

Using Multimedia in Legal Proceedings

Presentation Equipment

After creating your digital presentation, the next step is deciding how to display it to your legal audience and how the courtroom should be configured for the greatest impact upon the factfinder. The key factor in any choice one makes for presentation equipment is the **QUALITY** of the display to your audience. The equipment for a presentation will vary, depending on what type of legal proceeding as well as what type of evidence you will be presenting.



Overhead Projector.

Transparencies are still being used to display visual aids because of the cost and relative ease of use. All that is needed to display them is a high-powered projector, which many judges permit in the legal proceeding. With the introduction of low cost and quiet printers, transparencies can now be printed in the courtroom as the trial is proceeding. After printing your transparencies, I suggest that you attach paper borders, which can be purchased at office, supply stores. Paper border transparencies are easier to handle, the paper blocks out projector light and one can write on the edges. To build your presentation, place pieces of paper over the points until they are discussed.

Projecting transparencies up on a screen provides important control of the trial proceedings. Once projected, the overhead becomes the focal point of the litigants, witness, and most important, the jurors. The trial is a mini drama and if the overhead projector can add to the drama by projecting a “bigger than life” image of a document for all the jurors to see, that very well may be the piece of evidence that will be remembered by the trier of fact. Also, one can draw on the transparencies to highlight important evidence. Turning down the lights for key evidence will further focus the trial with these types of multimedia aids. To get your point across quickly, cleanly and inexpensively, transparencies may be the answer.

Visual Presenter.

The visual (Elmo™) presenter is a video camera attached to a metal arm pointed downward to project images onto a color monitor or a LCD projector. Anything can be placed beneath the camera for projection onto monitors in the courtroom. Actual objects, pictures, x-rays, blueprints, charts, tables, hospital records, and documents can be prominently displayed with this piece of equipment. The visual presenter can be turned into a “wireless” display system by purchasing low cost transmission equipment at Radio Shack. Since it is video, a VCR can capture all of the proceedings and exhibits displayed on the visual presenter for later playback. Images that are displayed can also be printed, whether it is a document picture or video frame.

The visual presenter is an important display technology that is relatively low tech. It is easy to use and can serve as a backup in case more sophisticated presentation software and equipment has a glitch. It is relatively lightweight and can be taken to the courtroom. It is not a computer, and the video that is sent is generally not digitized. The video can be recorded on a VCR if the court or attorney desires to keep a record of what is displayed.

Considerations when using a visual presenter:

- Disclose to the other side that you will be using it before trial so any objections can be dealt with openly. The other side might share the cost. Don't wait until the day of trial to decide this and other issues with the equipment. The court dislikes refereeing equipment arguments on the day of trial.
- Find out where the presenter will be located - on counsel's table, behind counsel's table run by an associate, on the podium, table next to the podium, etc. Moving it later will be difficult if you tape down the wires, etc. Also, you can go wireless by purchasing a wireless transmitter at your local electronic store. This will eliminate the cords needed to connect to the monitors in the courtroom. The presenter needs an AC power source.
- The video can be displayed to monitors. It is recommended that at least 37" monitors be used, preferably 45" monitors. For a more dramatic effect, a projector that displays a 6' or greater image of the exhibit could be used.
- Documents generally display better on monitors, and finders of fact are used to seeing documents on TV during newscasts and other news programs.
- The camera can be turned sideways to focus on models such as accident scenes, vehicles, human parts or other real evidence or people to capture them on the monitors. There is very little preplanning to use a visualizer.
- One technique for showing deposition text is to have it printed in a mini-transcript

layout. When placed under a visual presenter, it is enlarged to provide a controlled and useable focus on the text of a deposition.

- With an overhead projector, transparencies show full text better, but are incapable of showing many of the things this equipment can display.
- There is no need to plan which photo to enlarge, since merely placing them under the cameras will show it enlarged many times over on the monitor. You can zoom in on any part of the picture and show the smallest detail and enlarge it to the size of the monitor.

- One court requests the lawyers to take a “snapshot” of a witness by turning the camera sideways. The snapshot is then video printed and saved to refresh the jury’s recollection if there are several witnesses over a long trial.

- It can also be used to display a miniature recreation of a product, scene of the occurrence, etc.

- Its best use is to point out details to the finder of fact. It can be used to focus in on a small portion of 3 X 4 photograph, a physical object like a gun’s serial number, or a specific disclaimer clause in a document. It provides the attorney with the capability to stay focused on the specific detail in issues. Passing the photograph around to look at the important detail will not distract the jury. Instead, all of them will be focused simultaneously on the same portion of the photograph - a litigator’s goal.

- Another common use is to be able to take a book, open it to a certain page and display the page for the jury to see. This is especially useful when examining an expert witness.

- Because of its ease, the attorney presenting the case can operate the presenter. However, some argue that the lead attorney has too many other things to consider and should turn the job over to an associate, paralegal, etc. It is obviously a matter of preference, but always be aware that the jury will decide to accept you, the messenger, long before the technology, so do not put the technology before your credibility with the jury.

- Always have your critical documents and exhibits displayed on large boards. These are commonly termed “anchor” exhibits, and jurors will copy the contents down for later review.

- Explain the visualizer’s use to a jury in your opening statement. Use it if you will be using more high technology tools throughout the trial, like paperless presentation, animation, etc. Also, ask the court for an instruction to the jury that the evidence they see on the monitors will be given to them later in exhibit books or hard copy. The jurors will not worry about forgetting something they saw on the monitor. Introduce the technology, how it will be used, how they will also have hard copies, and it is used to save time. The presenter is much more personal than a PowerPoint or trial presentation software enabled presentation in the opening statement.

- Again, always have someone who is very familiar with the equipment. If no one is available, have a second Doar available in the courtroom.

- When presenting, do NOT present too many details at once on the visual presenter. Instead, build your case one point at a time with the presenter. If you have a photograph or document with five main points, do not show them all at once. Instead, script them so a point is made and then with the same document annotate a new point. Remember, you are teaching the

jury about your case, you know it backwards and forward, allow the jury to reach the same conclusion you have reached.

- One of the strong points of the Presenter is the zoom feature. It allows you to focus on words in a document or a specific portion of a photograph. To disarm this technique by opposing counsel, you may want to use the same exhibit and unzoom to show the jury the context of the words, sentences, or limited portion of the photograph. Having a drawing or illustration behind the photo can disarm cropped photographs.

- Marking in documents, photos and other materials. Newer equipped courtrooms have touch screen monitors that allow you to mark or annotate on the monitor what is being displayed on the Presenter. If this touchscreen capability is not available, consider using a removable highlighter pen or put the documents or photos in a plastic sleeve and use a grease pencil to annotate. Use non-glossy plastic sleeves to prevent glare.

- Try to set the equipment up the day before and test it to prevent any glitches on the first day of trial.

- X-rays - the presenter has the remarkable capacity of sending light up from the base and can easily display x-rays and other hospital images and scans.

- Models - if you have constructed a model that can be held then your witness could turn the camera sideways and explain to the jury through the monitors the procedure, process, or other information the model depicts. This type of presentation takes practice and a careful consideration of the location of the camera, witness location, and knowledge of the equipment. This should be practiced ahead of time. The same approach should be used with large objects and focusing in on a specific part, etc. However, never let the technology take front seat. If your witness can, by whatever means, explain to the jury "in person" the process, use that as your first choice, especially if your witness is personable.

- Presenting documents - With the presenter, try to always have the complete document without it being redacted. The jury can get mistrustful if only a paragraph etc. of a document is shown. If you wish to display only a paragraph, sentence, or a few words, just block out the rest of the document with paper. Also, if you can annotate your documents before trial, yellow is the generally accepted highlighting tool. Prescripting the exhibit saves everyone time and takes another mechanical issue away from the attorney.

Products: Elmo visual presenter (www.elmo.com)

Digital Presentation

Equipment

The three primary types of digital output equipment are monitors, LCD panels and projectors,

and CRT projectors. These display devices can generally be used with any of the computer operating programs. Ensure that the necessary connectors and input/output signals are compatible. Quality display equipment will be able to show video, graphics, images and any other form of multimedia, including sound.

Using TV monitors to display digital video

One of the problems with digital video is how to display it to an audience. With regular video, we use a s

Monitors

Presentation monitors provide a direct view and good image quality, depending on the resolution. Monitors are different then regular televisions in that they have higher resolution capabilities and are able to handle a variety of digital formats, such as video, graphics, images, sound, etc.

Resolution is the measure of the sharpness of the image it produces. The higher the resolution, the sharper the image. Televisions generally have low resolution. Presentation monitors range from 640 X 480 to 1024 X 780 resolution and higher. The high resolution is required for viewing of graphics and case documents. Monitor sizes range from 10" to over 40". High resolutions are available in all sizes. The weight of the monitors increases as the size increases. It is not uncommon to need 3 people to lift and set a 37" monitor. One law firm solved this problem by placing the monitors in shipping crates that included a hydraulic lift. When the crates were taken to a courtroom, they would be opened and the hydraulic lift would raise the monitor to the desired viewing height. A skirt could be placed around the equipment to hide the lift and wires.

The cost of a monitor depends on its size and resolution quality. Prices for rental of presentation monitors vary widely in each city as well as the part of the country in which you are located.

For a discussion of flat screen monitors, see Chapter 2, Hardware and Software.

LCD Projectors and Panels.

Combination LCD Projector and Visual Presenter.

LCD projectors are being combined with visual presenters into one unit. For example, Toshiba's Medias



Liquid Crystal Display (LCD) technology has been integrated into projectors and panels, and is the most popular display technology for computers. The latest models can handle full motion video, can display millions of colors, and project at a 1024 X 768 or higher resolution. LCD projection systems require a projection screen. Some systems come with “player” software that enables you to run your presentation off a floppy disk that is inserted into the LCD projector.

These systems can be used in a variety of legal settings and for in-house training. They are easy to move and setup, and can be carried onto a plane. The major limitation is that the lighting conditions in the room may have to be controlled for display purposes. Some courts do not have shades or the ability to control lighting and some judges do not want a darkened courtroom during trial. However, there have been significant breakthroughs for these systems, so it would be in your best interest to see an actual demonstration before deciding upon whether to use the system. If possible, insist upon previewing the system in the legal setting in which you will be using it.

LCD projectors must have a high lumens rating of 3,000 or more. They generally fit inside of a briefcase and weigh less than 10 pounds. The portability of LCD devices has made them a popular display tool for settlement conferences and in other legal settings. Prices range from \$500 to approximately \$3,000 for color and full motion video features. Many audio/video service bureaus will rent LCD projectors for approximately \$150 per day.

Many of these systems have remote control capability. If you don't like standing at a podium and the judge allows you to wander - a remote control may be the answer, depending on the circumstances.

LCD Purchasing Considerations and Products.

One of the most used presentation devices is the LCD projection system. They are getting brighter, smaller, and less expensive. They will continue to grow in popularity as we increase our use of computers in presentations. Some important buying considerations:

- Demo - Always get a demonstration, preferably under the conditions similar to those in which you'll use the projector. You'll need to see it operate with the kind of images and multimedia you will typically use. Compare models side by side if you can.
- Resolution - The sharpness and clarity of projected images are determined by a projector's resolution. Available resolutions include VGA 640 X 480, SVGA 800 X 600, XGA 1024 X 768 and SXGA 1,280 X 1,024. Digital images are made up of dots or pixels that make up an image. Resolution refers to the number of dots or pixels that make up an image. The higher the resolution, the sharper the image. If you are only showing a slideshow presentation and occasional pictures, you do not need the high resolution. However, showing CAD drawings or documents, high resolution is needed.
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Digital Light Processing (DLP) is a new technology breakthrough for LCD projectors. Developed by Texas

Computer Compatibility - You must determine whether the projector

matches the resolution of your computer-input device. Most notebooks have SVGA screens

today and some have XGA screens. If your projector only projects VGA, then you have to use

special technology to compress your computer SVGA or XGA into a VGA screen, causing it to

look less clear.

- Portability and Weight - If you travel, weight is an important factor. Consider buying

an under 12 lb. portable. They feature excellent resolution and image quality. However, if the

machine will be fixed in one location, focus on brightness, uniformity, contrast and color.

- Brightness - Most of your presentations should be delivered in rooms where

people can see your face so brightness is critical. Brightness is measured in ANSI lumens.

However, manufacturers enhance lumen numbers so they are unreliable. Instead, pay close

attention to the brightness during a demonstration. The brightness should be uniform across the

image and not just in the center of the display.

- Contrast - Contrast is the difference between the brightest and darkest areas on your

image. It should be high enough for video and images.

- Color - Judge the LCD color during a live demonstration. It is best to compare the

color to the colors on a regular computer monitor. Are the pinks still pink, or have they turned

into yellow or oranges?

- Image quality - This refers to the overall look of the image. Are the corners of the

image in focus at the same time as the screen center? Does an ugly hot spot occur

somewhere? Is it crisp and clear, or does the image seem to be hidden behind a dull film? Do

the pixels separate at the edge? Test it with an all black screen. Is it all black? Do the same with

the other primary colors. Do the colors stay intact?

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Keystoning occurs when the projected image is wider at the top than at the bottom. Keystoning happens

Dual computer and video hookup -- How many computers and VCR's can

be hooked into the projector at once? More than one will prevent having to switch cables for

speakers or other media.

- Video format - Does it accept both NTSC and S-video?

- Ceiling mounted - Can it be mounted in a permanent location on the ceiling?
- Built in computer - Does it have the capability to play back a presentation off of a

floppy without the need for a computer?

- Bulb replacement - Lamp replacement cost - prices range from \$25 to \$1000. What

will you do if a bulb burns out and a technician has to install a new one?

- Rear projection capability - Will you have a need to place it behind a rear projector

screen?

- Hand held remote - Are the content buttons and on-line menu intuitive?

Rental LCD's: InFocus Instant Access Rental Program (<http://www.infs.com/>) or Ph:

1-800-294-6400 (Overnight delivery). Products: InFocus (www.infs.com) and Proxima (

www.proxima.com

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CRT Projectors.

Cathode Ray Tube (CRT) projectors are generally used for large-scale presentations. These projection units can weigh as much as 150 pounds and cost upwards of \$10,000 or rent for \$400 to \$1000 a day. They are relatively impractical for traveling purposes and require an audiovisual technician to set up and ensure that the interfaces are proper for the computers.

DEPS - Digital Evidence Presentation System.

Below is a Digital Evidence Presentation System (DEPS). The system provides multifunction support for all aspects of evidence display, complete with multiple digital and video inputs and up to 14 display outputs. The unit is housed in a décor matching cabinet to facilitate easy

transport and quick installation via a single user interface. Also visit ExhibitOne

(<http://www.exhibitone.com/>) for incourt presentation products and how the systems look in a

courtroom.

