WHY VISUAL EVIDENCE IS SO IMPORTANT TO YOUR SUCCESS
And the dangers of not acting on this information

Seeing is believing -- and in a court of law, the outcome of a trial is usually based on substantive evidence coupled with visual demonstrative aids and a compelling argument. For the personal injury lawyer who wants to maximize the recovery for his client, it is absolutely necessary that visual aids be used in conjunction with expert testimony regarding liability and the client’s injuries. A jury that can visualize the accident and the injury while the expert is testifying will be much more likely to understand the incident and the client’s injuries and its impact on the client, and retain this information.

Modern research studies show that about 85 percent of what people know is learned through visualization. A seminal study published in 1963 revealed that after 72 hours, humans tend to retain only 10 percent of the information they hear and 20 percent of information they see. When humans hear and see the same information, they retain 70 percent. This is an incredible 700% increase over information that is just heard by a human.

One of the most difficult jobs for a personal injury attorney during a trial is to keep the jury interested in medical issues, and also to explain complex medical issues in a simple and easy manner which will be understood and retained by the jurors. It is an absolute necessity that medical experts be provided with visual aids to assist their testimony. Visual aids have included models, illustrations, and animations, and more recently, 3D volume renderings.

Likewise, a liability expert, such as in automobile accident case, will need visual aids, such as photos, diagrams, and animations, to fully explain their testimony to the jury. A lawyer, during a trial, is just as much a teacher as an advocate for his or her client.

In today’s world, where much of the jury has grown up watching law shows, such as CSI and Law and Order, the jury will expect that the evidence presented during a trial will include evidence that is visual in nature. A lawyer will have a much better chance at persuading a jury regarding liability issues and of his client’s damages when the jury is better able to understand what occurred and his client’s injuries and is interested in the subject. An attorney who tries a personal injury case without visual evidence will be at a distinct disadvantage in prosecuting the case.

Daniel L. Buckfire is an attorney specializing in auto accident cases with the law firm of Buckfire & Buckfire, P.C. based in Southfield, Michigan. He is a graduate of the University of Michigan Law School.