

R_x for Stage Fright

CBA's Alliance for Women Offers Performance Tips from Professional Actors

By Rosemary Simota Thompson
Editorial Board Member

“A lawyer and an actor are akin. It is true. I have no mask, I have no set lines, I have no black cloth and I have no floodlights to help bring illusion; but out of the miseries and the joys and the strivings and experience of men, I must create an atmosphere of living reality so that it may be felt and understood by others, for that is advocacy.”
—Attributed to British barrister Sir Edward Marshall Hall

Everyone gets butterflies before stepping out at trial on a hotly contested matter. But successful trial lawyers have taught their butterflies how to fly in formation. A trial setting is the stuff of high drama, but most lawyers have never considered applying actors' methods to their pre-trial prep. At a CBA Alliance for Women meeting, Connie Foster and Ian Harris of Law Actors provided practical performance tips to enable aspiring litigators to put their best foot forward in the courtroom.

Founded in 1993, Law Actors uses professional thespians to work with attorneys on multiple levels – mock trials, witness preparation, depositions – to help attorneys improve those all-important presentation skills. After all, litigation is more than a duel between plaintiff and defendant. The art of story telling is crucial. We're not all natural raconteurs, but storytelling skills can be learned. Bottom line: The ability to tell a compelling story can be the key to

winning a case in front of a jury, a judge, or during an arbitration.

Here are a few performance tips from the pros at Law Actors to help you set the stage for courtroom success.

Tip #1 – R-E-L-A-X

And warm up like an actor before you set foot in the courtroom. Physical exercises – neck rolls and slow yawns; s-t-r-e-t-c-h like a nimble cat; massage your face, then gently tap from temples to chin to increase circulation.

- Vocal exercises – Drop your chin to your neck, and recite your vowels: aaaa-- eeee-- iiiii-- oooo-- uuuu. The goal is to keep your jaw loose; it tightens naturally as you speak.
- Mental exercises – You are not a deer in the headlights. You are in control. Breathe deeply and push out your belly as far as it will go. Exhale. By belly breathing, you deliver much-needed oxygen directly to your cells.
- To avoid dry mouth, avoid coffee or soda. Drink water before, during, and after a presentation to keep your vocal cords hydrated. If dry mouth is a problem for you, pack an apple in your briefcase to snack on at a break.

Tip #2 – Mark Your Script

Highlight. Underscore. Make it your own. Highlight important words and indicate where to pause for effect. Let a poignant silence work for you to emphasize a point. It may take some rehearsal, but aim to fill any silence with “attitude.”

- Add your own punctuation for visual cues. Add lines to key you visually that you are in the beginning, middle, or end of your presentation at a glance.

- Choreograph your movements, gestures and reactions on paper. Remember: any movement must have a purpose, or it detracts from your presentation. Indicate to yourself on the script where to laugh, sigh, smile, nod or gesture to show the court what you are feeling.
- Use 24-point type in your script if you have to –but never read from it. Instead, a brief glance at key words should keep you on track.
- Mark your place with your thumb as your guide, and slide your thumb along the side of the podium as you work your way through your presentation. No one will ever notice.
- Never staple your script. Page turning is awkward. Slide the pages of your presentation neatly in back of one another.

Tip #3 – Be Interesting, Be Memorable. But Be Yourself

You must be comfortable in your own skin. As the old cliché goes: How do you get to Carnegie Hall? Practice, practice, practice. Get used to the sound of your own voice. Talk to the mirror, or talk to the dog. Work on your presentation until you are at ease with it, and yourself.

- Communicate your story with sincerity. Always make eye contact with your first few words, and sustain it as much as possible. Avoid looking down, as it interrupts the flow of your presentation. If you must look down, train yourself to spot key words and seamlessly continue on.
- Say what you mean, and mean what you say. But don't be afraid to let your passion show. You want the judge and the jury to say to themselves, “Yeah, I can relate!”

continued on page 25

“Breaking Barriers” continued from page 23

the young attorneys take the public sector jobs to learn valuable trial skills and after approximately five years go on to private practice where they are offered more money. In fact, salary is a major obstacle to retention for all the public sector agencies. Attracting minority candidates is even more difficult, the panelists say. The pool to select from is often small because fewer minority students attend law school and want to work in the public sector upon graduation. The State’s Attorney representative said that money is not the only barrier for attracting minority candidates to the work; they often have the concept that being a prosecutor is in some ways “selling out.” She noted, however, that victims are minorities, too, and that the prosecutor’s work is about helping them through the process. Burnette of the Public Defender’s office said that they are aggressive about finding qualified minority lawyers. They are also working on efforts for a loan forgiveness program that would ease the financial burden of taking a public sector job. Georges noted that the collegiality, autonomy and flexibility of her office are attractive aspects of working in

the Corporation Counsel, and that these types of benefits keep some attorneys over the long haul.

Commentator Offers Solution to “Politics of Diversity”

The conference concluded with a “conservative view of diversity” by commentator Armstrong Williams, who shared that as an African American growing up in South Carolina, he never once experienced racism. He said that racism exists for some more than others, and is really about the choices you make in life. He said that most of what it takes for success has nothing to do with race, explaining that it is more critical for an employer to understand whether someone comes from a two-parent household, what their value system consists of, and what shapes them. In Williams’s view, affirmative action should be based on socio-economic status instead of gender or race. He said that the discussions of the day about diversity and recruitment all lead back to the home where standards and accountability are instilled and nurtured. Williams said he believes that a return to personal responsibility and accountability will lead us out of the quagmire of the politics of diversity. ■

R_x for Stage Fright continued from page 14

- If you make an error, never apologize. Don’t let it throw you. Stay “in character” and carry on.

Tip #4 – Create Word Pictures

Use all five senses, as appropriate, to bring your message alive. Touch the senses of people listening to you – especially at opening and closing.

- Make the jury hear the crash of the accident...smell the smoke...see the flames... and taste the fear. Tell your story through the senses.

Tip #5 – Watch Your Body Language

How are you standing? Are your arms crossed? Are your hands in the “fig leaf” position? You may be telegraphing negative emotions to the jury without even saying a word.

- Watch your posture, and stand up straight. Good posture conveys authority.
- Loosen up! Your trial is the fruition of endless hours of hard work. Strut your stuff and have fun. ■

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