

Villari, Brandes & Kline, P.C. Lawyers

Lawyers grab jurors' attention with visual evidence

Personal injury lawyers Peter Villari and Paul Brandes, of the Villari, Brandes & Kline law firm, have tried everything to keep jurors' attention in the courtroom – voice inflection, moving around the courtroom and even dropping books on the floor.

"In our birth-trauma and general medical malpractice litigation, we found an increasingly greater need to be visual with the jury because, frankly, they fall asleep on you," explains Peter Villari.

To make information more visual, Villari and Brandes tried using basic blackboards, poster boards and slide presentations. "But we kept thinking, 'This just doesn't seem to be doing what we want. There must be something else out there,'" says Villari.

That's when a company that makes trial-presentation software introduced Villari and Brandes to the SMART Board™ interactive whiteboard.

"They brought one into our firm and showed us what it can do, and we thought, 'Whoa, this is terrific.' We were surprised at how reasonable it was to purchase, too. Initially, when we asked what the cost was, we were ready to cringe. But it's not expensive."

That was five years ago, and Villari says that since then, they keep finding more ways to integrate the product into their work. Now, they bring a projector, a laptop, the SMART Board interactive whiteboard and a printer whenever they are in the courtroom.

"We started to use it because we liked that we and our experts could interact with data right in front of a jury. You can take a volume of evidence, put it on CD-ROMs and get at it instantly," says Villari.

"We believe with the SMART Board interactive whiteboard we've overcome the biggest challenge faced by lawyers," he says. "Juries are absolutely on the edge of their seats watching the information come to life. Evidence is no longer just heard. It's heard and seen."

Recently, Villari and Brandes used the interactive whiteboard in a malpractice trial involving a blood disorder doctors didn't detect. The defendant claimed not to have seen a particular type of broken blood cell in a smear test. "But our experts said there were numerous cells of this type on the slide. The big dispute was whether the cells were there," explains Villari.

At the trial, Villari and Brandes presented a photograph of the blood smear slide on the SMART Board interactive whiteboard.

"We called the defendant to the witness stand and started cross-examining him. Then we brought him from the witness stand to the SMART Board interactive whiteboard, gave him a pen and asked him to circle all of the broken red blood cells he could see. He started circling and circling and circling. He circled so many that he blurted out, 'Wow, I never realized there were so many of these cells.' At that point, we had the defendant initial the image on the screen. We printed it, marked it as an exhibit, offered it into evidence

and within five minutes we were in the judge's chambers settling the case."

The interactive whiteboard also helps the pair focus on their roles in the courtroom. "Rather than having co-counsel fumbling around with the laptop, the person actually asking the questions can stand at the SMART Board interactive whiteboard and bring up the documents that he wants. Co-counsel sits at the table actively listening to questions, writing notes and more effectively participating without being distracted," explains Brandes.

Outside the courtroom, the firm also uses the SMART Board interactive whiteboard daily in their office. Primarily, they use a software package called Needles® that allows them to pull up cases and instantly access case notes, documents, medical records and expert reports. They use the SMART Board interactive whiteboard to review cases and to prepare for trial. Often, they bring experts in to review the evidence they will present on the interactive whiteboard during trial.

Villari and Brandes say they continually find new applications to aid them in their work and are always introducing the technology to new people in the legal profession.

"Juries need to be visual today to stay alert and interested in a trial, and the SMART Board interactive whiteboard makes that possible," says Villari.

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