

The ATL Interrogatories: 7 Questions With Samuel Shusterhoff Of LawNearMe

Oklahoma Defines 'Juvenile' By When Defendant Charged, Not When Act Committed

Part Of The Community

Today's Tech: How A Criminal Defense Lawyer Uses Trial Presentation Technology

Get ready for today's legal workflow. Workflow Technology Solutions from Thomson Reuters. LEARN MORE THOMSON REUTERS

Chicago Area Attorneys: Meetup with ATL and Kinney Recruiting this April! Click here to request an invite to our reception.

TECHNOLOGY, TRIALS

Today's Tech: How A Criminal Defense Lawyer Uses Trial Presentation Technology

By NICOLE BLACK

0 Comments / 36 Shares / at 12:30 PM

I've written about trial presentation technology from the perspective of a judge and a law school professor. Today we'll learn how a criminal defense lawyer has used his iPad to present evidence during a lengthy criminal trial.



Meet Sanford Wallack. He's a long-time criminal defense lawyer in Atlanta, Georgia. He has always considered himself to be fairly tech-savvy and has done his best to incorporate technology into his law practice: "I've been using a Mac since I went into practice for myself 12 years ago. At first it was unusual but now the majority of lawyers at one of my recent trials were working off of Macs. I also use Dropbox and Daylite as my primary tools for work. And, I have a scanner that allows me to work remotely so I have everything I need wherever I go."

But until recently, he'd never used trial presentation technology in the courtroom. He was deterred, in part, due to lack of experience with the software: "Before last year, I had not used trial presentation technology during my trials. The problem with any technology tool — especially when you're trying to use something new—is the fear of fumbling around in front of a jury. That kept me from using trial presentation software earlier, but like anything else, once you get comfortable with it you worry less about making mistakes and ultimately end up being a more effective litigator."

It was the promise of a lengthy, document-intensive criminal trial that spurred him to consider using trial presentation technology. "I started a trial last August that lasted eight months and it was a monumental case in terms of paperwork," he says. "I started to research my technology options since the courtroom we'd be using wasn't set up well for non-traditional trial presentation. Using an ELMO projector didn't work well since the docs were very small and hard to read on the screen and if you focused in on particular parts of it you couldn't see the entire document."

Sanford knew he had to find a better solution. After researching his options, he ultimately settled on TrialPad, a trial presentation iPad app. "I'd talked to other lawyers about trial presentation tools previously and local attorney Kevin Morris was very helpful at the time," he explains. "So when I was preparing for this trial, I followed up with him. He made a number of suggestions, including recommending TrialPad. After testing it out, that's what I settled on because it was so affordable and was easy to use and learn right from the start."

According to Sanford, TrialPad simplified the trial presentation process and allowed him to more effectively present his client's case: "I uploaded the documents that I knew I'd be using that day from Dropbox. Then while questioning a witness, I pulled up the relevant document on my iPad, which then appeared on the screen. I could highlight a portion of it and call it out so that it then became larger and easier for the witness and the jury to see. It's very easy to do this while you're up there and on the spot. And it's great because you don't have to selectively mark up the paper documents beforehand, so you can be somewhat reactive with the witness."

Not only did TrialPad streamline the trial presentation process — it helped Sanford stand out from the pack. "Because everyone else essentially relied on ELMO for trial presentation, it made me appear more organized and effective," he says. "I had positive reactions from other lawyers and the witnesses. In fact, in one instance, when I did a call out on a document and it popped up on the screen, the witness said something to the extent that that was the coolest thing she'd ever seen!"

Sanford acknowledges that there were occasionally some hiccups during the trial, but in the end, the benefits outweighed the drawbacks: "I would definitely use TrialPad again even though there were a few instances where TrialPad didn't work. It had more to do with the courtroom set up and the unreliable wifi than the app. But it's like anything else — you do what you have to do, and in those cases I relied on paper documents and ELMO as my back up. I just tried to maintain my poise and move on and at the next break I figured out how to fix it."

His parting advice for lawyers who are reluctant to use trial presentation technologies in their practice? "Get documents into the app ahead of time so you don't have to deal with issues like unreliable courtroom wifi when you download or upload documents on the spot. And try to use it a bit before the trial. Practice with it ahead of time and go into the courtroom before the trial to give it a test drive. There may be a small learning curve, but it's worth it."

Nicole Black is a Rochester, New York attorney and the Legal Technology Evangelist at MyCase, web-based law practice management software. She's been blogging since 2005, has written a weekly column for the Daily Record since 2007, is the author of Cloud Computing for Lawyers, co-authors Social Media for Lawyers: the Next Frontier, and co-authors Criminal Law in New York. She's easily distracted by the potential of bright and shiny tech gadgets, along with good food and wine. You can follow her on Twitter at @nikiblack and she can be reached atniki.black@mycase.com.

TOPICS

Criminal Defense, Nicole Black, Sanford Wallack, Technology, Today's Tech, TrialPad, Trials



Get ready for today's legal workflow. Workflow Technology Solutions from Thomson Reuters. From legal research and drafting tools to case- and knowledge-management software, we've got what you need to stay ahead of the game. LEARN MORE THOMSON REUTERS



SPONSORED CONTENT Job Of The Week: Real Estate Attorney (In-House), Abu Dhabi, UAE Our client is a significant regional real estate development entity and collaboration between one of the GCCs leading finance houses and a prominent international real estate company. With significant assets already under management and very strong growth forecast, the US qualified General Counsel now requires a polished, blue-chip real estate attorney to join his team. EWS

RECENT JOBS

- Attorneys Location: Los Angeles, CA posted by U.S. Securities & Exchange Commission
Corporate/M&A Or Private Equity Attorney Location: Kuwait, Kuwait posted by EWS
Themis Bar Review - Director Location: Various Locations, Texas posted by Themis Bar Review
Real Estate Attorney (In-House), Abu Dhabi, UAE Location: Abu Dhabi, United Arab Emirates posted by EWS
Mid- to Senior Level Real Estate Associate Attorney Location: New York, New York posted by Kinney Recruiting LLC

VIEW ALL »

New SOLO LEGAL TALK NETWORK

SPONSORED CONTENT David Sparks on Starting His Solo Practice: If the thought of opening a solo practice is both exciting and scary, we have a treat for you. New Solo, is a podcast dedicated completely to solo practitioners, is here to help. Each month, host Adriana Linares interviews distinguished guests who share insights and information on how to successfully run your own law firm. LAURENCE COLLETTI AND LEGAL TALK NETWORK