

Better Presentations for Speakers and Mediation

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I have now practiced personal injury law for 19 years; my father was a trial lawyer so it was not a big stretch for me to be a trial lawyer. Upon passing the South Carolina Bar exam I joined every trial lawyer association I could find and began attending their conferences and CLE programs. (because no one learns how to try a case in law school!) Our best estimate after two AAJ conferences a year, and two South Carolina conferences a year plus Southern Trial Lawyers, some bar conventions and other random trial lawyer associations; is I have easily rounded well over 100 lawyer conferences in my 19 years of practice. I have watched hundreds of PowerPoint presentations. I have been rendered mind numbingly, glassy eyed, *please really just make me sit through real property 101 AGAIN*; bored to death, for what must be the equivalent of a month of my life - I will never get back! It does not have to end this way!

The only thing that irritates me more is wasting my time in a mediation where the Defense lawyer is being paid, the adjuster is being paid, the mediator is being paid and those yahoos are negotiating a case in \$5,000.00 increments while my client, who is losing a day from work and I, who do not work by the hour; sit there furiously wondering why they are dragging out a mediation all day. I decided if it is worth me going to mediation it is worth a power point presentation. I want to make sure the adjuster is clear from **go** on what is coming at trial and I generally do not hide the ball. I throw it all at them and make sure that whatever sugar coating the Defense lawyer put on it is not sticking.

For this paper, my goal is to identify some of the problems with the presentations, offer tips helpful in making the presentations better teaching tools, not only for a legal audience for the purpose of speaking but for use in mediations.

There are many different presentation programs; PowerPoint, Keynote and Prezi are the most common ones. I have used all three but generally fall back on PowerPoint because of the amount of time I have spent working with the program. Whatever program you decide to use there are generally helpful tutorials all over the internet for any of them. (*of course, if you have grade school children they are using them in school so they can show you how to use the program along with your iPhone if you are having any problems with that!*). Especially with PowerPoint I recommend that presenters avoid using fancy templates; I think color is fine, especially if used well, but if you get too fancy you drown the message in the template. (*literally, one is a water themed template and you can't find the text in the water theme!*)

Obviously, anyone that has been in a continuing legal presentation has seen the tragic misuse of PowerPoint where the presenter lists an entire page of text on a screen in twelve-point font. No one can possibly read this; (*ok my teenager could but anyone that has read enough to get through law school can no longer read in that font at that distance*). If you have that much to say, write a paper, put the information in a paper, and put a slide together that sums up the point of the page, if it is not one point break it down. You can use multiple slides, no one is charging by the slide!

DO NOT break a page of text down into 18 bullet point on the slide! No one can read that either! Actually, if you just eliminate bullet points completely that is the best practice. (ok I can't help it I still use

bullet points, but I am going to a bullet point support group and we are working on it!) Again, no one is charging by the slide, the goal is actually one point per slide. If it is important enough to list into bullet points then give it a slide and teach it.

About teaching - We all know that if we only say it, less than half the audience will remember it. We want to say it and show it. - Then repeat it. **Say it, show it, then repeat it!** (see i just did that to you, now you are more likely to remember it!) We know a picture is worth a thousand words, find a picture! Blow up the words on the slide so everyone in the room can read them and find a picture that goes with, or demonstrates the point you are making. In legal education programs, I try to incorporate as much video as possible. I pull clips off YouTube, find movie clips or use video depositions that I have, to make the point. I want a visual aid that makes them think or that will remind the audience of the point I was making later.

Clearly, with a **mediation presentation** I am not using YouTube videos. I am primarily using the case information, accident reports, photos of the vehicle, scene photos I took on my iPad or the scene off google maps. I use excerpts in Adobe taken directly from the medical records of the doctors reporting the plaintiff's injuries. These are not big cases but simple auto wrecks that I would not have done video depositions in the case so there would not likely be video available not use at the mediation. When I have a big corporate defendant, I pull their logo off the internet and in the liability and punitive damages phase I use pictures from their financial reports. I match the colors of the slides with the color scheme of their own annual financial reports and pictures off their web sites with their logo.

This type of theming provides any audience, or an adjuster with subtle visual clues in a presentation. One color for liability slides and then another for damages slides. You can change the font or the color of the text itself. However, always be mindful of the contrast between the background and the text color when projecting the text for a large audience, and always use colors on the opposite ends of the spectrum so your text does not wash out when projected onto a large screen in a lighted room.

Humor is the affectionate communication of insight. (Leo Rosten) I think that you must incorporate yourself into any presentation, and for me that requires some humor. That of course, does not include my mediations; my law partner will tell you I am often the bad cop. However, as often as I have seen an audience exit a speech saying that was really dull, I have never seen an audience exit a speech and claim they laughed too much. Humor clearly has an appropriate place, which is almost never in a mediation and sometimes not a CLE depending on the subject matter.

So please, cut your slides down to single points, add visual aids to every slide you can, consider theming even if it is just color coding a mediation presentation and incorporate yourself into your presentations. Your presentations will be more effective and you audience will be appreciative.

For more information about how to create better presentations see:

Gar Reynolds book - [Presentation Zen](#)

Seth Godin "Really Bad Power Point" 2001

Cliff Atkinson www.beyondbulletpoints.com