

Technological Presentations at Trial – A Look at What Different Generations Expect from Lawyers

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Program Outline

- I. Premise – Movies and Television as well as the widespread use of social media have preconditioned our jurors to expect high quality, multimedia presentations at trial regardless of the juror’s age or experience. The CSI effect has created often unreasonable expectations of our jurors looking for the “smoking gun,” physical evidence or technology that doesn’t really exist. This is especially true in criminal trials.
- II. Three Generations in our jury box
 - a. Baby Boomers – 1946-1964 (53-71 years old)
 - i. As a group, baby boomers were the wealthiest, most active, and most physically fit generation up to the era in which they arrived, and were amongst the first to grow up genuinely expecting the world to improve with time. They were also the generation that received peak levels of income; they could therefore reap the benefits of abundant levels of food, apparel, retirement programs, and sometimes even "midlife crisis" products. The increased consumerism for this generation has been regularly criticized as excessive.
 - b. Generation X – 1965-1981 (36-52 years old)
 - i. Generation X is a relatively smaller demographic cohort "sandwiched" between two larger demographic cohorts, the Baby Boomers and the Millennials, although debate regarding exact date range defining makes it difficult to precisely define this cohort’s relative size. The birth control pill, which was introduced in the early 1960s, was a contributing factor to the declining birth rates seen in this generation. In the United States, increased immigration partially offset declining birth rates and contributed to making Generation X an ethnically and culturally diverse demographic cohort.
 - c. Millennials/Generation Y - 1982-2000 (17-35 years old)
 - i. Millennials, who are generally the children of baby boomers and older Gen Xers, are sometimes referred to as "Echo Boomers" due to a major surge in birth rates in the 1980s and 1990s. The 20th-century trend toward smaller families in developed countries continued, however, so the relative impact of the "baby boom echo" was generally less pronounced than the original post–World War II boom.
 - ii. Millennial characteristics vary by region, depending on social and economic conditions. However, the generation is generally marked by an

increased use and familiarity with communications, media, and digital technologies. In most parts of the world, their upbringing was marked by an increase in a liberal approach to politics and economics; the effects of this environment are disputed. The Great Recession has had a major impact on this generation because it has caused historically high levels of unemployment among young people, and has led to speculation about possible long-term economic and social damage to this generation.

- III. Focus Group Questions and Discussion – What do the jurors expect to see?
 - a. Compare presentation of MRI Films
 - b. Compare Trial Pad/Trial Director to reading of transcripts/documents
 - c. Use of Power Point in summation
 - d. Google Earth v. police report
 - e. Timelines
 - f. Videos
- IV. Combatting “CSI Effect”
 - a. Opening/closing
 - b. Offer them visual proofs
 - c. Find out jurors familiarity with TV shows, use of social media and technology in voir dire
 - d. Focus group
- V. Conclusion/questions.