

WIRED COURTROOM OF THE FUTURE IS NOW HERE

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The wired courtroom of the future now exists in Judge Kenneth Ryskamp's Courtroom Number One, located on the fourth floor of the United States Courthouse. A state-of-the-art Evidence Presentation System has been installed and is now available at no charge for use by all litigants. The days of the overhead projector are gone forever (or at least numbered)!

The Evidence Presentation System installed in Judge Ryskamp's courtroom allows attorneys to hook up their laptops and display their evidence on a huge 15' retractable screen. The screen is mounted from the ceiling across the courtroom directly in front of the jury box. The data projector is mounted in the wall directly above the jury box. Virtually any kind of evidence, including imaged documents, video, photographs, deposition transcripts, PowerPoint presentations, computer animations, and physical evidence, can be displayed on the system. Flat-screen monitors are also positioned at the counsel tables, podium, witness box, court reporter station and bench.

The Evidence Presentation System is essentially a display system. Accordingly, the computer hardware and software programs needed to present evidence through the system must be provided by the litigants. Laptops or other computer systems must be IBM compatible. Users must furnish all cords necessary to connect their laptops or other computer equipment to the system. The system uses standard HD15 pin connectors, similar to those furnished with most laptops. The video and standard RCA audio connectors are conveniently located at the counsel tables, podium, witness box, court reporter station and bench.

The display resolution of laptops hooking up to the system should be set at 1024 x 768, and the laptop video display must be routed to the output port. This can be accomplished on most laptops by depressing the function key while at the same time depressing the F5 key, although this procedure may vary on some laptops and should be verified ahead of time. When using a laptop for trial presentation purposes, also be sure to disable the screensaver and bring the charger—you don't want the screensaver kicking in or the laptop dying at crucial moments.

The system includes a switching device that allows the court to control what is displayed on the screen and monitors. Accordingly, evidence is published to the jury only after it has been properly introduced, and the court can promptly stop the inadvertent or improper display of evidence. For those without laptops or presentation software, the system also includes an ELMO, a device that resembles an overhead projector. The ELMO, however, is a fixed video camera that allows one

to display physical and documentary evidence on the screen and monitors. Video tapes, CD's and DVD's can also be played from a computer station located at the podium.

The Evidence Presentation System also has an electronic overlay which allows the attorney at the podium or the witness in the witness box to highlight or electronically mark up the documents or other forms of evidence while they are displayed on the screen and monitors. These highlighted or marked up items can be printed for later use. The system also includes a video camera that can be focused upon traditional blow-ups and poster boards for display upon the large screen. The video camera can also be focused upon the witnesses as they give live testimony during trial. This "trial video" can be recorded and then edited into segments for use in cross examination, closing argument, or one day soon, appellate briefs.

Judge Ryskamp, who has been using this technology in his courtroom for several months now, has found that the attorneys who utilize it are quick to pick it up. Arrangements can be made with the courtroom deputy to use the courtroom and the Evidence Presentation System for training and practice sessions when the courtroom is not otherwise in use. Like in any presentation, practice always helps. Having a backup method of presenting your evidence is also a good idea. Moreover, if you do intend to bring in your own laptop or other equipment, do not forget to first obtain an order that (i) identifies the equipment you wish to utilize and the persons who require access, and (ii) directs courthouse security personnel to permit such persons to enter the courtroom for purposes of setting up the equipment.

Judge Ryskamp's courtroom of the future is also available for trials before other federal judges in the West Palm Beach division. Judge Daniel T. K. Hurley just concluded a 28-day, document intensive criminal trial during which the Evidence Presentation System was utilized extensively and efficiently by both the prosecution and defense counsel. The system allowed the attorneys to introduce and instantaneously display numerous imaged documents on the viewing screen and monitors with a simple swipe of a bar code reader, thus eliminating the cumbersome process of passing documents around the courtroom during the presentation of evidence. The jury could also view the documents and other evidence while the witnesses discussed such items so that the jury could follow the testimony. Use of this technology limits those times when the examining attorney and the witness are the only two persons in the courtroom who understand the significance of the witness' testimony.

Those who have utilized this technology uniformly believe that when properly utilized, technology not only makes the trial process more efficient, but far more understandable and interesting to the jury. In the recent trial conducted by Judge Hurley, PowerPoint presentations displaying elements of the crimes and key evidence presented during trial were presented to the jury in closing argument, and

the court even utilized the system to display the jury instructions while the court discussed them with the jury.

Those who learn to utilize this technology effectively will have a strong competitive edge in the courtroom and in the marketplace. Those who don't will go the way of the dinosaur. To help with the transition from the overhead slide to the CD ROM, the Palm Beach County Chapter of the Federal Bar Association has started a Courtroom Technology Committee. This committee will work with the federal judiciary and local bar to help provide the training and develop the rules and protocols needed to guide the fair use of these most powerful presentation tools.

Martin J. Alexander is a litigation partner with Holland & Knight LLP, and co-founder of the firm's West Palm Beach Office. Martin chairs the Courtroom Technology Committee of the Palm Beach County Chapter of the Federal Bar Association. He also co-chairs the firm's InternetCoast law team, and serves on the Palm Beach County Bar Association's Technology Law Committee. He has authored prior articles for this publication on courtroom technology and domain name disputes.