

## Vibe

Not prepared = Not any point and therefore client disservice

- Know your authority
- Know facts of every case you cite
- Thorough understanding of matter needed

## Appearances and Opening

- My name is “ “ and I appear on behalf of the plaintiff
- Outline what is going to happen—Tell early what your case is
- Keep it interesting—present story
- Focus on facts (trial)
- On appeal, focus on elements of law in dispute
- KISS—Keep, It, Simple, Stupid.

## Submissions Generally

Simplify the complex law.

- Always have a case theory
- If you know exactly what you want to say, and why, you can express yourself simply and concisely
- Speak clearly and persuasively
- Know destination and how your getting there
- Don't argue for the sake of arguing

## Written submissions

- First impressions matter
- Write for the judge
- Plain English
- Interesting and easy to read

## Oral advocacy

- Body language—'oral advocacy' mode
- Be adaptable
- Being prepared is best cure for nerves
- Simple language really important
- Watch case & pay attention—pick up visual cues. E.g. if judge not paying attention- get attention
- Tone—modulate voice and highlight important points
- Use drama but stick to facts
- Oral Submissions often expose insincerity—Judges know when your not being sincere
- Repetition works—only use to support
- Any perceived dishonesty will destroy your credibility

