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Featured Article 2

What You Get When You Mix Timelines and George Orwell: Design, Intellectual Honesty and Control

by Stacey Manela

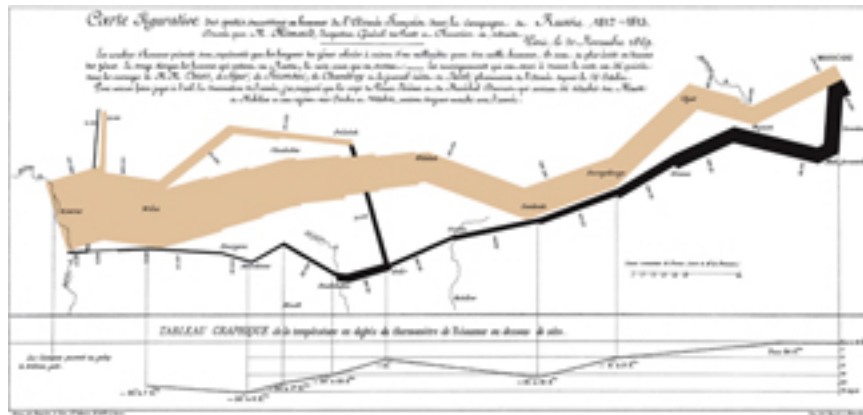
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Introduction by Katherine James:

I met Stacey Manela, founder of the trial graphic presentation firm Art of Facts in 1995 while we were working together on a 10 month long trial in Texas. She had me at "hello" with her amazing graphics, fabulous ability to work with the never ending stream of expert witnesses and lawyers, and her breath taking and unique timelines.

If you have ever heard me say, "What you need in this case is a Stacey Manela Timeline" you are in for a treat. If you already use Stacey for your graphics, this piece will give you a new insight on what makes her tick. If you are new to her great work, I envy you getting to see it for the first time.

. . .



**Orwell said, "Who controls the past controls the future:
who controls the present controls the past."**

There is a certain curiousness to this quote when he speaks about controlling the past. It seems every attorney (and witness, too!) who has been in trial has wished to control the past from the present at one time or another. Good news, friends.

You can, and it is all about the presentation method of your evidence in the courtroom. Whether in complex commercial litigation or a DWI misdemeanor case, the lawyer who can accurately lay down the story, bring what was history to life in the current day, is the one credited with empowering and educating the trier of fact. Timelines: bringing the past to the present. Powerful stuff.

Timelines serve a purpose beyond the simple understanding of chronological events. The relationships among these events are the key. Graphing out events not only allows for deeper understanding of the facts but can reveal new themes, form a more solid arguments or a expose defects in your opposition's position. Perhaps an even better argument for mapping out your case evidence on a timeline is to avoid torpedoing your own case.

Surprisingly, attorneys often discover factual juxtapositions that reveal blemishes in their own positions. Even the most visual of intellectual minds are not equipped to spatially relate events and time. So here it is: lay it all out, enforce critical comparisons, tell the truth accurately in time and display it effectively. The playing field is now level and we all feel confident about your story AND our cognitive abilities. An AHA! moment is a beautiful thing, and a verdict to follow? Priceless.

Sounds great, but how do I actually create this thing?

START EARLY. Discovery is the perfect time to start assembling your timeline. Maintain a text document of events and evidence in chronological order. When it gets close to trial, start culling the entries needed to tell your story. This may be a good time to make a draft graphic and print it as a poster. Hang it in your war room. During witness prep and strategy meetings refer to it. Get feedback. You'll be surprised by what you will discover and what other folks will remember. Keep in mind, like any delicious French sauce, it will have to be reduced by at least half. **GRAPHICS WILL MOST ALWAYS IMPROVE AS THEY GO THROUGH EDITING AND TESTING.**

KEEP IT REAL. Timelines can employ any time scale, depending on subject and data. Most timelines use a linear scale, where one unit of distance equals a certain amount of time. Don't be tempted to skew the time units because you have more events in a certain time period. This is inevitable. Change the scale, keep it accurate. Wouldn't it have been great if we could have stretched out our twenties, just because more fun stuff was happening? You get the point. Also keep in mind, an effective timeline is not always horizontal, your data will determine the layout. Modern technology can be your friend, graphics consultants... even friendlier. Also consider off-the-shelf software and remember conventional methods can be just as useful if on a budget.

LESS IS MORE. (REALLY.) Don't be afraid to use your imagination but don't sacrifice truth-telling and good design in the process. The technique of putting form and content together is critical. French fashion designer Coco Chanel is known for the quote, "Before you leave for the day...take one thing off." She knew the secret of not letting fashion and accessories distract from beauty. The same would be true for your timeline. Too much information will dilute and too much (or any) decoration will confuse.

BE MULTIVARIATE. Info-graphic guru Edward Tufte makes a compelling argument for effective use of multiple kinds of a data, spatially arranged on a timeline. See Charles Minard's chronology (1861) of Napoleon's invasion of Russia.

*"Minard's graphic tells a rich, coherent story with its multivariate data, far more enlightening than just a single number bouncing along over time. Six variables are plotted: the size of the army, its location on a two-dimensional surface, direction of the army's movement, and temperature on various dates during the retreat from Moscow."*¹

A good example of this sort of thinking might compare public knowledge to what was happening secretly or by using a graph as an index, i.e., stock price, to provide a basis for comparison that bolsters your story.

DON'T TAKE THE SPACE SHUTTLE TO THE CORNER STORE. Technology-of-the-week shouldn't interfere with reasoning the intellectual problem at hand. What is the true purpose of your timeline? What are the questions it is designed to answer? The computer screen is not always the best use for displaying extremely long, historical timelines. Endless scrolling can be like digital Ambien. There are other occasions where interactive/digital timelines provide dynamic solutions to age-old problems, such as small, unreadable text. Sometimes simple exhibit boards say it best. The use of push-pins, magnets, dry-erase laminate and velcro can sometimes add emphasis and reinforce comparisons. And what about our old friend, the easel? Going "old school" and creating a timeline on a big notepad can have some serious impact. It is very important to make this decision with not only your goals for the display in mind, but your personal style as well.

Upon further reflection, it seems as though Orwell is really on to something. If content-rich, intelligently crafted, effectively presented timelines can indeed bring the past to the present, you and your clever demonstratives are presently poised for a promising, verdict-filled future.

¹Edward Tufte, *The Visual Display of Quantitative Information* (1983), p. 39-40.

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Stacey Manela: During her seven year tenure with a Houston law firm Stacey earned a reputation for hard-hitting information graphics in high-stakes litigation and effective client communication materials in the mass-tort arena.

Stacey has been a presenter at American Trial Lawyers Association (ATLA) conferences, a faculty member at Defense Research Institute (DRI) seminars, a featured small business success in a Compaq Computer marketing initiative and lead consultant for graphics and technology for more than 100 trials. Since 2001, Art of Facts has maintained a consistent ranking among the top small businesses in the U.S. and has formed several key alliances with strategic partners to add public relations and website marketing tools to its arsenal of services.