

Introduction

Back in the “early days” of litigation practice, a lawyer would make an oral argument to a judge or ask questions of a witness who would answer orally. As years progressed, the lawyer may have enlarged a photograph or chart on an easel. But, with the advent of personal computers, the use of demonstratives has increasingly become a staple of the courtroom.

Lawyers now use a variety of computer software and hardware tools to display in the courtroom everything from exhibits, photographs, deposition video, and, of course, demonstratives.¹

This book is an in-depth reference guide to the theory and practice of creating persuasive and effective demonstratives. The book dives deeply into the strategy of demonstratives. It explores issues such as when to use demonstratives, and perhaps more importantly, when *not* to use demonstratives, what stages of litigation could benefit from demonstratives, different uses for still and animated graphics, etc.

Within these pages you will find a common reference point for the verbal and visual language of demonstratives. Creating a definitive set of terms with accompanying illustrative images not only makes communication clearer and more efficient, but also sparks ideas for different approaches and looks for demonstratives. An “Inspiration Index” of visuals with examples is also included. This book is essential reading and a within-arm’s-reach guide for every litigator.

1. Throughout this book, we use the term “demonstratives” as a convention for electronic and printed graphics that lawyers use in court, also commonly referred to as litigation graphics, trial graphics, trial demonstratives, etc.