



# JAN HILL

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## **Jan Hill is the Legal Copywriter for You, Beyond a Reasonable Doubt**

### **The Challenge**

The defendant, charged with sexual contact with a minor, seemed headed for conviction. Many of the jurors had understandable sympathy for the victim, sitting just a few feet away from them during the trial, a thirteen-year-old girl who was eleven at the time of the incident. Some felt like they had the ability to tell if someone was guilty just by looking at them. And when they glanced over at the defendant, they saw a guilty man.

Opening statements were given, and both sides seemed convincing. Testimony began, and witness after witness was called. Some were more credible than others, and the defendant chose not to take the witness stand. No surprise in that. The victim testified, and was relatively composed for such a young girl. Many wondered why would she put herself and her family through this ordeal if it hadn't really happened the way she said?

There was no physical evidence presented, and no witnesses were called to corroborate the victim's story. Amazingly, the only person present when the alleged incident happened (besides the plaintiff and the defendant) didn't hear anything, because she was deaf!

The burden of proof in a criminal case is high - beyond a reasonable doubt. Which it should be - a criminal conviction would do irreparable damage to the defendant's life. Not an easy decision when there were no witnesses, no physical evidence, and the case is built on circumstantial evidence: "he said, she said."

As the jury filed out for deliberations, some were confident that the outcome would be a guilty verdict. But there was nagging doubt, because, after all, the vote must be based on near certainty: beyond a reasonable doubt.

This would not be an easy task. The jury needed a leader who could help them focus on the admissible evidence, not just gut feelings or preconceived notions. Someone who could be impartial, and not let sympathy for the victim and distrust for the defendant push them away from the evidence toward the wrong decision. Finding someone like that among the twelve on the panel seemed impossible. Almost impossible.

## **The Solution**

As luck would have it, Jan Hill was on that jury. Jan was at the time a paralegal student, and also the mother of a thirteen-year-old daughter. Because of her background and demonstrated ability to focus on the evidence presented, Jan was elected foreperson of the jury. She used her communication skills, legal knowledge, leadership, and organizational abilities to begin to methodically guide the jury to its verdict.

As deliberations began, several phrases were uttered over and over again by various jurors, such as “I *think* he’s guilty,” and “Why would he be charged at all if he didn’t do it?” and “He didn’t prove his *innocence*.” Jan reminded her fellow jurors of a statement the defense attorney made during Voir Dire, “If you have doubt, beyond a reasonable doubt, about the defendant’s guilt, do you understand that you *must* vote not guilty?”

After some discussion, the jury took an initial vote, with ten voting one way and two the other. Jan used her legal knowledge and leadership skills to take charge by reviewing the jury instructions from the judge again, specifically focusing on the one that explained the burden of proof. “If any evidence presented causes you to pause or hesitate” is fixed upon her mind when she suggests that the jury take another vote.

Although the panel agreed that the defendant was guilty of making a bad decision that put him in a bad situation, they also agreed that based upon the evidence presented, he was not guilty of the crime of sexual contact with a minor, because his guilt had not been proven beyond a reasonable doubt.

## **The Result**

The jury voted to acquit the defendant. Not an easy decision, but the only one they could make, based upon the evidence.

Jan shared the story of her experience as the foreman of a jury with an attorney friend of hers, who knew of her writing ability and encouraged her to write a story about the experience. She did, and with her friend’s help, the article was published in the legal trade publication *The Warrior*, the official publication of Trial Lawyer’s College.

Jan’s writing gets results.

A local trial lawyer read about Jan’s juror experience in *The Warrior*, and when she applied for a paralegal job at his firm, he remembered the article. She got the job, and went on to apply her skills to write powerful settlement demands for numerous personal injury and workers’ compensation cases, combined case worth over \$1

million and settlement rate of 97%. Jan also utilized a new passion, trial presentation technology and litigation support software, in several jury trials, total plaintiffs' recovery over \$200,000.

Jan is a legal copywriter who has been on both sides of an issue. She understands attorneys, technology, and clients. Looking for compelling case studies? Want to generate leads for your firm with timely, news-inspired blog posts? Need help to obtain more clients? Jan will help make your bottom line look better than ever, no doubt about it.

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