



## Profile: Pen Volkmann, Director of Graphics & Video Services, Holland & Hart

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As more people get their news and information through television and the Internet, more and more attorneys are using animation and television graphics to explain often complex issues to judges and juries. Who makes the art that is increasingly being used in courtrooms? LawCrossing speaks to an artist working in the growing field of demonstrative exhibits.

Pen Volkmann can slice a man's head in half and show you how a tongue works with a particular turkey call without hurting a fly. He also zooms in on molecules and zooms out on the Earth to show how different regions look on the surface. The graphics design wizard regularly creates animated images to help attorneys visually describe a scene where a camera would have trouble going.

As director of graphics & video services for Holland & Hart in Colorado, Volkmann has been creating slick displays for clients for about 15 years. When he sold his own design firm almost eleven years ago and joined the law firm fulltime, he worried that life would be dull - but it has been anything but. Recently he swooped over oil platforms in a helicopter, shooting video for an oil and gas company in Alabama. The helicopter landed on one of the offshore platforms and Volkmann interviewed experts explaining how different pieces of equipment work. And that, believe it or not, was for a tax case.

The clients, Volkmann says, were trying to get deductible status for some of the offshore equipment, which could save the company billions of dollars. Attorneys have been using Volkmann's animation to argue their case, which is still tied up in the courts.

"We ended up making 3-D models of just about every piece of equipment, including cutaways to be able to show what's happening inside," Volkmann told LawCrossing. "In order to be able to persuade and convince the judge and jury, you need to be able to speak their language, which is artistic and visual."

Volkmann says law firms defending big corporations used to worry about creating visuals which were "too slick," especially in cases against an individual or smaller company because the big company would look like Goliath attacking David. But now, he says, average people are used to slick presentations through TV and the Internet and actually need more visual aides to understand complex cases.

Because of that, resident artists are becoming increasingly common in law firms.

"A lot of law firms are practicing in courtrooms that are being wired like TV stations," he said. "Especially in the civil courts, a lot has to do with fairly sophisticated knowledge of specific details that are difficult to communicate just with words."

He says studies have shown that people remember much more when they are told and shown things at the same time rather than just having a verbal presentation.

Another recent case he worked on involved a patent for a turkey and elk caller. Rather than have an attorney or client merely use the caller in court to demonstrate how it is different from other turkey callers on the market, Volkmann designed a 3-D head and sliced it in half, showing how the caller balances between the roof of the mouth and the tongue. The firm won the case.

He says his team of five specializes in video taping and editing, design and CAD animation. CAD is a software tool also used by architects to create three dimensional images.

"We're all kind of geeks and enjoy the scientific aspect of it," he said after describing how his team created images to show how a formation had evolved over 200 million years.

Volkmann, who grew up in New England but has lived in Colorado since 1975, predicts that the industry putting computer animation in courtrooms will explode in the coming years.

"There are a number of advantages to computer animation - of being able to go where you could never put a camera. Another is you can manipulate time. We've had animations that show what's happened over 100 years on a mountain top: first settlers coming through and then logging and then mining and then reforestation and all that."

Animation can also be used to show juries and judges details of a particular medical procedure or car accident that might be too gory to show real photographs.

"People are used to seeing Wiley Coyote getting an anvil on his head," he says. "You don't have the same emotional attachment that you would if you actually saw it enacted on a video or something."

Volkmann often travels for work, to prepare for various trials and to visit Holland & Hart's 12 offices around the country to explain to attorneys what sort of visual aides are available.

About three years ago, the law firm started Persuasion Strategies - a consulting service within the firm which allows other firms to



hire Volkmann and other legal staff consultants as they prepare for trial. Volkmann's work for the oil and gas company, for example, was actually for a firm separate from Holland & Hart.

Volkmann, 54, studied art and philosophy at the University of Massachusetts, Amherst and also took some computer animation classes at the American Film Institute in Los Angeles. His father was an engineer and he says he always had a string technical curiosity, which has helped in his legal career.

He fell into the legal field when he sold a computer 15 years ago to a guy who was working in litigation graphics. They became friends and referred jobs to each other. Volkmann started doing contract jobs for Holland & Hart and they eventually became his biggest client. He joined the firm full time in January 1994 and has become a frequent speaker at legal technology events.

"The law firm that I work for is diverse enough in its practice groups that I'm not doing the same old thing," he said. "We do a little bit of everything. So it's much more interesting than what I had feared when I started."