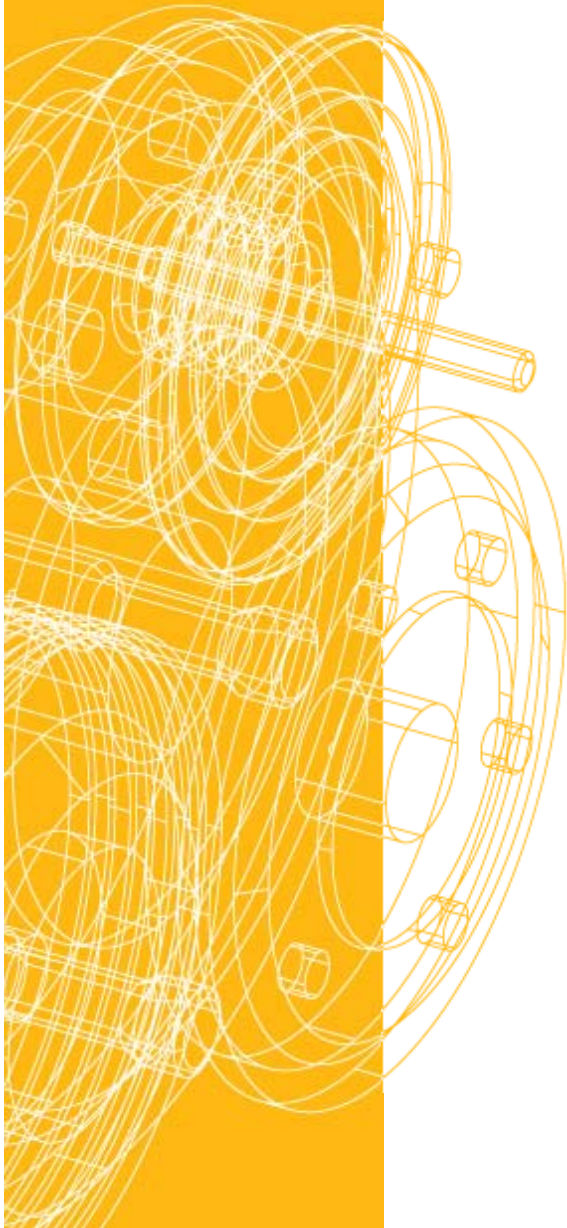


THOMPSON
COE



2010: A Courtroom Odyssey

Effective Use of Technology at Trial

William R. Moyer

Thursday Morning Pop Quiz

- Question 1: What percentage of civil filings in Texas are tried to a jury?
 - 8%
- Question 2: Of the trials that start, how many are completed all the way to a verdict?
 - 3%

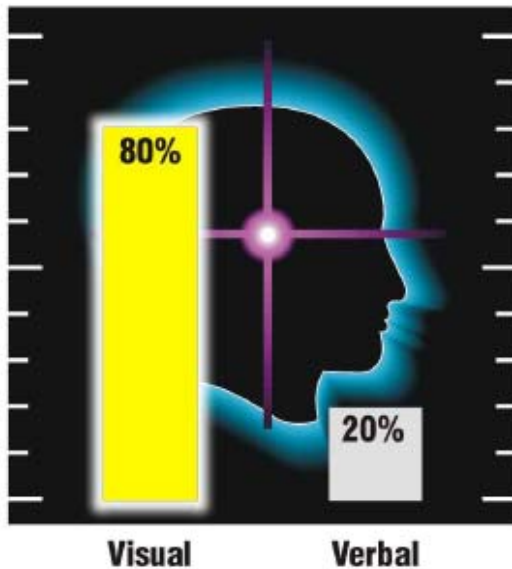
2008 National Center for State Courts

Who Are Our Jurors?

- Generation "Y" – individuals born after 1981: **30%**
- Generation "X" – individuals born between 1966-1981: **40%**
- Baby boomers and the rest: **30%**

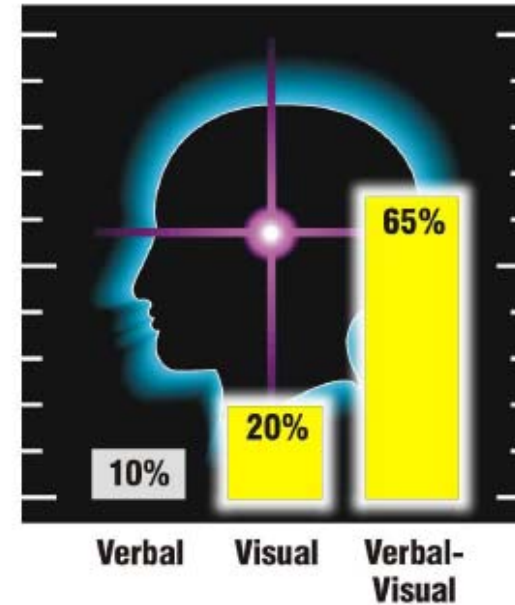
Seeing is Believing

Estimated amount of human learning that occurs through visual means, as opposed to verbal means



Source: Logical Memory Section of the Wechsler Memory Scale; cited in *The Weiss-McGrath Report* by McGraw Hill, 1992. JonSutz.com

Data retention among average jury members, 72 hours after verbal, visual and verbal-visual presentations



Source: *The Weiss-McGrath Report* by McGraw Hill, 1992; Dromboff, M. "Dromboff on Demonstrative Evidence 2," (1983). JonSutz.com

Three Presentation Styles

- “Old School”
 - Paper Exhibits
 - Flip Charts
 - Trial Boards
- “Middle-Tech”
 - ELMO / Document Camera
 - PowerPoint Slides with Integrated Charts/Graphs
- “High-Tech”
 - Trial Director / Sanction
 - Animations

"Old School" (aka "No-Tech") Presentation Options

- Paper Exhibits
 - Creates paper shuffling
 - Creates a distraction
 - Difficult to navigate
- Trial Boards
 - Can be clumsy
 - Still effective but use sparingly

“Middle-Tech” Presentation Options

- ELMO
 - Fitting and zooming can be distracting
 - Great backup system for paper file
- PowerPoint
 - Useful for Opening and Closing
 - Easily integrate charts, graphs, and other visual stimulants
 - Not so good for witness examination
 - Near impossible for Cross-Examination
 - Linear presentation styles has limitations

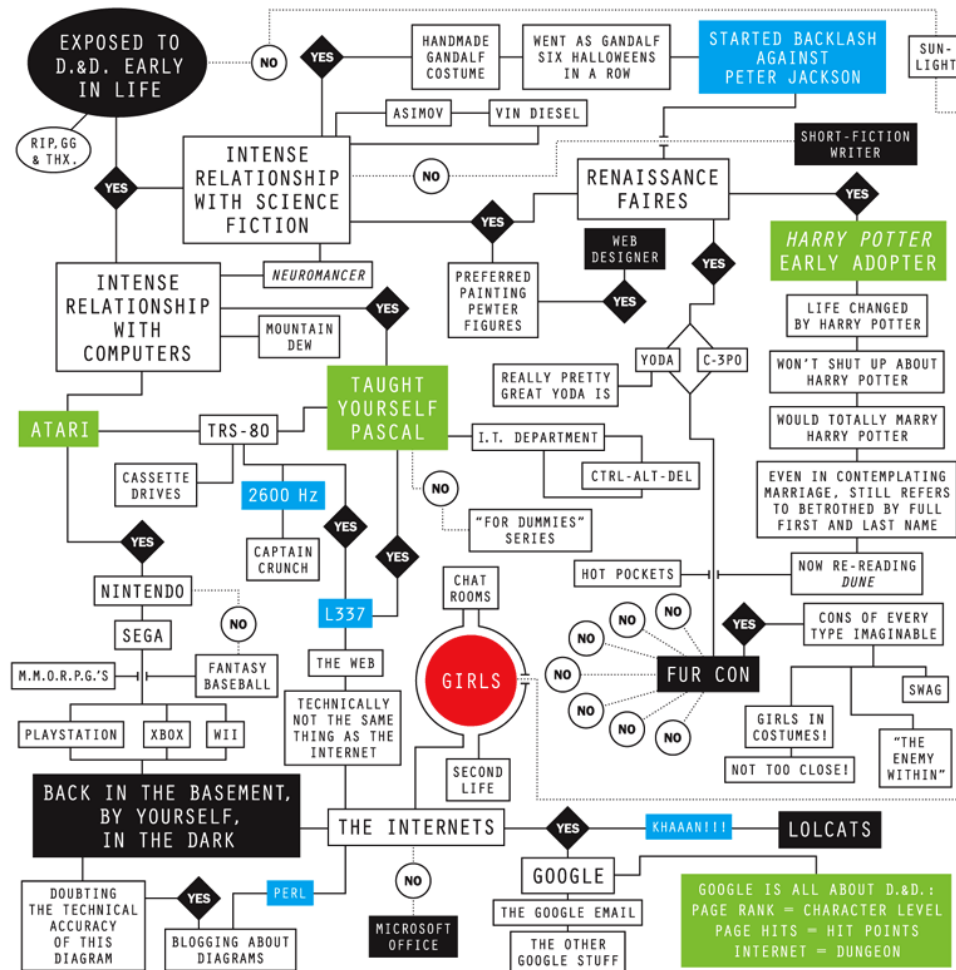
Bar Charts Make Complex Data Easy to Grasp



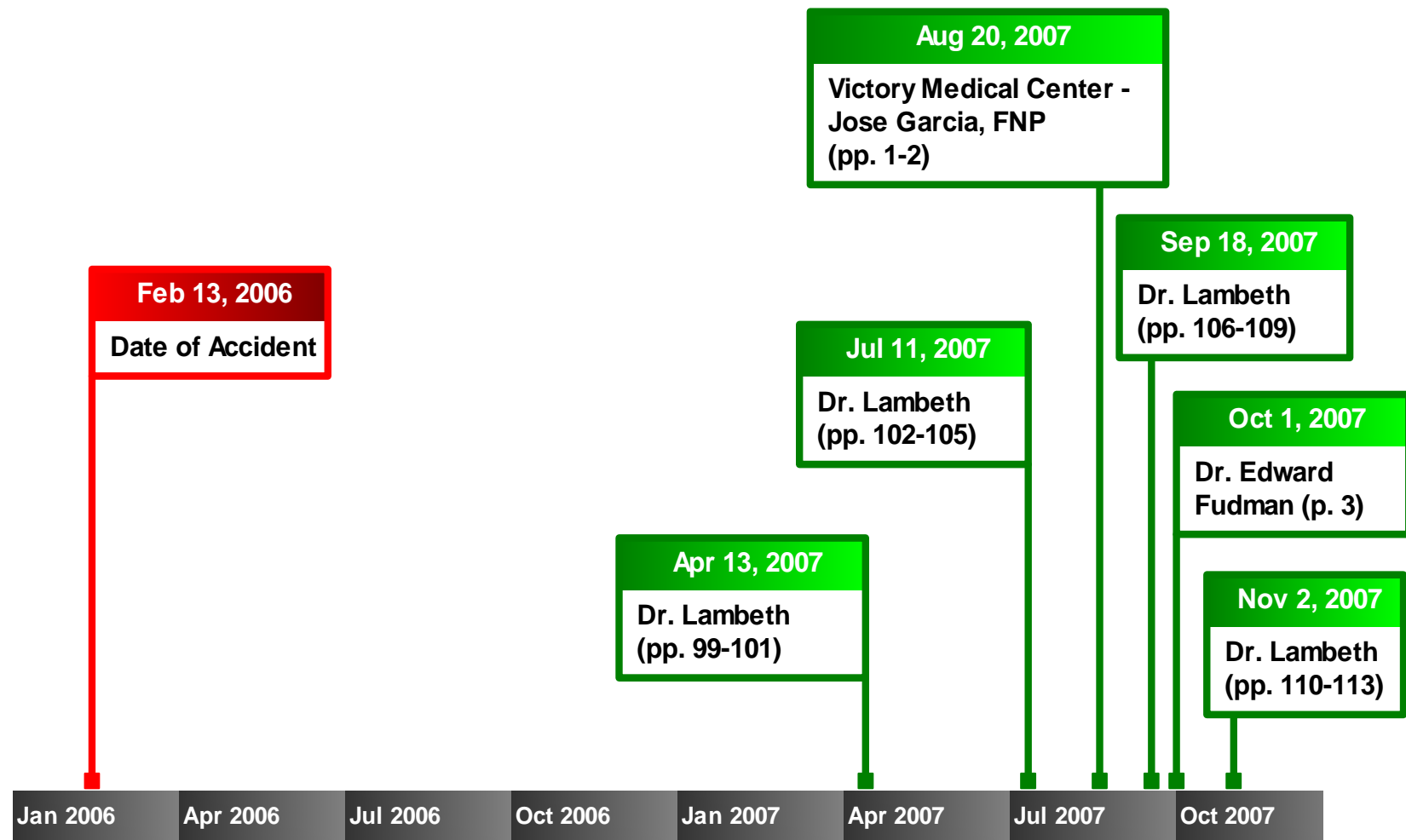
Flow Charts Simplify Process Testimony



But Don't Forget to Keep it Simple!



Timelines Work Well for OnSet of Injury Evidence



"High-Tech" Presentation Options

- Trial Director or Sanction
 - Digitized Exhibits (.tiff, .pdf)
 - Efficient, non-linear, work "on the fly"
 - Deposition Excerpts
- Animations
 - Simplify / clarify expert and fact witness opinions
 - Allows the evidence to "testify"
 - Admissible?
 - Cost can be a deterrent

Sanction – Trial Presentation Software



7: 17 of a minor product that became part of the major product.
7: 18 Our original flagship product was called
7: 19 Sanction, and it was released in July of 1999, and it was
7: 20 a very simple, Access-based database, tree and list view,
7: 21 that looked like Windows Explorer, a product that people
7: 22 took into courtroom presentations. Back in the year 2000,
7: 23 we developed a second application specifically for the
7: 24 United States Attorney's Offices called ATPM, which was
7: 25 short for Advanced Transcript Presentation Manager, and
8: 1 over the years ATPM has been absorbed into Sanction. So
8: 2 from about 2002 on, we really only had the one product,
8: 3 which was Sanction.

Thank you for trying Sanction II by Verdict Systems, the most widely-used legal specific presentation software. The case that you currently have opened is the Sanction Demonstration Case. To view or display items in the case, please make sure the Sanction CD is in your CD drive. This demo contains many examples of different types of items Sanction can manage and present. This includes black and white documents, color photos, media files, transcripts, video stills, screen captures, text clips, bullet lists, timelines, PowerPoint presentations and Adobe PDF files. In addition to these files,

SANCTION

by verdict systems

Welcome to Sanction!

Thank you for trying Sanction II by Verdict Systems, the most widely-used legal specific presentation software. The case that you currently have opened is the Sanction Demonstration Case. To view or display items in the case, please make sure the Sanction CD is in your CD drive. This demo contains many examples of different types of items Sanction can manage and present. This includes black and white documents, color photos, media files, transcripts, video stills, screen captures, text clips, bullet lists, timelines, PowerPoint presentations and Adobe PDF files. In addition to these files, Sanction can also display audio files, web pages, animations and many, many more.

If you do not have a Sanction II CD, please feel free to contact our Sales Department at 480.627.2430 to request a copy. If you have downloaded a copy from our website, you can also download a limited sample of the demonstration materials.

The demo version of Sanction II is a fully functional version of the program, the only restriction is time. This demo will function for 30 days, after which, you will no longer be able to launch the program unless you contact Verdict Systems to purchase. At that time, we will give you a serial number to activate your version of Sanction. All case databases created in the demo will continue to work once you have purchased the program.

The items in this demo case are not from a real litigation. They are designed to supply information and answer questions. Among the documents, you will find information about many aspects of electronic litigation presentation including how to buy a laptop, understanding different image types, common industry load files and much more. The video category contains video that has been converted and synchronized using

Animations Allow the Evidence to “Speak to the Jury”



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Who Ran the Red Light?



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Photographic Overlay



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Premises Liability Animation



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Impeachment Evidence

