

## Table of Illustrations

---

Illustration 2-1 If your case was reduced to a single atom, it would have two parts: the common core and the unique orbitals.	26
Illustration 2-2 The core contains patterns common to other cases.	26
Illustration 2-3 The orbitals contain all case-unique facts.	27
Illustration 2-4 Purely systematic processors first move through all the facts before examining the core principles.	28
Illustration 2-5 Purely heuristic processors are stuck in generalities and never analyze the specific facts.	29
Illustration 2-6 Zigzagging jurors start with the core, then move outward through the facts and, as necessary, back to the core.	30
Illustration 2-7 How active jurors evolve over time.	34
Illustration 3-1 There is a direct relationship between time and understanding.	56
Illustration 3-2 There is an inverse relationship between time and interest.	56
Illustration 3-3 The Comprehension and Interest Curves intersect at the Sweet Spot.	57
Illustration 3-4 Don't stop too early.	57
Illustration 3-5 Don't go on for too long; once you pass the Sweet Spot, you lose more than you gain.	58
Illustration 3-6 The Complexity Scale divides evidence into three levels based on how difficult the information is to understand.	59
Illustration 3-7 The Complexity Scale: The bottom level includes basic facts, basic arguments, basic metaphors, and basic analogies.	59

Illustration 3-9 The Complexity Scale: Often the information in the top level is intended less for jurors and more for the court.	61
Illustration 3-10 I imagine that perfect testimony places the Sweet Spot in the upper portion of the middle layer.	62
Illustration 3-11 Sometimes there is too much information.	64
Illustration 3-12 Sometimes there is too much information.	65
Illustration 3-13 Cutting information increases the slope of the Comprehension Curve.	66
Illustration 3-14 The Sweet Spot will rise as excessive information is cut.	66
Illustration 3-15 Adding more information makes things simpler.	70
Illustration 3-16 Add more relevant, important, and necessary detail.	70
Illustration 3-17 The slopes of both curves decrease.	71
Illustration 3-18 The Sweet Spot will rise.	71
Illustration 3-19 The Sweet Spot will rise.	73
Illustration 3-20 Break the “knot” of complex issues into smaller parts.	73
Illustration 3-21 Discard what you don’t need.	74
Illustration 3-22 Both slopes will decrease.	74
Illustration 3-23 The Sweet Spot will rise.	75
Illustration 3-24 Determine the number for the individual.	76
Illustration 3-25 Multiply the individual number to get the larger total.	77
Illustration 3-26 Anatomy of a master chronology.	79
Illustration 3-27 This graphic appeals to the core value of compassion.	92
Illustration 3-28 This graphic appeals to the orderly world of the checklister.	93
Illustration 3-29 This graphic appeals to the core value of objective science—layer 1.	93
Illustration 3-30 This graphic appeals to the core value of objective science—layer 2.	94
Illustration 3-31 This graphic appeals to the core value of objective science—layer 3.	94
Illustration 3-32 This graphic appeals to the core value of fairness.	95
Illustration 4-1	103
Illustration 4-2 Patterns can show motive.	126
Illustration 4-3 “This is not a mistake; it’s an intentional conspiracy!”	127
Illustration 4-4	127
Illustration 4-5	128

---

Illustration 4-6	131
Illustration 4-7	132
Illustration 4-8	132
Illustration 4-9	133
Illustration 4-10	133
Illustration 4-11	134
Illustration 4-12	134
Illustration 4-13	135
Illustration 4-14	137
Illustration 4-15	137
Illustration 4-16	138
Illustration 4-17	138
Illustration 4-18 Each triangle was tied to a graphic showing the related details.	139
Illustration 5-1 This is one millirem in Wordland. Good luck understanding it.	150
Illustration 5-2	151
Illustration 5-3	152
Illustration 5-4 When you are finished, your graphic will look like this.	153
Illustration 5-5 This graphic fights the problem of words with words.	154
Illustration 5-6	155
Illustration 5-7	157
Illustration 5-8 Using an analogy to illustrate a legal concept.	161
Illustration 5-9	163
Illustration 5-10 Analogy based on gravity to illustrate that not all levels are dangerous.	164
Illustration 5-11	165
Illustration 5-12	166
Illustration 5-13	167
Illustration 5-14 Measuring an unknown object against a known object.	168
Illustration 5-15 Answering the question “Compared to what?”	169
Illustration 5-16	171
Illustration 5-17	171
Illustration 5-18	172
Illustration 5-19	173

Illustration 5-20	173
Illustration 5-21	174
Illustration 5-22	175
Illustration 5-23	177
Illustration 5-24 Showing how big the population of American Samoa is.	177
Illustration 5-25	181
Illustration 5-26 A chronology establishes the pattern.	183
Illustration 5-27	183
Illustration 5-28	184
Illustration 5-29	185
Illustration 6-1 A great graphic, but not for trial.	191
Illustration 6-2 A great graphic, but not for trial.	192
Illustration 6-3 A great graphic, but not for trial.	193
Illustration 6-4 A great graphic, but not for trial.	193
Illustration 6-5 A great graphic, but not for trial.	194
Illustration 6-6 A great graphic, but not for trial.	195
Illustration 6-7 Poor use of time and space.	201
Illustration 6-8 Good use of time and space.	203
Illustration 6-9 Four parts of the graphic.	203
Illustration 6-10 Space allocated based on order of importance.	204
Illustration 6-11 This table is not exciting.	206
Illustration 6-12 This chart uses space to make an impact.	207
Illustration 6-13 A show-it-all-at-once chart like this is not exciting.	216
Illustration 6-14 Symbols are an economical way to communicate.	224
Illustration 6-15 A red triangle symbolizes danger.	225
Illustration 6-16 Collectively the symbols make a powerful statement.	227
Illustration 6-17 The power of small multiples.	227
Illustration 6-18 This exhibit needs a title.	229
Illustration 6-19 The same exhibit with an effective title.	230
Illustration 6-20 Is the title of this graphic argumentative? I don't think so.	231
Illustration 6-21 Using icons to link graphics.	232
Illustration 6-22 A great example of chartjunk.	233
Illustration 6-23 The title bar is valuable space; don't waste it.	234
Illustration 6-24 Avoid the need to cross-reference another graphic.	235

---

Illustration 6-25	Keys in graphics should be helpful; this one is not.	235
Illustration 6-26	Seeing all of this at once will trigger the <i>Yikes! Alarm.</i>	236
Illustration 6-27	This is so complicated that it cannot help but make the viewer shut down.	237
Illustration 7-1	Not all trial material is admissible evidence.	239
Illustration 7-2	Sub-categories of evidence.	240
Illustration 7-3	Illustrative tools versus actual evidence.	242
Illustration 7-4	The purpose continuum	243
Illustration 7-5	Can your trial material be used in court? Is it admissible into evidence?	244
Illustration 7-6	Rough, but probably permissible.	246
Illustration 7-7	As technology increases, so does judicial scrutiny.	248
Illustration 8-1	The 13 standard forms of graphics.	252
Illustration 8-2	The components of a typical text pull.	253
Illustration 8-3	A basic text pull with a retyped pull.	255
Illustration 8-4	Where appropriate, blow up the actual parts of the document	256
Illustration 8-5	Consider pulling these key parts of a document.	256
Illustration 8-6	Text pulls are not just for text.	257
Illustration 8-7	Retype text that is not legible.	258
Illustration 8-8		259
Illustration 8-9	A basic text pull.	260
Illustration 8-10	A convergent text pull compares consistent information from various sources.	261
Illustration 8-11	A divergent text pull compares different evidence.	261
Illustration 8-12	An example of a thematic text pull.	262
Illustration 8-13	A thematic text pull of references.	263
Illustration 8-14	This text pull puts a face to the text being pulled.	264
Illustration 8-15	This text pull uses the document as a background.	264
Illustration 8-16	This text pull uses a tear from the document itself.	265
Illustration 8-17	Elements of a timeline.	266
Illustration 8-18	Two common places to put the timebar.	267
Illustration 8-19	Placing the timebar at the bottom provides extra space for a second graphic.	268
Illustration 8-20	Placing the timebar in the middle allows you to alternate entries above and below.	268
Illustration 8-21	When possible, use symbols.	270

Illustration 8-22 A typical master chronology.	271
Illustration 8-23 An example of a macrotimeline.	273
Illustration 8-24 This example tries to force too much data in too small a space.	274
Illustration 8-25 A microtimeline focuses intensely on a limited period of time.	275
Illustration 8-26 A topical timeline.	276
Illustration 8-27 An action/reaction timeline.	277
Illustration 8-28 A segmented timeline.	279
Illustration 8-29 This version breaks a segment into more details.	279
Illustration 8-30 A layer cake timeline contrasting public and private statements.	280
Illustration 8-31 A layer cake timeline with three layers, each layer reserved for a separate party.	281
Illustration 8-32 A sequential or relative-order timeline. Here exact dates are less important than the order of events.	282
Illustration 8-33 A convergent timeline.	282
Illustration 8-34 A chronological list of key dates.	284
Illustration 8-35 Timelines visually display gaps in time; chronological lists do not.	285
Illustration 8-36 Outlines summarize the key points in an organized manner.	286
Illustration 8-37 This outline not only summarizes the facts but also reveals the desired conclusion.	287
Illustration 8-38 Flowcharts focus on both the substance and order of your analysis.	288
Illustration 8-39 Checklists allow jurors to compare data.	290
Illustration 8-40 This checklist uses an analogy to explain a legal concept.	291
Illustration 8-41 Charts do not need to be visually boring.	292
Illustration 8-42 This chart conveys three variables: race, gender, and income.	293
Illustration 8-43 Example of an overview map	294
Illustration 8-44 Consider using an aerial photograph as part of the map.	295
Illustration 8-45 A midlevel perspective.	296
Illustration 8-46 Linking people to locations.	297
Illustration 8-47 Showing proximity.	297
Illustration 8-48 A photographic comparison.	299

---

Illustration 8-49 Using photographs to authenticate.	299
Illustration 8-50 Using photographs to authenticate.	300
Illustration 8-51 A summary collage.	301
Illustration 8-52 Another summary collage.	301
Illustration 8-53 A simple tutorial.	303
Illustration 8-54 An example of a tutorial.	303
Illustration 8-55 An example of a tutorial that compares known items to something new.	304
Illustration 8-56 Using an analogy to explain a technical concept.	305
Illustration 8-57 If this graphic looks convoluted, it is because the actual process is that way.	305
Illustration 8-58	306
Illustration 9-1 This “fill-in-the-blank” board was used in opening.	310
Illustration 9-2 This companion board was later used in closing.	311
Illustration 9-3 Reprising a theme set in opening.	312
Illustration 9-4 Compare past to future—layer 1.	313
Illustration 9-5 Compare past to future—layer 2	313
Illustration 9-6 Showing a theme.	314
Illustration 9-7 Showing a theme.	314
Illustration 9-8 A simple timeline for opening.	315
Illustration 9-9 Converting the opening timeline into a closing argument.	316
Illustration 9-10 Simple text pulls can create an important first impression in opening.	317
Illustration 9-11 A simple who’s who helps you and the jurors keep witnesses straight.	318
Illustration 9-12 Personalize the class by showing who they are collectively.	319
Illustration 9-13 Then personalize the class representatives.	319
Illustration 9-14 Introduce your client and what it does.	320
Illustration 9-15 Introducing the client and its accomplishments.	321
Illustration 9-16 Introduce the opposition, but do it fairly.	321
Illustration 9-17 An example of showing the key players in opening.	322
Illustration 9-18 In closing, show where they are now.	322
Illustration 9-19 Annotated definitions.	324
Illustration 9-20 Annotated definitions which rely on an analogy.	324
Illustration 9-21 Illustrating terms with an analogy.	325

Illustration 9-22	Explaining a key concept—layer 1.	326
Illustration 9-23	Explaining a key concept—layer 2.	326
Illustration 9-24	Explaining a key concept—layer 3.	327
Illustration 9-25	Explaining a key concept—layer 4.	327
Illustration 9-26	Explaining a key concept—layer 5.	328
Illustration 9-27	Explaining a process—layer 1.	329
Illustration 9-28	Explaining a process—layer 2.	329
Illustration 9-29	Explaining a process—layer 3.	330
Illustration 9-30	Explaining a complex process—layer 1.	331
Illustration 9-31	Explaining a complex process—layer 2.	331
Illustration 9-32	Explaining a complex process—layer 3.	332
Illustration 9-33	Explaining enzyme creation like a professional—layer 1.	332
Illustration 9-34	Explaining enzyme creation like a professional—layer 2.	333
Illustration 9-35	Explaining enzyme creation like a professional—layer 3.	333
Illustration 9-36	Outlining expert testimony—layer 1.	336
Illustration 9-37	Outlining expert testimony—layer 2.	336
Illustration 9-38	Outlining expert testimony—layer 3.	337
Illustration 9-39	The nesting doll concept applied to expert graphics.	337
Illustration 9-40	Plaintiff validated the data its expert used.	348
Illustration 9-41	This text is understandable and seems fair.	341
Illustration 9-42	Show that one expert used a more conservative approach.	341
Illustration 9-43	Discrediting opposing expert’s conclusion—layer 1.	342
Illustration 9-44	Discrediting opposing expert’s conclusion—layer 2.	343
Illustration 9-45	Discrediting opposing expert’s conclusion—layer 3.	343
Illustration 9-46	Discrediting opposing expert’s conclusion—layer 4.	344
Illustration 9-47	Highlight that the expert made a stupid mistake.	345
Illustration 9-48	An expert’s “toy.”	346
Illustration 9-49	Another expert’s toy.	346
Illustration 9-50	Explaining a technical concept.	347
Illustration 9-51	Using an analogy to explain a technical term.	347
Illustration 9-52	How else would you teach gyroscope precession?	348
Illustration 9-53	Using a common example to teach an important difference.	349



Illustration 9-54 Help the expert explain a process—layer 1.	349
Illustration 9-55 Help the expert explain a process—layer 2.	350
Illustration 9-56 Help the expert explain a process—layer 3.	350
Illustration 9-57 Help the expert explain a process—layer 4.	351
Illustration 9-58 Help the expert explain a process—layer 5.	351
Illustration 9-59 Help the expert explain a process—layer 6.	352
Illustration 9-60 Keeping your expert focused—layer 1.	353
Illustration 9-61 Keeping your expert focused—layer 2.	353
Illustration 9-62 Keeping your expert focused—layer 3.	354
Illustration 9-63 Keeping your expert focused—layer 4.	354
Illustration 9-64 Part 1: A high-level overview.	355
Illustration 9-65 Part 2: Generally describe the process.	356
Illustration 9-66 Part 3: Compare the steps to the expert’s report.	356
Illustration 9-67 Part 4: Show where the data for each step are located—layer 1.	357
Illustration 9-68 Part 5: Show where the data for each step are located—layer 2.	358
Illustration 9-69 Part 6: Tie the conclusion back to where the expert started.	358
Illustration 9-70 Compare how complete each expert was.	360
Illustration 9-71 Juxtaposing testimony.	361
Illustration 9-72 Confronting your opponent’s witnesses—layer 1.	362
Illustration 9-73 Confronting your opponent’s witnesses—layer 2.	362
Illustration 9-74 Attacking opposing counsel’s statements.	363
Illustration 9-75 Spotlighting flaws in opponent’s graphic.	364
Illustration 9-76 Show the law to the jurors.	365
Illustration 9-77 Format for a sample annotated jury instruction.	366
Illustration 9-78 Using analogy to explain jury instructions.	367
Illustration 9-79 Argue that alleged damages are reasonable.	368
Illustration 9-80 Argue that alleged damages are unreasonable.	368
Illustration 9-81 Strip the damages down—layer 1.	369
Illustration 9-82 Strip the damages down—layer 2.	369
Illustration 9-83 Strip the damages down—layer 3.	370
Illustration 9-84 Strip the damages down—layer 4.	370
Illustration 9-85 Strip the damages down—layer 5.	371
Illustration 9-86 Illustrate the unfairness of your opponent’s claim.	373
Illustration 9-87 Argue that this witness is unreliable.	373

<b>Illustration 9-88</b>	<b>Revealing opponent’s delay tactic—layer 1.</b>	<b>374</b>
<b>Illustration 9-89</b>	<b>Revealing opponent’s delay tactic—layer 2.</b>	<b>374</b>
<b>Illustration 9-90</b>	<b>Revealing opponent’s delay tactic—layer 3.</b>	<b>375</b>
<b>Illustration 9-91</b>	<b>Revealing opponent’s delay tactic—final layer.</b>	<b>375</b>
<b>Illustration 9-92</b>	<b>A report card showing failures.</b>	<b>376</b>
<b>Illustration 10-1</b>	<b>Trial Technology Taxonomy</b>	<b>385</b>
<b>Illustration 10-2</b>	<b>Exhibit boards are good for checklists you fill in during closing.</b>	<b>417</b>
<b>Illustration 10-3</b>	<b>A fill-in-the-blank exhibit board for damages.</b>	<b>418</b>
<b>Illustration 10-4</b>		<b>420</b>
<b>Illustration 10-5</b>	<b>A buildable exhibit board.</b>	<b>420</b>
<b>Illustration 10-6</b>	<b>A revealable exhibit board.</b>	<b>421</b>
<b>Illustration 10-7</b>	<b>A board with overlay.</b>	<b>422</b>
<b>Illustration 10-8</b>	<b>When buildable is better.</b>	<b>424</b>
<b>Illustration 10-9</b>	<b>A specialty exhibit board.</b>	<b>425</b>
<b>Illustration 10-10</b>	<b>A model exhibit.</b>	<b>431</b>
<b>Illustration 10-11</b>	<b>Creating a storyboard.</b>	<b>439</b>