



## Mock Juries --- a positive difference for Hawaii lawyers

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May, 2013

**SMS** has been conducting mock juries for Hawaii legal firms for more than two decades. Mock juries helped our clients become better prepared for court cases or settlement negotiations.

Feedback from our legal clients illustrate the kind of questions they have addressed using mock juries.

- ❖ What is the relative value of alternative facts and evidence? What evidence do “jurors” find most compelling?
- ❖ What evidence do “jurors” accept easily or take at face value, and what evidence is inherently weak (i.e., must be fully substantiated or proven)?
- ❖ What makes credible witnesses and how will my witnesses or experts be evaluated by potential jurors?
- ❖ What damages should be paid, and to whom? More importantly, which facts were most important to the jurors making the decision?
- ❖ What is the web of logic that “jurors” weave? How do jurors fit the evidence and arguments together? What are the linkages and relationships between evidence and arguments?
- ❖ What words, terms, and phrases do “jurors” understand, and what words, terms, and phrases should be avoided? What language should an attorney use to best communicate with the jury?
- ❖ What emotions, feelings, and possibly hidden motives influence “jurors”? How do these emotions and motives shape the issues and the debate within the jury?
- ❖ What kinds of “jurors” are most likely to be favorable to your client’s case? What opinions are correlated with a favorable attitude towards your client’s case?

Mock juries take place at the **SMS** downtown office using a one way mirror viewing room for



lawyer observations of the jury in action. Our facilitators have many years of experience in executing the four or eight hour mock jury sessions. **SMS** randomly selects qualified participants who would qualify in Federal or State courts; we do not use a panel.

For more information or further discussion, please do not hesitate to contact Hersh Singer at 808-440-0700. You can also go to our website at [www.sms-hawaii.com](http://www.sms-hawaii.com) for more details about **SMS** and mock juries.