



Evolve Newsletter

News from and about your fellow members and friends.

January 2018

From the President

February 2018

The Winter Meeting is just around the corner and for you procrastinators – you can still register for this can't miss meeting. We are looking at record attendance so act today!

The Federation has traditionally distinguished itself as a leader among defense organizations with programs such as Trial Masters and Masters in Marketing. In Amelia Island we will unveil a first of its kind program that will continue to separate Federation members from all others. Rather than me outlining the details of Evolve, I thought I would share some excerpts from a blog recently posted by Federation member Steve Embry on the Evolve initiative.

See you in Amelia!

Scott Kreamer

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For Once Lawyers Embrace Technology: FDCC and the EVOLVE Initiative



By Stephen Embry on February 12, 2018

Lawyers have a deservedly bad reputation when it comes to technology and its use and adoption. But one group of lawyers is attacking the issue head on.

The FDCC

Last year, Scott looked at the offerings of the FDCC and noticed what he thought was an important omission: there was no program devoted exclusively to best practices for the use of state of the art technology in the courtroom. As he put it, "I looked around and didn't see any resource available for trial attorneys to identify the technologies they need to use in the Courtroom let alone teach them how to use the technologies or provide strategies for that use".

Scott correctly realized that effectively using technology in the courtroom would be a huge advantage and not doing so could be catastrophic. Scott, an affable but tenacious Kansas City trial lawyer, correctly believes that “the foundation of any tech strategy is to use visual presentation tools to enhance good story telling and make teachable moments in the Courtroom memorable.”

Or as Philly native Tom Oakes of Tom Oakes Associates (a leading trial technology provider to lawyers and FDCC members and one of the team members who worked to put Scott’s plan into action), more bluntly put it in his Philadelphia vernacular, “Going into a trial having not mastered relevant technology is like going to a gunfight with a knife”. And it’s not in Scott’s or the FDCC’s DNA to not insure its members were fully armed trial masters.

So, Kreamer convened a special committee of blue ribbon FDCC members and tech evangelists to examine and put together a program. Scott’s vision was a full-blown education and certification program, which would include a website presence that would help evolve the technology skills of FDCC members.

Scott envisioned a 2-3-day hands on intensive program utilizing the best of the best—FDCC members who had truly mastered the use of courtroom technology sharing their knowledge and skills with other members. This leading edge comprehensive trial technology training course would evolve, enhance and strength the abilities of FDCC member to develop visual mindsets and persuasive courtroom technology strategies. The culmination of the program would be the certification by the FDCC of the attendees as Technology Master Advocates which would establish to clients, potential clients and other lawyers that the attorney had special technology training and knowledge. Scott entitled his aggressive initiate EVOLVE.

Scott turned first to Bob Christie, a Seattle trial lawyer who has mastered courtroom technology (and tech in general) to help put together the actual program and curriculum. Bob’s laid-back demeanor masks a ferocious and relentless trial lawyer who is one of the best at his craft. (For a description of how Bob has used tech in the courtroom see my recent post; Bob was recently named Outstanding Defense Trial Lawyer of the Year by his fellow Washington defense lawyers). Others who were asked to help were Matt Cairns, John Delaney, Steve Pasarow, Ed Bruya, Lauren Gleason, Tom Oakes, and Kim LaBounty and Jacob Ellison of the FDCC and last (and probably least), yours truly.

Traveling Coaches and Legal Mind

The group realized early on that 2-3 days would not be enough time to insure the kind of training they had in mind. But they also know that getting people to commit more time in a block might be problematic. Scott then had another idea. He partnered with Cindy Mitchell at Traveling Coaches, one of the nation’s foremost legal training and education providers and convinced them to use their Legal Mind platform to offer an online tutorial program that would be a prerequisite for attending the actual hands on program itself. Bob, who worked with Traveling Coaches to put this together, describes this as “a unique teaching and testing modules on all of the technologies featured on the FDCC Evolve web site. All members attending Tech U will first complete that course work.” The result was that attendees would all have a baseline knowledge going into the hands on training they could then build from.

Tech U

Bob and his team then set about putting an actual training program together which he affectionately named Tech U. Bob’s goal was to help FDCC members evolve their presentation skills “to incorporate the latest information presentation technologies so that they can better connect to their audience.” As Bob noted most

lawyers “already have software on their computers that allow them to give compelling presentations. They often just don’t know how to use it.”

His idea was to divide the attendees into small groups and have them each put together an opening statement, cross and direct examination and closing statement using various tools. The groups would be assisted by various designated coaches themselves were skilled in technology and trial presentations. As Bob put it, “At Tech U, members will be exposed to lectures, demonstrations and performance workshops designed to enhance and strengthen their ability to develop a visual mindset and tech strategy. Working in teams, members will build presentations for use in arbitrations, client updates, mediations, mock jury work, and in the courtroom and will make live demonstrations to the full class, subject to evaluation and comment”. Bob and his team even convinced a well-known plaintiff’s lawyer who frequently uses technology in the Courtroom, Robert Mongeluzzi, to come and share insights with the group.

To further help FDCC members, the team also curated a group of technologies and feature them on the FDCC Evolve website along with comprehensive step-by-step instructions on their setup and use.

All too often we hear that lawyers stick their heads in the sand when it comes to technology. It’s nice to see a group be proactive and embrace rather than hide from technology. As Scott proudly put it, “EVOLVE is one of the boldest initiatives the FDCC has undertaken and will provide attorneys with the hands-on training on how to use the latest technologies to tell their client’s story in ways never possible”. Bravo.