Using Multimedia in Legal Proceedings

Equipment and Multimedia Checklist

There are a wide variety of multimedia presentation technologies available to assist you in presenting your case. From the simple blackboard to a sophisticated animation, all have certain advantages and disadvantages.

One concern is that the technology be consistent with the attorney style, juror receptivity, and case theme. Remember that one of the foremost goals is to maintain the attention of the jurors so a mixing of the different multimedia options will keep their attention. Mix it up and keep your presentation lively. For example, consider the use of different technologies focused on the same theme at three different points of the trial:

- Introducing the theme to the jury in opening statement via simple bar-code driven visual;
- Repeating the theme's substance in direct examination or through cross-examination using a witness interacting through a light pen or touch screen with the document;

- Presenting the annotated document graphic in closing argument on an oversized board or in a saved electronic file.

There are several factors in deciding which particular piece of software and hardware to use:

- Simplicity - ease of use is usually near or at the top of all lists;
- Reliability - attorneys expect the equipment to work;
- Budget Limitations - each attorney and their practice will differ as to the amounts they can afford to spend on presentation equipment;
- Flexibility - if the equipment can be used for a variety of presentation needs, it will be used more for a lower cost;
- Functionality - the equipment should not interfere with the legal proceeding. In fact, it should support the court atmosphere of searching for the truth;
- Results - are you getting a good return on your investment?

Below is a checklist of different presentation equipment and multimedia technology.

Chalk and Blackboard or Dry Erase Board.

Pros:

- Easy to use.
- Inexpensive.
- Can easily annotate.
- Easy to transport.

Cons:

- Does not stay in front of jury throughout trial and it can be erased.
- Must be able to write legibly.
- Limited use of colors and graphics.

FlipBoards.

Pros:

- Stays in front of jury if writing on paper is removed and mounted on poster board.

- Inexpensive.
- Can easily annotate.
- Easy to transport.

Cons:

- Must be able to write legibly.
- Limited use of colors and graphics.

Digital Flipchart.

Using a computer, a LCD projector and the Digital Flipchart or whiteboard a computer can be controlled at the whiteboard by the touch of your finger. It is the same as standing at a blackboard (here a whiteboard) and   touching the screen to control the computer and to present and write on images, documents, etc. (www.smarttech.com).

Pros:

- Can easily annotate on the whiteboard itself.
- Reflects what is on the computer screen.
- Controls computer from whiteboard.
- Screen is bright so lights do not have to be dimmed.
- Can print out screens to save.
- Graphics can be used.

Cons:

- Need to purchase or rent LCD projector and digital flipchart.
- Transportation - due to its size can be difficult.
- Cost is around $4000 for digital flipchart.

Whiteboard.

A whiteboard is a computerized blackboard. After writing on computer "whiteboard" with a dry eraser the writing can be automatically printed onto an 8 ½ by 11-inch piece of paper.

Pros:

-       Easy to use.
-       Writing can be saved and given to jury for later use.
-       Easy to annotate.

Cons:

-       Expensive - approximate cost is $5,000 to $10,000.
-       Transportation - due to its size can be difficult.
-       Must be able to write legibly.
-       Limited use of colors and graphics.

Overhead Projector and Transparencies.

Pros:

-       Widespread use and easy to use.
-       Generally easy to fix if bulb burns out.
-       Can easily annotate and draw on transparencies.
-       Can produce transparencies in the courtroom with laptop printer.
-       Generally do not have to dim the lights.
-       Color or B/W.
-       Can enlarge to 8' by 10' or larger.
-       Graphics can be created beforehand.
-       Easy to transport.

Cons:

-       Projector noise can be distracting, unless you have a newer model.
-       Exhibits do not stay in front of jury.

Blowups - graphics & documents:

Pros:

- Stays in front of jury throughout trial and maybe in jury room.
- Can annotate if clear sheet is placed over blowup.
- Size of posterboard blowups is determined by budget.
- Can be inexpensive.
- Relatively easy to transport.

Cons:

- Cost can be expensive depending on who prepares and the complexity of subject matter such as medical illustrations.

Visual Presenter

Video camera that projects objects, photographs or paper to a monitor or to a screen using a projection device.

Pros:

- Easy to operate.
- Can project objects, x-rays, paper or photographs.
- Can annotate on paper or photographs with special pens.
- Saves cost of enlarging photographs and documents.
- Objects can be enlarged.
- Many courts have visual presenter as part of courtroom equipment.
- Focuses everyone's attention on what is being shown on monitor.

Cons:

- Presentation setup cost is approximately $3,000. However leasing the equipment would be considerably cheaper.
- Monitors or LCD and cables and connectors required.

Video Cassette Recorder (VCR)

Pros:

- Widely available.
- Easy to operate.
- Tape can be shown on regular TV monitor.

Cons:

- Video production is expensive.
- Have to fast forward or rewind to get to specific location. (However, if digitized, it can be played from a computer and any part can be instantly accessed).

- Difficult to edit and annotate.

Graphs, charts, bullet slides and other visual exhibits:

Pros:

- nexpensive to create, software packages start at $100.
- Supports verbal points to jury.
- Can be displayed as poster board, 35-mm slide, colored printout, transparency, slideshow presentation etc.

Cons:

- Display method may be expensive - depends on choice.
- Complexity may increase cost.

Computer presentation software

(Display documents, graphics and/or video)

Pros:

- Allows for instant flexibility in the retrieval of documents or graphics.
- Allows one to quickly shift from one document or graphic to the next.

- Can draw everyone's attention simultaneously to specific parts of a document.

- Can place documents side by side and enlarge.
- Easy to annotate and save annotation.
- Cost of imaging documents and photographs are minimal.
- Can synchronize video, audio and documents together such as the video, text and sound of a deposition.

Cons:

- Cost of setup.
- Software cost - $100 - $1,000.
- Computer equipment - can use your office computer equipment.
- Presentation method - Monitors or LCD projector; lease $125 a day; purchase $4,000 and up.

Scale Models

Pros:

- Provides for a realistic three-dimensional view of the object, scene, etc.

- Provides for a "picture" that may be worth a thousand words.

Cons:

- Difficult to annotate.
- Expensive.

Animations and Simulations

Pros:

- Provides for a two or three-dimensional view of the object, scene, etc.
- Can view object or scene from many different viewpoints or angles.
- Provides for a "moving picture" that may be worth a thousand words.

Cons:

- Difficult to annotate.
- Expensive.
- Need to carefully lay foundation for use in the courtroom