

THE DO'S AND DON'TS OF LEGAL VIDEO



A FORENSIC PRODUCER'S GUIDE TO POWERFUL, COMPELLING AND EFFECTIVE VISUAL EVIDENCE

by Chris Ballard

The Do's:

CHOOSE THE APPROPRIATE QUALITY FOR YOUR VIDEO BEFORE YOU START

Does the importance of your video evidence justify a Mercedes or a Chevy? Just as you expect a difference there, the same holds true for video. Remember, jurors and claims representatives are sophisticated viewers today. You must apply the same standards to your video presentation as you do to your practice because the quality of your video will reflect not only the image of you and your case, but the image that the viewer will perceive.

And don't fall into the home camcorder/YouTube trap. Just because you might already post your law firm videos to your website or YouTube or because your family and staff watch the most popular or funniest YouTube videos, doesn't mean they have a place in the courtroom or on a claims representative's desk.

One good side-by-side example of quality:



witness shot by inexperienced crew



same witness shot by experienced crew

Budget your video production costs the same as you do your case presentation costs. If your goal is to settle by getting another \$10,000. added to the last offer, then low production costs are appropriate. But if your case is worth a lot more or you are having problems getting the other side to move at all, then the only way to go is quality. And be prepared to pay for quality.

TARGET YOUR PRIMARY AUDIENCE

Before one iota is shot, make sure you have a clear, concise idea of who your audience will be and the results you want to achieve from your video presentation. Obviously the message you want to relay to a jury is different than to an adjuster. A video settlement documentary produced to pull the heart strings of a jury will backfire because its target audience is insurance company representatives.

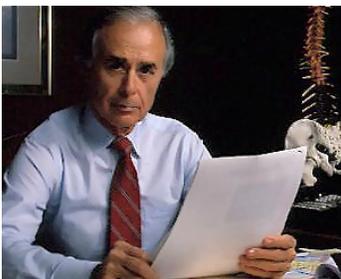
Keep the theme of your case in mind and relay the points you want to communicate in your video to your video production team.

Don't get bogged down with camera angles, lighting and playing "director." If you have chosen the right video production team and communicated to them the liability and damages of your case, you will not be disappointed in your final video.



LET YOUR WITNESSES TELL THE STORY

Today, we look back at videos we produced 30 years ago and laugh...



SETTLEMENT DOCUMENTARY #4240, SCENE 30: Attorney working at desk, turns to face camera and says:

"The facts of this case are clear. Doctors ought not take out the wrong disc. Your client did wrong and you know it. Any jury in their right mind would bring back \$4 million for my suffering client. Let me have your offer today!"

Our best advice: don't do it. Shut up and go sit down. Your day will come at trial. The secret here is to let your witnesses tell the story. Witnesses all have a story to tell and if you have chosen the right video production team, they will know how to elicit powerful and convincing stories from them to portray and edit together a dynamic and compelling video that will knock the socks off any claims representative.

CONTROL THE PLAYBACK OF YOUR VIDEO

Now that you have invested all this time and money into controlling what your audience sees, don't forget to control *how*, *where* and *when* they see your video. Attention span of the viewer, quality of the playback equipment, time of day and an uninterrupted viewing session all affect the message the viewer receives thereby affecting your outcome. DVDs are best for quality and accessible viewing. Videos can also be uploaded and viewed either from your website or the other side's, all in a confidential and safe manner. You can even get analysis of the number of "views" from posting your video to your own website.



The Don't's:

MAKE YOUR VIDEO TOO LONG

In today's fast-paced, information-packed, internet society everyone's attention span is very short, including jurors and adjusters. Always try to adhere to the 13-minute rule. If your video message is crammed with too many details or runs too long, your audience will become apathetic to your message.

LET A NON-PROFESSIONAL PRODUCE YOUR VIDEO

In the discovery process, you get lousy video footage from investigators or court reporters, but contained in that footage are some “gem” sound bites that you would love to use in your settlement documentary. An experienced video production team will know how to enhance those videos and edit those pieces seamlessly into your final program. But as their titles dictate, they are not experienced video producers who know how to effectively communicate the facts of your case to a jury or claims representative. Using a non-professional may initially seem to be cost effective, but in the end is it really worth it if your video compromises your reputation and devalues your case because of amateurish footage and edits?

PIECEMEAL YOUR VIDEO

One of the biggest mistakes attorneys make is by fragmenting their settlement documentary by using clips of amateur videos edited together, resulting in a final program that distracts the viewer and lacks any kind of consistency. And a distracted viewer won't get your message....and you won't get your result. Working with the right production team will solve this problem for you.

Armed with this guide you will achieve better looking and enhanced results from your video settlement documentaries. And when a claims adjuster or jury views a video that's representative of your best work, it not only enhances your credibility, but also your client and your case.



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