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*Want to talk about making a movie? Questions about DIY?*

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## THE DIY VIDEO EQUIPMENT GUIDE FOR LAWYERS AND LEGAL PROFESSIONALS

### I. MOVIES MAKE A DIFFERENCE.

Lawyers are storytellers. One of the very best ways to tell your client's story is with a well-crafted video. Done right, video gives lawyers three things they crave in the litigation process: credibility, connection and control. Seeing is believing. Movies help us care about and connect with our stories' "characters." The power of editing allows us to focus on what is relevant and discard what is not.

Visual storytelling is happening all around us. Research shows that we are largely visual learners. Traditional forms of advocacy, typically verbal and written, often fall short. Put simply, *in many cases, a client's story is far better shown, rather than told.*

Although there are experts who are well-suited to help you craft more complicated video presentations, there are things every lawyer can do *on their own, right now, for little or no cost* that will increase the power and persuasiveness of any case presentation. You are likely carrying a high-quality video recording device in your pocket. The only question is, are you ready to join the revolution?

The purpose of this book is to offer advice for choosing and using essential equipment for do-it-yourself (DIY) video production. This article is not meant to tackle essential story fundamentals or the technical aspects of filmmaking, such as sound, lighting, shot composition, and editing techniques. If you are interested in more reading more on those topics, please subscribe to my blog,

[Story For Lawyers \(www.dougpasson.com\)](http://www.dougpasson.com). If there is a subject you would find particularly useful in your production journey, please drop me a line and let me know ([doug@dougpassonlaw.com](mailto:doug@dougpassonlaw.com)).

If you are new to this, you may be wondering how we can use video in our cases. The opportunities are endless. Maybe it is a short video of a crime scene. Maybe it is an interview of an out-of-state-witness you cannot bring to court. Maybe it is a [video sentencing letter](#). Lawyers are using this form of advocacy more and more, to great effect. You are limited only by your creativity, the rules of evidence, and common sense.



Shooting my feature-length documentary film, "Road to Eden"

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*My first exposure to using videos in court happened while I was an intern at the Federal Defender back in 1995. This was before digital computer editing and we used a giant camcorder that recorded on VHS tapes. But it worked! We showed a way-too-long, totally unedited "day in the life" video to demonstrate how the client's incapacitated wife relied on him for all her essential daily care, and the judge sentenced the client, who was facing a ten-year sentence, to probation.*

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You do not have to be Spielberg or Scorsese to get rolling. But you *do* need to get your hands on a few things that will help you get professional looking and sounding footage. The good news is, even if you are working on a budget, you can still get the job done right.

In the pages that follow, I offer my suggestions for equipment and other resources. I make it easy for you by including interactive links to purchase the items on Amazon.com, which I find consistently has competitive prices, speedy

delivery, and easy returns. In full disclosure, I get a small affiliate fee if you buy through these links. That is one reason why I am offering this book free-of-charge. Please know that I have personally researched and used almost every single one of these items, and would *never* recommend a product I do not believe will serve you and your clients well.

## II. VIDEO CAMERA – WHAT YOU NEED, WHAT YOU DON'T

### A. Phones

Like I said, you probably have a great video camera in your pocket right now. Full length movies, such as the Sundance darling [\*Tangerine\*](#), have been shot entirely on iPhones. As a documentary filmmaker, I have access to other, more expensive toys. However, lately I have been really intrigued by the power of the phone. More and more, I am persuaded that for our purposes, phones might just be the way to go.



*Grab your phone and let's go!*

To that end, I have included suggestions for accessories that will help turn your phone into a fully functioning video camera. Before we go there, however, let's talk about other camera options, which today are numerous and reasonably priced compared to when I started this journey over twenty years ago.

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B. What you should NOT be using

You may have an old camera collecting dust in your closet, but if it is not a **digital camera** that records to a non-tape format, toss it in the trash and start from scratch.

Like all electronics, digital camera technology is constantly evolving. Early digital cameras used a digital tape format called “Mini-DV” (also known as DVC). Mini-



*My Panasonic mini-dv camcorder. It served me well, but now lives in my tech graveyard.*

DV cameras are no longer made, but you can still buy the tapes. That results in the extra expense of buying the tapes, limited recording space, and extra time and trouble converting to computer-ready files for editing. Not worth it!

Another format prevalent in the early 2000’s that now sleeps with the fishes is



*Um, no thank you.*

called “mini-DVD”. These cameras record on small discs that can be played in standard DVD players. Mini-DVDs are more expensive than mini-DV tapes and record less footage (only about 30 minutes per disk). Moreover, some

mini-DVD formats may not even be compatible with popular editing software. Let it go, let it go.

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### C. What you *SHOULD* be using – SD & Micro SD Recording Devices

The takeaway here is “out with the old, in with the new.” You really should be aiming for a “tapeless camera”, that is, one that records in purely digital format directly onto either a built-in hard drive or, more preferably, a memory card.

As of this publication, the most common form of media storage for video cameras is either an “SD” card or a “microSD” card. These cards range in size from around 32 gigs up to 256 gigs. I typically use either 32 or 64 gig cards, and I always keep a few extra handy. You never know if you’ll need the extra room before you have time to offload and backup the footage from your card into a computer. If your camera takes SD, you can also use Micro SD cards, with an SD adapter:



*A 32 GB card can typically hold over two hours of high definition footage.*



*A Micro SD card fits into a standard SD adapter.*

### D. Standard Definition, High Definition or Ultra High?

If you have purchased a camera in the last 10 years or so, it is most likely a High Definition (HD) camera. There are different levels of HD. The lowest quality still considered HD is “720p”. This level of quality is perfectly acceptable for what we are doing. We are not shooting for the big screen, and we are not trying to be

perfect. Nobody in our target audience is likely to be critical of picture quality as long as it is in focus! The most common form of HD is 1080. Other cameras shoot in 2.7k, which is double the quality of 1080. Some of the new cameras are touting ultra-high def capabilities, also known as “4K”. That essentially means the resolution jumps from 1080 to 4000 pixels!

If you are shooting anything above 1080, proceed with caution. It makes the video files and storage needs significantly greater, and can create complications in the editing process, as many software programs are still catching up to the heft of this new format. In other words, don’t be a hero -- 1080 HD is more than enough to get the job done.

#### *E. External Microphone Input*

Cameras vary in the diversity of their input and output jacks. Because litigation videos inevitably involve **witness interviews**, i.e. people talking to the camera, it is essential that your camera has, at the very least, an input for an **external microphone**. The built-in microphones on camcorders do *not* work well for recording interviews. Those microphones are omni-directional and therefore pick up too much extraneous sound.

Internal mics are fine if you are trying to pick up ALL the sound dynamic in a scene. But for interviews— other noise like hums, hisses, air conditioners, traffic, etc. will be



*Video: Examples of sound recorded with internal and external microphones*

way too distracting. If your audience is paying more attention to obnoxious background noises, your true message will be lost.

#### *F. Headphone Input Jack*

Similarly, it is also useful to be able to connect a set of headphones to the camera while recording. This way, the videographer can tell if the sound is recording properly. Sometimes things go wrong with sound-- microphones batteries die, users forget to turn on switches, signals succumb to interference, cables short out. It would be inconvenient, to say the least, to return from a witness interview only to find that your video has no sound. Headphones for live sound monitoring provide a simple safeguard against this disaster in the making.

#### *G. Suggested Models*

Below are some suggested consumer-grade digital cameras in various price ranges. The main takeaway should be, you do NOT need to spend a fortune on equipment to do this right. Here are a couple of suggestions for low-cost HD cameras with all the right jacks:



*Sony HDRCX455/B Full HD 8GB Camcorder (Black) | \$396*



*Canon Vixia HF R700 | \$241*

For our purposes, there should be no reason to spend more than \$500 on a camcorder. But, if you are a budding filmmaker and you want to go big, consider investing in a professional (prosumer) grade camera. As you get more comfortable with the process, you may find yourself wanting the extra functionality that higher-end cameras offer. These cameras allow for connection of multiple microphones, and far more control over every aspect of image capture. The downside is that the learning curve on these cameras, as well as the price tag, can be quite steep. Some popular “prosumer” grade models include:



*Panasonic AG DVX200 | \$3848.89 I have been using an older version of this model since 2008. It rocks.*



*Blackmagic Design Ursa with Canon EF mount for interchangeable lenses | \$4995*

Let me stress, I do *not* recommend a purchase like this for a casual shooter. Besides being costly and complicated, there is another factor to consider. I work under a very non-scientific theory that an interview subject’s degree of nervousness is directly proportional to the size of the camera. That means, the more of a “production” we make this, the more conscious a witness is going to be that they are being filmed, and the more jittery they may become. You want your

interview subjects as relaxed and as open as possible. My fear is that bringing a production-grade camera into the mix may have the opposite effect.

#### H. A Word About “DSLRs”

Another popular camera for use in documentary filmmaking is called a DSLR.

These are still-photo cameras that can also shoot high-def video footage. Canon and Nikon are the most popular makers of DSLRs. I own a Canon 60D. However, as a matter of personal preference, I **rarely use my DSLR for video shoots.**

The advantage of DSLRs is great picture quality and “[depth of field](#),” particularly if you have some nice lenses. The disadvantages can be many, however.



Like the prosumer video cameras mentioned above, DSLRs are costly and can be complicated to operate, particularly because these cameras are designed primarily for still photography. If you are doing it all yourself, but are not familiar with concepts like shutter speed, ISO, etc., you will become easily frustrated. Moreover, the proper inputs and variability settings are often lacking. I could not master getting the right sound and picture quality without substantial effort and add-ons, so I finally gave up.

Another fatal flaw with *some* DSLRS, including my 60D, is that they overheat. The camera can shut down after just 10-20 minutes of shooting. The last thing you

need on a shoot is to have to take forced breaks to wait for the camera to cool down.

If you are deep into the technical aspects of still photography, you may like this option. As you can tell, it is just not my cup of tea. In fact, if you are in the market for a 60D, make me an offer!

### *I. iPhones Really Do Rock*

A former senior VP of engineering at Google who helped develop the Android phone, recently went public declaring the “end of the DSLR era” for filmmaking. The reason, says Vic Gundotra, is the *iPhone*. He doubled down on this statement by saying, “if you truly care about photography, you own an iPhone. If you don’t mind being a few years behind, buy an Android.” [Ex-Google SVP Vic Gundotra Praises iPhone, Business Insider, July 31, 2017.](#) This is proving to be true, as more and more credible filmmakers are using iPhone to produce their work.<sup>1</sup>

#### 1. [FiLMiC Pro -- the definitive smartphone video app](#)

The iPhone comes with a basic video recording app. That means you have virtually no meaningful options for variability or customization of recording settings.

If you are planning to use your iPhone as your video camera, I *highly* recommend purchasing an amazing app called FiLMiC Pro. This is a \$15-dollar app that gives

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<sup>1</sup> I don’t use Android, so I can’t speak with authority about what works and what doesn’t for Android phones. However, most of the items I recommend for iPhone peripherals and apps exist for Android phones as well.

you total control over things like focus, exposure, color adjustments, frame rate, image quality, and aspect ratio, sound, etc.



*FiLMiC Pro App | \$14.99 at iTunes App Store (also available for Android)*

This app will boost the functionality of your phone in ways that run circles around traditional consumer (and some professional) video cameras. For example, the app interacts seamlessly with peripherals like the DJI OSMO stabilizer (See Section IV.D, below). Its companion app, FiLMic Remote (\$7.99), allows you to use another device, such as an iPad as remote control and video monitor. The best part is, even with all its functionality, FiLMic Pro is still relatively simple to use, and their website is full of great tutorials.

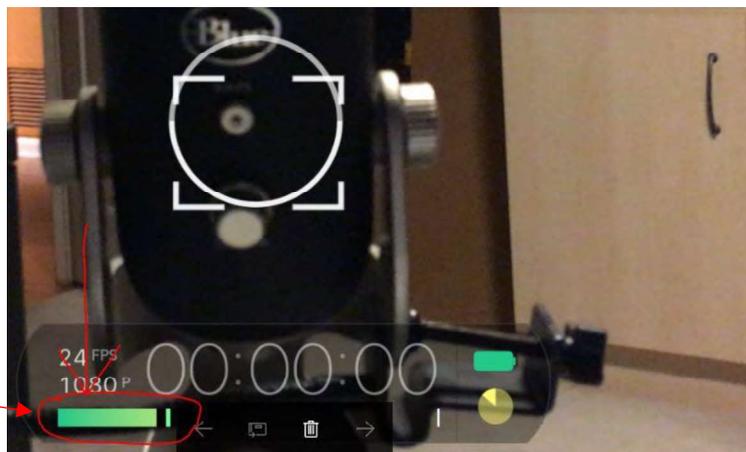
## 2. Headphone connection

Connecting *headphones* to a smartphone for sound monitoring can be a challenge. That is because there is only one jack for input and output of devices. There are, of course, workarounds.

[FiLMic Pro](#) allows for two sound monitoring options. If you have a pair of Bluetooth (wireless) headphones, you can connect those to your phone to monitor live sound. There will be a tiny delay, but your main goal is simply to

make sure sound is coming through from your microphone, so that should not be a deal-breaker.

Another great feature of this app is the sound monitoring bar that appears at the bottom of the screen. This feature allows for sound monitoring without headphones. The difference is you will be using your eyes, not your ears to make sure you are getting sound at the right levels. If the bar/monitor is in motion during your shoot you know sound is coming through. Moreover, there is a “red zone” on this visual monitor, which tells you if you are getting *too much* (and therefore likely distorted) or too little sound.



Visual monitoring of audio signal, a great function on FiLMic Pro

There are also iPhone adaptors you can plug into your headphone jack that will allow you to connect *both* a pair of headphones and an external microphone. The [Rode SC6](#) is an awesome little gadget that allows you to connect *two* external microphones. The only drawback is that I have to remove the phone from its case to ensure a snug connection. Also, keep in mind, if you use two mics, both will record on one channel, so you cannot isolate the individual sound



Rode SC6 Adaptor | \$23.49

recordings. Hopefully the marriage will be a good one, because each will be stuck with the other.

### 3. Lenses

File this under “advanced iPhone” shooting, because you absolutely do NOT need to purchase additional lenses to take quality phone footage. However, if you are an experienced still photographer or videographer accustomed to shooting with nicer lenses, it’s good to know you have some iPhone add-on options. And, if you are looking for any further justification to spend a few extra dollars, just remember all the money you saved by not buying that expensive video camera.

There are typically four lens types available for phones: 1) wide-angle; 2) zoom; 3) macro; and 4) fish-eye. I can see no reason for a fish-eye lens for our purposes. However, wide angle, zoom, and possibly even the macro could come in handy.

Your phone shoots video with a somewhat narrow field of view. That is why wide-angle lenses are becoming popular for phone-shooting, particularly outdoor/landscape shots.

I am a big fan of getting “up close and personal” during witness interviews. For that, the zoom, and possibly even the macro, would give you the boost you need with less degradation of picture quality that could occur with a camera’s limited internal zoom functions (see video sample below).

I did a fair amount of reading (and YouTube viewing) on this topic before settling on a brand. I was worried that buying super-cheap lenses would be a waste of money, and the research bears this out. As of this writing, the best reviewed (and most expensive) lenses on the market are the [ExoLens PRO with optics by Zeiss](#),

which are around \$200 per lens, and the [Moment Lens](#), for around the \$70 - \$100 per lens, depending on which phone you use. While this may seem pricey for an iPhone attachment, keep in mind that high-end lenses for regular DSLR cameras would be exponentially more expensive.

I chose the [Moment](#) lens for a few reasons. The price point was better, the reviews were great, and the phone connections were less obtrusive. Unlike the ExoLens connectors, Moment allows you to connect a lens without constantly removing the phone from its protective case.



*iPhone 6s Plus with Moment Zoom (and without comparison)*

### **IPHONE TIP/WARNING FOR JAIL INTERVIEWS:**



If you conduct any of your client or witness video interviews in a jail, an iPhone may not be the best choice, as most jails strictly prohibit bringing phones inside. At the very least you would want to obtain permission from jail administration before trying.

#### **J. A Word About the GoPro – An Investigator’s Best Friend**

A GoPro really is a great device for any **investigator** to have in their arsenal. Its small size allows for low-profile shooting, which can come in handy, especially when filming in areas where there are safety concerns.

For example, in this shot, we were driving through a bad area of town, did not want to stop, and did not attract attention by aiming a big camera out the window. Instead, we used the [GoPro Suction Cup Mount](#) to affix the tiny black camera to the side of the investigators black truck. You could barely notice the camera, and this as sample of the footage we shot: 



Although the GoPro is an excellent action camera, it is not currently my pick for the ever-important *witness interview*. There is no zoom function, and although the built-in microphone is good, as stated above, I would never use a camera's internal mic for an interview. There are add-on microphone options for the GoPro, but I have not experimented with them and therefore would not feel comfortable recommending any here. If you a GoPro aficionado and have any microphones you use and love with it, please let me know, and I can include it in future editions.

### III. MICROPHONES

#### A. *Lavalier Microphone*

##### 1. Wireless lavs

I cannot stress enough, getting good sound from witness interviews is paramount. The best tool for the job is called a **lavalier ("lav")** microphone. A lav is a small,

clip-on microphone like those you see on the lapels and ties of talk show hosts and news anchors. Lavs come in wired and wireless forms. Wireless lavs give the videographer more freedom to move about while filming. For example, one could film a witness while walking and talking without worrying about tripping over the wire that connects the camera to the speaker.

Quality wireless lavs can be costly. I learned the hard way that less expensive wireless setups will severely compromise sound quality. If you are able to invest in a great wireless setup, the [Sony UWPD11](#) shown here is my favorite. I have been using an older version of this model since 2007 and it has never failed me. The sound quality is fantastic and it is built to last.

Sony UWPD11 Wireless Lavalier | \$529.99



## 2. Wired lavs

The good news is, a *wired* lav setup can be a low-cost yet high-quality alternative to an expensive wireless system. Wired lavs range between \$15 and \$150. I bought my first wired lav at radio shack for about \$25, and it worked fine and lasted me a few years.

I have also used these two affordable lavs, both of which are designed to interface with iPhone:



Movo PM10 Deluxe Lavalier Microphone | \$14.95!!



Rode SmartLav+ for iPhone | \$68

**WIRED LAV TIP:** If you are going the wired route, you should purchase an **extension cable**, at least six feet long. An extension cable increases the distance between camera and subject. This gives the videographer more flexibility with camera placement, more slack to place and hide the mic, etc. You can find these cables online typically for under ten dollars. **When you buy them, however, make sure you are buying a “TRRS” connector.** This is an easy mistake to make.



TRRS 6-foot extension cable | \$5.39

A standard headphone jack is what is called a “3-pole” or “TRS”. With a 3-pole, however, you are in an “exit only” situation. That means the signal will only travel *out* from your device to your headphones. However, with a **TRRS** cable, you get a signal that travels both ways. Without the TRRS cable, your external microphone will not work, because the signal cannot travel *in* to your device. Make sense?

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## B. Shotgun Microphone

Although it bears a truly unfortunate name, especially in our business, a shotgun mic is another option to record good sound for interviews. Shotguns record sound that is directly in front of them, as opposed to all-around sound. These can be handy when you have multiple subjects going on camera at once and therefore cannot wire each with their own lav. You do not need to buy the most expensive shotgun mic, but a super-cheap shotgun will inevitably cause you headaches. Here are two popular models, one less expensive, one a little more:



*Rode Video Mic | \$91.00 (note: may not work with iPhone 7)*



*Rode NTG2 | \$269 (my first choice if you can afford it, but you will need an audio interface device to use with iPhone (See III.C, Advanced Audio, below))*

Shotguns can mount directly to your camera (or phone). However, you can get even better sound by moving in closer to your subject. To get your gun super-close, consider a **“boom” pole**. This allows you to position the mic typically *above* your subjects, and pointed down. Another option would be to keep the boom lower, but out of frame, and pointed upward at your interview subject(s).

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**BOOM TIP:** An inexpensive microphone stand can do double-duty as your boom pole. Just make sure you have plenty of extension cord for your microphone (12' – 25'), as the cable will have to travel from your camera to the stand, and up the length of the pole.



*Example of shotgun mic on a boom pole, placed above interview subject (Make sure the water bottles are not in your shot!)*



*On Stage Tripod Boom Microphone Stand | \$25*

### *C. Advanced Audio for iPhones – Audio Interface Devices*

There are other accessories that will expand the capabilities of your phone. I have tried and failed with many. In my opinion, if you feel the need to kick your iPhone video experience into high-gear, the best solution is to invest in an **audio interface device**. This is a small box that connects to your phone and has **one or more (XLR) microphone inputs, a headphone jack, and gain control**. These three functions allow you to: 1) monitor live sound with headphones; 2) control the

sound recording levels so they are not too high or too low; and 3) connect higher-end microphones to your device.

There are many audio interface options on the market, but here are three that are guaranteed to work with iPhones:



*iRig Pre for smartphones & tablets | \$30 | connects through headphone/mic jack. For the price, I **really** like this one.*



*Tascam iXZ | \$41 | connects through headphone/mic jack*



*Shure MVi | \$129 | I have not yet used this. It is recommended by the folks that make the FiLMiC Pro App. This seems like a good solution for the iPhone7, as it connects via lightning port. I have done the research on this model, and it looks pretty good.*

**Audio Interface Tip:** Even though each of these models includes a headphone jack, it is not guaranteed to work with every application. It *will* work with FiLMiC Pro, however.

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Aside from being able to connect headphones, there are a couple of other important benefits to having such a device. First, you will gain more control over sound recording input levels. Second, it allows you to use better microphones, which translates into better sound quality. For example, most professional microphones use a different kind of cable/connector, called an XLR.

An XLR connection provides higher quality sound and reduces the risk of noise pollution like hisses and pops in your recording. The [Rode NTG2 shotgun](#) and the [Sony UWPD11 wireless lav](#) mics listed above are both XLR mics. If you are not using a microphone with an XLR connection, you probably do not need to add an audio interface device.



*XLR mic cable*

## IV. TRIPODS, STABILIZERS & LIGHTS

### *A. Tripods*

One of the most oft-putting rookie mistakes (aside from horrible sound) is a shaky camera. A sea-sick viewer is not an engaged viewer. The simple remedy for this is the tripod.

Although you can buy a cheap tripod (they start as little as \$15.00), resist the urge to go that route. You don't need to break the bank, but you do need something with a little bit of swagger. For our purposes, the three main things I look for are 1) size (lightweight, easy to carry, not obtrusive); 2) durability; and 3) flexibility for some camera movement.

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I currently own these three tripods:



1) *The big guy -- Manfrotto MVH500AM tripod \$348.99*



2) *My little trooper, a carbon fiber Dolica tripod | \$99.95*



3) *Manfrotto Compact Advanced Tripod with 3-Way Head | \$79.80*

Number one above is better suited for big cameras and higher-end filmmaking. For our purposes however, it is very expensive and cumbersome. I like a sturdy, compact, and lightweight tripod for my law shoots. I want to be able to break them out with little effort, and fit them in a suitcase for travel.

Number two is a super durable and compact carbon-fiber model I got at Costco. The only beef I have with this one is that it does not come with an arm. That makes the very needed task of panning and tilting (i.e. camera motion) very difficult. Number three cures that issue, as you can see it has two little arms with grips to aid in camera movement. It's nothing special, but it gets the job done. Plus, Manfrotto is a trusted brand.

Lately, I have been bringing both two and three on my shoots. I do it because they are small, and you never know when a second will come in handy. For example, if I am lighting a scene, I often use number two as a stand for my back light.

## B. Attaching iPhone To a Tripod

If you already have a tripod, there are plenty of easy options to mount your phone to it. For example, I have this little gadget below, the “[iStabilizer](#)”, which works with basically any tripod. For an extra few bucks, consider buying a “[ball head](#)” attachment, which allows you to set your camera/phone at different angles:



*iStabilizer | \$14.99*



*360-degree swivel mini-tripod ball head | \$7.99*

If you want to get just a little more fancy, consider an “iPhone Rig”, which allows you to not only connect your phone to a tripod, but all of your accessories too. These are nothing fancy, just a plastic frame that holds your phone and any attachments you may choose to add in place:



*Ulanzi Smartphone Video Rig | \$20*



*Ulanzi at work.*

### C. Mini-Tripods (Great For iPhones)

If you want an inexpensive alternative to a tripod for iPhone filmmaking, try something like the [Manfrotto Pixi Smart](#). It has a built-in ball head and comes with an iPhone attachment.



Manfrotto "Pixi Mini Tripod" | \$24.75

I recently purchased this fun tripod called the [Joby Gorilla](#). It too comes with its own iPhone mount, which is a little flimsy but is holding up fine so far. You can use this as your standard mini-tripod, but its bendable legs allow for endless placement options. You can get this in various sizes to accommodate large phones, smaller phones, tablets, or small video cameras.



GripTight GorillaPod Stand | \$20



Joby in action, with a Go Pro wrapped around the corner of a table.

*D. Hand-Held Stabilizers (Gimbals) For “On-The-Move” Footage.*

The default position for filming witness interviews, a stable tripod shot with the subject sitting on a couch or in front of a wall of law books, is not always the way to go. You can often make your video more compelling with “on-the-go” footage, such as filming a person while walking, driving, etc. Seeing a person *in action* can help the viewer connect on a deeper level and can enhance credibility of the subject. For example, why not film a person while working, parenting, struggling through an injury, etc.? Perhaps you are an investigator simply taking shots of a crime scene or filming some other location. In each case, you need a way to avoid the dreaded “shaky camera syndrome.”

If you want to shoot smooth, stable footage, it helps to invest in a good **gimbal**.

A gimbal stabilizes your camera on an axis, almost like a gyroscope, which keeps the camera totally level while in motion. The best stabilizer for iPhones at this moment is the [DJI Osmo](#). It interfaces seamlessly with your iPhone and the footage is flawless. It is not cheap, but you will love it:



*DJI Phone Camera Gimbal OSMO MOBILE | \$288*

GoPro (see section II.J above) also makes a solid gimbal/stabilizer called the [GoPro Karma Grip](#). I bought the Karma Grip after my first, less-expensive, stabilizer caught on fire. I share this little tale of woe as an example of how, when you skimp on quality, bad things can happen and you end up having to spend the money on something better anyway. I could not be happier with my new purchase and, if it is in your budget, the GoPro/ Karma Grip is an absolutely killer combination for shooting on-the-go footage.



GoPro Hero 5 Black | \$399



Karma Grip | \$299 (Go Pro not included)

If you want an idea of just how silky-smooth the Karma Grip can make footage with serious motion, check out this clip, where the shooter and the subject are both *running*: 



### *E. A Word About Lighting*

If you can get by without buying a light kit for your shoot, more power to you. Sometimes you do not have the luxury of time or space to set up the lighting you want to get that perfect shot. That said, if you end up with footage that is too dark, your viewer will be more focused on the flaws than the message. Therefore, lighting, while not a deal-breaker, is certainly something to consider.

The bad news is, lighting can be expensive. A worthwhile lighting kit will cost you more than a great camera. Moreover, lighting a scene is something of an art form that takes patience and practice to get right. Given all of this, and the aim of this book, which is “keep it simple,” I am not going to recommend any professional lighting options here.

I will however, point out that there are suitable options for DIY lighting *on the cheap*. The following link to “[The Down and Dirty DIY Lighting Kit](#)” is one of the very best videos on the subject that I have seen. The tutorial includes a **\$100 Home Depot shopping spree** and a great lesson on how to light a scene. I supplemented my existing professional lights with the recommendations made by these brilliant folks at [Wistia](#), and they work wonderfully well.

## V. COMPUTER, STORAGE & EDITING SOFTWARE

### *A. Computer*

One needs a capable computer to edit digital video. Video files can be large and editing programs require substantial computing strength and speed. Thus, the three big things you should be looking for in your computer are 1) fast processor,

2) lots of memory (RAM), and 3) a high-quality graphics card. In my experience if you have a computer running Windows 7 and above (or basically any Mac), you are probably going to be *fine*. Most of us PC users are running Windows 10 by now. If you have a computer old enough to be running XP, or heaven forbid Vista, please consider either donating it to the Smithsonian or searching your garage for a can of lighter fluid and matches.

If you are in the market for a new computer, I would suggest doing some research first about what kind of components will optimize your computer for video editing. Most software platforms will list their system requirements and recommend components, particularly a **graphics card**, for best performance. [See Adobe Premiere Pro System Requirements Page.](#)

#### *B. External Drive(s) for Computers*

When I work on any project, I save everything in *at least* two places. While I'm working on the project, I save it to an internal hard drive (one that lives inside my computer). Ideally, you will have at least 1 *Terabyte* (TB) of space on your computer's hard drive for this purpose. This allows me to call up my video files and edit them with little chance of lag. However, I always keep an *exact duplicate* of my project on an external drive. If you do not keep *at least one* complete backup of your project, you are begging for trouble.

Hard drives are getting very cheap these days. Lately, I have been using this relatively inexpensive and thus far quite reliable drive to back up my projects: [Seagate Backup Plus Slim 1 TB Portable External Hard Drive USB 3.0 \(\\$59\)](#). My

other favorite drive is built like a tank and therefore a little more expensive: [LaCie Rugged Mini USB 3.0 1TB Portable Drive \(\\$89\)](#).

Another option is a cloud-based backup system. I use a secure, reliable and relatively inexpensive service called [Backblaze](#) which gives you *unlimited* backup space for \$50/year. I am currently backing up over ten *terabytes* of data on [Backblaze](#). Cloud storage gives me peace of mind because I have come to learn the hard way that external drives can die, especially the cheap ones or the ones in perpetual use. For better or worse, in the cloud, your data will live for all eternity.

### C. *External Storage for iPhone Shooting*

Your iPhone has much less storage space than your average computer hard drive. If you are out in the field shooting away and find you have run out of space, you need an option for offloading that footage and freeing up space in your phone. At the very least, that means keeping a charged laptop and cable handy. There are some thumb-drive gadgets coming to market that plug into your phone's lightning port and allow for direct offloading, such as the [SanDisk iXpand](#). I must say, however, I tried using the iXpand with my iPhone 6s plus, and it did not work well.

Another way to back up your footage is, again, through cloud storage. For example, the FiLMic Pro app allows you to upload your footage directly to a [Dropbox](#) or iCloud account. Cloud transfer can be a handy function, especially if you have access to a good WIFI connection. The cool



*I have been using Dropbox for years, and it works great. If you sign up through this link (click picture) you will get an extra 500MB of free storage.*

thing about this is that once you are back at your desktop for editing, your video files are already there waiting for you. No muss, no fuss, no cables.

If you are shooting somewhere without good Wi-Fi, or relying on your phone's data service to upload potentially large video files, then cloud storage may be more trouble than it is worth. One way to speed the process along is by keeping your videos as short as possible. For example, during interviews, take meaningful pauses in recording, so you have shorter blocks and therefore smaller video files. It is easier to upload six, ten-minute videos than one, hour-long, massive file.

#### *D. Editing Software*

The editing process is where you put all the pieces of your video together. You need a capable software editing program to layer cut out snippets of video, superimpose other images over interview footage (what we call “cutaways” or “b-roll”), and tie the movie together with titles, transitions, voice-overs, and maybe even music. Even if you plan to save the intricate editing jobs for the professionals (or your twelve-year-old), you may still want some kind of program for the simple stuff. Most of the programs are variations on the same basic layout. But if you are a computer nerd like me and love to get your hands dirty, just pick a simple one, and jump in. Eventually you may outgrow a program and move on to something more sophisticated.

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## 1. Basic (Free) Editing Programs

Macs and iPhones come standard with a video editing program called [iMovie](#). This is a decent entry-level video editing program that will allow you to make simple edits, add titles, transitions, basic effects, audio tracks and voice-overs.

Unfortunately for those of you with a Windows 10 PC, you are going to have some trouble finding a good, free, editing program. Windows *used to* include a video-editing program called Windows Movie Maker. Microsoft is no longer supporting Moviemaker for Windows 10 and I cannot find it for download anymore. I have tried a couple of free Apps in the Microsoft store, but I have yet to find anything worth recommending (yet). If any of you have, please let me know!

## 2. Paid Editing Programs and Subscriptions

The cost of more sophisticated editing software runs the gamut from around \$30 to over \$1,000. High-end, professional-grade programs include Avid, Final Cut, or Adobe Premiere Pro.<sup>2</sup> Adobe Premiere Pro has moved to a subscription model (Creative Cloud), currently available for \$19.95/mo. I am not thrilled about this price, but Adobe does make perpetual improvements and Premiere Pro is arguably the industry leading software at this moment.

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<sup>2</sup>A thorough list of various programs can be found at the PC Magazine website. <https://www.pcmag.com/article2/0,2817,2397215,00.asp>

On the low-end are consumer-grade video editing programs such as Pinnacle Studio, Corel Ulead VideoStudio, VEGAS Movie Studio, etc.

**EDITING SOFTWARE TIP #1:** Many software companies offer **free trial downloads** of their programs, which is a good way to make an informed decision before purchasing. Whatever you choose, **I would most certainly recommend the “try before you buy” route.**

Besides moviemaker, there is only one lower-end consumer grade editing program that I have personally used, and that is [Adobe Premiere Elements](#) (\$89.99). Elements is a user-friendly version of Premiere Pro. As of this writing, the latest version of Adobe Premiere Elements is Version 15. You can download a free, 30-day trial of Premiere Elements [here](#). I have not used Elements in several years. I have been hearing mixed reviews from friends and colleagues who have been using it more recently.

**EDITING SOFTWARE TIP #2:** If you have any trouble getting started or get lost along the way, there are a million [online tutorials](#) to get you back on track.

## VI. OUT-SOURCING YOUR VIDEO WORK

The use of video in court is becoming increasingly popular. The real question is, are you a do-it-yourselfer, or do you need some help to craft and complete your litigation movie? The answer is, ***it never hurts to have an expert in your corner***, especially if you are a beginner.

My hope is I have inspired you to grab some gear and get in the video production game, especially for the simple stuff. However, taking good footage is just the beginning. For the more complicated video projects, you will need help deciding what to shoot, how to conduct great on-camera interviews, and most importantly, how to put it together in a way that achieves results.

There are several “pure production” (i.e. non-legal) people out there who can help you with filming and editing. These are typically filmmakers, videographers, or former producers from the news industry who have branched out into the world of legal video. Keep in mind, while those individuals may be qualified, they likely have no formal legal training.

Litigation video production is a niche area of advocacy that requires specialized knowledge not just about film production, but about the legal *process*. As such, it should either be undertaken by a legal professional, or at the very least, *highly supervised* by one.

If a person holds themselves out as an “expert” in this field, make sure you vet them like you would any other expert in a case. What is their background? Have they any firsthand experience with “the big picture” of litigation and all its moving pieces and potential pitfalls? Are they aware of disclosure rules and rules of evidence? Have they ever conducted witness interviews or prepared an expert to testify? How will you help me integrate this into our larger litigation presentation? Can you tell me when, where and how to submit this to the court? What written materials should I file to increase the effectiveness of the video? Have they published any scholarly works on this subject? Are they recognized by

their peers as a leader in this area? Have they ever lectured or taught on the subject? If so, to whom and when?

**Warning! Shameless Self-Promotion Alert!** This is the part where I show you how I hold up under the above vetting standards. Doug Passon Law/D Major Films, is a combination law office and video production studio. My job is not just to shoot great video, but to tell a powerful and persuasive *litigation story*; one that integrates seamlessly into the rest of your case-- one that gets the job done. I have over *twenty years* of litigation experience as a criminal defense attorney in state and federal court. I have been producing legal videos and helping others do it in criminal and civil cases for over thirteen years. I write and teach extensively on this topic and am nationally recognized as a pioneer and expert in this field. I also consult with public and private law offices to give their people (lawyers and support staff) the know-how to produce videos in-house. Click [HERE](#) for my CV, or visit [www.dougpassonlaw.com](http://www.dougpassonlaw.com) for more information and samples of my work.

If you have a case in mind you think might be right for a litigation/mitigation movie, do not hesitate to reach out for a free consultation.

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*Did I miss anything? Find any typos or anything that was confusing? Have an equipment question or recommendation? Please let me know!*

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