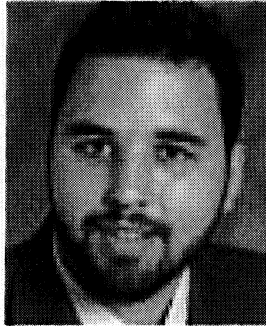




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ACKNOWLEDGMENT

Before many of you were born, on behalf of ICLE, I wrote “Try it: a Trial Techniques Monograph.” For some time, that book and a course on Trial Techniques were required as part of the “Skills and Methods” program, a prerequisite for Bar Admission. The Book was revised in 1999 and then called “Try It Again.” I was asked to revise it a few years ago, but desisted.

It didn’t make sense to make changes, then, until technology was part of the book. I’m not a complete idiot when it comes to technology. After all, I can use the land phone and sometimes, if push comes to shove, I even use a cell-phone. In court, I make use of the hand held tape recorder. However, that’s about the extent of it. However, the idea seemed plausible a few months ago in a conversation with Jon Lomurro. Jon is a hard working successful young trial lawyer, heavily involved with bar activities. I don’t believe any lawyer in the state knows more about technology and computer use in the court-room than Jon. He wrote the chapter on “Technology” and gave me several suggestions in the text of the book which I’ve incorporated.

We felt we needed something else. We decided we should include thoughts from a renowned national expert who uses technology and computer driven animations and recreations in court. That person is Ken Heathington. I’ve worked with many experts during my career. None were better than Ken. His credentials are enormous. As an example, he was the first full time director of the Transportation Department of the University of Tennessee. In 1979, he took a leave of absence in order to serve as the Associate Administrator for Traffic Safety Programs for the National Highway Traffic Safety Administration (NHTSA) of the U. S. Department of Transportation. In that capacity, he was responsible for the highway safety programs in all states administered by NHTSA. Ken has testified for some of the major lawyers in the country. His enormous credentials are exceeded by his ability and performance in court.

Ken and Gary J. Huett collaborated in writing a chapter on Technology, including animations and recreations which are included in a computer friendly DVD. Gary, as well, is a nationally known expert in strategic use of demonstrative evidence for use in trials and other areas.

Jon and I believe that this text will prove invaluable for both the beginning and experienced lawyer. It provides a “nuts and bolts” analysis of trial techniques, along with a much needed primer for technology and computerization in the court room.

Philip G. Auerbach

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