

Trial Advocacy: A View from the Bench

Judge Eric M. Shepperd
Travis County Court at Law (Civil) No. 2
eric.shepperd@traviscountytexas.gov

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Overview

- Trial lawyers are story tellers.
- Before there was T.V., a trial was the town's entertainment.
- The person with the best story wins.



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How to Tell a Good Story

- Arouse the listener's curiosity
- Use the active voice
- Tell the story in the present tense
- Use lay terminology
- Present compelling characters
- Employ evocative language which transforms the actions into memorable images
- Appeal to all of the senses

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The Picture Theory

- Selecting the right words to create a picture at trial will frame the story to the way you want the jury to see it.
- Create a picture in the courtroom without the use of demonstrative evidence, but instead with words.
- Using the right words can mean the difference of the jury remembering your story better or opposing counsel's.

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