

The Augmented and Virtual Practice of Law

by Hyatt B. Shirkey

“[M]odern cell phones...are now such a pervasive and insistent part of daily life that the proverbial visitor from Mars might conclude they were an important feature of human anatomy.”¹ For so many, technology is a major part of our lives. Now, and for many years to come, our reality may become infused with technology in a much greater way.

Not many people are familiar with the abbreviation AR, which means augmented reality. It is akin to the more well-known VR, which means virtual reality. AR/VR technology allows you to interact with people, places, and things that aren't actually present. AR/VR apps² technology will be a valuable tool in the practice of law.

Imagine your crash reconstruction expert being able to see the exact measurements in an accident scene. He or she can then walk around where the accident happened. After the expert determines what happened, he or she can program the vehicles to follow certain determinations and live it where it happened. There are many ways we can use AR/VR in our practices. A key feature is called mapping, which simply means recording every angle of an object or space, and, frequently, various data points such as height, width, and depth.³

When we review physical evidence of an opposing party, we are limited in the amount of information we can collect. With AR/VR technology, not only can we map a perfectly sized model, but we can then virtually use it when we get back to the office. For example, the O. J. Simpson trial may have gone differently if the prosecutor could have mapped the glove, and then virtually put the glove on Simpson before asking him to put it on for the jury.

We can map areas of a scene ourselves to use later with our clients and experts. If you have a scene that is different because objects were taken away, for example, you can put those objects back with an AR/VR app. Some apps can even scan an object, find it for sale, and use the retailer's own measurements to display its size.⁴

Another app will allow you to place markers around you over a large area.⁵ You can then walk around and view those markers through your phone. You can interact with locations and see how they relate to each other. You can also have your client or others interact with your space to see relationships that would have otherwise been lost.

The practice of law can benefit from AR/VR without us using it. Clients can use an app to map an object to compare it to another mapped object. People can map an accident scene from their phones while waiting for the police to arrive. Measurements, locations, and other details would be nearly perfect. Once we have a shared object or location, we can repeatedly go back and relive it as we prepare.

With AR/VR technology, all we would have to do is load the object, put on an AR/VR headset, and we could walk around it, pick it up, and see it in comparison to other objects. Other potentially useful AR/VR apps provide crime data for the area around you, keep you or your children entertained during downtime, and even help you stay on the road while traveling from courthouse to courthouse.

AR/VR may have been designed primarily for entertainment, but it is now much more. Information that formerly required an expert with expen-

sive equipment is now being shared by children with smartphones.

The cost of the phones with the operating systems can reach nearly \$1,000, and the viewers are also a few hundred dollars. However, you may find the value of owning all the options is worth the cost. The ability to see what we know can lead to better settlement choices, easier client interactions, and more passionate arguments.

Endnotes:

- 1 *Riley v. California* (2014) 573 U.S. —, 134 S.Ct. 2473 2484, 189 L.Ed.2d 430 (2014).
- 2 I will provide examples of apps, but I do not endorse or certify any aspect of the app.
- 3 Google's "Tango" (formerly "Project Tango") is specifically designed to allow interaction with virtual objects.
- 4 SnapShot Showroom (free)
- 5 Augmented Car Finder on iOS (free), Car Finder AR on Android (\$2.75).



Hyatt B. Shirkey is a member of the Virginia State Bar's Special Committee on Technology and the Practice of Law. His Roanoke-area practice includes criminal defense, elder law litigation, custody, and work as a guardian *ad litem*. He has taught courses on Microsoft Applications and undergraduate courses on law. He has also been published in the area of law and psychology.