

Introduction

This article is presented in conjunction with the 2015 American Inns of Court Leadership Summit in Anaheim, California on May 29, 2015. I am a member of the Benjamin Aranda III chapter of the American Inns of Court. Our chapter meets monthly at the Samba Brazilian Steakhouse in Redondo Beach, California (*figure 1*).

Several of our chapter's members are scheduled to discuss Meetings & Programs at 1:00 p.m. I am a member of the executive committee of the chapter. My role on the committee is technology liaison—a recently created position to advise and assist the executive committee on all matters concerning technology. My responsibilities include keeping track of all chapter-owned equipment, i.e., audio, video, and electrical; assisting presentation groups with equipment and staging needs; and coordinating with the manager of our restaurant facilities.



Figure 1

Justice (ret.) J. Gary Hastings proposed the technical liaison position on the executive committee in recognition of the many ways that technology touches the practice of law, the operations of our chapter, and monthly presentations.

In preparation for the leadership summit, I evaluated the various ways that technology impacts the presentations at monthly chapter meetings. I looked at not only the live presentations, but also to the preparation of presentations; the

pre-event marketing; the distribution of handouts and collateral presentation materials; and the post-event publication of presentations including submission to the national body.

My primary conclusions are that technology can substantially enhance what is already great about traditional Inns of Court presentations—such as educational and entertaining skits, lectures, and panel discussions—and that technology also makes it much easier to market the event, distribute and publish presentation materials, and to submit presentations to the national body as an easily viewable media package.

My other findings, which are discussed more fully below, are summarized as follows:

- *Depending upon the format and topic, technology can assist in striking a balance between educational and entertainment value of Inns of Court presentations*
- *Technology should generally be avoided in a presentation unless doing so augments its educational value*
- *Technology makes new presentation formats possible including novel ways to generate audience participation*
- *Technology can enable chapters to adopt a paperless policy for handout distribution*
- *Technology is a good source of topical material for presentations including substantive and procedural law issues, the practice of law, the marketing of legal services, and the administration of law offices*

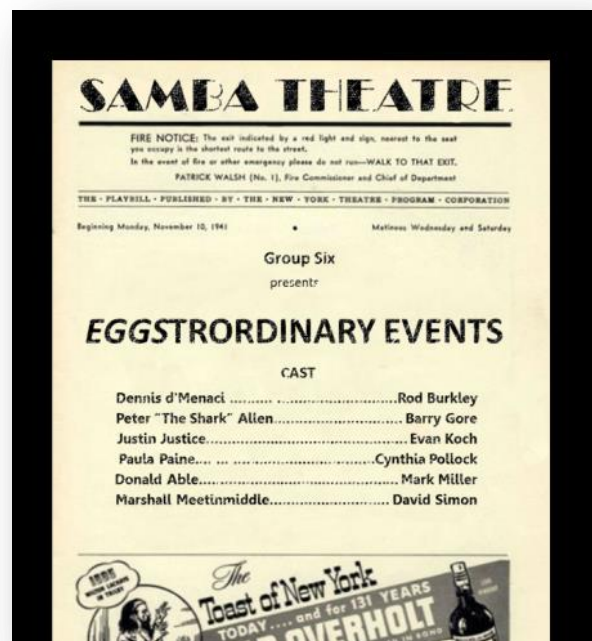


Figure 2

Presentation Formats

Traditional Formats

Based upon my recent experiences, I believe technology can enhance many of the traditional types of Inns of Court presentations.

For example, many traditional presentations will involve a single speaker (or a series of single speakers) discussing a legal issue, a statute or case law holding, a historical topic, etc. The discussions may be accompanied with slides showing textual or graphical information. When carefully balanced, such discussions and slideshows can be compelling. But often the slides can be textually dense and unappealing from an entertainment perspective.

In recent years, some groups have tried to use slides in a fashion that blends entertainment with serious legal or historical information.

For example, one recent group presented on a wide range of issues concerning mediation. The first speaker, Pete Pettler, discussed the historical roots in California of alternative dispute resolution, known as the *Hombre Bueno System*. An accompanying slide (figure 3) was used to evoke a nostalgic atmosphere during the 5-7 minute discussion. A subsequent speaker described relevant statutory and case law concerning mediation confidentiality. To bring the dry legal rules to life, a series of slides enhanced the critical text of the law at issue in the presentation (*figure 10*).

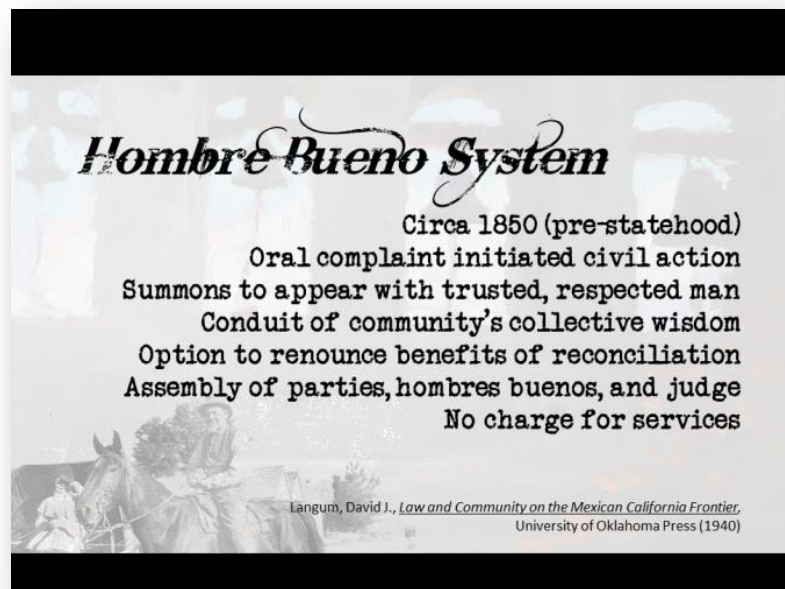


Figure 3

The skit portion of the presentation—an ethical issue arising during mediation—utilized slides to create an atmosphere of a farcical drama including a playbill (*figure 2*); a virtual stage and curtains (*figures 14, 17*); and an introduction to live characters acting in the skit by showing their imaginary websites (*figures 4, 15*).



Figure 4

Looking back at the mediation presentation, which was fairly well received by the membership, I believe there are lessons to be learned about the promise and limitations of technology in traditional Inns presentation.

Specifically, the slides generally augmented the first half of the presentation when individual speakers were

discussing a historical, legal, or

informational topic. And during the skit portion of the presentation, the slides and sound effects provided some humor, mood, and atmosphere. However, I believe that joining the slides with a live skit was somewhat distracting and probably should not be done in the future unless the two can be linked seamlessly together. As discussed below, some formats are better suited for a technology enhanced presentation than other formats.

Media Themed Formats

I have found that some topics, such as media themed topics, are more conducive to a significant visual component.

For example, in 2012 one pupillage group, which was led by Justice Hastings, tackled emerging ethical issues arising from the use of social

Figure 5



media. Many members were generally unfamiliar with social media and its uses in marketing, client communications, evidence gathering, etc. In order to address these issues in an entertaining fashion, the group used a slideshow to examine several hypothetical situations in a way that visually displayed social media.

The slides portrayed the use of Twitter, Facebook, LinkedIn, chatrooms, and texting of client communications and evidence (*figures 5, 6, 12*). For some members, who had not previously participated in social media, the images assisted in visually understanding for the first time the ways in which traditional ethical missteps can take place in the evolving world of technology and social media.



Figure 6

In 2014, another group led by Justice Hastings presented a skit modeled after a Sunday morning talk show, which was called *Meet the Past*, in which a modern

day narrator interviewed historical figures about the Magna Carta (*figures 7-9, 13, 16*). The interviews were video recorded during the live presentation. The premise of the skit was a special commemorative program on the Magna Carta's upcoming anniversary. The slides provided an "intro" to the program along with a



Figure 7

soundtrack, which briefly introduced the topic, narrator, and historical figures, followed by a longer background piece with a voice over narration by Justice Hastings.



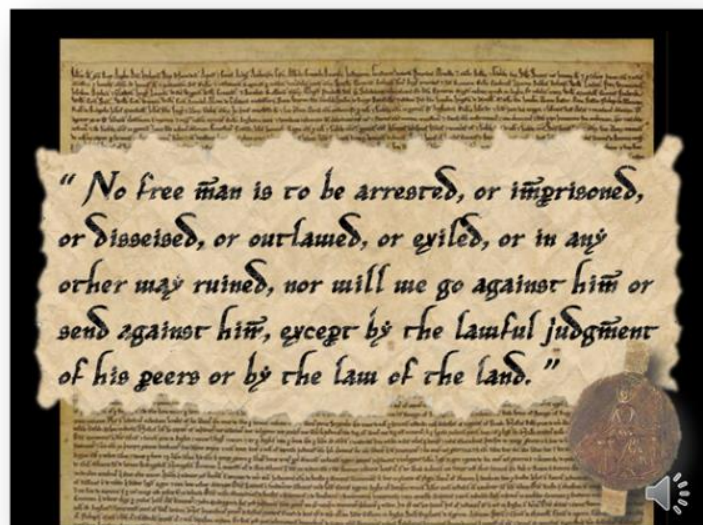
Figure 8

Other Technology Enhanced Formats

In light of the lessons learned from the prior uses of technology in our chapter's presentations during the 2012-2014 seasons, I have been considering other types of formats that may be employed in coming years. For example, I have discussed with other chapter members the possibility of pre-recording portions of a scripted presentation such as the following:

- *Trial court proceeding*
- *Interview with notable person or jurist*
- *Deposition of witness*
- *Mediation or settlement conference*
- *Mini documentary*
- *New client interview*

Figure 9



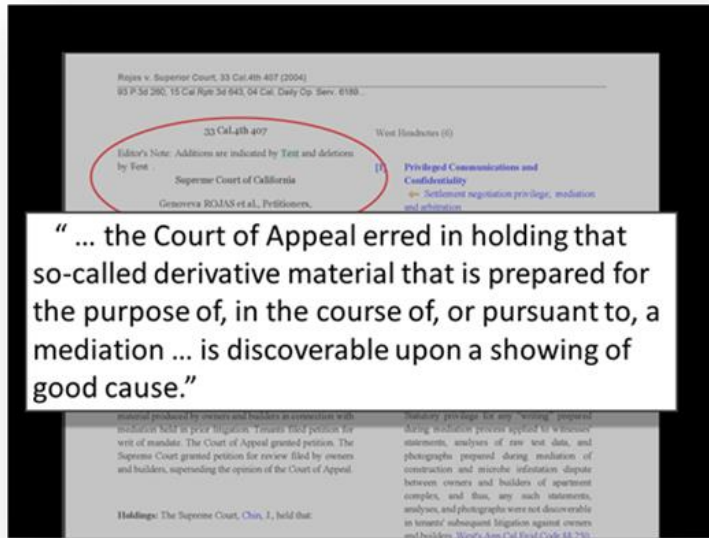


Figure 10

I am particularly interested in the possibility of a pre-recorded trial court proceeding. If the characters, script, and plot line are thought out well, this format could provide a wealth of issues (and crossover issues) to address during the live presentation—issues ranging from substantive and procedural law, evidentiary

rulings, ethical conduct during trial, jury perceptions, dealing with eccentric or hostile witnesses, use of trial graphics, etc.

Recently, several groups in our chapter have included an audience participation component in their presentations. For example, one group displayed hypotheticals on a projection screen, along with questions and multiple choice answers. Each table in the audience raised a card to indicate its choice for the correct response. The winning table took home a prize. Another group placed a mystery envelope at each table in the audience. It contained an issue statement arising from the presentation's subject matter. In the concluding portion of the presentation, each table opened its envelope, discussed that table's particular issue, and appointed one person to express that table's thoughts on the issue.

"Future presentations may include technology to facilitate greater audience participation and interaction."

Clearly, audience participation has been a big hit at our chapter. And technology holds the promise of expanding the possibilities. For example, it is my understanding that teachers and professors are beginning to use tablets and smartphones for interactive teaching. There are various applications for smart phones and tables where audience members can record their opinions, vote on

an issue, or input and convey other information in real time during a presentation.

Handouts

A handout is generally required for MCLE presentations.

In the past, handouts have largely consisted of copies of case or statutory law provided at the tables where audience members watch the presentation. In my experience, most members of the audience do not read or take these materials with them. In fact, the handout often appears to be somewhat of an afterthought, rather than an integral part of the presentation. Ideally, audience members should walk away with something of value. For example:

- *Summary of law*
- *Analytical checklist*
- *Top ten list (e.g. most important citations, most common errors)*
- *Forms and templates on thumb drive*
- *Laminated card with analytical flowchart*
- *Procedural checklist*

For chapters interested in promoting an environmentally friendly means of distributing handouts, technology can assist in several ways. Recently, one group distributed the handout via email before the date of the presentation by converting the slides (from within PowerPoint) to a combined PDF file so that those planning to attend could either print out their own copies or view it on their smart phone or tablet. Another way is to provide the means for the audience to download the handout before or during the live presentation by means of technology such as a QR code.



Figure 11

Topics

Technology also provides an array of topics for chapter presentations.

It often seems that technology is advancing so rapidly that it is difficult to keep up—even for classic "nerds" and others who are traditionally "ahead of the curve"

in technology matters. This can lead some attorneys, such as more senior members, to continually feel they are lagging in an understanding of technology matters—an understanding this is seemingly programmed into the DNA of younger attorneys.



Figure 12

Consequently, I believe there is a need to continually educate oneself in matters relating to technology as they relate to substantive law, procedural law, day-to-day lawyering tasks, marketing, and the administration of law offices.

For example, technology impacts traditional substantive law issues, such as intellectual property disputes and privacy concerns, and emerging issues such as cybersecurity and identity theft. Technology also continues to change the way evidence is collected and how discovery proceedings are handled and governed.

Additionally, in light of evolving rules of professional responsibility, a trend appears to be developing imposing certain duties upon lawyers to possess minimal understanding of some technologies in order to competently handle traditional lawyering responsibilities such as discovery. Advancing technology also

Figure 13



clearly impacts the administration of law offices. The trend to cloud-based storage and computing raises practical, economical, and ethical issues.

In light of the onward march of technology, as well as the anxiety it produces among members of the bar, topics related to technology will remain of key interest to many chapter members, and therefore a potential subject for future presentations.

Marketing & Publication

I believe technology has an important role to play in pre-event marketing, as well as post-event preservation and distribution of presentation materials.

In my first year as a chapter member, I was struck by the fact that presentations—many of which takes months to prepare—had no "life" other than in the collective memories of those who attended the presentation. Unless the presentation was submitted for an award, the presentation did not endure in a medium that permitted later viewing by those who may not have attended.

To address this issue, one group distributed via email to the membership a link leading to a ["trailer" posted on YouTube](#). The video provided a 90 second snippet from the presentation to be performed the following evening. The trailer introduced the topic, format, and the characters that would be depicted in the presentation's skit portion. At the time of the presentation, many in attendance had viewed the trailer. I sensed that this preview benefited the presentation because there seemed to be a positive



Figure 14

expectation or "buzz" in the air.

Many clubs, businesses, and other organizations routinely market events by creating an event page. Those who receive the announcement can indicate they are attending, or may attend, and they can "like" the event and post comments, etc. After the event, it is possible to post commentary, pictures, videos, or event materials. The event page or similar social media features—access to which can be limited to confirmed members—can be used for the pupilage group's members to coordinate their activities and communications.

Use of technology from the early stages of preparing a presentation can greatly facilitate the post-event publication of presentation materials. For example, one

group knew from the early stages that its Magna Carta presentation would be submitted to the national body. Therefore, technology was "baked" into the presentation from the initial stages of preparation through to post-event assembly of the presentation's elements.

After the live presentation, including the video recording of the skit portion, the entire

program was consolidated into a single media package for publication and submission using the following four steps:

First, the "intro" portion was converted (from within PowerPoint) to a video media file format that could be easily edited (MPEG-04) with other video clips.

" Another possible means of marketing a presentation is to create an event page on social media such as Facebook or LinkedIn. "



Figure 15

Second, the slides for the background piece were converted to image files (from within PowerPoint) and imported to iMovie for editing. Using that Mac application, the "[Ken Burns](#)" effect was employed to pan and zoom in on slides for mood, emphasis, and a "documentary" look.

Third, the video footage of the live presentation was edited to remove undesired portions.

Finally, all three elements were combined into [one video clip](#) with soundtrack and uploaded to YouTube.

Equipment

Our chapter's facilities—a restaurant in Redondo Beach—is amazing in many respects but not ideally suited for live presentations. Therefore, the executive committee has purchased and maintains many of the equipment items need to put on presentations.

We have also found it necessary to designate several individuals to store, transport, and set up the equipment for presentation.

I believe it will be important to eventually train others—such as younger members whose dues are afforded by virtue of a scholarship—to assist

these responsibilities. In my judgment, the quality of presentations has increased somewhat because the various pupilage groups can depend upon a core group of



Figure 16

members from outside the group to assist in equipment and staging issues, as well as coordinating special needs with the manager of our restaurant facilities.

Conclusion

Technology directly impacts presentations in numerous ways. While technology can enhance traditional Inns of Court presentations, and make possible novel formats and increased audience participation, technology should be used only if and to the extent that it augments the traditional educational value that such presentations.◆



Figure 17