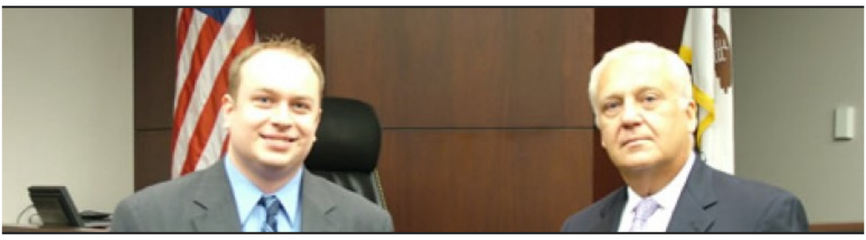

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I Relied on TrialPad for Ipad in a Medical Malpractice Trial… Here's What Happened

For years I've used Trial Director for big cases, and simple things like blowups on posterboard for small cases. (Why posterboard? There are never any "technical" glitches, never a difficulty finding an outlet in a 100 year old courtroom, etc with posterboard).

This year I decided to switch it up. I bought an Ipad, and downloaded TrialPad for my trial presentation. It's a $90 app, which made me swallow hard, but then I remembered the price of Trial Director, and I figured I'd give it a shot.

My plan was to try it out with a smallish dog bite case I was going to try in Iowa. That case settled the week before trial.

"Screw it" I said (or at least thought)… "I'm going to use it for this med mal."

Of course, I started learning the software well in advance, so I'd have time to fall back to Trial Director if it didn't work out.

It worked out.

Here's what TrialPad was able to do:

- Put exhibits/depositions up on the screen
- Callout/highlight portions of exhibits
- Use the laser pointer tool like, well, a laser pointer
- Hold or freeze on one exhibit while I search for another

I did not use TrialPad for video depositions, although that feature is available. Why not?

1. Too much potential for something to go wrong. The courtroom had a DVD player wired into the system. Why add another element (the Ipad) that could go wrong?
2. Hassle of uploading the file. I'd have to take it off of the DVD, put it on the computer, put it on dropbox (assuming I even have that much dropbox storage available), and download it from dropbox onto the Ipad. Pain in the ass.

As usual, there were bells and whistles on TrialPad I don't even know about, just like with Trial Director. Everything I described is typically all I would do with Trial Director as well.

As it was, I survived five days of a medical malpractice trial using only an Ipad for trial presentation.

PROS of TRIALPAD:

1. Cost

2. Space-saving.

TrialPad saved me a lot of space at counsel table. With Trial Director, I would typically have a laptop, scanner, big book of medical records/trial exhibits, and my notebook/pen. With TrialPad, I have my Ipad, and my notebook/pen.

CONS of TRIALPAD

1. The highlighter and callout functions aren't as precise as I'd like. If you want to call out or highlight a passage that begins in the middle of the page and goes on to the next sentence, you have to include more unnecessary stuff than you would in Trial Director. The highlight function draws a yellow box, as opposed to working like an actual highlighter. It's still readable, but not precise.

All in all – I will definitely use TrialPad again!!

I also used a website/app called Prezi for opening and closing. It allows you to create neat, interactive infographics that are usually more interesting and fancy looking than the typical powerpoint. It took a little getting used to, but really made for a nice presentation, and I will definitely use Prezi again.

In speaking with jurors afterwards, they were impressed with our use of technology. My case? Maybe not so much. On to the next one.

(Howard Zimmerle is a personal injury and medical malpractice attorney in Rock Island, Illinois. He can be reached at 309-794-1660 or hzimmerle [at] mjwlaw.com).

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