefits of using technology. Many trial practitioners attest to the efficiency and time savings of using technology to provide accurate and immediate legal and case information and the capability of focusing the fact finder's attention during the proceedings. For example, if one uses the computer to present their case through the use of monitors and it saves a day of trial per week, the trier of fact will react favorably toward you. This would be especially true if the opposing party is given the opportunity to use the more efficient technology for no or little cost, and declines to do so. Then, the trier of fact will have a negative reaction toward the party who wastes their time by continuing to use the paper presentation method.

The effect of the well-heeled client's use of technology in the courtroom will be the same as their high end use of some of the best attorneys, demonstrative evidence, animations and other tools in trial. If your client, because of his or her economic status, is perceived as taking advantage of a less fortunate opponent, then the use of technology or other tools in the courtroom will have a negative effect upon your client.