



A2L CONSULTING

# Ten Reasons to Prepare Your Trial Graphics Months Before Use

At Animators at Law, we believe that preparing your graphics and trial presentation strategy long before a trial or hearing leads to better outcomes. We advise top litigators to begin preparation of the visual presentation of the case at least three months before every major trial. We believe the reward will be more peaceful and effective litigators, happier clients and an improved winning average.

At Animators at Law, since 1995, we have worked with 95% of top law firms and consulted on more than 10,000 cases with trillions of dollars cumulatively at stake. We have observed trial teams that prepare years in advance testing theories that may or may not eventually be used against them. We have watched trial teams who have only worked on a case for a week prior to jury selection. We have supported litigators who thrive on a Zen-like peace prior to going to trial and those who crave the adrenaline rush of sleeping little and preparing late.

We have seen both styles work and both styles fail. Looking back on the years since our 1995 founding, it is our belief that the most effective and most frequently winning teams are those that have 90%+ of their trial presentation in place at least one month before trial. In fact, we believe the longer the team has prepared visuals prior to trial, the more likely they are to achieve a winning result. It is with this belief in mind that we offer our ten reasons for preparing early.

1. **You Never Really Know the Material Until You Can Teach It:** Think back to law school study groups. The person who performed best on exams was usually the same person who taught the group the material. Working with your demonstratives/trial presentation team early forces the trial team to articulate the argument, facts and themes much earlier than they otherwise would have. Our clients often say this early preparation was an unexpected benefit of having worked with our firm. Early attempts to teach yield a more effective presentation later.
2. **Time Offers Opportunities for Testing:** By testing we mean both formal jury research and simply running graphics by colleagues, clients and consultants. When it comes to trial graphics, it is not possible to get too much feedback on draft exhibits.
3. **The Best Exhibits are Not First Draft Exhibits:** In our experience, we find that the best exhibits requiring some conceptual design go through at least three drafts before being declared final. Often the draft exhibit sparks some idea that brings out some facts that were not discussed and thus the exhibit evolves. Other times, entirely new approaches are discovered.

4. **Advance Trial Presentation Preparation Enhances Good Storytelling:** Great speakers, authors, litigators and storytellers tend to group related concepts together when telling a story rather than simply explaining a story chronologically. We use techniques such as mind mapping with specialized software or simply mapping out a story using post-it notes. The goal in either technique is to first see all the information that needs to be conveyed and group it. The fewer and tighter the groups, the better the presentation. Time aids this process.
  
5. **Great Information Designers are Just as Rare as Great Litigators:** It pays to work with the best. Many times a year we are forced to turn away a case, because we have been engaged by opposing counsel. Do yourself and your client a favor by starting early.
  
6. **Earlier Prep Allows Time for Alternative Approaches to Be Used:** With PowerPoint and inData's Trial Director now ubiquitous trial presentation tools, savvy litigators have started using more physical models and traditional trial boards to complement their presentation and avoid what some call death by PowerPoint.
  
7. **When You Have Time, You Can Try/Test Alternative Approaches:** Hollywood blockbusters are often shot with different endings to later test the ending that will yield the highest grossing film. Highly effective trial teams should do the same. Litigators should become quite comfortable varying their presentation approach (i.e. PowerPoint vs. Trial Director vs. Printed Boards) and their approach to content (i.e. order, emphasis and theme) in advance of trial.
  
8. **Refinement Requires Time and People Will Take Notice:** A layperson can tell the difference between a well thought out presentation and one with lots of overlap and a lack of flow. Getting the order right, getting individual exhibits perfected and tweaking points of emphasis requires lots of preparation. Crunching at the 11<sup>th</sup> hour achieves good results. However, leaving time to reflect on varying approaches yields better results.
  
9. **Solving the Mark Twain Dilemma:** Mark Twain famously once apologized in a letter that he would have written a shorter letter if he had more time. So too is the case in trial presentation. The more time you have to prepare, the more efficient and compact the trial presentation. Our view is that less than half of exhibits developed for use should ultimately be used. There is simply no substitute for the process of creation, evaluation, refinement and testing that months of trial preparation allow.

10. **Sleep Better:** A favorite Animators at Law customer recently retired from the practice of law after a storied career in Washington, DC. Among the memorable quotes he left behind was one that really speaks to the heart of preparation. He liked to say that because he is so well prepared heading into a long trial, he never sleeps better than while on site. He also had a noticeable habit of winning.

We believe that good trial presentation preparation is noticeable to anyone. With two-thirds of the general public preferring visual communications to the spoken word, creating effective demonstratives means the difference between being an effective communicator and an ineffective one. Our recommendation is that trial presentation preparation should begin up to a year before trial or key hearing and should be at least 90% complete one month prior to exchange. Following these guidelines will increase your chances of winning more cases.

We invite to contact us and inquire about a complimentary case evaluation:

Nina Doherty  
Director, Business Development  
800.337.7697 x121  
[Doherty@A2LC.com](mailto:Doherty@A2LC.com)

<http://blog.A2LC.com/blog>