

Secrets to Making Your Day in the Life and Client Photogenic

Tips to help you produce more compelling and persuasive trial videos

by Chris Ballard

Before you produce a day in the life exhibit of your client and one iota of footage is shot, proper preparation and pre-production is key to an effective and compelling exhibit. Similar to the steps taken before you snap the shutter in taking a still photograph, the same and even more is required for a video shot. Walking into any clients' home with a camera, lights and a video crew is a nerve-racking event for your clients and their families. Some crucial and necessary steps that need to be taken include:

Tell your clients NOT to alter their reality



Often our producers and camera crew walk into clients' home to discover that all the supplies, wheelchairs, walkers, AFO braces, machines and other medical items have been put out of sight or shoved into closets or garages, in order to make their home look presentable for company. Your

clients are good and honest people. Their lives have been turned upside down since the minute of their injury. The normal roles and activities they played before their accident have completely changed. Their once lovely homes have now been turned into hospital or rehabilitation centers due to their injuries and activities of daily life changes. Just because “company” is coming to their house to videotape, tell them not to change a thing within their home. You want to see reality. And you want the camera to document that reality while at the same time capturing the little subliminal nuances that will have a great impact on jurors. For instance, 30 or 40 prescription medicine bottles sitting on top of a bedroom dresser with framed, still photographs of your client before his injury with his family right behind the pills, smiling and happy. That’s just one effective, subliminal example and one reason why movie and play producers hire set designers and prop managers to “dress the set” for each of their shots. They know the positive effect that these elements of any production have upon their audience and viewers. Your day in the life exhibit should be the premiere exhibit in the damages portion of the trial of your case and is the only chance for the jury to truly experience and envision your clients’ life and hardships. Make sure it counts.



Pay attention to your clients’ wardrobe and appearance

What clothing your client wears during the videotaping is also

crucial. Depending on the liability of your case, you don't want your client's caretaker or spouse to clothe him in a Budweiser tee



shirt, even if it happens to be his favorite tee shirt. Since we are in the new millennium, watch out for tattoos and body piercings also. The idea here is to instruct your client and his family to dress conservatively. If your client has a spinal cord or other injury, it will be vital and necessary to shoot video of his bowel and bladder program. This

will be embarrassing for many clients but can be handled by the video crew in a respectful and non-invasive manner. And when it comes time to shoot the car transfer scene, make sure that your client's seat belt is fastened before the car moves. If you have hired a forensic, professional camera crew they should be knowledgeable about how to handle all these subliminal but crucial elements to any videotaping.

Coordinate with monitoring and therapies

Most clients have various therapies on different days of the week. Some may also have an RN come to their house once a week or once a month to record and update their progress notes and various vitals. Make sure you coordinate the therapies or the video shoot to coincide with these crucial elements of any day in the life exhibit. And with HIPAA regulations these days, make sure that the proper consents have been executed before the shoot.

Add credibility to your goods and services claim

An overgrown yard, dead flowerbeds, cobwebs growing on the tools

in the garage are all powerful elements of any day in the life. If your client is male, you will be amazed at what you will find for elements of your damages claim in his garage or storage shed. For females, portraying husbands and siblings performing household duties and other duties around the house make for effective and compelling footage. Former hobbies, sports and recreational items should also be addressed by the non-use or packing away of certain items.

Timing and updating is of the essence

Some ADL's of your clients may only occur once a week or once a month. Make sure to discover what and when those activities happen so you can capture those on the same day you shoot their other activities. Some of the most effective and compelling shots that impress jurors the most are simple and necessary tasks that we all take for granted, such as brushing your teeth, unscrewing a cap off a bottle, buttoning buttons and other fine motor skills. Go out of your way to conference and discover as many of those tasks as possible so your videotape crew can capture those. Also, a jury has more compassion and therefore more empathy for clients who display improvement or at least an attitude to try it themselves and improve. Make sure that you schedule an update video every six months in order to be able to edit together for your trial product a comprehensive, compendium that will enhance your life care plan and expert's testimony.

So keep these crucial steps in mind when preparing for your next day in the life shoot and you will see and feel a drastic change in the advancement of your case or in your verdict.

Chris Ballard, chris@videos4lawyers.com is Principal and Founder of Omni Video, a group of compassionate and hard-working producers who work for the trial bar nationwide. Producing forensic videos for over 35 years, he is a past President of the Legal Interest Group of the International Television Association.