

My First Trial

Opening Statements

“Be sincere. Be brief. Be seated.” - Franklin D. Roosevelt

- I. Know what you are up against
 - A. Lawyer jokes: stop me if you've heard this one
 - B. Earn Trust from word one
 - C. First Impressions are lasting

- II. How Psychological Cognition Works
 - A. Perception to Concept to Experience to Understanding
 - B. Create a simple, easily relatable, theme to your case

- III. Know your audience
 - A. Language has to be simple
 - B. The adult attention span is five minutes
 - C. No podium, no notes, vary your inflection

- IV. Fifteen minutes, no more, maybe less.
 - A. First three minutes
 - i. Introduce your theme, not yourself.
 - ii. No thank you for being here, empathize: why are we here?
 - iii. Choose your own Adventure: Plaintiff or Defendant, but no time for both
 - B. Second three minutes
 - i. The day/night of
 - ii. Visual Aides
 - iii. Show don't tell
 - C. Third three minutes
 - i. Medical evidence
 - ii. Economic Damages
 - iii. Expert testimony
 - D. Fourth three minutes
 - i. The aftermath
 - ii. Any corroborating witnesses
 - iii. What is more likely than not.
 - E. Fifth three minutes
 - i. Reintroduce the theme
 - ii. Elevator pitch the theory of your case

- V. General Tips
 - A. Do not draw conclusions, just tell your story
 - B. “Hang a lantern on it” - Tip O'Neil
 - C. Make eye contact and smile (where appropriate)
 - D. Conversational, not professorial
 - E. Practice, Practice, Practice
 - F. Under promise, over deliver