

## Taking it Online: Jury Research in the Age of COVID-19



### **Want data? ThemeVision can provide jury research, witness preparation, and other litigation consulting services online.**

COVID-19 has certainly created major social change, including substantial limitations on public gatherings, forcing much of a lawyer's work online. But the pandemic has also brought opportunity, giving lawyers the chance to think creatively about how they serve their clients and develop strategy for their cases. Even the courts have had to adapt. Recently, a Texas court became the first in the country to conduct a summary jury trial via Zoom videoconferencing.

Cases are still moving forward to trial even if the path looks a little different than it did just a couple of months ago. And preparing for trial hasn't really changed much. It is still just as important to develop data-driven trial strategies, to prepare witnesses to testify, and to develop compelling case themes and trial graphics.

### **'Virtual' Litigation Consulting – Focus Groups**

We know you're used to seeing focus groups discuss your case around a table or working with us in person to prepare a witness to testify or to develop trial communication strategy or graphics. ThemeVision can provide all of its consulting services online, continuing to gather and analyze important data about what the community thinks about your case, and helping you develop winning strategies. Advanced videoconferencing has made the process reliable and secure. So you can still gain critical insights from mock jurors even if you are not in the same room with them.

In a nutshell, virtual focus groups have the same great potential to provide rich insights about your case from residents of the jurisdiction. Like in-person focus groups, virtual focus groups can provide invaluable data to help you refine your case themes and arguments for trial. Virtual focus groups offer some additional advantages as well—more convenience, increased flexibility, faster design and execution, and a lower cost.

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## ‘Virtual’ Litigation Consulting – Online Mock Juror Surveys

It used to be difficult—and expensive—to get reactions to a case from a large sample of people from the trial jurisdiction. But not anymore. ThemeVision can get data from several hundred jury-eligible adults in almost any jurisdiction in the U.S. in a matter of weeks. We work with trial teams to develop a concise summary of the case that includes the key facts, arguments, and themes. We can even embed pictures of key exhibits and show clips of deposition testimony.

And we ask the key questions that teams want answered. What percentage of the community believes your side has the stronger case? If a damage award is forthcoming, what is it likely to be? What personal characteristics are statistically correlated with having unfavorable opinions about the case? The combination of a large and representative sample from the target jurisdiction and the use of sophisticated statistical analyses allows for reliable conclusions and recommendations that will inform negotiations and trial strategy. And all for a cost that represents only a fraction of most cases’ value.

## ‘Virtual’ Litigation Consulting – Other Services

ThemeVision is a full-service firm. We also provide witness preparation, graphics development, theme development, legal communication strategy, jury selection, in-court “hot seat” services, and much more. Indeed, we were providing our Online Witness School and many other “virtual” services long before the pandemic.

For more information about ThemeVision’s online jury research and consulting services and how we can help you develop winning case strategies, please contact us at 317. 229.3133 or visit us at [www.themevision.com](http://www.themevision.com).



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