

The Graphics Guy: Turning Timelines into Plotlines

by Jason Barnes

Jason Barnes, a.k.a. "The Graphics Guy" [jbarnes@barnesandroberts.com] is a graphic designer and trial consultant based in Dallas, Texas. He has been practicing visual advocacy since 1990 and has worked in venues across the country. He specializes in intellectual property and complex business litigation cases. You can read more about Mr. Barnes at his webpage [<http://www.barnesandroberts.com>].

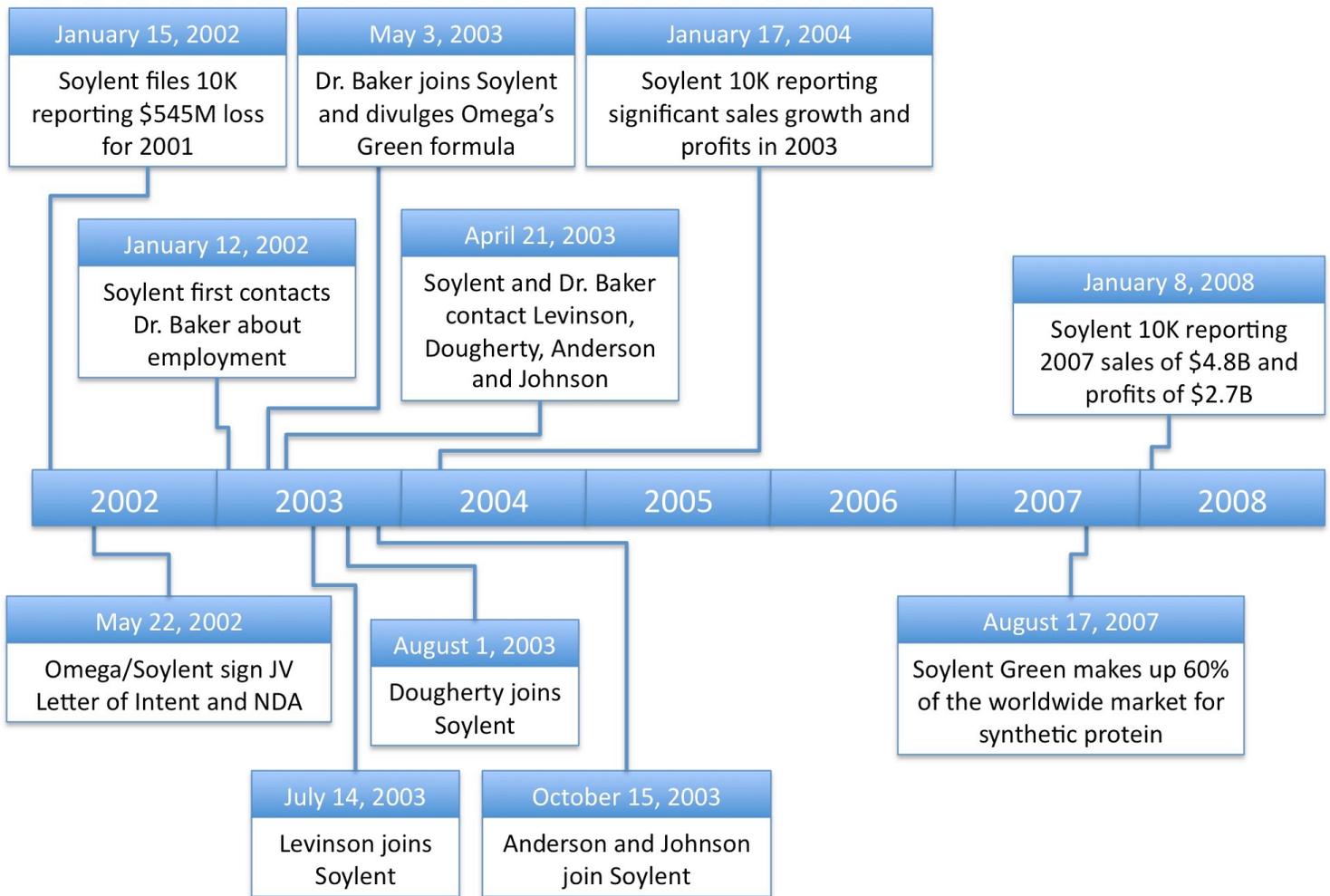
Consider the humble timeline. A trial graphic staple, it is often the first to be constructed. There are even computer applications devoted to the automatic creation of timelines. However, in spite of the widely held opinion that storytelling is the most powerful means of communication, we often fail to tell our story in the one demonstrative especially suited for that purpose.

Properly conceived and executed, a timeline might more accurately be called a Plotline. Whereas a timeline simply arranges discrete events in chronological order, a Plotline weaves each event into a single, logical flow of information. A Plotline does not limit itself to the who, what and when. Rather, it adds the why and the how; the cause and effect; the motive, means and opportunity.

In the best stories, writers, directors and editors are careful to link one event to the next in a seamless progression. They work to provide the characters' context, motivation and actions in sufficient detail for the audience to be immersed within the story - to emotionally identify with the characters. While litigators don't have all of the devices available in the art of novels and movies, with a few slides and some boards, litigators can strengthen their storytelling to great benefit.

To illustrate the issue, I have created two graphics. The first example is typical of what we have all seen in trial and what might be produced by timeline software. With a nod to Charlton Heston, I made up some facts surrounding an imaginary case between Omega and Soylent which involves claims for breach of a joint venture agreement, employee raiding and theft of trade secrets.

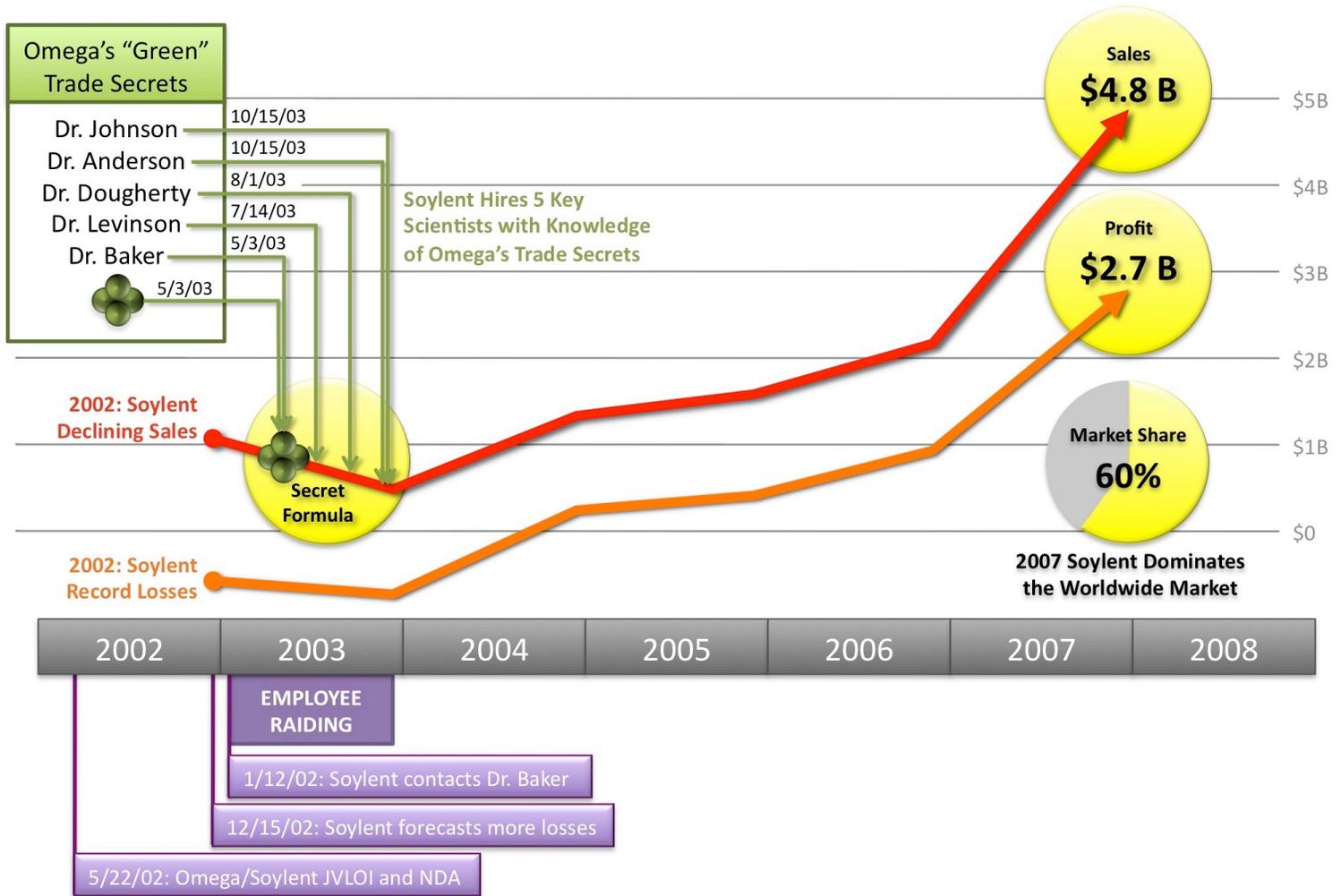
Key Events



This timeline has the facts arranged in neat boxes with easily read text and a pleasant color scheme. However, it tells the audience virtually nothing about the story we wish to communicate. It does not provide character motivation or illustrate cause and effect. Its layout does not provide an easy framework for the mental insertion of other details that will be exposed during the trial.

In the second example, the Plotline, I've attempted to correct the deficiencies of the timeline shown above.

How Soylent Got "Green"



I would like to point out a few features:

- 1. Title:** The title explains the meaning of the Plotline.
- 2. Structural Elements:** As the least important elements, the time bar and the graph value lines are colorless and recede into the background.
- 3. Color Grouping:** The purple group, the green group, the red group and the yellow group each have their meaning, and each are tied one to another to provide cause-effect links that follow logically in a common sense world.
- 4. Summary Statements:** There are four summary statements (red, orange, green and black) which reiterate the story.
- 5. Limited Information:** Each entry is brief with little in the way of detail. Evidence supporting each entry should be explored in detail separately (as addressed below).

Admittedly, the Plotline is more challenging to the audience. But, it is orders of magnitude more interesting. We were able to combine a flow chart, two line graphs, a pie graph, a bullet-point list and a traditional timeline into a single, coherent Plotline - and we were still able to leave plenty of white space in our design.

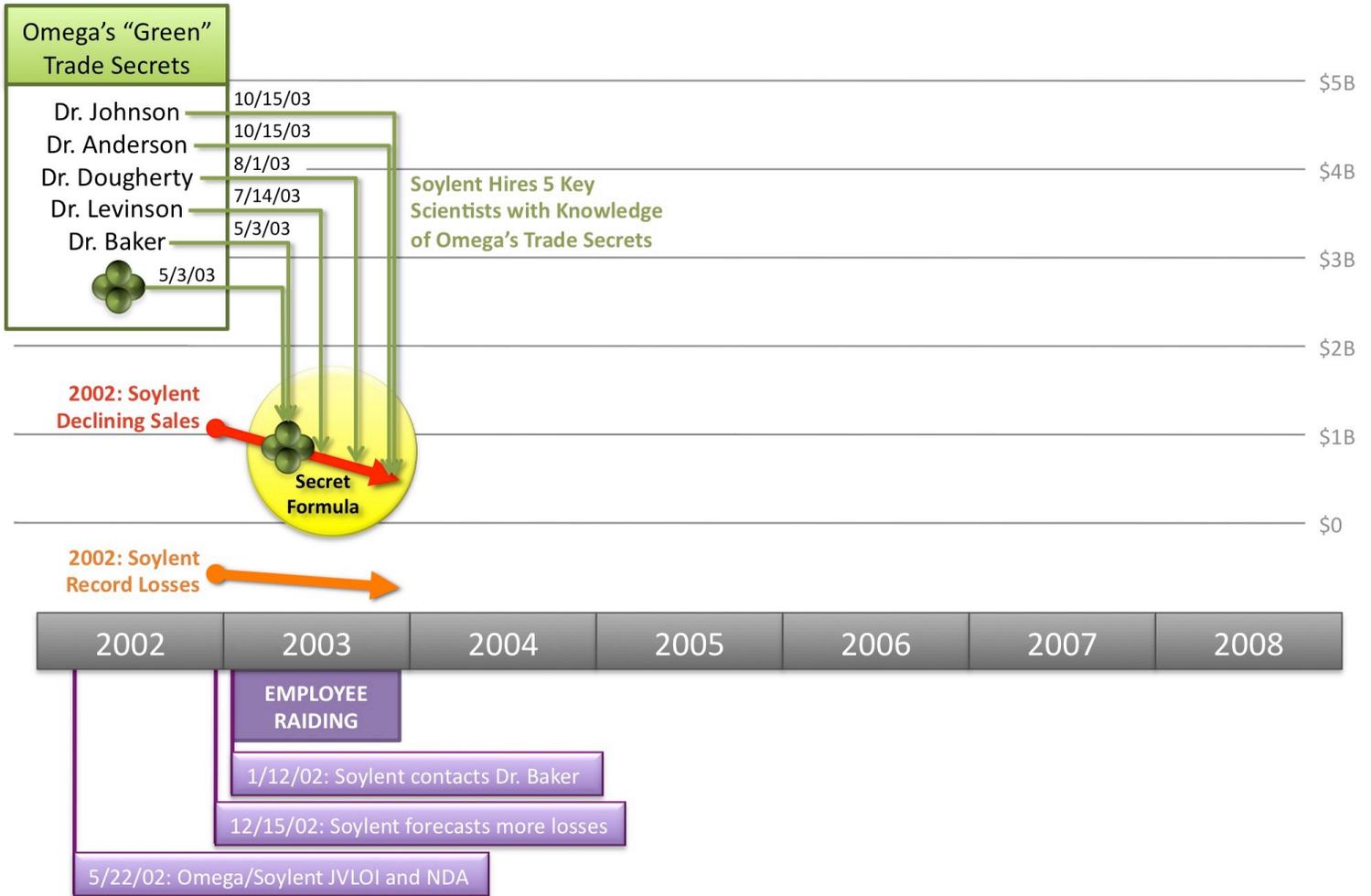
We often see complex information graphics such as this Plotline in newspapers and magazines. They are packed with information but require the viewer's curiosity and time commitment. In trial, by contrast, we cannot wait while the jury figures out how to understand our more complex demonstratives. For this reason, we have been trained to severely limit the amount of information on any one demonstrative. I won't quibble with that basic premise. I would, however, argue that the jury can easily understand and benefit from more complex graphics if carefully designed and presented.

It would be advisable, therefore, to introduce the information on this Plotline in step-by-step fashion through an on-screen presentation. How many steps and in what order would depend upon the presentation. If presented in opening statement, the information could be revealed chronologically. If presented through a fact witness, it may be that certain elements might come out of time due to limitations of that witnesses knowledge. Either way, the revelation of each element should be supported by some piece of admissible evidence. One possible sequence is shown below:

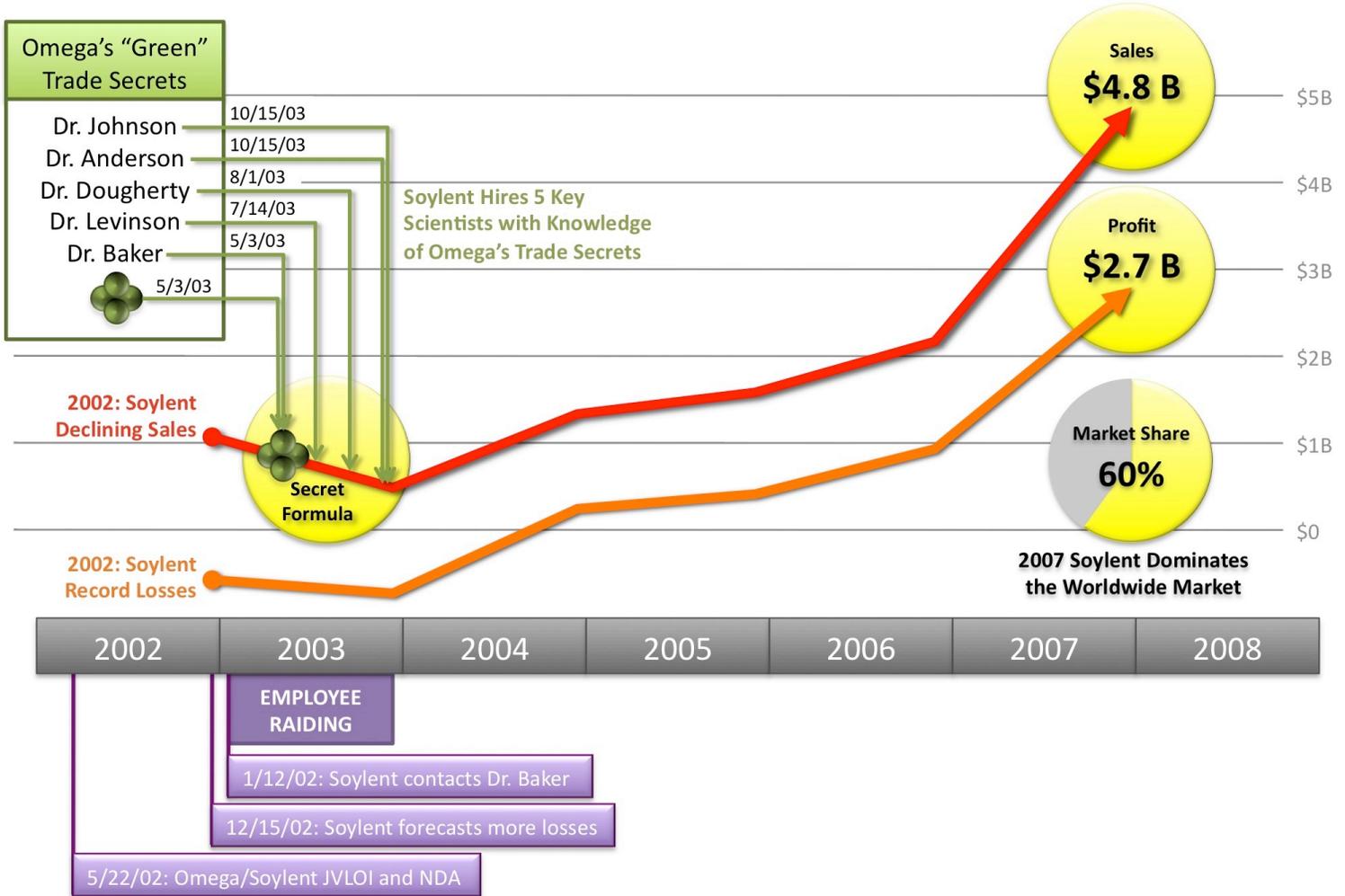
How Soylent Got "Green"



How Soylent Got "Green"



How Soylent Got "Green"



Regardless of the sequence, after being fully constructed, you may wish to produce a trial board for permanent display in the courtroom. Placing a large timeline on an easel provides easy reference for attorney, witness, judge and jury alike. It also provides a framework for discussion of evidence not literally included on the Plotline. For instance, Soylent emails to Omega employees can be framed into the "Employee Raiding" period shown on our demonstrative.

Neither our lives nor our cases are comprised of a series of discrete, unrelated events as we saw in the first conventional timeline example. Each event flows naturally from one to another through cause and effect, action and reaction. A good story follows this natural rhythm and so will a good Plotline.

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Welcome to our March issue of *The Jury Expert*!

As spring moves in and brings new life to the world around us, so this issue of *TJE* is packed with new ideas and energy. Some ideas you may find to be things of beauty, others may make you go ‘hmmmm’, and still others may make you wrinkle your face with disgust. Our hope is that every article in *The Jury Expert* elicits some response in you--agreement, disagreement, aha moments, and yes, even disgust!

This issue is filled with contributions from ASTC member trial consultants and from the academics who actually perform the research upon which much of what we, as trial consultants, do is based. Flip through the pages of this pdf file or travel about on-line at our website and view all of *TJE* on the [web](#).

Either way you choose to read our publication (on your computer via pdf, from a hard-copy print version of the pdf, or on our website) please come back to the website and comment on what you see, think, feel, sense, or wonder about as you peruse the ideas reflected in the hard work of each of our authors. Your comments and feedback help us know what you like, what you want more of, what makes you think, and how we at *The Jury Expert* and the American Society of Trial Consultants can address issues to improve your own litigation advocacy. Comment on the web or drop me an email--we welcome your feedback.

-- [Rita R. Handrich, PhD](#)
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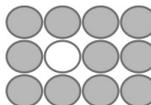
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