

Virtual Perspectives

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Background and Lighting

Lawyers need to consider whether items appearing in the background could potentially affect how someone feels about the speaker.

Back when things were “normal,” mediations, depositions, hearings, and arbitrations involved picking out the appropriate attire and attending the event in a setting that was geared for such an event. Now that we are performing these same tasks virtually, the appearance and backdrop behind the presenting lawyer or witness needs to be considered. It is important to make sure that the presenting lawyer and each of the witnesses are able to be seen clearly on screen. It is also important to consider what might be lurking in the background that will show up on screen. Do you or your witnesses have taxidermy, religious symbols, political signs or memorabilia, or other items appearing in the background that could potentially affect how someone feels about the speaker? Will your witness be testifying to how detail-oriented and organized they are with a cluttered and messy bookcase behind them. It is inevitable that what is in the background behind a witness or lawyer will creep into one’s impression of the person speaking. Ideally, you and your witnesses should use a plain background. In reality it may not always work that way. Do a dry run with each of your witnesses and experts in advance of the event and check for lighting and the background. Ask them to log in from where they expect to be sitting during the event, check for these issues and make adjustments if necessary.