
Beyond Words: Making Better Use of Digital Tools in Motions & Briefs

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Note: These materials were prepared using Windows 10 Enterprise, Microsoft Word 2016, and Adobe Acrobat Pro 2020. Instructions for working with images, graphics, sound, and video may be different for other versions or other systems. Most solutions can be found with a simple internet search, such as: “insert image in WordPerfect,” or “snipping tool for Mac.”

Writing for two types of readers: digital v. paper

Digital readers face certain challenges that paper readers don't. They are reading on machines that are built for multitasking, so they are **easily distracted** with instant messages, emails, news alerts, and all those adorable kitten videos. Our best defense against these competing interests is to write better! This is one more reason to write concisely, with (organized) flow, so that we keep the digital reader's attention.

Digital reading is **hard on the eyes**. We can make it easier by thinking about font, white space, and digital print quality. Never print and scan a document into PDF; the result will be a muddy raw image that is difficult to read. Instead, create a native PDF by converting/saving your word-processing document directly to PDF.

Navigation is a challenge for digital readers. We can make it easier by using headings, bold type, tables of contents (for any document over 10 pages), and PDF bookmarks (see How To section below); identifying how many pages are left to read (excluding attachments, which will add to the total PDF page number) via our pagination style: “Page 5 of 22”; avoiding footnotes (which require the reader to scroll down and back up again); and using hyperlinks with care (to avoid link rot,

consider linking to archived web pages using a service like perma.cc).

Paper readers are invariably going to miss out, so be sure they know what they're missing. Describe what the digital document contains ("digital readers may view the video by clicking on the arrow below"; "this image is included in the digital document in color and is best viewed in color"), and be sure that any images or graphics are sufficiently visible (even if not optimally so) if printed in black and white or viewed by color-blind readers.

Images, data, sound, and video

When inserting images, tables, maps, graphs, timelines, sound, or video in a document, consider the following:

1. Is the insert consistent with court rules and e-filing system limitations? Be sure to keep images within required margins. Words in an inserted image may count towards your word limit if you are relying on the image to convey the substance of the text. Multimedia inserts may render your document too large to file (or not acceptable regardless of size; we have successfully filed motions with embedded sound and video clips in D. Kan., but not (yet!) in the Tenth Circuit).
2. Does the insert explain or persuade better than words alone?
3. Is the image or other insert being presented in an ethical, non-misleading fashion? When using exhibits, display the entire exhibit, with exhibit number, or else explain why/how the exhibit has been excerpted and direct the reader to the full exhibit in the record. When using a graphic to report data, acknowledge what data is missing and how it might affect the analysis.
4. Does the insert contain any sealed information or personal identifiers subject to redaction? Is it part of the record (or subject to judicial notice)? Does it otherwise comply with the rules of the court?
5. Is the insert disturbing or offensive? Will it appear to have no substantial purpose other than to embarrass a person depicted? Before inserting graphic images, ask whether their persuasive value outweighs the risk that

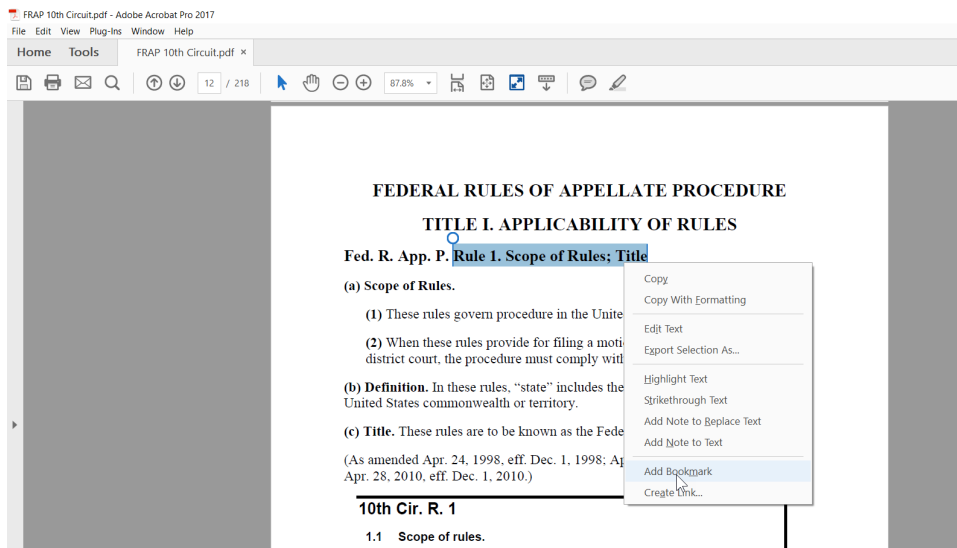
the reader will be offended at being exposed to them; consider using a black-and-white version to reduce the impact (but let the reader know whether/where a color version is available); let the reader know what's coming a page in advance ("In the autopsy photos (see photos next page), it is evident that . . .").

6. Has the insert been properly introduced to the reader by the text, or can it speak for itself? Is the provenance of the insert (including any data) clear?
7. Does it look good on the page with the surrounding text? Learn how to use Word's text-wrapping tool.
8. Does it work both on the screen and in print (including in black and white)? If it doesn't work in print, does the text explain what the paper reader is missing?
9. Is data presented using colors that are easily distinguishable by colorblind readers?
10. Does the data-to-ink ratio favor the data, or is the data obscured by chart junk? Consider repackaging data that, for instance, the Sentencing Commission has displayed in pie charts or other ink-heavy formats.

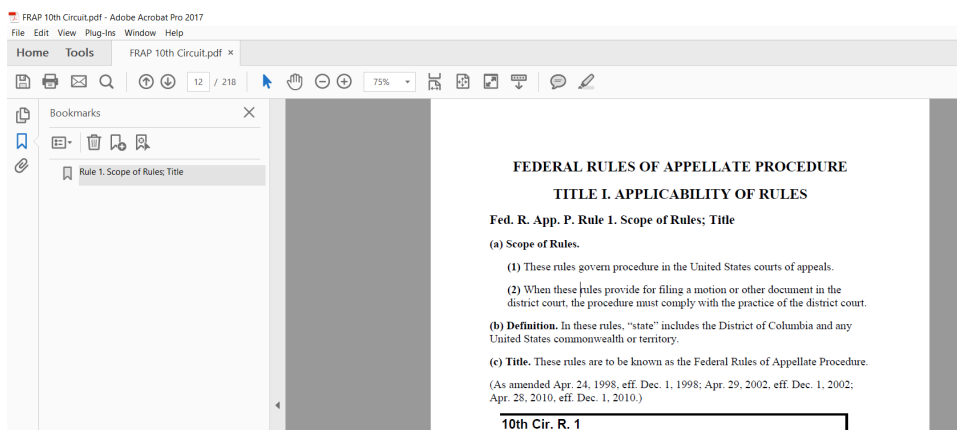
How To

Bookmark a PDF

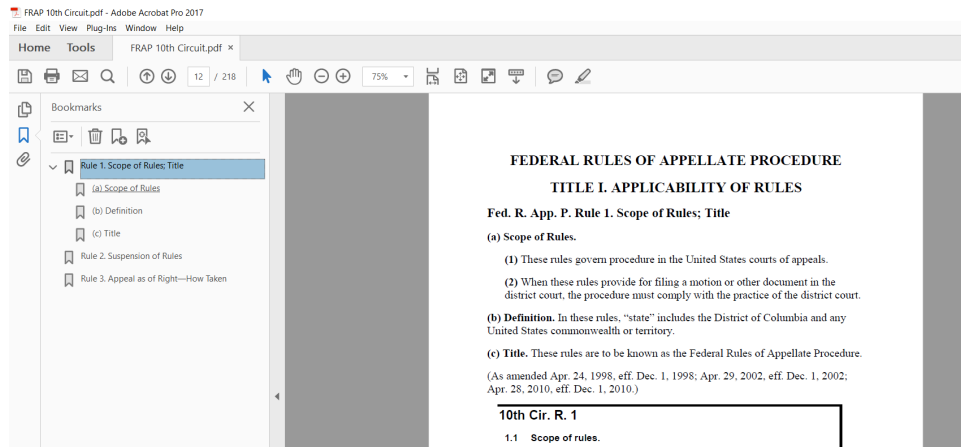
To bookmark a PDF, select the text to appear in the bookmark (or place your cursor where you want the bookmark to take the reader—it's not necessary to select text), right-click and select Add Bookmark:



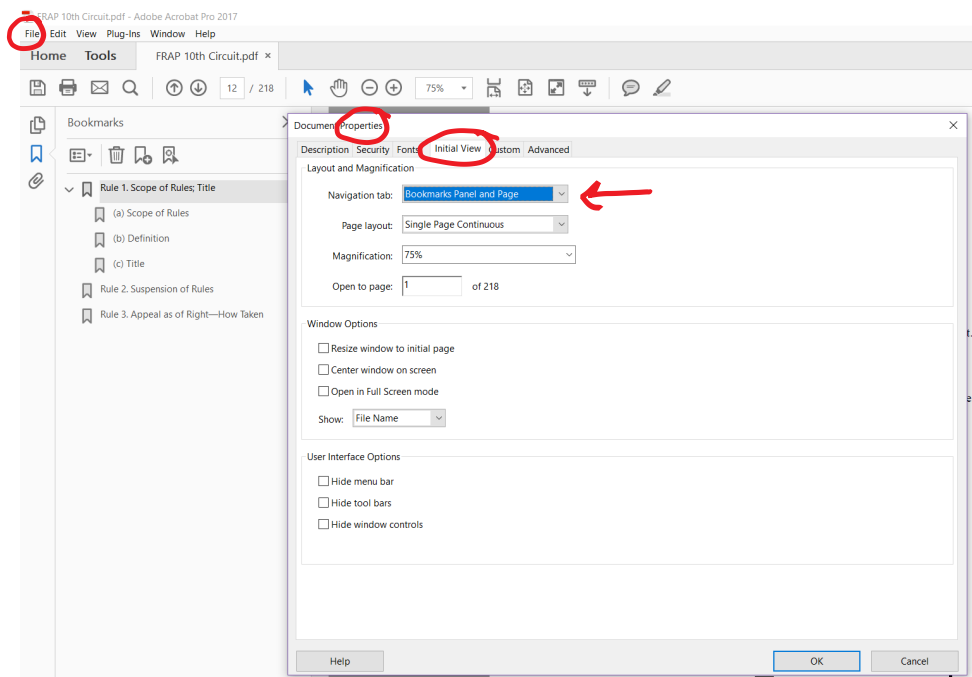
The bookmark will appear in the bookmark pane.



You can select and edit the text of the bookmark. You can also select a bookmark and jiggle it until you see a line icon  above it, which will allow you to make the bookmark a “sub-bookmark” (or nesting bookmark) of the bookmark above:

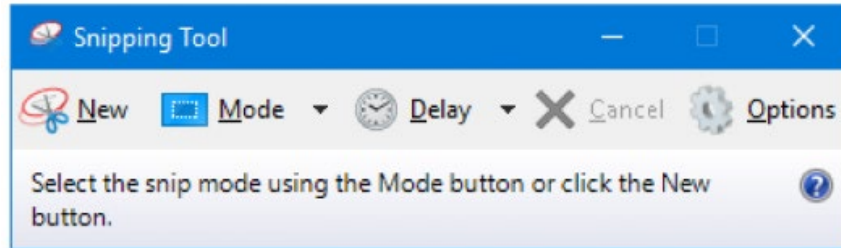


To make sure that the bookmarks pane will open when your reader opens the document, click on **File/Properties/Initial View**, and select **Bookmarks Panel and Page** in the Navigation tab drop-down box. Click **OK**, and be sure to save!



Use the Windows Snipping Tool

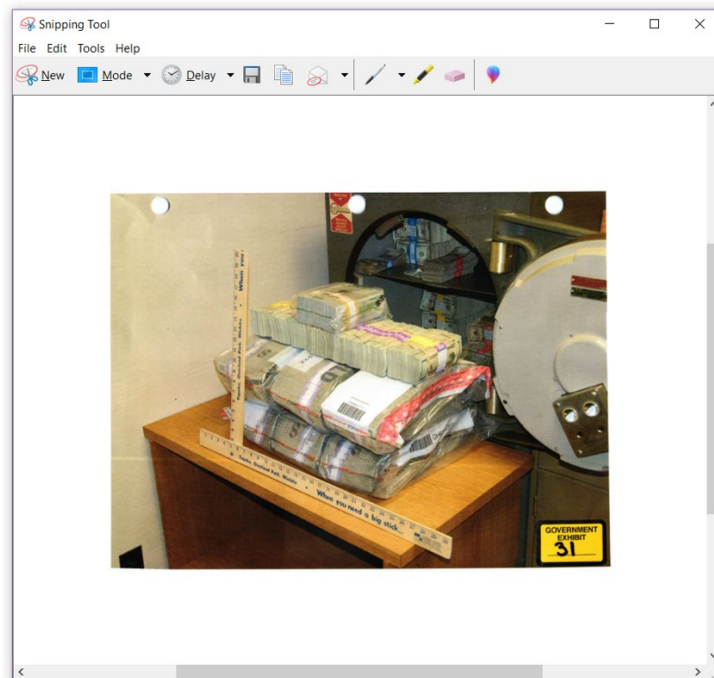
The quickest way to insert an image into a Word document is by using your Windows Snipping Tool:



Find this tool by searching your computer for “snipping tool.” Once you find it, click on it, and it will appear in your taskbar.

Save this tool by right-clicking on it in your task bar and selecting “Pin to taskbar.” Now it will be readily available.

Use this tool by opening it, selecting “New,” and using your cursor to frame the image you wish to copy. The image will appear as snipped in a Snipping Tool window:



You may save the snip (File/Save As), or—even easier—choose Edit/Copy/Paste to simply drop it into your document.

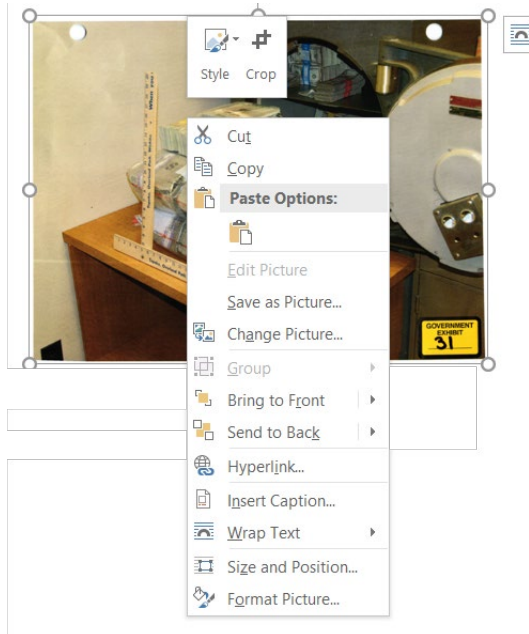
Work with Images

Once an image is in your word-processing document, click on the image and left click on the  LAYOUT OPTIONS icon (look for the rainbow) to adjust how the image relates to your text. Choose tight text wrapping to wrap your text as close to the image as possible.



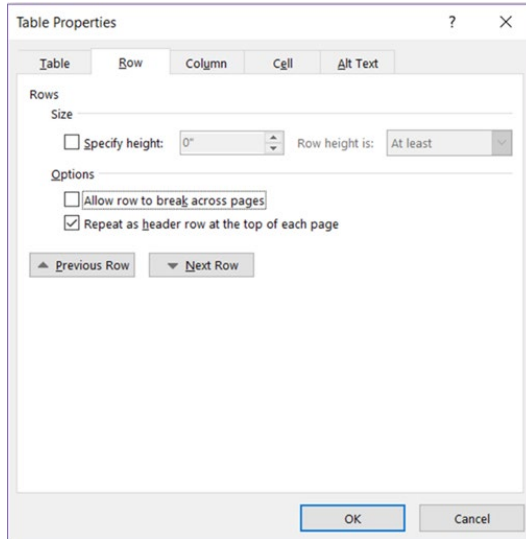
Right-clicking on an image will give you a drop down bar with options for border styles, cropping, formatting, and other tools.

Always double check images before final conversion to PDF to make sure that they appear where you want them to both on the page and in relation to the text.



Work with Tables

Tables are flexible tools that can be used for many purposes. You can format text within a table just as you do within the document itself, aligning it left, right, or center, and using all of Word's font tools. Click on a table to reveal tabs for Table Tools (Design, Layout) in the ribbon. Use those tools to adjust the table settings, manage borders, and manage the table cells.



Two quick tips:

To make a header row repeat on subsequent pages, click anywhere in the row, right-click, select Table Properties/Row, and check the box next to “Repeat as header row at the top of each page.”

To prevent cells from splitting across page breaks, select the entire

table by clicking on it once, and then clicking on the little square that appears in the top left corner. Then right-click, select Table Properties/Row, and uncheck the box next to “Allow row to break across pages.”



Ct	Charge	Alleged conduct
1	Bank embezzlement, 18 U.S.C. § 656	2008-2014: embezzlement of approximately \$700,000.00 from bank vault
2	False bank entries, 18 U.S.C. § 1005	December 17, 2013: records showing \$401,000.00 out (true figure \$104,000.00)
3	False bank entries, 18 U.S.C. § 1005	January 14, 2014: records showing \$400,000.00 out (no money out)
4	False bank entries, 18 U.S.C. § 1005	February 25, 2014: records showing \$562,000.00 out (no money out)
5	False bank entries, 18 U.S.C. § 1005	March 18, 2014: records showing \$270,000.00, \$225,000.00, and \$225,000.00

Embed/Attach Sound or Video into a PDF

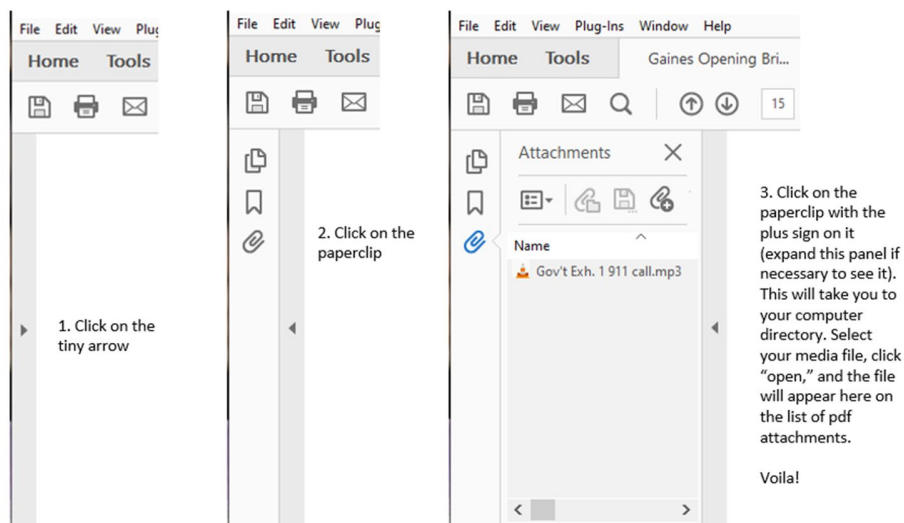
First things first: If you are preparing a document to be filed in court, will your court's e-filing system accept filings containing multimedia content? Find out content limits and size limits before you begin.

Embedding a media clip with a play button directly into a digital document is undeniably cool. But we have to know our technology and our audience.

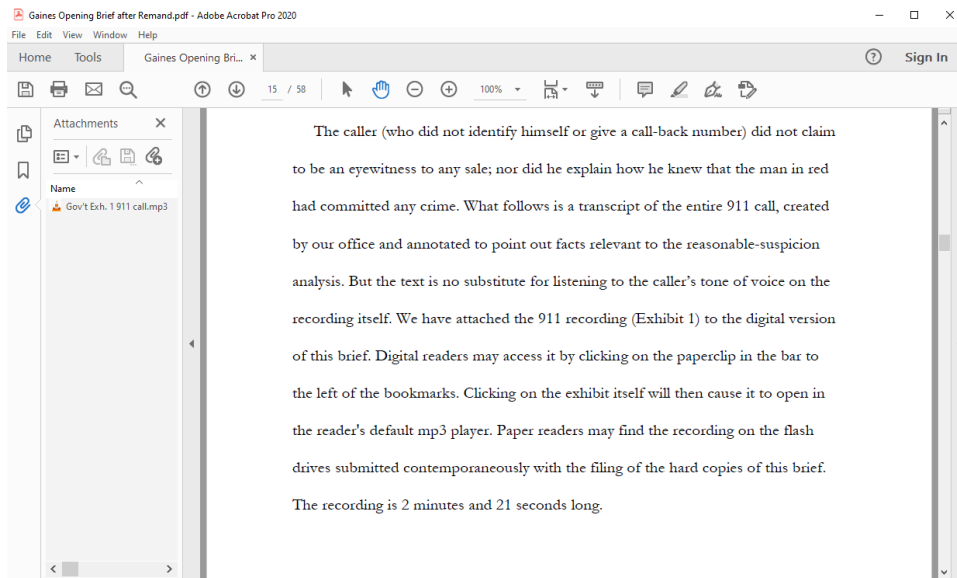
The technology. Dropping a sound or video clip into a PDF document using Adobe Acrobat Pro's Rich Media tool is fairly intuitive—once you have the clip in a compatible format. See <https://helpx.adobe.com/acrobat/using/rich-media.html>. If you don't have an IT person to help you convert your video, search online for a free/open source converter. Stay away from online converters, which require you to upload your file to the internet, and then download the converted version.

The audience. It's important to know what your audience uses to read PDFs, and whether your clip will play on their readers. If you know that your audience uses the same program that you used to embed the clip, then go for it! Otherwise, check for compatibility, or maybe *attach* the clip instead of *embedding* it.

Attaching a media clip allows your audience to play the media using their computer's default media player. Here's how to do it:



Whichever method you use, let digital readers know how to play the clip and what to expect will happen when they click on it; let paper readers (and click-averse digital readers) know that the content of the clip has been submitted to the court IRL, and where to find it; and let both sets of readers know how long the clip is—so they know what they’re getting into when they press play:



Select Bibliography

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