

New Technology in the Courthouse – SMART Board Interactive Whiteboard

By Judge Eugene A. Lucci

We live in a highly visual generation in which pictures are now worth far more than a 1,000 words. In keeping with this cultural reality, one recent technological innovation in my courtroom has been the installation of a rear-projection, SMART Board Interactive Whiteboard. Similar SMART Boards – consisting of 50” plasma screens with an interactive overlay – are also currently installed in the courtrooms of Judge Vincent A. Culotta and Judge Richard L. Collins.

The SMART Board in my courtroom is a large, touch-sensitive, 66-inch display screen that allows the user to write, erase, and perform ordinary mouse functions directly on the screen with a finger, color-coded pen, or an eraser. It connects with the user’s laptop computer and allows the user to project any image (including digital video and digital audio segments, and PowerPoint presentations) onto the screen. The user can then use the SMART Board software to create a screen shot that can be edited on the spot and printed in color as an exhibit for the jury or the court. In addition, exhibits can be published to the entire jury simultaneously by displaying them on the screen. And finally, a witness can use a wireless slate to operate the SMART board or draw on a projected image while the witness is testifying.

Any image or sound file that can be digitized can be displayed or played through the SMART Board. In addition to the basic features of the interactive whiteboard, the software allows the user to project digital video frame-by-frame or in slow-motion. A full range of pointers, symbols, and other tools are available as part of the software. Also, a magnifier can be used to zoom in on portions of the display, and a screen shade feature can be used to reveal a single image one portion at a time.

Attorneys who do not have a laptop computer to connect to the SMART Board can simply bring a CD that has been loaded with the attorney’s digitized exhibits or PowerPoint presentation, and run the CD on the system’s onboard computer using the wireless keyboard or the remote control. For the shy attorney who is reluctant to leave the safe haven of the lectern, a PowerPoint presentation allows that person to put their notes on screen as bullet points, freeing him or her to move about the well in a natural and relaxed manner while addressing the jury.

In recent trials in my courtroom, attorneys have used the SMART Board to: (1) playback a retail store security tape to assist in identifying the defendant in a criminal case, (2) replay a news broadcast in a defamation case against a television station, and (3) draw a diagram of a street intersection while a witness was testifying in a motor vehicle accident case.

Other possible uses of the SMART Board at trial include: (1) playing segments from a videotaped deposition to impeach a witness, (2) integrating audio-visual components or a PowerPoint presentation into an opening statement or a closing

argument, (3) displaying forensic evidence such as fingerprints, DNA test results, or photographs during the testimony of an investigative expert witness, (4) having an expert witness testify live via videoconferencing over the Internet, and (5) scanning photographs of an accident scene and displaying them during the testimony of an eyewitness.

Because the SMART Board can do anything that a laptop computer can do, the possibilities are limited primarily by the imagination of trial counsel. Attorneys who are planning to try a case using the SMART Board should make arrangements with the court to practice with the system. Not only will this help avoid embarrassing delays at trial, but it will allow the attorney to understand more fully how to use the many features of this system to help persuade the fact-finder.

Although SMART Board technology is not quite as versatile as the full range of courtroom technology available in Judge Paul H. Mitrovich's courtroom, which is outfitted with a large nine-foot wide front projection screen, exhibit camera at the witness stand, document presenter, multimedia presentation system, and teleconferencing capability, it is a close second and should help to meet the current technological needs of trial counsel in each of trial courtrooms of the Lake County Court House.