

Confessions of a Trial Lawyer Geek

Great iPad Apps for Trial

By Jennifer Auer Jordan

Technology is making it easier to do what we do in the courtroom. And unlike years past, it is not a break-the-bank proposition to use technology at every point along the way to help try a case. As a partner in a small trial firm, I am always looking for the best, cheapest, and most effective way to present an argument to a judge or jury.

I am a Mac user who relies almost exclusively on my iPad in court, so this article comes from that perspective. But even if your office relies on Windows, there are some useful iPad apps that deliver a lot of bang for your buck.

First things first: if you have an iPad, get an Apple Wireless Keyboard (\$99 at the Apple Store). The iPad's onscreen keyboard is functional, but it is not meant for heavy-duty use.

I start using my iPad almost immediately with trial preparation.

Dropbox (free in Apple's App Store, but I recommend upgrading to the business edition because of increased security) allows me to organize my exhibits and documents however I want and access them on any computer or device. It works great with both

PCs and Apple devices, so you can load your exhibits from your office computer and access them on the go with your iPad. You can arrange exhibits by witness or subject matter and rearrange them on the fly.

There is now a suite of litigation-focused apps that cannot be beat in terms of price and functionality. Developed by Lit Software, they are bundled together for a total price of \$299.99 in the App Store (you can buy them individually, but the suite is the best value). Before you balk at the price, let me tell you what you get.

First, TranscriptPad is the best app out there for managing and manipulating deposition transcripts. Think LiveNote with total portability and without the hefty price tag. TranscriptPad's value is most apparent in the pretrial phase; a litigator's effectiveness in manipulating depositions can mean the difference between a successful cross-examination and one that falls flat. TranscriptPad lets you carry all your transcripts in one app and organize by case. Its powerful search function allows you to search a single deposition or an entire case. It also can color code issues and important sections for review. I use it to instantly highlight areas where I will need to file a motion in limine, so that when the time comes, I can run a report that lists every instance

in multiple depositions that I have identified as an area of concern. It is equally useful with manipulating trial transcripts for purposes of writing appellate briefs.

TranscriptPad is eclipsed in functionality only by DocReviewPad. With this sister app, you can upload and manage large document productions. DocReviewPad lets you create production sets, Bates stamp all documents, redact, and annotate. By far its best feature is the ability to assign issue tags. The built-in tag for privileged documents is enough to warrant buying this app. Once you have reviewed your production set and marked certain documents as privileged, the app will run a privilege log for you, identifying the corresponding Bates number and any notations you have made, including the sender and recipient of a document, type of document, date, and the general grounds for privilege.

This suite of apps is rounded out by TrialPad—hands down the best trial-presentation app out there. It is a bargain compared to other software-based programs with comparable capabilities. TrialPad allows you to present wirelessly in the courtroom, call out sections of documents or depositions, view exhibits and mark them, create exhibit lists, edit video clips, create witness folders, and more.

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The apps seamlessly work together, which makes getting all three worth the upfront investment. But there are alternatives when it comes to presentation apps.

Exhibit A (\$14.99 in the App Store) is a bargain app that allows you to present key documents, photos, and videos. You can easily import your documents from Dropbox or e-mail. You are able to control what the jury sees as well as highlight, mark, and call out sections of what you are showing the jurors. The app also has a virtual laser pointer that can be helpful during witness examinations. The consensus seems to be that it is great for simple cases (like a run-of-the-mill personal-injury case) but may not be the best choice for more exhibit-intensive cases. I don't use any PDFs over 3MB to prevent it from crashing. I have also used Exhibit A for presentations, and it has worked beautifully.

ExhibitView (\$89.99 in the App Store) is an app that complements ExhibitView's Windows-based software. It is difficult to beat the price, and the customer service is excellent. The app includes all the basic trial presentation tools, including highlighting, blowups, marking, and redactions, but the real power is in its PC software. To maximize the power of ExhibitView, I recommend buying both the software and the app.

One of the newest and most innovative apps for reading and annotating documents (PDFs and more) is LiquidText (free in the App Store). The amazing functionality of this app is hard to explain. You can pull out key facts from all your sources and integrate them or pull excerpts from key documents into a single workspace to compare multiple sources. Also, the note-taking function keys notes or comments to the specific page and place referenced, making it simple to navigate voluminous documents. I find it invaluable for reviewing medical records from multiple providers to put together a timeline. I record the dates and times of provider notes, lab results, or when certain medications were administered. The notes link back to the source record so I can easily go back and forth. The best part is that LiquidText then allows you to share the notes as a PDF or DOC file. For me, that results in an automatically generated timeline of care that

includes a citation to the name and page of the source document that the note is linked to. And, if you excerpt a portion of the record (for example, lab values) with the note, that excerpt appears in the shared document like a screen shot, again with the name and page number of the source document.

Getting ready for the big show

Another app I have used for public presentations, openings, closings, arguments—you name it—is Teleprompt+ for iPad (\$14.99 in the App Store). It helps you practice presentations by turning your iPad into a teleprompter. You write your speaking scripts directly into Teleprompt+ and can track the estimated, actual, and remaining time. This is helpful if you are appearing before a judge who limits the time for arguments. The app also lets you record and critique your performance as well as capture the audience's reaction. For example, when presenting to a mock jury or focus group, you can use Teleprompt+ to record the audience. Their reactions can help determine the effectiveness of your presentation and the appropriateness of using certain words or phrases.

The big show

We've all been there: you arrive early on the first morning and the judge's clerk hands you a list of your potential jurors with limited profile information.

The first thing I do is scan the list and send it by fax or e-mail to my assistant at the office. This lets me have someone else do social-media checks on potential jurors. Attorneys can learn a lot about individuals by looking at their social footprint. No scanner at counsel table? Turn your iPad or iPhone into a portable scanner by using JotNot Scanner Pro (\$0.99 in the App Store). JotNot lets you choose whether you want to send your document by e-mail or fax and scans multiple pages to send at one time, just like a traditional scanner.

I then enter the names of my prospective jurors into an iPad application I developed called JuryStrike (\$29.99 in the App Store). This easy-to-use app is intended to help trial attorneys organize and access

the responses of prospective jurors during jury selection. It is great during general voir dire, when attorneys ask broad questions of the entire panel without immediately asking follow-up questions. JuryStrike lets you track responses so you can follow up with individual jurors. It also creates a report on each prospective juror that includes his or her background information, notes you have recorded about the jurors, and questions that require follow-up. With JuryStrike, I can enter the first and last names of the members of my venire before voir dire officially begins. And because I upload my questions into the app before going to court, I am ready as soon as the judge is. JuryStrike takes you all the way through the strike process; you can literally touch the screen and strike a potential juror for cause.

Whether you use an app or not, a low-tech strategy to help with jury selection is getting the court's permission to use paddles with large numbers on them for prospective jurors to hold up during questioning (some courts provide these). Once you perform voir dire with the paddles, you will not go back to the days of trying to figure out the numbers of potential jurors. You can order paddles from a number of online vendors. My favorite is www.kieferauctionsupply.com.

While many lawyers may not feel comfortable about trying new technology and investing a lot of money into it, consider this: if an app doesn't do what you need it to do, the financial downside is minimal; but when an app works, the upside in terms of improving your practice is limitless. ■



Based in Atlanta, Jennifer Auer Jordan represents plaintiffs in medical malpractice cases. She developed an iPad app called JuryStrike to help lawyers with jury selection, and frequently speaks on the impact of technology on modern trial practice. In 2016, she was named by Super Lawyers magazine as one of the Top 100 lawyers in Georgia—an honor shared with only 14 women statewide. Contact her at jordan@sjwlaw.com.