

# 2003 Guide to TRIAL SUPPORT SERVICES

## Making an Impression with Courtroom Presentation Technology

By Joe C. Hyman

**W**e have all been affected by the digital revolution. Telephones, cars, home appliances, and office equipment have all incorporated digital technology. Is it any surprise that this new technology would find its way into the courtroom? While the venerable old Elmo overhead projector, videotape and poster boards have been valuable tools for litigators, they are rapidly becoming obsolete. Enter the world of database case management, point-and-click presentations, and large-format interactive plasma touch boards—scary for some, exciting for others. Whatever the case, there is an obvious need for litigators to accept and embrace the current technology that is shaping all our lives.

Live Note and Sanction II are good examples of this new breed of case management and trial presentation software. Utilizing this type of software can be valuable for organizing and presenting a case at trial, but these advantages are not gained without a learning curve and some preparation. First, all paper documents must be scanned to create a database, and all traditional tape needs to be brought into the digital environment (through a process called encoding) and stored on CDs. These may be video depositions, audiotapes, day-in-the-life tapes, documentary evidence, or animated re-creations. Synchronized video with transcript is also available for depositions that were originally videotaped. This requires an ASCII disc from the court reporter, which is brought into the database and merged with the video. This yields the court reporter's transcribed text at the bottom or side of the video operator's shot of the deponent.

An entire case that might have included expensive picture blow-ups, graphs, and poster boards can be available and presented in a large format with the touch of a fingertip. A point-and-click instantly calls up the data needed. Video searches and editing are also expedited, since rendering to tape is no longer necessary. If a document is needed at trial that was not scanned in as part of the original database, this is not a problem. A scanner connected to the laptop can instantly bring the document into the database.

Using a digital system at trial generally requires an operator. The technician follows the lead of the counsel, bringing up documents, highlighting, underlining, or magnifying as

needed. The technology does not preclude counsel from operating the system. Litigators may choose to utilize a bar-coding technique that allows the presenter to access documents by moving a reader pen over a precoded document in order to call it up and project it, usually on a 6- or 10-foot flat screen.

For those desiring the latest in hi-tech courtroom presentation, there is the interactive touch-board system, which takes the place of the traditional flat screen. Counsel may choose to add a little dazzle quotient by approaching the board (which might best be described as an electronic chalkboard) and perform annotating, magnifying, and underlining by simply touching the board with an electronic pen, or even a finger. This is possibly because the board is connected by a cable to the laptop and functions as an extension of the laptop's screen and touchpad.

These are just some of the features of the SMART Board, which, when combined with a laptop, Sanction II, and a projector, eliminates the need for an Elmo, video player, CD player, cassette player, paper documents, posters, video, audiotapes, and CDs. The presenter has the ability to put up a document next to a video (while it is running), annotate it, and either save it and readmit it as a modified or demonstrative document, or erase it with an electronic eraser as if it were on a chalkboard.

Once acclimated to this new technology, attorneys realize how many options they have before and during a presentation. Judges appreciate how much time is saved by the efficiency of the system. Jurors are immediately drawn into any presentation just by the visual excitement and the amount of information they are seeing and listening to. When properly using a digital presentation system, counsel may discover that it requires less time looking through boxes for documents or videotapes and allows more time to focus on the case and the effect it is making on a judge or jury.

Joe C. Hyman is the president of Viking Video Inc., located in Santa Monica, and has provided litigation support services since 1984.



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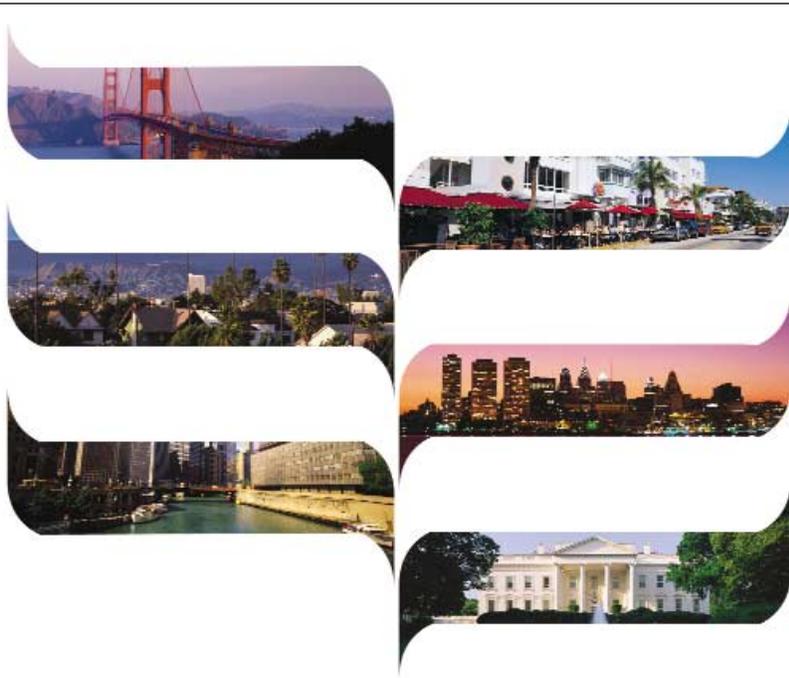
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