

Sunday, November 5, 2006

If Neil Young were a trial lawyer.

© 1976 Mark Estabrook. Republication permitted, as detailed here. Click here for YouTube clip. If Neil Young were a trial lawyer -- at least if he were arguing on the side of the angels, which is the only side I could imagine him arguing -- he would probably blow the opposition out of the water. How many lawyers come close to moving jurors the way Neil Young moves people singing: "Old man take a look at my life; I'm a lot like you. I need someone to love me the whole day through. Ah, one look in my eyes and you can tell that's true." How disarming. That is a trial lawyer's challenge with jurors: to disarm them without manipulating them nor making them feel manipulated, to move them as close as possible to finding in the lawyer's client's favor, and to entertain them. In the sterile, windowless, and often chilling and chilly surroundings of a courtroom, the imagination is needed to make the place come alive for justice. Most jurors probably know of hundreds of other places they would rather be than the courtroom. The persuasive lawyer gives them fewer reasons than that. In the end, the persuasive lawyer does not need to be a Doug Henning of entertainment to grab the jurors, keep them listening, and convince them of the lawyer's cause. Credibility is key. Packaging the credibility in a format that is interesting, memorable, and moving to the jury helps keep the jury's attention on the message. Jurors retiring to deliberate after hearing a Neil Young closing will remember the words "Old man take a look at my life; I'm a lot like you." It's a powerful and moving story that everyone can relate to. Jon Katz.

Posted by Jon Katz in Persuasion at 01:00