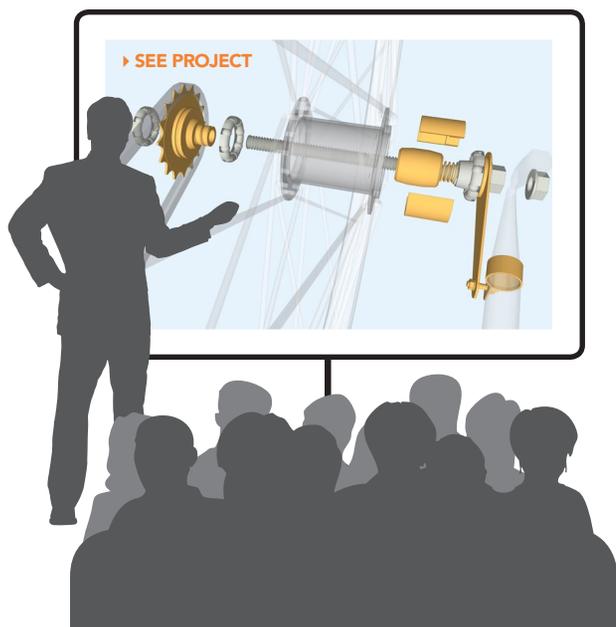




GRAPHICS ADVICE FOR LAWYERS by FAT PENCIL STUDIO THE VALUE OF PICTURES



You've heard the cliché: a picture is worth a thousand words. It may be trite, but it's true that a single image can convey a great volume of information. Pictures make it possible to explain complex details without demanding an excessive amount of attention or expertise from your audience. In crafting a powerful message, pictures are especially effective in leaving a lasting impression.

In short, visuals are the key to sharing a story your audience will understand and remember.

People can absorb information in different ways, but humans have always been visual communicators. Cave paintings are the oldest surviving examples of human expression. And every one of us learned about the world through pictures before we could do so through language. Have you ever read a picture book to a young child? Even babies can connect

with a story through images long before they understand the words.

Your target audience probably isn't cavemen or children, and yet a primal resonance with images persists in all of us. This tendency is reinforced by today's media-saturated culture which conditions us to consume information in short, visual chunks.

When you need to explain complex ideas, graphics provide clarity.

This clarity is achieved through the simple expression of **context** (chronological, geographic, etc.), **hierarchy** (which details are primary; which details are supportive?), and **relationships** (in 3d space, of function, among people, etc.).



GRAPHICS ADVICE FOR LAWYERS by FAT PENCIL STUDIO TIPS AND TRICKS



Start with a canvas.



Add content.



No special software required.

Legal concepts are often abstract and complicated. Case documents may be full of jargon and esoteric conventions.

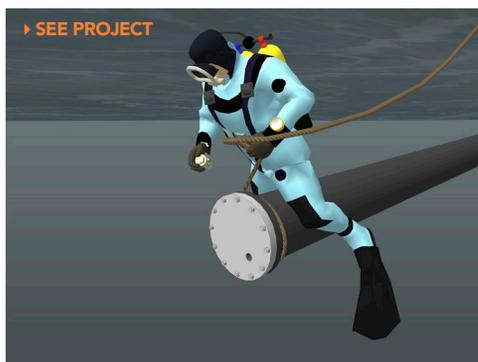
The challenge in communicating this information to a general audience is to structure it into a story supported by compelling graphics.

This may seem like a daunting task, especially since legal professionals specialize in verbal communication. But even if you don't have any graphic training, these tips will help you incorporate visual communication into your practice:

1. **The goal of any explanatory graphic is to be clear and concise.** Don't be fancy; be unambiguous. Don't "make it pretty;" make it unmistakable. Include relevant context, but eliminate extraneous information and avoid distracting elements.
2. **You don't need fancy software to create effective graphics.** With the simple combination of PrintScreen and PowerPoint, you can create annotated images to support your case.
3. **Convey only one message per graphic.** Create a sequence of graphics to make a series of points, or to build up to a more complex graphic.
4. **Use trial presentation software to manage large numbers of case documents.** Trial Director and TrialPad are two programs that allow you to quickly display documents and highlight key portions at will.
5. **Use some old-school poster boards!** You won't have to plug them in or worry about projector issues. You can write or draw directly onto them. Poster boards can alleviate PowerPoint fatigue, be referred to at anytime, and can go back with the jury during deliberation.



GRAPHICS ADVICE FOR LAWYERS by FAT PENCIL STUDIO A WELL-TAILORED APPROACH



Witness testimony was very difficult to understand until this 3d model was created to describe the incident.



What did the driver see? What could he have seen? A picture makes it clear.

As good as you might get at creating graphics for your cases, there will always be a time when it makes sense to seek professional help. What is the best use of your time before trial: rehearsing your opening statement or troubleshooting PowerPoint error messages?

As an analogy, consider your expertise with clothing. Can you iron a shirt or sew a button? These are useful skills, right? With practice, you could probably learn to hem a pair of pants, perhaps even make a whole garment. But would you wear this garment for an in-court appearance?

When it comes time to look and feel your best, you want something tailored by a professional.

With both garments and graphics, quality gets noticed. First-rate graphics

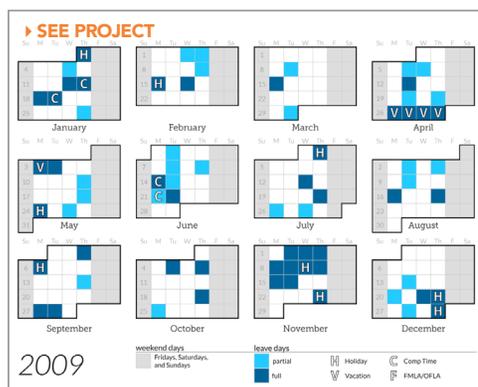
signal to your opponent that you are serious and well-prepared. Visual aids become touchstones in a case. When you provide them, you define the issues on your terms, which gives you the upper hand in negotiations.

In fact, the benefits of quality trial graphics go well beyond aesthetics. The process of creating these graphics (we call it visual thinking) also helps you better understand your case.

Carefully designed graphics can reveal the essential narrative of expert reports, provide explanations for inconsistent witness testimony, and even form the basis for new evidence.



GRAPHICS ADVICE FOR LAWYERS by FAT PENCIL STUDIO ADMISSIBILITY



This chart summarizes timesheet records already in evidence. It can be authenticated by anyone familiar with the data.



This simulated photo of a proposed elevated rail structure required in-court testimony to explain the underlying scientific process.

When investing in trial graphics, you'll want to be sure they are based on a strong foundation so they can be used in court. This is why it is especially important to work with designers who have a technical understanding of the issues you want to present.

Judges have broad authority to admit or disqualify demonstrative evidence. Any witness can authenticate demonstrative evidence so long as they can testify that it is a reliable, accurate, fair and complete representation. This applies to summary exhibits and graphics that demonstrate an expert's opinion.

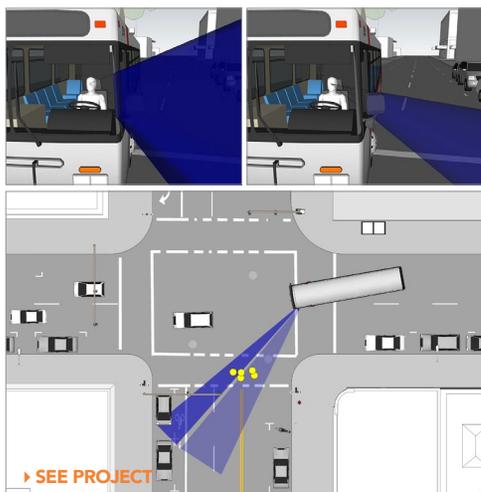
Simulations are a special case where the exhibit is the opinion. These must be based on accurate data and a scientific process. They typically require the testimony of the person who created the simulation.

ADMISSIBILITY CHECKLIST

- ✓ **Relevant (probative value)**
Will exhibit be useful in proving something important in a trial?
- ✓ **Accurate and reliable (substantially similar)**
Doesn't have to be exact, but should not display significant differences.
- ✓ **Fair and complete (not prejudicial)**
Was anything added or omitted for the purpose of misleading or influencing a viewer?



GRAPHICS ADVICE FOR LAWYERS by FAT PENCIL STUDIO INVEST IN VISUAL THINKING



“Understanding what the driver could see in the seconds before the crash was crucial. Fat Pencil Studio’s ground-breaking work on this case made it possible for me to offer more substantial testimony.”

Dr. Gary Sloan,
Human Factors Expert

At this point, you may be thinking, “I get it—graphics are important, but when is the right time to start working on them?” It might seem like a good idea to wait until the trial date is imminent. After all, if the case settles (as most do), you’ll save the time and expense of creating trial graphics... right? Not surprisingly, we have a more nuanced view on this issue.

If you apply visual thinking throughout your case preparation, you stand to reap significant benefits. You’ll understand the issues of the case better, you’ll communicate them more clearly, and you’ll enjoy increased power in negotiations with opposing counsel.

If the case does go to trial, your graphics will be better developed and more persuasive than anything that could be created at the eleventh hour.

Of course the costs associated with graphics creation should be commensurate with the value of a case. Routine matters can benefit from a relatively small amount of graphics work (+/- \$1000), while a complex multi-million dollar case could warrant a budget of \$25,000 or more.

We see visual thinking as an investment that frequently pays off in larger settlements and trial awards.

If you are interested in discussing visual presentation ideas for an upcoming case, please give us a call. There is no charge for this initial consultation and all discussions are kept confidential.

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