



What Litigators Can Learn From Some of the Coolest Graphics in Construction

by Morgan C. Smith

Owner of [Cogent Legal](#)

(Originally published on February 28, 2013 on [Cogent Legal's blog](#))

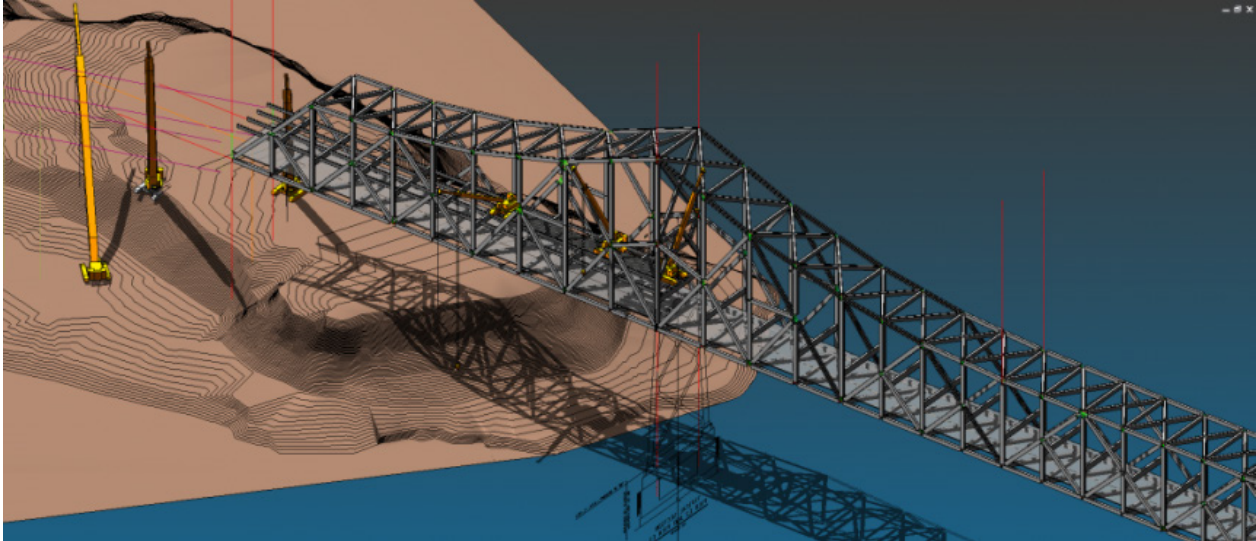


I am constantly amazed at how the world of litigation has changed so much in such a short period of time since I started practicing almost 20 years ago. OK, I accept that some of you don't think 20 years is a short period of time, but it sure seems like it to me. As I have mentioned in this blog before, the ability to make powerful, high-quality trial graphics was extremely limited by the software available in the early 1990s. I was reminded of how far we've come in the area of visualization and modeling when I recently had dinner with [Mike McTeer](#), who made a similar career shift as I did, but in a different field. Mike has a background in construction, and a few years ago, he decided to start a firm that specializes in 3D visualizations of construction.

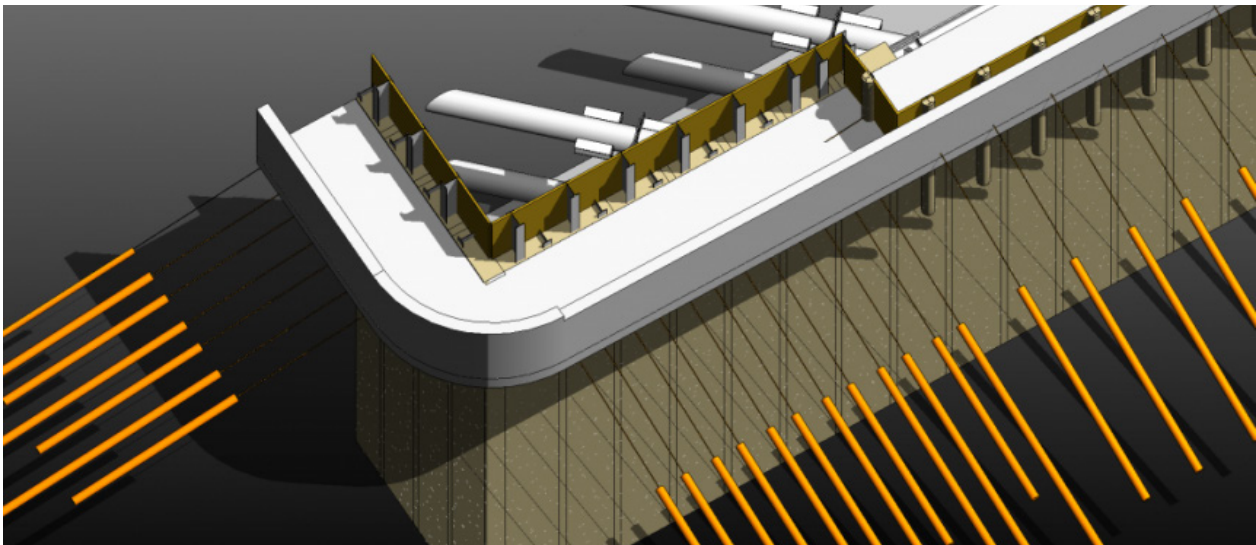
His firm specializes in "Construction Visualization Integration and Building Information Modeling," which basically means he visualizes and creates models of projects so builders more fully understand the process of the project, discover better ways to build it, and identify problems before they occur. When I saw his work, I was struck by what a great tool this is for the construction industry. This type of computer modeling was impossible only a few years ago, and Mike says that a number of larger clients now require it for any job before the work starts.

You might ask, what does this have to do with litigation? Well, just like Mike's clients who never used this process before then realized they cannot do a project without it, attorneys who discover how a case can be visualized and strengthened with graphics at an early stage begin to view litigation graphics as a de facto requirement for case preparation and presentation.

One of Mike's recent projects provided a great example of how this type of visualization can be vital to a safe work site by showing hazards and errors ahead of time so they can be resolved.



With the 3D modeling capability that is possible now, Mike can create all the models of a crane with the proper length, angles and swings. Therefore, he can determine the lifting capacity at any given location and the exact specifications that will be needed at any point, and see if hazards exist to the workers or the equipment.



In another example, Mike visualized the entire process of installing the temporary shoring on a project, so that all problems could be identified ahead of time.

One of the things I have learned over the years is that to draw something, you have to really understand it. When you have detailed scaled drawings and/or 3D models done for a case early on, you often identify issues that you never would have considered without those visual aids.

For example, seeing a 3D model allows you to see what any person would have seen from their vantage point, and the model can be used in deposition to help cross-examine



COGENT LEGAL

witnesses. Also, preparing an animation of a process of construction or failure often exposes subtle weaknesses in your theory when it has to be explained in a such precise visual detail.

By developing graphics early in a case, and working on them throughout the litigation, attorneys can avoid major problems, just as construction companies can avoid injuries and costly errors in their work by creating these drawings and models in advance. By developing graphics for mediation and trial, you can help the mediator or jury see your point and understand the case much better.

If you'd like to learn how Cogent Legal can help you with your litigation graphic needs—and help you early on to avoid problems in litigation later—please [contact me](#).

Morgan Smith is the owner of [Cogent Legal](#), a litigation graphics and trial strategy firm based in the San Francisco Bay Area that develops clear and compelling visual presentations for attorneys to use in mediation or trial. Services include animations, 2D and 3D graphics, medical illustrations, PowerPoint or Keynote presentations, interactive timelines, videos, strategic consulting and trial support. Cogent Legal integrates the legal expertise of a successful trial attorney with the creative and technical talent of a design firm.