



Lessons  
in Leadership:

**An Interview  
with  
Steve Tuller**

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Steve Tuller



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- *Tell us a bit about yourself and how you came to in the legal business?*

I was a psychology major in college and, after graduation, went on to law school with the idea of becoming a criminal prosecutor. After graduating from law school and passing the bar exam, a friend of mine who was working at a litigation consulting firm in Washington, D.C. referred me to the head of the firm's jury research group. Given my background in psychology and law, jury research was a field that was very intriguing to me. I was offered a position as a research associate and, after nearly 20 years, I have never looked back. I knew during the first mock trial I worked on that I had found the perfect career for me.

- *What do you do for a living now?*

I am a partner in a litigation consulting firm I recently co-founded with two colleagues. Our firm, Blueprint Trial Consulting, is a nationwide litigation strategy firm which provides jury research and consulting, graphics consulting and production, and trial presentation services. Using research, technology and design, we work with attorneys and corporate counsel throughout the country to determine how jurors and judges

evaluate and decide important cases

- *Do you think the legal field is headed in the right direction, the wrong direction – or which direction?*

I am not sure I would characterize the change occurring as the right direction or wrong direction, but I certainly see a changing landscape. Like most industries, technology has had a tremendous impact on the way those who work in the legal field deliver services to their clients. Our firm has developed several new consulting services in our jury research group which are focused on leveraging technology and data analytics to help our clients manage litigation risk and achieve favorable outcomes. When I first started working in the legal field in the late 1990's, the industry seemed to be much more resistant to change. However, I do not think that is the case anymore as both individuals and firms recognize that change is indeed inevitable and if you do not evolve to meet your clients' needs, you will be left behind.

- *What advice would you give to the younger generation contemplating law as a career?*

Be sure that you fully understand what awaits you. I was amazed during my first year of law school how many people I encountered who were still unsure why they had chosen to attend law school. My advice is to talk with as many people as you can who are doing it, whatever specific area in the legal field it is, and be honest with yourself. I was sure that I wanted to become a prosecutor after law school, but after clerking during law school in a prosecutor's office, a public defender's office and with the California Attorney General doing criminal appellate work, I realized that practicing law was just not what I had envisioned it to be. I was not even aware the field of jury consulting existed, but I was lucky enough to get into it and it has turned out to be a terrific fit for me.

- *How deep do you think will be the inroads of technology in the industry?*

Like most industries, technology has already had a dramatic impact on the way we provide consulting services to our clients. For instance, when I first started doing jury research we collected almost all the data during mock trials using pen and paper questionnaires. Today, we rely almost exclusively on handheld electronic keypads which participants use during the mock trial to answer questionnaires and provide us real-time feedback about the attorneys' presentations. We have also developed a virtual jury research platform in which attorneys make presentations using webcams to jurors in the venue where the trial is to take place, and which allows clients to both see and hear jurors deliberate. Clients can participate from anywhere in the world as they simply need an internet connection and a phone to do so. This is a great example of how technology allows us to provide our consulting services to clients in cases where

the level of exposure or costs of doing a traditional in-person mock trial would have, in the past, discouraged the client from doing so.

Technology has also afforded us the ability to acquire a tremendous amount of information about prospective jurors. In response to the demand from litigators for such information, we developed a product which, within thirty minutes of receiving a list of prospective jurors before trial, allows us to learn vital information about each juror's lifestyle, world views, personal and professional interests, and which provides a comparison of key demographics to the juror's neighborhood and county. Using this information, we can help our clients make the most strategic use of peremptory and for-cause challenges during voir dire.

- *Are consultants and lawyers looking increasingly similar?*

In my experience, the distinction is alive and well. I tell my clients all the time that it is not my job to tell them what legal arguments to make or how to make them. Our role is to help clients understand how the trier of fact, whether that be a jury or a judge, is going to process the case, and to help clients understand what case themes and arguments will resonate. Jurors need to be presented with a story that is consistent with their life experiences and which makes them feel good about finding in favor of one party over the other. It is our job to help clients identify what that story is and how to best present it at trial. A key component of telling an effective story is incorporating persuasive visuals to persuade the judge or jury. Clients frequently turn to our graphics consulting group to both conceptualize and produce those visuals based on their extensive experience in a broad range of matters.

- *Are we seeing the demise of the "profession" and the real emergence of the business of law?*

I would describe it more as an evolution of how the business of law operates. To that end, I perceive it as more of a shift in response to the demands of the marketplace as clients are demanding more for less. Firms like ours have, in the past, focused more on helping clients prepare for trial and providing expertise during trial. However, in response to our clients' needs and business focus, we have developed and rolled out services designed to help them identify cases that should be settled early in the litigation lifecycle rather than taken to trial. We are also focused on helping them accurately value those cases so they can better evaluate risk. The reality is fewer and fewer cases make it to trial for a variety of reasons, so there are necessarily fewer opportunities for trial preparation and support. By making more effective use of the data and information we collect during our consulting engagements, we help our clients make informed and strategic decisions regarding their litigation.

- *What do you think is the greatest challenge facing the industry?*

Technology. There are still a lot of attorneys, particularly those who have been practicing longer, who are technology averse. For example, one of the common objections we hear from our clients prepping for trial is “we don’t want to create a bunch of fancy visual demonstratives and have a computer tech in court because we don’t want to look like the big, slick corporate client with a lot of money.” The reality these days is that jurors expect, even demand, to see demonstratives and visual multi-media presentations. Moreover, there is a wealth of research which shows that people retain more information, and for a longer period, when they are both shown and told about that information. Attorneys and clients who understand this and who embrace technology as a key part of their practice, in my opinion, are better positioned for the future.

### *Wildcard Questions*

- *If you weren’t doing this, what would you be doing?*

I would be on the PGA Tour or at least trying to earn my tour card.

- *What’s your favorite hobby or activity outside of law?*

I try to get out on the golf course as much as I can, but I also enjoy coaching and watching my kids play sports. I remember how much it meant to me to have my dad watch me play sports as a kid so it brings back fond memories.

- *What’s your favorite sports team?*

Washington Redskins. I have so many memories of their run of success in the 1980’s and early 1990’s. When I was in elementary school, Joe Theismann lived at the end of our street. He would occasionally stop and throw the football with us. For a young die-hard fan that was pretty cool.

- *What’s your favorite city?*

San Francisco. I lived there during law school. It’s an amazing place to live and the Bay Area has so much to offer.

- *What’s your favorite food?*

Any time I can eat good Tex-Mex I am very happy.

*Steve Tuller is a Partner and Senior Litigation Consultant at Blueprint Trial Consulting.*

*Over the past 17 years, Mr. Tuller has handled more than 400 matters in state and federal courts throughout the United States across many areas of law including intellectual property, product liability, employment, professional malpractice, insurance, transportation and personal injury. Prior to co-founding Blueprint, Mr. Tuller held senior positions at several nationally recognized litigation consulting firms including DecisionQuest where he led that firm's Washington, D.C. consulting practice.*

*Drawing upon his background in both psychology and law, Mr. Tuller works with clients to help them better understand their cases from the trier-of-fact's perspective. Over the course of his career, he has debriefed thousands of surrogate jurors and more than 100 state and federal judges. Applying the insight he has gained, he works closely with clients to develop and hone key case themes and trial strategy. He regularly conducts focus groups and mock trials, assists trial counsel with the development of opening and closing statements, conducts witness communication training, develops juror profiles and assists with jury selection, and provides strategy during trial.*

*Mr. Tuller is a frequent speaker at law firms, corporate legal departments and CLE conferences on the subject of juror persuasion and litigation strategy. He earned his Bachelor of Science in Psychology from James Madison University and a Juris Doctor from Golden Gate University School of Law. He is a member of the Virginia State Bar and the American Society of Trial Consultants.*



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