

# Hamlin & Burton

---

## LIABILITY MANAGEMENT, INC.



### *Hamlin & Burton Trial and Jury Consulting*

### **TRIAL AND JURY CONSULTING**

Hamlin and Burton Liability Management, Inc. (Hamlin & Burton) provides expert litigation services for all critical areas of each case. These services provide effective, substantive, and measurable results through favorable case resolutions and verdicts. Our Trial and Jury Consulting division is led by Dr. James Ruffin who has over 26 years of experience in both criminal and civil litigation and provides invaluable resources to Hamlin & Burton clients through investigation, case strategy development, witness preparation, focus groups, in-person trial assistance, and post-trial interviews. At Hamlin & Burton, we hope to become involved with high exposure cases from the beginning and work through the litigation process as a team member, with claims managers and counsel, to leverage our expertise for the highest degree of success.

### **PRE-TRIAL**

#### **INVESTIGATIVE AND CASE STRATEGY**

Investigative and Case Strategy is the “who, what, when, where, and why” of a specific case. A thorough investigation of any event will often unveil hidden agendas, facts, and circumstances. The little things, often left uncovered, may lead to strategies that can make or break a case. When a case is properly investigated from the onset, the development of themes and action plans are sophisticated and effective. During this phase, the case investigative facts are weighted against the allegations to drive support strategies.

#### **EXPOSURE ASSESSMENT AND ANALYSIS**

Exposure Assessment and Analysis is a strategic thinking process that is based on investigative facts, preliminary court filings, media exposure, venue and verdict analysis, and other external factors that may affect a given case. Often viewed as a virtual “think tank” this process allows clients, counsel, litigation managers, and claims managers to voice their concerns and outline their goals in a confidential setting. The proven success of this analysis lies with an open communication model which is driven by the extensive experience of Hamlin & Burton Litigation Managers and Trial Consultants.

#### **PRELIMINARY CASE ASSESSMENT**

Our Preliminary Case Assessment moves beyond the Exposure Assessment by actively pursuing that information which supports trial strategies. The investigative findings, plaintiff arguments, and initial themes are vetted thoroughly, in order to make sound recommendations to our clients regarding trial or negotiations. It is at this point in the litigation process that clients can rely on our years of experience to make solid recommendations on how best to proceed.

[www.hamlinandburton.com](http://www.hamlinandburton.com) or (972) 215-8805

## **PRE-TRIAL**

### **WITNESS PREPARATION**

Witnesses can make or break any given case. Even the best information is diminished when presented poorly, and for this reason, all witnesses must be professionally prepared prior to deposition and trial. Nonverbal behaviors, anxiety and stress, theatrics, verbal judo, failing or tainted memory, rapport building skills, and professionalism are all addressed during witness preparation. Hamlin & Burton Witness Preparation ensure that each witness presents in a clear, concise, accurate, and effective manner.

### **DEPOSITION ANALYSIS**

Our analysis of written and video depositions provide a wealth of information. The identification and analysis of deception and anxiety provides the trial team with critical information about “hot spots” and other areas of the testimony that need further attention. Hamlin & Burton's Deposition Analysis often reveals underlying themes and strategies opposing counsel may use. With nationally recognized expertise in verbal and nonverbal behaviors and deception, Hamlin & Burton builds strategies to assist counsel in effective direct and cross examination. Hamlin & Burton also offers in-person deposition assistance and consultation for witnesses, and strategic assessment during the deposition process.

### **FOCUS GROUPS AND MOCK TRIALS**

The best way to test a case is with insightful use of Focus Groups and Mock Trials. Everything is open for review. Attorneys, attorney presentations, witnesses, defense arguments, media and visual aids, themes and strategies will be vetted. Hamlin & Burton Focus Groups and Mock Trials use a model that produces solid results while also being cost effective. Focus Group moderators pay closer attention to participant verbal responses and behaviors than to statistical analysis. This model is more cost effective because it mirrors the attorney-jury relationship when a given theme or argument is presented.

## **TRIAL**

### **JURY RESEARCH AND SELECTION**

At Hamlin & Burton, we understand that the jury selection process relies greatly on the attorney developing a relationship with potential jury members. Our trial consultants work with attorneys to bolster that relationship through rapport building techniques which are anchored with both verbal and nonverbal behaviors. Voir Dire and Jury Questionnaires can then be used as tools to test if that potential jury member resonates with our defense theme or is opposed to it. Demographics and statistical analysis play an important role in the judicial process, but at Hamlin & Burton, we understand that at the end of the day, it's the attorney, witness, and jury relationship that drive verdicts. In understanding this, we assist in selecting juries that will best resonate with our proposed theme.

### **TRIAL MONITORING AND CONSULTATION**

Hamlin & Burton works closely with counsel during all aspects of the trial, from jury selection, witness preparation moments before testimony, verbal and nonverbal behaviors, jury responses, attorney-jury interaction during testimony, trial monitoring to provide real time feedback, and ongoing case strategies. With each of these services, our goal is to provide trial consultation that is timely and relevant to ensure a favorable outcome. Dr. Ruffin, or a member of his litigation team, is more than just a trial observer. Dr. Ruffin participates as part of the trial team by providing instant, real time feedback to attorneys as to how their line of questioning is impacting the judge, jury, and gallery. Dr. Ruffin has trained hundreds of attorneys on how to build rapport with judges and juries and how to detect anxiety and stress during testimony. It is during this crucial time at trial that Dr. Ruffin's extensive experience is invaluable in obtaining a favorable verdict.

## **POST-TRIAL**

### **JURY INTERVIEWS**

Juror interviews, when approved by the court, can provide a wealth of information about the case and its outcome. With over 26 years of investigative experience, Hamlin & Burton trial consultants are versed in interviewing techniques that are designed to elicit responses that go beyond the traditional “yes and no.” Through a combination of rapport building techniques and open ended questions, our post-verdict interviews produce information regarding the core issues of the case, thereby allowing counsel to make sound decisions about appeals, companion cases, and other cases with similar circumstances. The ability to separate emotion and opinion from the actual reason a juror voted the way they did is what separates Hamlin & Burton from our competitors.