

TrialPad for iPad Turns a Toy into a Productivity Tool

By Janet Kyle Altman

If you bought your iPad for fun and entertainment, you're not alone. If you think of it as a simple way to access news and information, you're in good company. Initially viewed by many as a toy, the iPad's power as a professional tool is now becoming increasingly clear. In fact, in courthouses across the country, it's not uncommon to see attorneys checking e-mail, accessing research, or sharing documents on their iPads. This gadget's ability to improve productivity and effectiveness is evident; a great example of this is the introduction of TrialPad for iPad.

Litigators know that presenting evidence electronically is a winning strategy for large, high-profile cases. However, the cost of this persuasive presentation tactic was often prohibitive for smaller matters and the learning curve for available technologies steep. TrialPad, an iPad application, has changed that. TrialPad allows *any* attorney to harness the power of electronic evidence to improve trial results in *any* matter, regardless of size or budget. It also helps improve a litigation team's productivity with its file management and portability features. TrialPad is easy to learn and cost effective. One attorney said it

was "easy to use, low cost, and high impact." Another stated, "The flexibility it allows in preparation and presentation is far beyond any other consumer presentation tool on the market."

The Need for Electronic Evidence Grows Daily

If you think jurors' attention spans seem to be getting shorter and shorter, you're not alone. The daily influx of technology we've come to rely on has changed the way our brains work. One expert reported that

[d]ozens of studies by psychologists, neurobiologists, and educators point to the same conclusion: When we go online, we enter an environment that promotes cursory reading, hurried and distracted thinking, and superficial learning.... Even as the Internet grants us easy access to vast amounts of information, it is turning us into shallower thinkers, literally changing the structure of our brain.¹

Rising adoption of smart phones and the short-and-sweet limits of text messages and tweets can only be increasing the shift.

While the scientific assessments of our changing brains vary, it appears likely that the skills we're developing—skimming and multitasking—come at the expense of concentration and deep thinking. As jurors' shorter

attention spans demand more streamlined, visually rich presentations, it has become necessary to use electronic exhibits to keep them focused. Let's be honest—the stories we're trying to tell are not always fascinating to those unaffected by the events. The financial impact of a widget manufacturer's breached contract, for example, may be less than spellbinding if your personal balance sheet is not affected.

TrialPad for iPad is a tool that helps jurors easily understand a litigant's argument and focus on the facts of the case.

Take the Show on the Road with Ease

If you've ever wrestled presentation boards into a courthouse during a rainstorm, faced the exclusion of an important exhibit because one small section was inadmissible, or hauled towers of boxes into court in case you needed an additional document, you'll find TrialPad a welcome relief.

TrialPad allows you to import documents individually using e-mail or iTunes, or in groups, with folder structure intact, using DropBox. It also allows organization of documents in case folders from within the application and the ability to annotate, highlight, or redact documents for presentation to a judge or jury. Users can annotate the same document in different ways for different witnesses and save them as "hot docs" for easy

Law Practice Solutions is a regular feature brought to you by the Practice Management Resource Center (PMRC) of the State Bar of Michigan, featuring articles on practice management for lawyers and their staff. For more resources offered by the PMRC, visit our website at <http://www.michbar.org/pmrc/content.cfm> or call our Helpline at (800) 341-9715 to speak with a practice management advisor.

—JoAnn Hathaway and Diane Ebersole,
Practice Management Advisors

TrialPad for iPad is a tool that helps jurors easily understand a litigant's argument and focus on the facts of the case.

access. And if you're redacting or highlighting "on the fly," TrialPad's safeguards help ensure that information is not inadvertently projected in the courtroom until you are ready.

For lawyers whose practices span several counties or states, the iPad's portability is a tremendous advantage. The difference between travelling with an iPad versus hard copies or even a laptop is tremendous. Some attorneys have even started using TrialPad to manage all their case files.

Key Features of TrialPad (Including New Features in Version 2.0)

- **Case management:** Manage multiple cases through the TrialPad folder system. Import from iTunes or e-mail one file at a time. Import multiple files through DropBox with folder structure intact. Date and time stamp for cases. *Version 2.0 adds options to view by folder, thumbnails, or list; sort cases by name or date; and import from the iPad photos app.*
- **File/folder management:** Work with PDF files. Separate hot docs section for key documents; create multiple copies with different annotations for different witnesses without changing the original. Search by file names or folder names. Rotate individual pages or all pages in a document. *Version 2.0 adds video functionality (import, basic editing, creating clips, and snapshots); support for many more file types; ability to e-mail or print one page or full document (with or without annotations); and ability to upload one page or full document to DropBox.*
- **Annotation:** Highlight lines or paragraphs in bright, fully transparent color. Redact with white redaction tool, annotate with freehand pen tool. Options to undo last annotation or clear all annotations. Annotations kept during document rotation. *Version 2.0 adds callout tool; different color highlight, pen, and redaction options; laser pointer tool; and whiteboard tool.*
- **Presentation:** Preview and display exhibits on one screen. Output switch with confirmation means no accidental display

before you're ready. Sleep mode disabled in presentation mode so there's never an unexpected blank screen in the middle of your presentation. Smooth zoom-in and zoom-out animations. *Version 2.0 adds side-by-side display of two exhibits, call-out sections of two juxtaposed documents, and the ability to independently cycle through split-screen documents.*

- **Customer Support:** Both e-mail and website support links are available within the app. Support requests are handled directly by the app's developer.

Why Not Use a Trial Consultant?

Trial consultants pioneered the use of electronic evidence. For big-budget matters, there's no better solution than having a seasoned, tech-savvy consultant by your side. If I were suing Microsoft or Dow Chemical, I wouldn't think of going without a consultant, but not every case has the budget to allow that level of support.

TrialPad was developed by a trial presentation consultant who understands what attorneys are seeking—flexible, easy-to-use technology that can hold the attention of today's quick-minded jurors. With the success of TrialPad, the developer may be working himself out of business. TrialPad 2.0, scheduled for release in May with a free update, incorporates the suggestions of attorney-users and includes video, expanded import and export capabilities, and much, much more. ■



Janet Kyle Altman is marketing principal for Kaufman, Rossin & Co. and its joint venture Lit Software, LLC, which develops iPad apps for attorneys. She has been with the firm since 2000 and has nearly three decades of marketing experience. She can be reached at jaltman@kaufmanrossin.com.

FOOTNOTE

1. Carr, *The Web Shatters Focus, Rewires Brains*, Wired, June 2010 <http://www.wired.com/magazine/2010/05/ff_nicholas_carr/all/1> [accessed May 18, 2011].