

The War Room: An Advantage in Trial Preparation

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The War Room

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The importance of the war room when at trial cannot be overstated. It provides the opportunity for team members to get together at the end of each day to review the day's events, plan strategy, prepare exhibits, work with key witnesses and consultants and practice with the actual technology being used in the courtroom. The war room has evolved into more than just a place to copy documents and drink stale coffee. Often, the difference between winning and losing comes down to one's ability to act and react quickly. Today's technology-enabled war room provides a winning environment.

Keys to maximizing the potential of the war room:

Use the War Room for Rehearsal

Practice, practice, practice is the basis for any effective presentation. Rehearse your opening, direct, cross and summation as often as you can using demonstratives and technology to become acquainted with how and when information should be displayed. Even equipment as simple as a document camera will still require some practice to have a seamless presentation. When using a trial technologist, rehearse your naming conventions for the recall of exhibits. Many times a prized document is referred to not only by its trial exhibit number, but its bates number, deposition name/number or some internal name given to it by your team, like "the document from heaven!". Work with the trial tech again and again until you've attained an unspoken communication that will make your presentation at trial appear to be a choreographed dance. Rehearsal is also a vital way to help witnesses, especially experts, with the effectiveness of their testimony. It is in the war room that last minute witness preparation can be synchronized with planned courtroom exhibits.

Technology Duplication

When using technology at trial it is important to be as familiar with it as possible in order to convey a high level of competency to the court. To accomplish this, you should set up your war room with the same technology you are using in court. A document camera, touch screen annotation unit, monitors, projector with screen and audio will allow you to have a better grasp of all the tools at your disposal. Here, the presence of a trial technologist is essential. The trial tech can set-up and maintain all the equipment as well as become a key member of the trial team. They can highlight and display documents, perform video clip editing as well as the integration of both, and they can assist with the creation and display of PowerPoint and other graphic presentations.

Graphic Design and Creation

As the trial day ends, the war room work begins. Having graphic designers with computers in the war room will allow brainstorming sessions with your trial team to occur on a nightly basis and make your entire team more responsive. Together, you can develop graphics to assist in presenting a response to issues raised today for use in court tomorrow. Use the war room staff to create PowerPoint slides, animations, exhibit boards, interactive timelines, and other multi media presentations as aides for use during

opening/closing statements or trial presentation. The trial technologist and graphic artists can work together to create high resolution video clips which can be edited and inserted into PowerPoint presentations making transitions run more efficiently.

On Site Scanning/Digitization of Documents, Photos, Videos & Transcripts

While in a perfect world all exhibits would be imaged and all video converted prior to trial, many times this is not the case. Whether by design or circumstance, the opposition will invariably introduce unexpected exhibits. The ability to scan documents and photos, digitize, synchronize and edit video depositions in the war room is essential for the quick turnaround required at trial. Once converted to digital form, these items can be loaded into the trial presentation system in court and displayed. Recently, in a high-profile white collar crime trial, we received an average of two additional boxes of documents from the government each morning which were scanned in the war room and presented to the court after the lunch break.

High Speed Internet Connectivity

Make sure there is high speed Internet access wherever you locate your war room. The need to access your firm for document databases, email, and other web sites will prove invaluable. Your trial technology consultant will be able to assist with the set-up of secure integrated wireless networks, web information repositories and other support systems in a transparent fashion as well as respond to issues that may arise as a result of fire walls. And, if you are not creating graphics locally, a secure website with password access can be established for the litigation team. This site allows the team to witness the development of graphics, offer suggestions and ideas for the revision of existing exhibits, or recommend the creation of new ones all from a remote location.

Going Out of Town

Being on trial away from home brings a whole unique set of issues. Here are some quick tips to deal with potential problems before they arise:

- Locate your war room within blocks of the court.
- Make sure to do a general survey of the area before you arrive to determine location of the nearest 24 hour copier and office supply stores.
- Locate and retain a caterer for lunch so it is waiting when the team arrives.
- Check the airline schedules, many times the last flight out of town on a Friday is early. Inform the judge and he/she may grant some leniency and end court early enough to allow you to fly home to see your family.
- Arrange a car service contract with a local company in advance for transportation to and from the airport and around town.
- Choose the best restaurant in town for your victory dinner.