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IN CONVERSATION WITH PROF. ALEXANDRA D'ITALIA

# CAPTIVATING AN AUDIENCE:

STORYTELLING TECHNIQUES  
TO USE IN THE PRACTICE OF LAW



# LAWYERS ARE STORYTELLERS

- Relationship building/Networking
- Interviewing
- Declarations
- Statements of Facts
- Client Intake
- Opening & Closing Arguments
- Written Arguments
- And more...

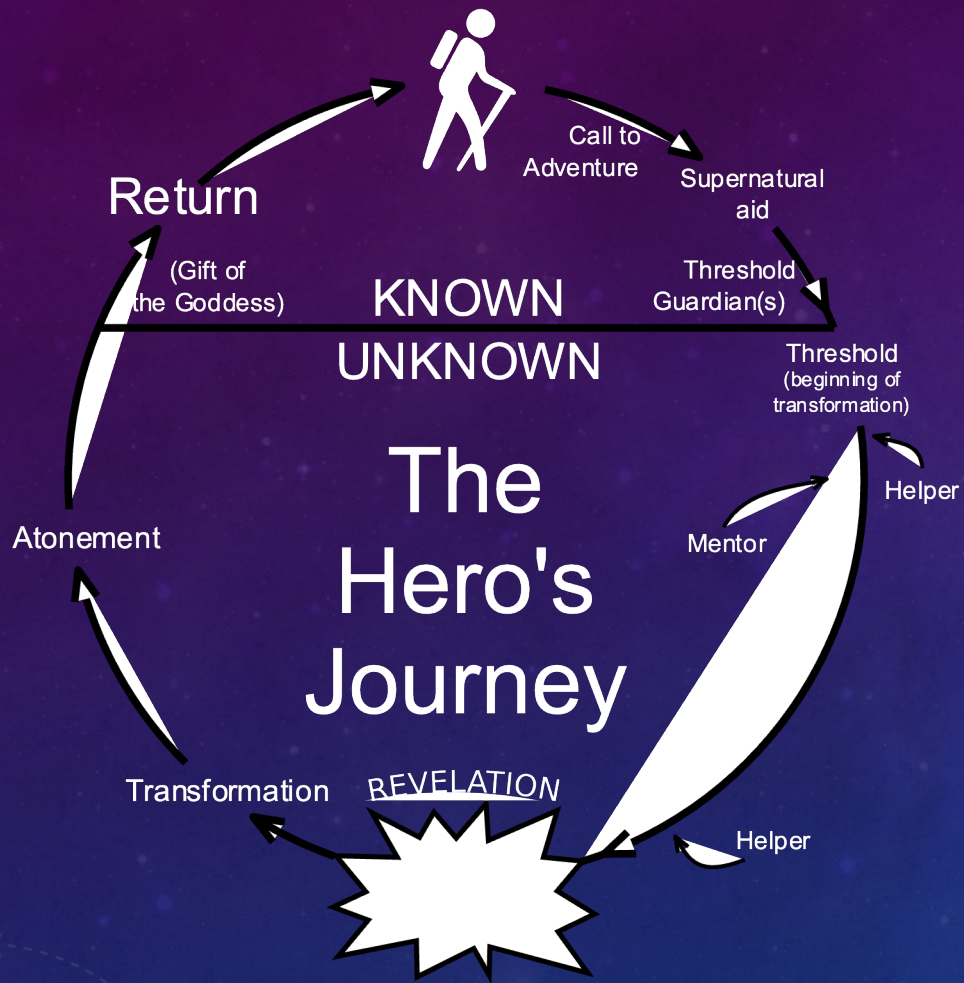


"FOR SALE: BABY SHOES, NEVER WORN."  
— ERNEST HEMINGWAY (DEBATED)

Stories need:

- Beginning, Middle, End
- Conflict, Action, Resolution
- High stakes – In creative storytelling this is accomplished by adding conflict or raising the personal risk for the protagonist.

- This can be analogized to written or oral advocacy: Keep the trajectory moving forward and compelling.
- Choose your “protagonist” (e.g., your client) and keep stakes high for your client—or create stakes for the jury or court (i.e., what happens to your client or the jurisdiction if you lose?).



If you are writing/telling a story about a person:

- In the story you are telling, where does the person begin?
- What obstacles does the person face?
- What does the person overcome, if anything?
  - Or what can't the person overcome without the law's intervention?



# BEGINNINGS NEED TO CAPTURE THE AUDIENCE

Begin any story with *something* that compels the audience to remain engaged:

- An image
- A theme
- A controversy
- An appearance of mystery
- *In medias res*
  - A latin phrase meaning “in the midst of things.” This literary term describes when a story opens with the character already in the middle of things—whether it’s a discovery of a dead body or the middle of an argument, this narrative technique captures the audience’s attention, bringing them front and center into the fray.

# MAKE EXPOSITION SEAMLESS

- Exposition is a writer's way to give background information to the audience about the characters and setting of the story. It's the context. In TV/film, it can be dialogue, narration, or even visual information that helps the audience better understand what is going on in the story. In TV/film, you want the exposition to be invisible. Exposition
  - Reveals theme
  - Describes the story world/context
  - Entices audience curiosity
  - Establishes the rules
  - Reveals more about character
- Consider using a journalist's organizational tool—add the context *after* the enticing beginning, saving the most general information for the end.
- Consider weaving in context only as needed by trusting the audience to understand the context by the end.



## POINT OF VIEW:

- In creative storytelling, POV is the angle from which a story is told, which determines what the reader can access from the narrative.
- The POV filters *everything* in your story. Everything in your story must come from a point of view.

You can create sympathy by beginning the story with your “hero” [i.e., your client] and telling it as if your audience is walking alongside the hero.

# SETTING

- Location
- Time
- Mood/atmosphere
- Climate and geography
- Politics/culture
- History

- Think about how setting the stage might impact a court's empathy when reading a mitigation report or a declaration.
- Think about how the setting might impact your tone and connection with a jury during a closing argument.



“IN THE PARTICULAR IS CONTAINED THE UNIVERSAL.”

-JAMES JOYCE

- Specificity matters.
- Make strategic choices on when to be specific and when to summarize.

As lawyers, we cut out the fluff and “just say it.” But when storytelling, lawyers still must paint a picture so the audience relates *and remembers*.

## SUMMARY:

- Zero in on the “conflict.”
- Identify your “hero.”
- Start in the action.
- Heighten stakes.
- Paint the picture.
- Be specific.



THANK YOU

Professor D'Italia welcomes your questions.

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