

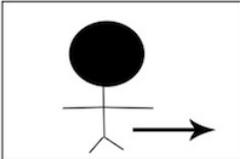
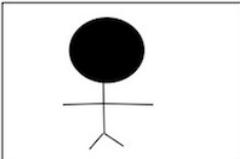
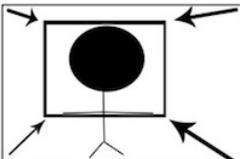
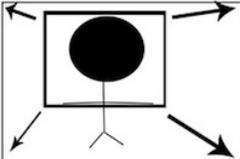
# Trial Graphics on the Cheap – 8 Useful Tips

By Laura Stanford Rochelois

When I first started in this business, I used to hear, “I really can’t have any graphics for my presentation because I’m afraid I’ll look too glitzy.” I don’t hear that anymore, thankfully. Now we hear that most of the people in the jury box expect visuals since they have been raised in the post-democratization of production tools era. That is, many things that once required investment and training (like publishing, film production, and graphic design, to name a few) can now be done by pretty much anyone who has a little time and energy to give it a try. Want to self-publish? Blog. Movies? Capture on your phone, edit on your Mac and broadcast yourself. We’ve all seen what David Byrne can do with PowerPoint, and so can we. Mostly, this gets summed up as ‘social media.’ The majority of jurors are writing, producing, starring in and distributing their own media-rich content all day every day. The ubiquity of visual messages in their lives (both as recipients and creators) means they score high on the visual intelligence-o-meter.

Fact finders with these kinds of life experiences expect you to keep them interested. None of this is news to you. What you want to know is – how am I going to cost-effectively make media-rich presentations for these fact finders? This article provides you with some DIY tips based on research and experience.

## STORYBOARD

Title	Date	
Producer(s)	Page of	
Video	Time	Audio
	_____	When story Boarding Arrows in the frame denote movement of a person or object.
	_____	An arrow outside the frame shows Movement of the Camera
	_____	A frame inside of a frame Can show a push or zoom in
	_____	Like wise it can show a push or zoom out.

## DIY Tip #1 – Plan!

Truth is, visuals are time-consuming to make, so start the process by planning. Map out what you are going to say and list out where you’d like to have a visual to accompany your narrative. On your visuals list, separate the ‘would like to have visuals’ from the ‘must have visuals.’ Begin brainstorming possible solutions for the ‘must haves.’ Decide which solutions you want to develop and then put these into production. Once production is underway for those you can’t live without, brainstorm and produce the rest.

Resist the urge to produce in order of the presentation. The goal is to allocate resources wisely, so that the important items get the time and effort they deserve. Some visuals are filler, and should have fewer resources devoted to them.

**DIY Tip #2 – If your trial is going to last more than two days, use a trial presentation system.**

The main reason to use a digital evidence retrieval system is that you must create the impression that you would never, ever waste even a second of the jury's time. Jurors expect you to be prepared and to respect their service. Plus, once you have everything loaded, it's a super cheap way to pop something up on screen any time you see the need.

Please note that even though they are social media hogs, Gen Y is still subject to bandwidth issues for learning. If you want them to learn something (so they can be persuaded by it and persuade others with it), you can't overload their cognitive capacities. Distinguish between what you show to meet their expectations for a media-rich presentation ("fillers") and what you show to win your case.

**DIY Tip #3 – Use Visuals Produced in Discovery**

These rate high on the likely to be admitted scale, and they don't cost more than the price of a scan. Police report diagrams, photographs, org charts, flow charts, graphs, magazine covers, anything in color, etc. If production documents are few, assign someone to quickly flip through every page (without reading a single word) and flag items with visual interest. If production documents are many, maybe have someone quickly scan the documents on the trial exhibit list for visuals contenders. The goal is to mine the evidence you've already got for ready-made visuals. Once you've found it, crop it, put a title on it, colorize it, annotate it, or simply use it as is. Voila, you've made a visual.

Note that there doesn't have to be 100% overlap between the voiceover and the visual. It can just be on-screen while you're talking; you don't necessarily need to explain/describe/'talk to' everything that shows up on the screen.

**DIY Tip #4 – Don't Forget Title and Bumper Pages**

I *love* User Interface. Out there on the world-wide-web, you have to figure out where you are all by yourself (and with the help of the much under-appreciated UI designers). But in your presentation, you can tell them you're going somewhere else by signposting. If you don't have to exchange visuals in advance, you can type in your section headings to slides. If you do have to exchange, you can just write the section header on the whiteboard or butcher paper.

Note that I'm not suggesting you make bullet point slides. While I never say never, I will say that you should avoid bullet lists. I am suggesting that you make a one word slide (okay, maybe a couple of words) as a cheap way to get something on-screen. Sort of a visual pause, that can also help transition into a new section of your presentation. Or if you want to draw emphasis to something in closing, a few well-chosen words on-screen are a fast and inexpensive 'visual.'

Use theme phrases, or even more instructional phrases to set up the role of the jury. For example: INSPECT THE EVIDENCE, or depending on your message, CONSIDER ALL THE EVIDENCE. Or one word, CREDIBLE?, up on screen while you skewer (gently, of course) their witnesses in closing. Eyes are still on you, but the screen is something other than black or document scans the whole time.

## DIY Tip #5 – Troll the Web

I feel kind of silly for having this as a “Tip,” but I need a place to share a couple of URLs and ideas.

5.1. Logos: Companies spend a fortune on branding so that their logo has lots of associative meaning. Leverage this at [brandsoftheworld.com](http://brandsoftheworld.com), where you can download native versions of logo files for free.

5.2. Aerial photographs: Before there was Google earth/maps, there were aerial photography outfits, that would take pictures from low-flying planes every couple of years and then sell you prints or jpegs for a nominal fee. If you are looking for something that [your favorite online map site goes here] doesn't have, you can probably find the old school aerial outfits online.

5.3. Stock photography/clip art: My favorite stock photo sites are [corbisimages.com](http://corbisimages.com) and [gettyimages.com](http://gettyimages.com). Stock photo sites are useful both when you already know you're looking for a photo, and when you're hunting around for visual ideas. Bing and Google images can also be helpful in the brainstorming phase (both offer a blend of clip art and photography). Beware that image research can be very time consuming (I'd say worse than Facebook, but I have no idea how much time you spend on Facebook every day). Note: If you do wind up getting stock images from the web (from Getty for example), please pay for the image so that it doesn't have the watermark. It is very bad form to display an unlicensed copy of stock imagery in court.

5.4. Figures, etc: I do a fair amount of work on technology cases, and am often asked to ramp up quickly (albeit superficially) on the technology-in-suit, and help explain the technology to juries. Like everyone else tasked with learning something they know little to nothing about, I turn to the Internet. [Wikipedia](http://Wikipedia), of course, and [howstuffworks](http://howstuffworks) are trusted resources for explanations that are accompanied by figures and illustrations. If I use the figure/illustration to help me ramp up quickly on the technology, I am likely to flag it as something that will help a layperson. I might redraw it, or use it as is (as time and budgets are often tight). In some situations, existing figures and illustrations serve as inspiration for original artwork. Industry-specific websites can also be a good place to find helpful figures, or the sites of the parties in suit. I worked on an options trading case recently, and found wonderful explanations in the 'investing basics' section at [schwab.com](http://schwab.com). Given that Schwab is a discount/DIY brokerage, it makes sense that their site has helpful figures and explanations. Keep an eye out for sites like this during your case/visuals research.



## DIY Tip #6 – Repeat, With a Twist

Messages need reinforcing, but jurors who move at the speed of Twitter may not like to see the exact same thing on-screen more than once or twice. And so my suggestion is to duplicate and slightly revise (make 'derivatives,' if you're into jargon), as a cheap way to get something 'newer' on screen. We're all familiar with zooming in on documents, but why not zoom-out on a photograph, to show more context? Toggling between arms-length and detail view can be visually interesting, and not at all costly. Annotations are another good trick, especially once the underlying item has been moved into evidence. Overlay color blocks on a map to show wetland areas. Overlay icons on a graphic the other side created to show that their theories are full of holes. Put arrows on diagrams; you get the idea.

Modifying motion can also be a good derivative trick. The second time you show the animation, you might not need as much set-up, so you can condense that part. Or you might just show the end-frame. Or you might decide to expand the version you use with the expert, where you used the shortest possible summary version in your opening. Variations on a theme can make your material go farther and with better effect.

### DIY Tip #7 – Display Wisely

Now that you've made your visuals, what kind of display will you use? Print or projection? If you are displaying video or any kind of motion graphic, you'll need to project. The most important thing if you're going to project is to make sure you're using a very bright projector (4,000+ lumens). Projection is also much more forgiving when it comes to lower image resolution, and it's more flexible if you need to make real-time changes to your visuals. Print, on the other hand, is less immediate and less forgiving resolution-wise. BUT, if you have just a few display images, and your image resolution is high enough (300 dpi), then printing at your local Kinko's the day before is a good way to go (many offer low-cost oversize inkjet printing + foam core mounting). I usually don't think visuals are board-worthy unless (1) they are in color, (2) they function as a mood piece and/or (3) they are fill-ins (where you print some of the information, and write on the board to fill in remaining information). In general, documents should not be printed as boards. I saw yesterday that my local Costco photo will do a 20x30" un-mounted color print for \$8.99 while I wait (promising 1 hour turnaround)! They aren't open 24 hours a day, so you'd need to factor that into your planning, but my god it's cheap to print these days.

### DIY Tip #8 – Pause Before You Make a Timeline

My kids watch a very entertaining TV show called 'Mythbusters,' where some science-geek hosts put together experiments to test various myths. Are bananas really slippery (yes!); does drinking alcohol really keep you warm? (sadly, it does not). In my next life, when I come back as a Mythbuster science-geek TV host, I will test the validity of a trial myth that I hear a lot in this life – "Every case needs a timeline." I guess I don't disagree entirely. Yes, every case needs a timeline, but I'm far from convinced that every trier of fact needs to *see* a timeline. Every case needs to have a chronology developed for planning purposes, but consider pausing before you proceed to producing the timeline. Ask whether the timeline is primarily being produced as presenter-notes, or primarily as a visual communication tool. Proceed with production if it's the latter. For bonus points, articulate what you want your timeline to communicate visually, and brainstorm whether another graphic could meet the visual communication objective.



I'm not suggesting you shouldn't make timelines, but I am advocating for some ROI analysis up front. They are expensive to produce and frequently not very visually compelling. Before you make a timeline, be sure it's the best solution.

## Parting Thought

The goal of courtroom presentation is as it always has been – to persuade the jury. The catch is that we seem to have less and less time to prepare for presentations that need to be increasingly media-rich. Not an easy task fellow Iron Chefs! But, use some of the above tips and you will be on your way.

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## Editor's Note

2011. That happened fast! But we're ready (more or less). We're doing new things here at *The Jury Expert* in 2011. And we are excited about them. In our next issue, we'll have professional layout so you won't have to put up with my amateurish efforts any longer. (You are no more relieved than I!) And. Also in our next issue, we expect to have a new web design that will just amaze you. It will be beautiful. Trust me.

Also in 2011--we are introducing a new sort of respondent to the articles we publish from academics. So far, we have always had trial consultants respond to those pieces with thoughts on how they would (or would not) use the research findings in court. Now--we are adding in trial lawyers. Have you wished you could have your [tactful] say? Now you can. Just send me an email ([rhandrich@keenetrial.com](mailto:rhandrich@keenetrial.com)) and let me know you would like to respond to a *Jury Expert* article. You can see a how-to from Mark Bennett (a Houston criminal defense lawyer) in this issue. We thought it would be interesting to see how the thoughts of trial lawyers diverged and/or converged with the thoughts of trial consultants. So line up, oh gentle readers. Show us what you've got.

So in this issue of *The Jury Expert* you will find ways to do what you do better, smarter, and more efficiently. You will find ways to keep up with what's new, pack your bag (lightly), craft a SJQ for white collar crime cases, do better voir dire, consider how bifurcation interacts with hindsight bias, and get practical and useful tips for cheap DIY trial graphics. Just our effort to help you maintain your resolutions to do what you do better, smarter, and more efficiently.

Welcome to 2011. Welcome to another year of terrific content and thought-provoking commentary from *TJE*.

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