

Painting the Puzzle

Using visual aids to help present your case

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Why and When to Use Demonstratives

- ▶ To help tell your story
- ▶ Not substantive evidence
- ▶ When It is Necessary
 - ▶ Medical Neglect or Failure to Thrive
 - ▶ Severe abuse
 - ▶ Cases that have been open a long time

Tools of the trade

- ▶ Excel Spreadsheets
 - ▶ Track dates, highlight specific results
- ▶ PDF
 - ▶ Selected quotes & Bates numbering
 - ▶ Bookmarks and highlights
- ▶ Aide to the Court FRE 1006
- ▶ Demonstratives
 - ▶ Maps
 - ▶ Photos
 - ▶ Timeline
 - ▶ Medical charts/Child Protector
- ▶ Physical Actions/Evidence

Excel Spreadsheets

Basic math formulas and conditional formatting

Excel Spreadsheets

Enter data

Track time between dates

Format cells and formulas to easily show a desired result

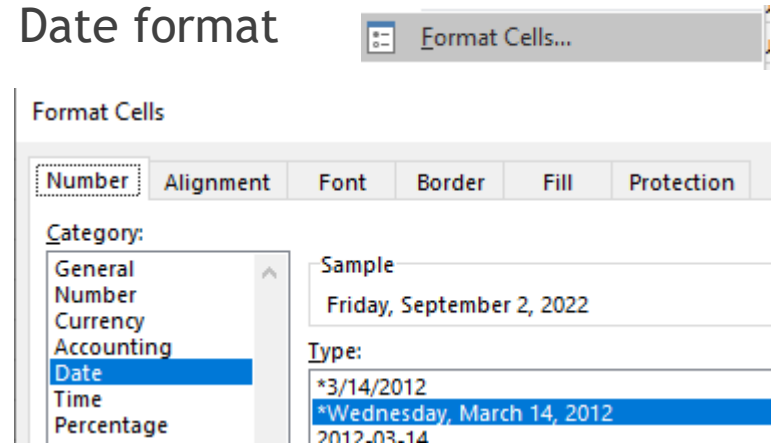
Type of test	date collected	time since last valid test
Hair test	Thursday, May 12, 2022	positive
UA	Monday, May 23, 2022	negative
UA	Friday, May 27, 2022	4 Negative
UA	Thursday, June 2, 2022	6 negative
UA	Thursday, June 9, 2022	7 negative
UA	Friday, June 17, 2022	8 negative
ua	Friday, June 24, 2022	7 negative
Hair Test	Tuesday, July 12, 2022	positive
UA	Friday, July 15, 2022	invalid
UA	Friday, July 22, 2022	28 negative
UA	Thursday, July 28, 2022	6 negative
UA	Friday, August 5, 2022	No show
UA	Monday, August 8, 2022	11 negative
UA	Thursday, August 18, 2022	10 negative
UA	Monday, August 22, 2022	4 negative
UA	Tuesday, August 23, 2022	1 negative
UA	Wednesday, August 24, 2022	1 negative
UA	Thursday, August 25, 2022	1 negative
ua	Friday, August 26, 2022	1 negative
UA	Tuesday, August 30, 2022	4 negative
UA	Thursday, September 1, 2022	2 negative
UA	Tuesday, September 6, 2022	5 negative
UA	Wednesday, September 7, 2022	1 negative

Formulas to use

Tracking time between dates

May format by column

▶ Date format



▶ Days since last test

▶ =B4-B3

▶ =B11-B8

	A	B	C	D
1	Type of test	date collected	time since last valid	
2	Hair test	Thursday, May 12, 2022		positive
3	UA	Monday, May 23, 2022		negative
4	UA	Friday, May 27, 2022	4	Negative
5	UA	Thursday, June 2, 2022	6	negative
6	UA	Thursday, June 9, 2022	7	negative
7	UA	Friday, June 17, 2022	8	negative
8	ua	Friday, June 24, 2022	7	negative
9	Hair Test	Tuesday, July 12, 2022		positive
10	UA	Friday, July 15, 2022		invalid
11	UA	Friday, July 22, 2022	28	negative
12	UA	Thursday, July 28, 2022	6	negative

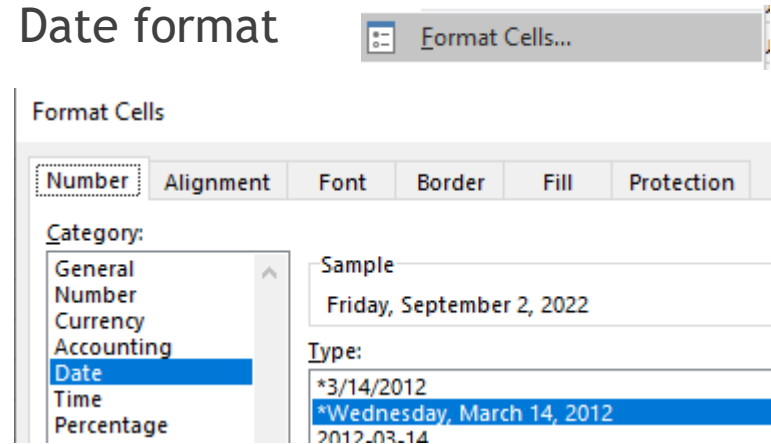
Formulas to use

Tracking dates

Publication dates (+45)

Hair Test lookback (90+15)

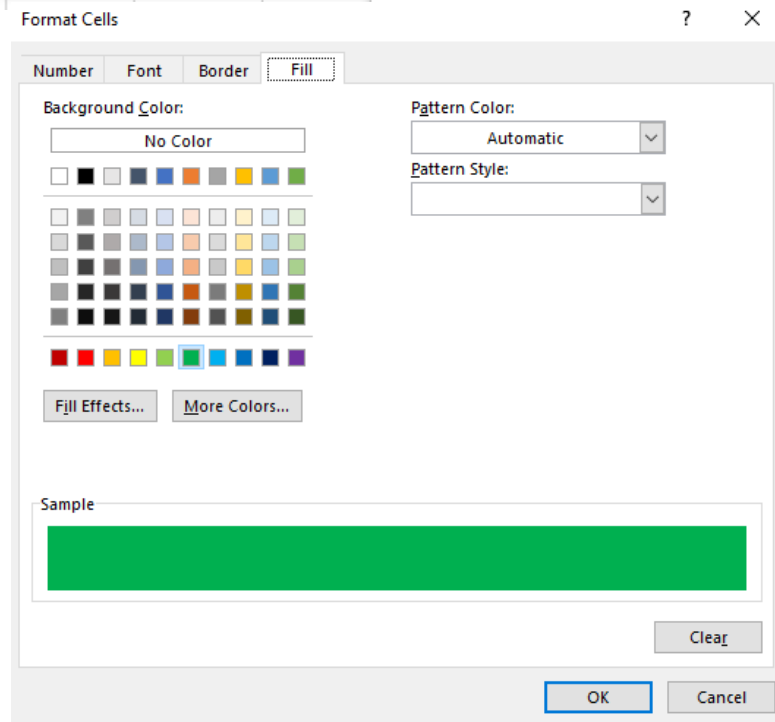
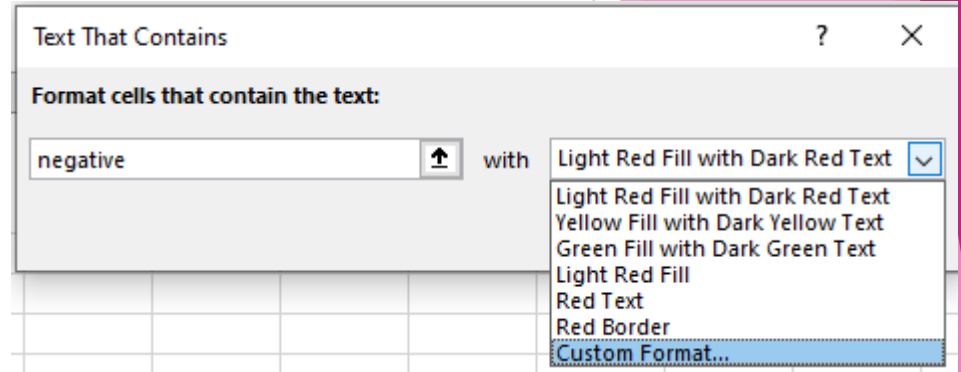
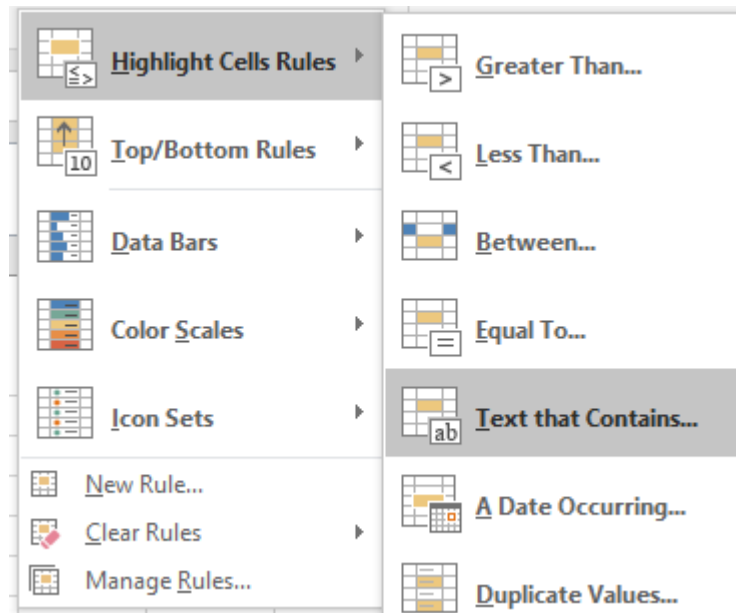
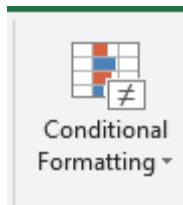
► Date format



► Enter a date

Col B, Row 9	Th May 25, 2023
=B9-30	Tu April 25, 2023
=B9-45	Mon April 10, 2023
=B9+45	Sun July 9, 2023
=B9-105	Tu Feb 14, 2023

Formulas to use Conditional Formatting

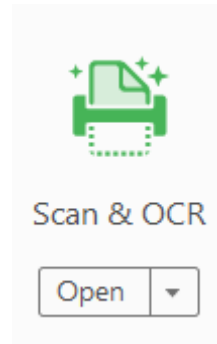




PDF

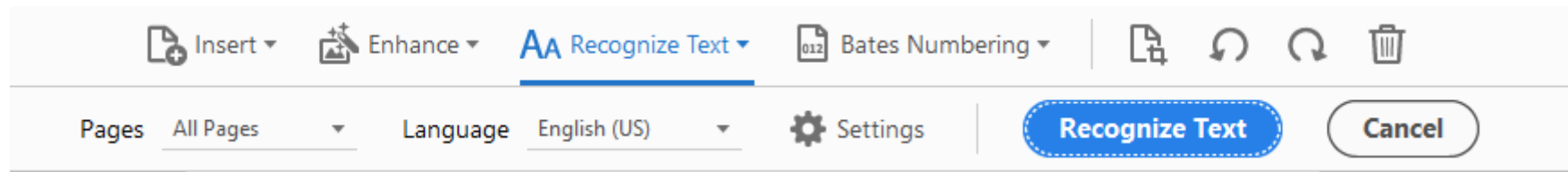
OCR, Bates numbering, Reduce file size, Bookmarks

Tools



Optical Character Recognition

Scanned to PDF from a physical format



- ▶ This takes some time!
- ▶ Not necessary if native PDF

OCR - Find specific words

Emergency Documentation

PCP: No. PCP: PCP Phone:

DIAGNOSIS:
o At risk for suicide

PROBLEMS:
o No Chronic Problems

ADVERSE REACTIONS:
No Known Adverse Reactions

DISCHARGE INSTRUCTIONS:

VISIT INFORMATION:

VITALS SIGNS:

Temp(C)	Heart Rate	Resp Rate	O2 Level(%)	BP	Wt(kg)	Ht(cm)	BMI	Head Circumference(cm)
36.9	88	20	N/A	98/48	37.80	N/A	N/A	N/A

The Emergency Departments and Urgent Care Clinics do not provide prescription refills. We encourage you to follow-up with your primary care provider.

Medication List

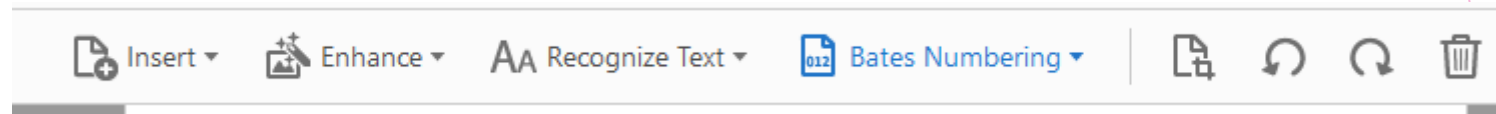
Find ✕

medication ⚙️

Previous Next

▶ Replace with

► Scan & OCR again



Font
Name: Size:

[Appearance Options...](#)

Left Header Text

Center Header Text

Left Footer Text

Center Footer Text

Bates Numbering Options

Number of Digits:

Start Number:

Prefix:

Suffix:

Bates Numbering

Hospital records with different dates/units

Compilation of reports

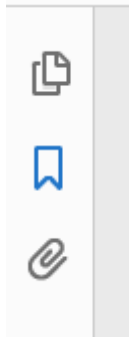
085 MR 10/08 AFFIDAVIT (Jackson County, MD) 001

Page 13 of 14
Children's Mercy Hospitals & Clinics | Kansas City
COPY

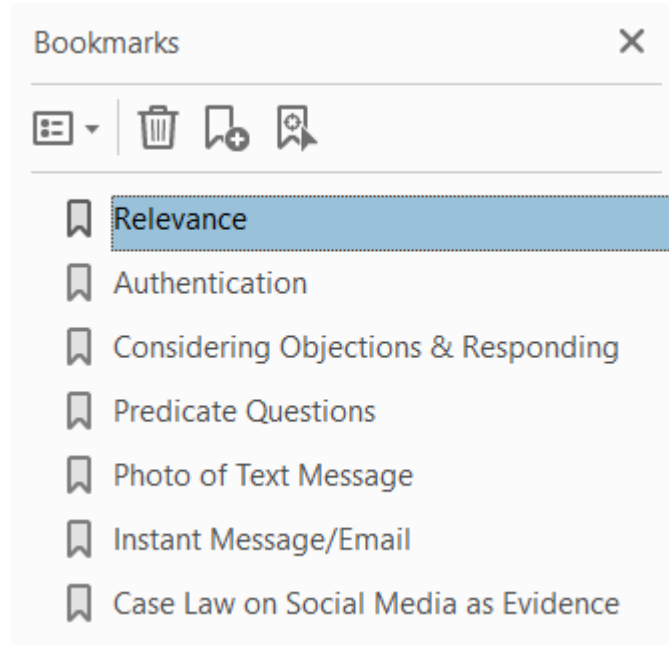
034

Bookmarks

On left panel



- ▶ Create your own
 - ▶ Highlight text you want to mark



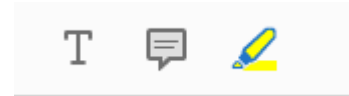
Highlight specific text

Consider objections

Exhibit vs aide to the Court



Or



I. Relevance:

A. Common Law Materiality- The relationship between the proffered

Color of highlight can be changed as well



Aide to the Court

- ▶ Separate document
 - ▶ Pull quotes from text
 - ▶ Refer to Bates number page

Page number	Statement
44 43/171	Urinalysis confirmed positive methamphetamine, 3000 ng/ml
96 95/171	Mother's statements to SW Sami "Mother admits to a history of incarceration and states she was recently in jail for 60 days due to a destruction of property charge. Mother mentioned additional legal issues in the past but did not elaborate. Mother reports a history of methamphetamine and MJ use in the past and states she last used methamphetamine 6-7 months ago. Mother does report to more recent MJ use but did not elaborate regarding frequency of use or last use."

Demonstratives

Maps, Photos, Graphs and more

Maps

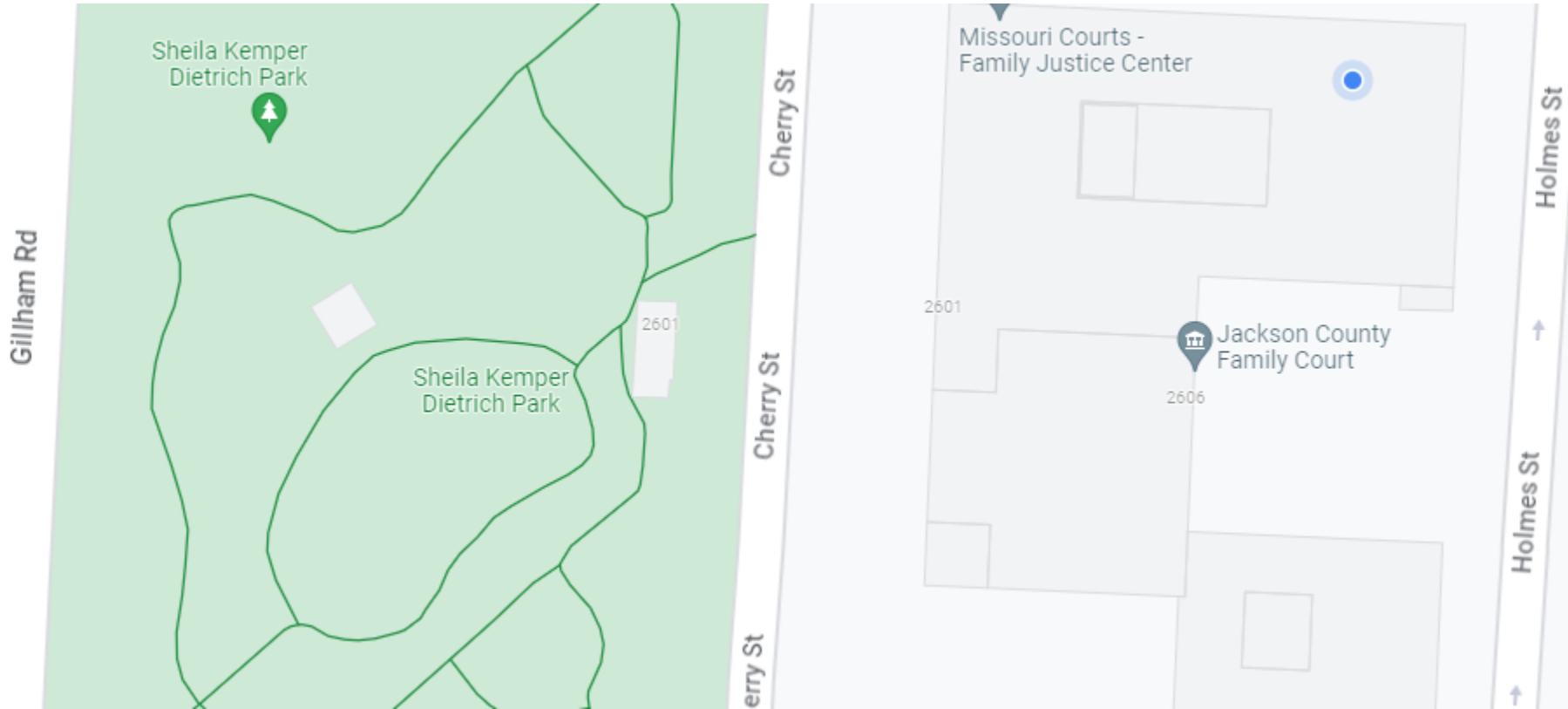
Why use a map?

How to get a map into evidence?

Google maps is your friend!

- ▶ Default
- ▶ Satellite
- ▶ Streetview

- ▶ Differing levels of detail



Simple

Pros: show distance between Point A and Point B, including driving directions

Cons: very simple can't see stationary objects at scene



Satellite

Pro- can see more static features such as trees

Cons- very busy, orientation may be off-putting



Streetview

Pro- orientation, better view of stationary objects

Con-Potential for exclusion

Photos

- ▶ When are photos the most useful
- ▶ Are they really worth a thousand words?
- ▶ How to get photos into evidence
- ▶ Mark it up, Make the record

1. Relevant
2. Does witness recognize what's in photo?
3. Fair and accurate representation of the subject matter





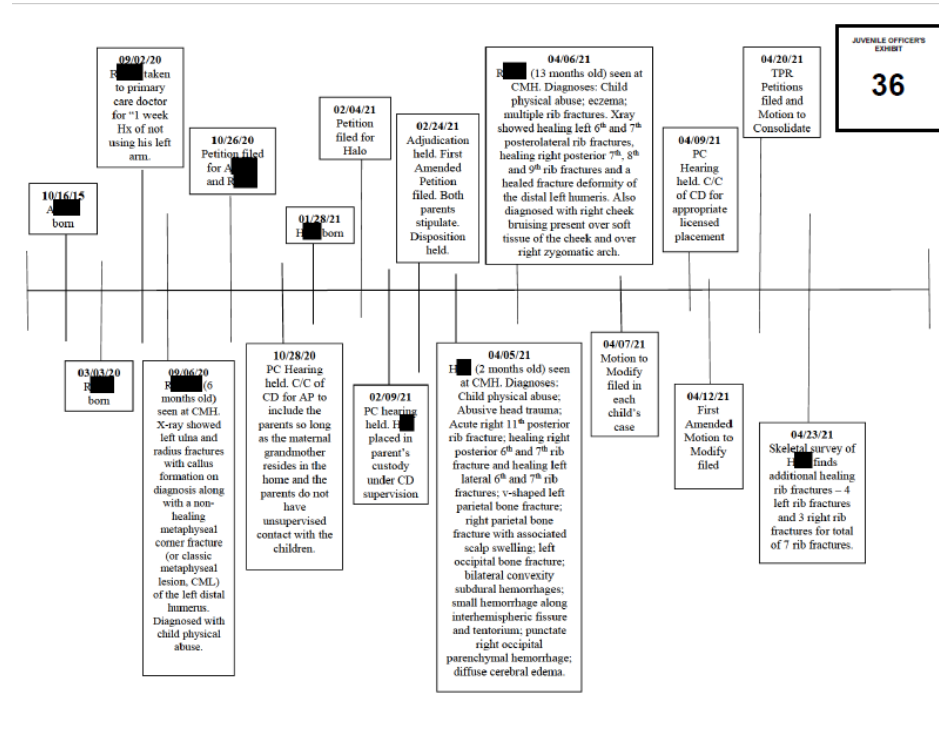
Timeline

Highlight dates and date ranges

Chronological history of events

Programs to use:

MS Word, Canva



Medical Charts

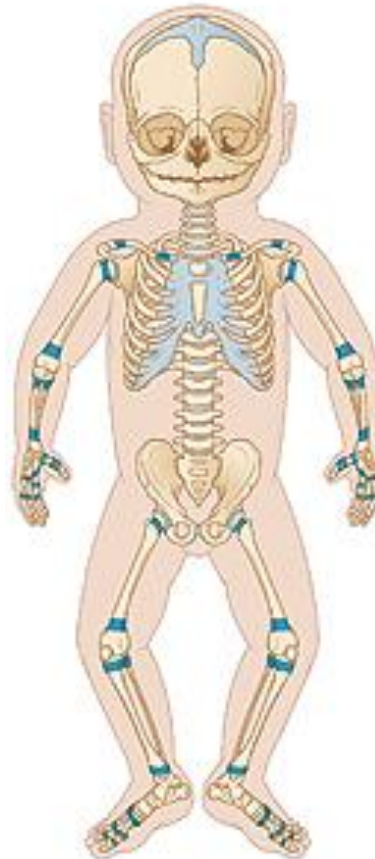
Growth charts

Skeletal system

Internal organ graphics

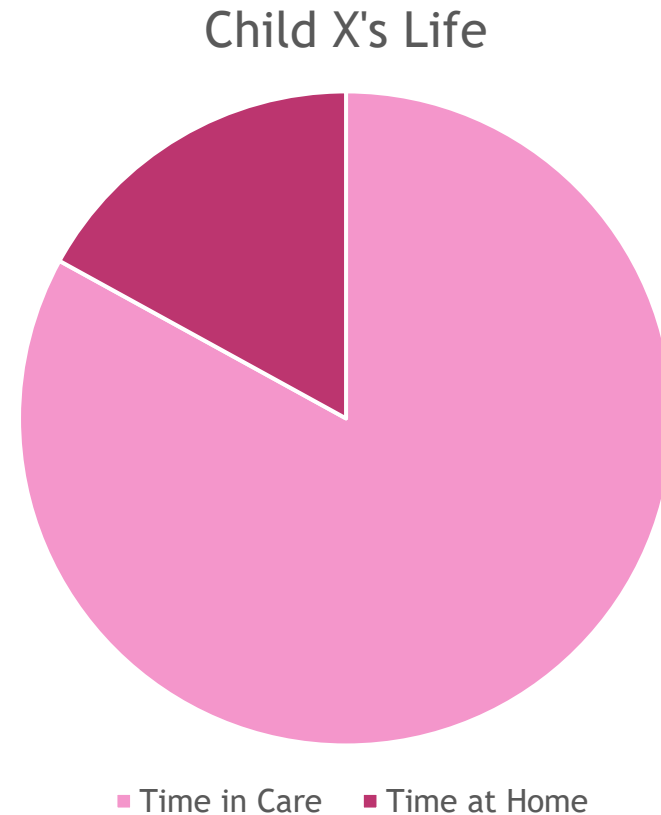
- ▶ Printed for reference
- ▶ May have witness mark on exhibit
- ▶ Show plus tell
- ▶ Child Protector App
 - ▶ Children's Mercy Hospital

Android and iPhone



Other Charts or Demonstratives

- ▶ Pie Chart showing how long child in care
 - ▶ Ex: Child in care 15 of 18 months
- ▶ Line or scatter chart for failure to thrive cases to show weight gain / loss
- ▶ Family tree or genogram



Make your record

- ▶ Describe the witness's action and reaction
- ▶ Have witness describe their senses during testimony
 - ▶ Sight
 - ▶ Smell
 - ▶ Sound
 - ▶ Touch
 - ▶ Hear

Describe senses



Thanks for watching!

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