



Visual Persuasion

Demonstrative Evidence That Informs and Transforms

SUCCESSFUL LAWYERS ARE VISIONARY PERSUADERS.

Successful lawyers envision the outcome of the trial and then persuade others to join them in bringing that vision into reality.

Vision is “a clear mental picture of what could be, fueled by the conviction that it should be.”¹ Lawyers have a duty to their clients to envision a favorable outcome and to work to that end. Warren Bennis says, “Leadership is the capacity to translate vision into reality.”² Lawyers are clearly leaders who guide their clients (and jurors, even judges and opposing counsel) through the legal process.

A common problem is under-communicating the vision, often by a factor of 10, 100 or even 1000.³ Inexperienced vision casters are familiar with their own vision but don't grasp the amount of repetition, restatement, explanation, and illustration that is necessary to inform and transform the thinking of others.

Communicate the vision through a vision statement. A vision statement is a clear and concise statement of the legal argument. It must be brief and memorable so that it begins to penetrate the thinking of the target audience. A strong vision statement during the opening argument will guide the audience throughout the trial.

SUCCESSFUL LAWYERS EMPLOY VISUAL PERSUASION.

Successful lawyers use demonstrative evidence to inform and transform the thinking of others. They craft images that influence understanding and emotion in order to persuade others to “see it their way.”

The first goal of visual persuasion is for the audience to remember the legal argument. Studies have shown that among adults, retention increases 400% when information is presented in an audio/visual format.⁴

The second goal is to confirm the argument through exhibits and testimony. Ethical considerations demand that a lawyer must have an argument that agrees with the law and the evidence. A visual presentation of the argument and support will help the audience to assess the validity of the argument. **WARNING:** A visual presentation can also reveal weaknesses in an argument.

The ultimate goal is for the jury to agree that the attorney's vision is the best interpretation of the evidence and to render a decision in favor of the client. Successful lawyers are satisfied with nothing less.

¹ Andy Stanley. *Visioneering*. Multnomah; 2005.

² Warren G. Bennis is distinguished professor of business administration and founding chairman of the Leadership Institute at the University of Southern California's Marshall School of Business.

³ John P. Kotter. *Leading Change*. Harvard Business School Press; 1996.

⁴ National Training Laboratories, 1998, On-line.

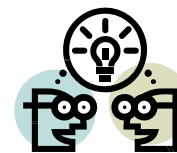
IN HOUSE DEMONSTRATIVE EVIDENCE PROVIDED AT CAMPBELL & LEBOEUF, PC

Campbell & LeBoeuf provides in-house demonstrative evidence for its clients.

Dale Howe is a Demonstrative Evidence Specialist at the firm and provides multimedia presentations for the firm's practice areas of professional liability defense, complex commercial litigation, and labor & employment law. He also assists in courtroom presentation of the demonstrative evidence.

Mr. Howe is a member of DESA (Demonstrative Evidence Specialists Association), serving as the Director of Membership. Previously, he provided leadership and training to nonprofit organizations in the U.S., Mexico, Canada, and Haiti. He specialized in assisting plateaued organizations in the renewal of their vision, mission, and strategy.

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