

Using Multimedia in Legal Proceedings

Outside Trial Service Bureau

There are many litigation support and trial service bureaus that will assist you in handling the multimedia presentation of your case. If you decide to engage an outside service to assist in the presentation of your case in court, the following questions will be asked.

- Approximately how many pages of documents will be accessed during your presentation?
- How many pages will require enhancement or special treatment?
- Will documents be marked up or manipulated real-time, or do some documents have to be pretreated or prescripted? Scripted preparation may include highlighted callouts, split screen segments, video deposition edited clips, or comparison pieces.
- How many hours of video depositions will have been taken? What is your best estimate of how many minutes of these videos that you will need to access? How many tapes are there? What formats are the tapes - VHS, Beta cam? Are they time-coded?
- Will there be a need to design and produce demonstrative exhibits for presentation on the system? How many exhibits will need to be produced and what type - charts, animations, etc?
- Will there be a need to incorporate any additional visual elements, such as photographs or other already completed visual items other than documents? If so, how many?
- Is this a jury trial, mediation, arbitration, or a public hearing?
- How long will the proceeding run? Will a system be required for pretrial preparation?
- Is technical hardware needed for the presentation?
- Do you need the services of a presentation consultant who will assist in designing a presentation based upon their evidence and the nature of the case? Tasks would include presentation scripting, video editing, scripting, expert witness presentation, static and moving graphic charts, coordinating meetings between attorneys, and witnesses and presentation designers.
- Design rights - make sure any graphics created are your exclusive property and are considered confidential work product.
- Make sure there is no conflict of interest by the service bureau.
- Do you need the services of a graphics or technical consultant? The technical consultant will ensure the smooth operation of the technical presentation of the evidence. System checks, backup systems will be ready and available in case of problems.
- Who will set up and tear down the equipment?

Confidentiality agreement should be included. Terms should include:

- During the course of the case and while providing equipment and technical support, employees of ____ will be exposed to exhibits and other information which ____ deems to be attorney work product, privileged information, proprietary information or some other kind of information which is deemed to be confidential by the law firm of ____.

- No employee shall divulge to any person or entity in any manner whatsoever any information related to this case, whether or not this information has been identified as confidential. Each employee agrees to be bound by any and all stipulations of counsel, orders of the court and any other agreement of the parties regarding confidentiality and non-disclosure of information.

Here is an example of a proposed timeline and sequence of work that a service bureau would propose in assisting you in using a trial presentation system.

- Collect documents, pictures and other materials to be used as exhibits;
- Scan and digitize materials;
- Choose storage system for materials - CD-ROM, hard drive, DVD, etc.;
- Collect video taped depositions and other taped materials;
- Synchronize and edit video tape depositions;
- Transfer video tape to laser disks;
- Scan or import into ASCII format transcripts;
- Synchronize each disk with the text;
- Prepare moving charts for testimony in case - moving charts are charts that build on one another as the testimony progresses;
- Script moving charts and documents and other exhibits in your case;
- Create and collect static charts and graphic exhibits into presentation system;
- Enlarge and print certain charts;
- Prepare call outs from documents for presentation - certain paragraphs, sentences, etc.;
- Scan, integrate and script all photographs in the case;
- Create a moving timeline for the case for opening and/or closing argument.

There are a number of graphic, image and animation service bureaus that will prepare your images and graphics for presentation and if you need, to assist you in the courtroom. Some

service bureaus to consider are inData (www.indatacorp.com), Verdict Systems (www.verdictsystems.com), Lex Solutio (www.lexsolutio.com), TrialPro (www.trialpro.com), and Doar Communications (www.doar.com).