



PROGRAM MATERIALS

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Litigation Series: Session 8 - Owning the Stage: Positioning and Presence in Trial

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Owning the Stage: Positioning and Presence in Trial

Michael DeBlis III, Esq.





*Dedicated to my dad.
The best father, law
partner, and role
model a son could
have.*



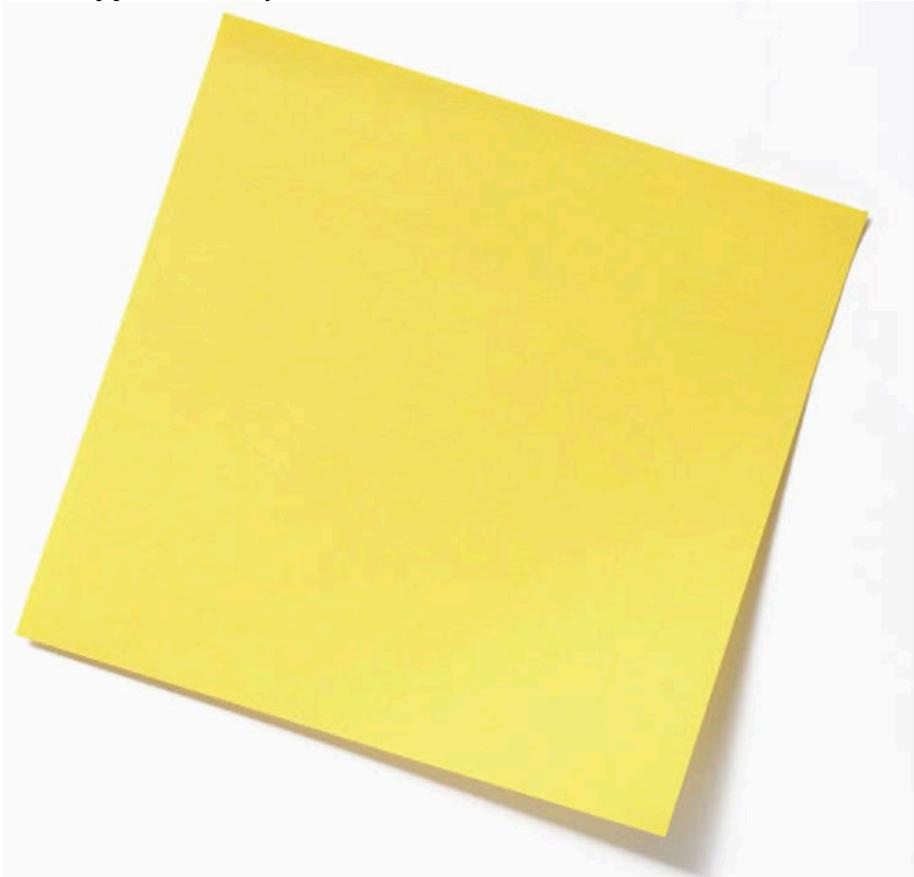
**THIS PRESENTATION IS
A FRESH BLEND OF
THEATER,
PSYCHOLOGY, AND
THE LAW.**





A NOTE

So much of what I'll be sharing here you already know. It's innate in all of us. I'm merely putting words to it in order to bring awareness so that you can use it at will in your litigation practice.





YOUR BODY

Conveyance mechanism or expressive instrument? Or both? In what percentages?



TOPICS

- Integration of Mind and Body
- Nonverbal Communication
- Space & Spatial Awareness
- Fixed Point
 - Types of Fixed Point
 - Why use fixed point in the Courtroom?
 - Fixed Point Training
 - Isolation is Key



TOPICS

- Atmospheres
- Status in the Courtroom & Empowering the Jury
- The Language of Movement
 - Rhythm
 - The Inextricable Connection between your “Outer” and your “Inner”
- Standing in One Place versus Pacing when Public Speaking – Which is Better?





TOPICS

- Unity of Opposites
- The Secret Sauce: Syncing Nonverbal Communication with Verbal Communication
- Economy of Movement
- What “Energy” am I bringing into the Courtroom?





TOPICS

- The Twelve Archetypes
- Movement in the Courtroom
- Cross-Examination & the Triangle
- Tips





INTEGRATION OF MIND & BODY

In the western world, intellectual ideation trumps somatic practice leading to the historical view that the mind and body are separate entities. Eastern traditions reject the Western mind-body dualism.



Instead, they embrace a holistic perspective where the integration of the mind and body is viewed as a dynamic process to be achieved through practice and self-cultivation.



This unity, often described as a “body-mind” or “mind-body-spirit” connection, is central to philosophical, meditative, and healing practices across Asia.

As you will come to find out in this book, I fully endorse the Eastern tradition that the mind and body are one and the same. From meditation and mindfulness to yoga, Tai Chi, and Acupuncture, these practices have become mainstream in Western culture today.





NONVERBAL COMMUNICATION

Studies show that only seven percent of what we communicate are our spoken words. As much as 55% of what we communicate is nonverbal.

Our bodies are our frontline of expression. It's what everyone sees. There is no hiding it. And it never lies. Ironically, language stands alone as the only tool that we have to bend the truth or to lie. Perhaps then it should come as no surprise that language was the last thing to have developed in human evolution.





It is for this reason that I am a firm believer that effective advocacy requires the full dimensionality of the lawyer's body.

And the research confirms it. To read a person's "truth," psychologists have broken the following down according to percentages:

Voice (i.e., Tonality) = 38%

Body Language = 55 %

Text = 7 %



The first two, voice and body language, are perceived by the listener's unconscious. This goes hand in hand with the idea supported by psychology and neuroscience that decisions are made emotionally first and then justified rationally afterward.



For example, imagine that you're buying a car. You feel an emotional pull toward a sleek, sporty model that "just feels right." Later, you justify it by saying: "It gets good gas mileage," or "It's a good investment."

But the core driver was unmistakably emotional – the excitement, the sense of identity, or even nostalgia.





The advertising industry knows this upside down, right-side up, and backwards. And now that we, as lawyers, know it we can use it to our advantage in the courtroom when it comes to influencing and persuading a jury. Our bodies are speaking every moment of our lives. They tell a story through posture, gesture, tension, and release—not only to others but also to *you*.



The problem is we often neglect to listen. We have “too much to do” or “can’t deal with that right now.” We have a to-do list, deadlines, and other people’s needs. We have to make money, support our families, and make a difference in our communities.



All of these wonderful things create our life story, but they are not the only story. A story is told every moment of every day without any words.



Long before you've stood up and uttered your first word to the jury, your body has told a story.

What story is it telling today?

Is it asking for comfort, company, and touch?

Does it want solitude, darkness, or pause?

Is it craving movement, flow, and creativity?

Does it want to be heard about fear, grief, or anger?

Does it want to let go of a long-held belief, tension, or pattern?

IT'S WHAT YOU **DON'T SAY** THAT COUNTS!





In this ebook, we'll listen to these stories by studying how the body organizes, adapts, compensates, and expresses so that you can discover greater ease and function in your movement not only in the courtroom, but in everyday life.

Every gesture has enormous implications in telling a story, and the courtroom is no exception. Nonverbal communication in the courtroom is deafening. If you're arguing that

John is "innocent" during your closing argument while your hand is scratching the back of your head, the jury will instantly read this contradiction as "uncertainty."

In other words, when there is a contradiction between the verbal and the nonverbal, the nonverbal will always prevail. That's how powerful nonverbal communication is. The

danger this poses – in the event of a contradiction – is that it causes the jury to question the lawyer's credibility, the most important thing that a lawyer possesses.

The jury can see your whole body in the courtroom, so you might as well be aware of what it's doing and use it to say everything that you mean it to say.

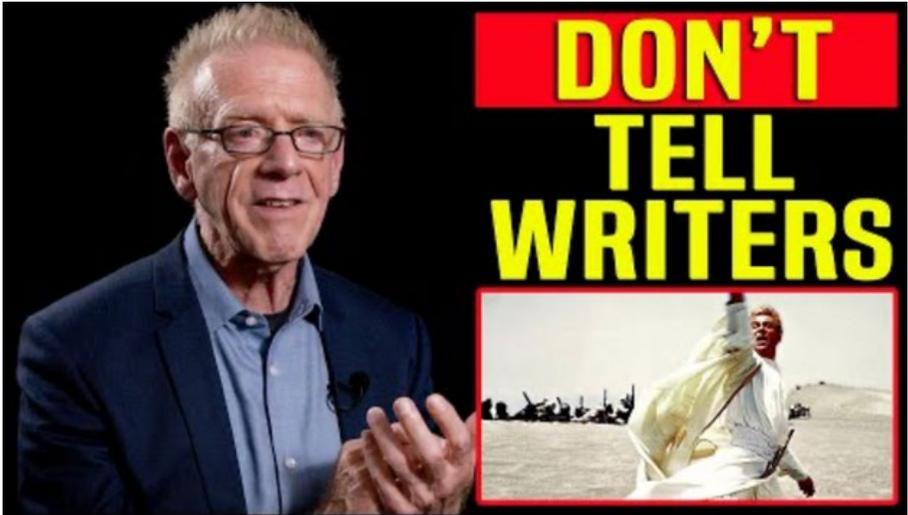




Master of movement training, Jean-Louis Rodrigue, whose clients have ranged from Keanu Reeves, Leonardo DiCaprio, and Sir Ian McKellen to Christian Bale, Hilary Swank, and Margot Robbie, put it like this: “To be charismatic and dynamically expressive, you must develop a kinesthetic awareness of your body, coordinating your breath and voice to your spoken words, not to mention being in the ‘world’ of the story you’re telling ... Your body is an instrument that must be treated like a fine Stradivarius. Use it with modulation and economy, and it will serve you well.”



70% OF THE STORY IS
IN THE BODY



NONVERBAL COMMUNICATION

A rule to live by is that one cannot expect to persuade others of that which one does not believe himself. As Gerry Spence asks, “How can you convince the jury to do something that you are not convinced of yourself?”

Rule of thumb: When the lawyer’s body and words are out of alignment, the jury will instantly view the lawyer as an “impostor” — someone who cannot be trusted.





“ALL THE WORLD’S A STAGE” – As You Like It

The courtroom is a stage ...



So let’s explore some
concepts derived from
physical theater.





SPACE

I'm fascinated with the concept of space and how we fill it both on-stage and in a courtroom. I realize that this may sound vague and abstract. Let me explain.





SPACE

Space is a provocation that can propel and shape a piece of theater.

When a sculptor takes materials and molds them into a form, they are manipulating space, making it meaningful and expressive. Similarly, actors in a theater space can manipulate and use the space to create meaning.



The courtroom is no different. Trial attorneys can manipulate and use space in a courtroom to create meaning and add impact to the stories they are telling a jury.

Learning the language of space gives both the theater-maker and the attorney an endless array of possibilities.





SPACE

Space is not just limited to the volume and the expansiveness of a barren room. It deals just as much with how we fill it.



There is the space between two people, the space between a person and an inanimate object, the space of emotions. The list goes on and on.



For example, in one of my first trials, the space between my chair and that of my client's chair at counsel table was as wide as the Grand Canyon. What story was I telling the jury without ever realizing it? That Johnny was dangerous and/or that he had an explosive temper.





SPACE

When it comes to the space between two people, I think that we can all agree, especially in this post-COVID era, that we possess invisible three-dimensional boundaries extending outwards from our body in every direction.



I liken this to a bubble that encapsulates us. The size of the bubble represents a person's threshold for how close another human being can get to them without them feeling uncomfortable, alarmed, or worse yet, threatened.



Because we are unique, different people have different tolerances for spatial proximity. With this in mind, I attempt to keep a safe, but reasonable distance from the jury box so that I am not hovering over the jurors sitting in the first row and encroaching on their personal space.





SPACE

In physical theater, there are exercises specifically designed to help each performer get in touch with their individual tolerance for such intimacy.



This metaphorical bubble is so distinctly human that one whole episode of “Seinfeld” was dedicated to it!





SPACE

We can even talk in terms of what a person is *doing* to the space. For example, are they pushing the space or pulling the space. If so, from what direction? The front or the back?



Or are they being pushed or pulled by the space? If so, from the front? From the back?





EXAMPLE OF PUSHING SPACE

The piercing stare of David Gandy.





EXAMPLE OF BEING PULLED BY SPACE

Elderly man walking hunched over with cane.





SPATIAL AWARENESS

All of this inescapably leads to spatial awareness, a kind of intelligence that many of us weren't taught to trust.



For example, some bodies were encouraged to take up space. Some were taught to shrink. Some became very good at appearing without arriving, navigating around conflict, expectation, objectification. Some pushed outward, constantly expanding to stay ahead of collapse.



These aren't just behaviors—they're patterns etched in the body. They show up in the angles of our spine, in the tension of our fingertips, in the arc (or absence) of a gesture.

And every one of those patterns is relational. We don't just move through space—we shape it, avoid it, claim it, respond to it.





FIXED POINT

In physical theater, a fixed point refers to a technique or concept used to ground an actor's movement and bring clarity, precision, and focus to their performance.



It's most commonly associated with Jacques Lecoq's pedagogy and is used extensively in mime, clowning, and movement-based theater.



What Is a Fixed Point?

A fixed point is a specific point in space or on the actor's body that remains still or moves with intentional constraint while the rest of the body moves in relation to it.





TYPES OF FIXED POINTS

1. External Fixed Point

A point in the space that an actor focuses on, which helps:

- Direct the actor's attention or intention.
- Anchor gestures or movement.
- Maintain dramatic tension in a scene.



The subtlest shift in the horizontal gaze of a person's eyes from left to right or from right to left may radically change their physical expression and the story they are telling.

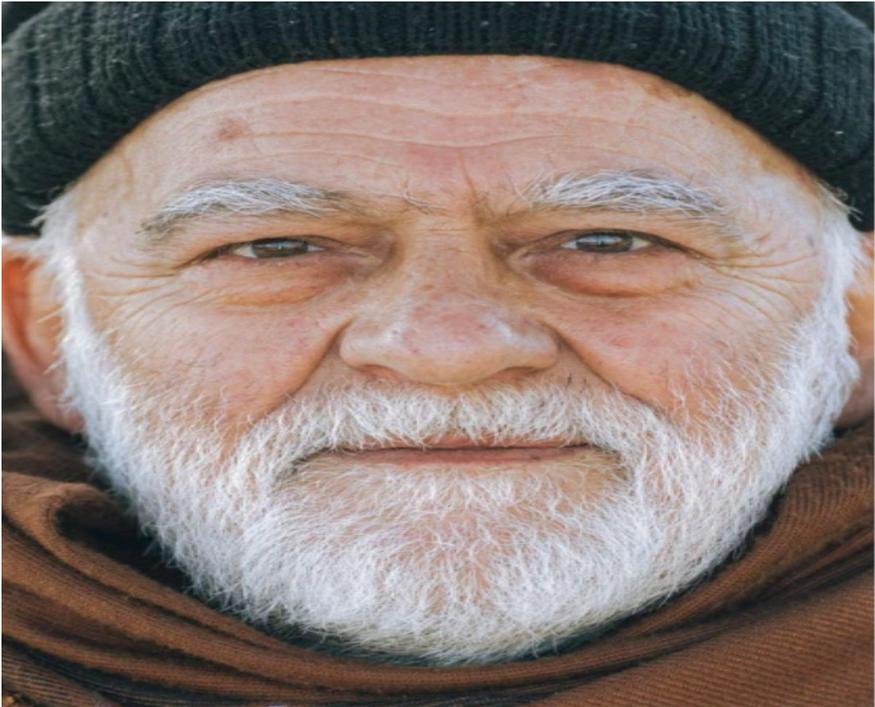
Consider the following three images of the same man with the same facial expression in the same position with his head still and his eyes looking in three different directions. What stories emerge?





EXAMPLE OF EXTERNAL FIXED POINT – DIRECTION OF EYES

Direct





**EXAMPLE OF EXTERNAL FIXED POINT –
DIRECTION OF EYES**

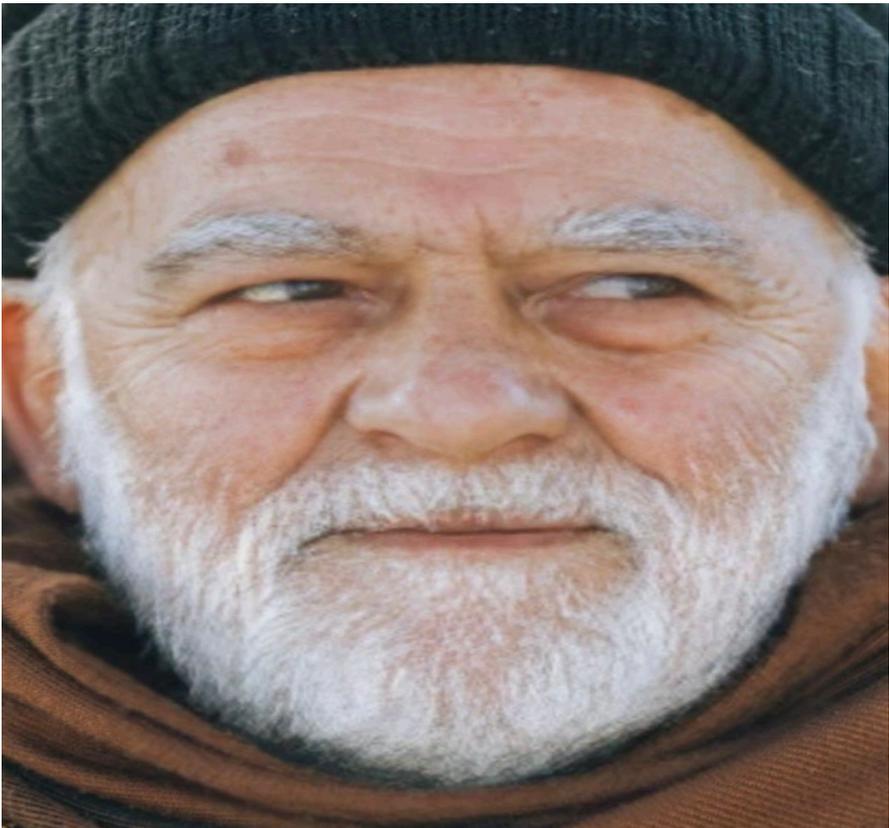
Gaze left (Mischievous? Is he keeping a
secret?)





**EXAMPLE OF EXTERNAL FIXED POINT –
DIRECTION OF EYES**

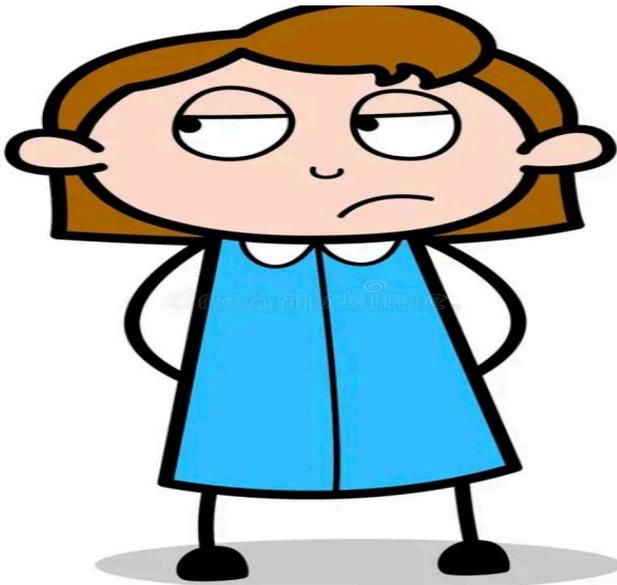
Gaze right (“Watch out buddy. You’re
messing with the wrong guy.”)





CONSIDER THIS

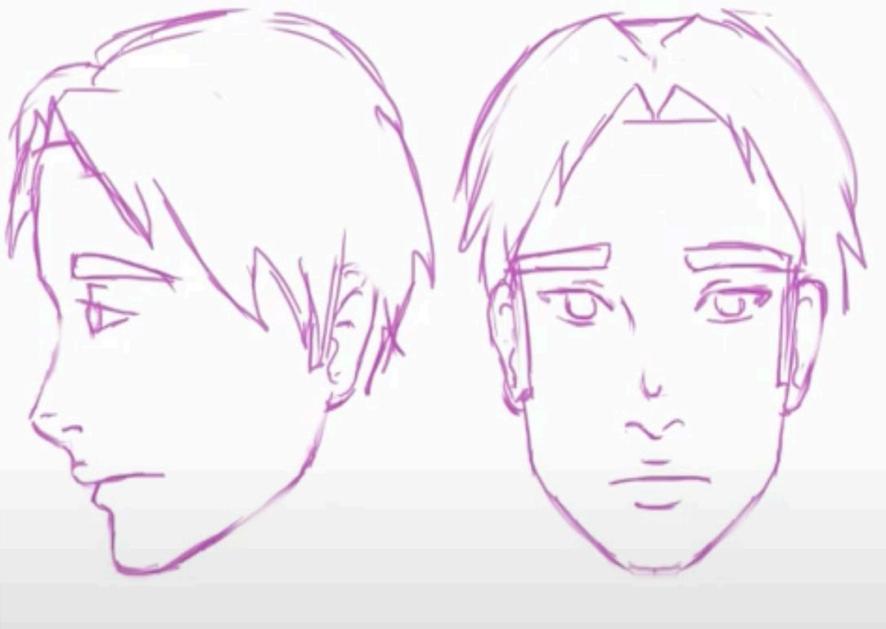
If we are getting this much information out of what seemingly appears to be small and inconsequential shifts in just the gaze of a person's eyes alone, imagine how much information is conveyed by the rolling of the eyes. Or by moving a larger body part altogether, such as the head.





EXAMPLE OF EXTERNAL FIXED POINT – DIRECTION OF HEAD

What if we keep the facial expression the same while changing the direction that the person's head is facing? For this, I turn to the world of professional cartoonists. The following images are facial drawings of the same person with his head turned in four different directions. What stories emerge in each position?





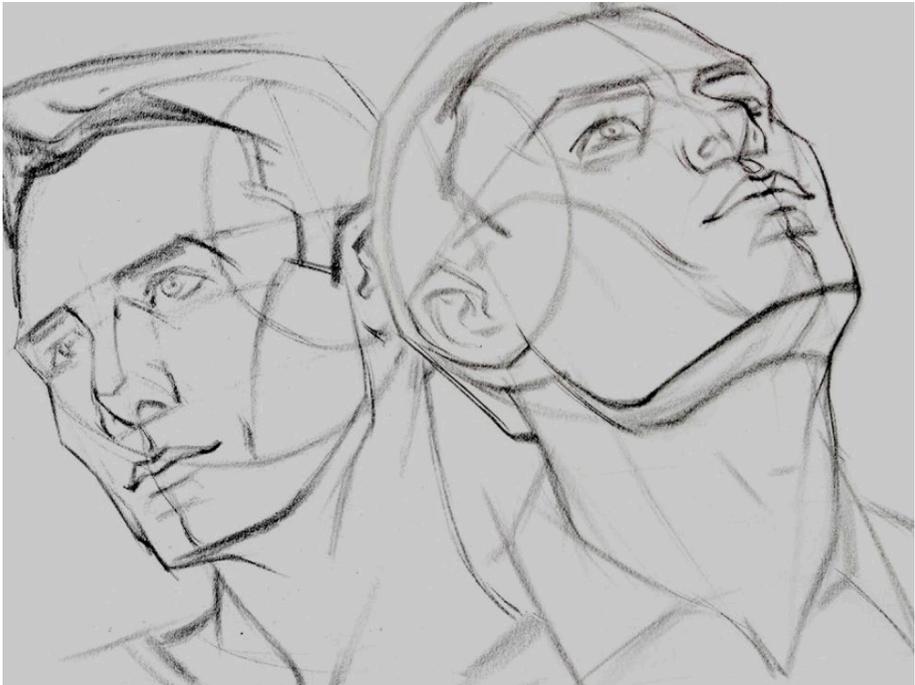
EXAMPLE OF EXTERNAL FIXED POINT – DIRECTION OF HEAD





EXAMPLE OF EXTERNAL FIXED POINT – ANGLE OF HEAD

What different stories emerge here? For me, I see awe in the face of the man on the right as if he is looking up in admiration at a skyscraper or looking up at the towering ceiling inside a cathedral. In the other, I see longing, modesty, or solemn resignation. Remarkably, not even a word has been spoken.





EXAMPLE OF EXTERNAL FIXED POINT – TILTING HEAD UP

In ancient Greek tragedy, bodily gestures were highly codified, and tilting the head backward while looking upward toward the sky carried deep meaning.

This gesture usually signified:

Appeal to the gods – Characters in tragedy often looked upward when calling on Zeus, Apollo, or other deities for help, guidance, or justice.

Desperation or supplication – It conveyed helplessness or the sense that human solutions had failed, and only divine intervention remained.

Lamentation – Combined with raised arms or wailing, the upward gaze dramatized mourning, grief, or a cry of "why?" directed at fate and heaven.





EXAMPLE OF EXTERNAL FIXED POINT – TILTING HEAD UP

Recognition of fate – Looking up also visually represented acknowledgment that destiny, controlled by divine will, was beyond human control.

So when an actor tilted the head back and lifted the gaze to the heavens, the audience would immediately read it as a prayer, protest, or lament directed toward the gods—a theatrical shorthand for appealing to higher powers in moments of suffering.





EXAMPLE OF EXTERNAL FIXED POINT – TILTING HEAD DOWN

By comparison, lowering the head with the gaze directed to the ground carried a very different resonance from the upward tilt.

Looking downward usually conveyed:

Grief and mourning – Bowing the head toward the earth was a conventional sign of sorrow, often linked to lamentation for the dead.

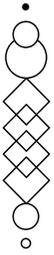
Shame or humiliation – Characters who had been disgraced, defeated, or dishonored would avoid the gaze of others and cast their eyes down.





EXAMPLE OF EXTERNAL FIXED POINT – TILTING HEAD DOWN

Submission or helplessness – It could mark resignation to fate, acknowledging one's powerlessness before the gods, rulers, or destiny.



Connection with death and the underworld – Because the ground was symbolically tied to Hades and the resting place of the dead, gazing downward could signal despair, a longing for death, or awareness of mortality.





EXAMPLE OF EXTERNAL FIXED POINT – TILTING HEAD DOWN

In performance, this was often paired with a bent posture, lowered arms, or a collapsed stance to embody emotional collapse. Where the upward gaze invoked the gods, the downward gaze evoked the earth, death, and the inevitability of fate.





EXAMPLE OF EXTERNAL FIXED POINT – ANGLE OF HEAD

In short:

Head up = appeal to gods, fate,
transcendence.

Head down = grief, shame, death,
underworld, defeat.





EXAMPLE OF EXTERNAL FIXED POINT – HORIZONTAL PLANE

Up until now, we have been focusing on the vertical plane. But what about the horizontal plane? Unlike the weight associated with the vertical plane, the horizontal plane is comedic because it pushes the body into positions associated with loss of control, clumsiness, or animality—all of which audiences have historically found funny.





EXAMPLE OF EXTERNAL FIXED POINT – HORIZONTAL PLANE

Here's why:

1. Loss of Dignity:

Human beings are naturally upright. Falling, sprawling, or crawling places the actor in an undignified posture. In a tradition obsessed with physical exaggeration, this sudden drop from verticality (status, control, rationality) to horizontality (vulnerability, foolishness) becomes instantly comic.

2. Animal Association:

Horizontal postures—crawling on all fours, sliding, sprawling—make the character resemble animals rather than refined humans. Many comedic figures draw humor from their bestiality, clumsiness, and lack of refinement.





EXAMPLE OF EXTERNAL FIXED POINT – HORIZONTAL PLANE

3. Excessive Energy & Exaggeration:

Physical comedy thrives on extremes. The horizontal plane extends movement beyond the normal human range: rolling, tumbling, belly-flops, or dramatic collapses. The body looks both strange and excessive in these positions, amplifying comic effect.



4. Reversal of Hierarchy:

In commedia, social hierarchy is expressed through posture: masters stand tall and still, while servants are hunched, crouching, or collapsing. The horizontal plane exaggerates this disparity—putting characters literally “beneath” others. When a master is forced into a horizontal sprawl, the fall from authority is especially funny.





EXAMPLE OF EXTERNAL FIXED POINT – HORIZONTAL PLANE

5. Invitation for Lazzi (comic bits):

Horizontal positions lend themselves to sight gags—sliding across the stage, getting stepped on, pretending to be dead, or being used as furniture. These improvisational lazzi were a major engine of commedia's humor.

So, the horizontal plane is comic because it embodies clumsiness, exaggeration, and humiliation, destabilizing the dignity of upright posture and opening the door to playful, physical humor.





INTERNAL FIXED POINT

2. Internal (Bodily) Fixed Point

A specific body part (like the head, hand, or hips) that stays still or becomes the center from which the rest of the body reacts.



Example: When curling a dumbbell with your arm, your elbow becomes a fixed point. Or holding your chest still while your arms move wildly — creating contrast and tension.





DYNAMIC FIXED POINT

3. Dynamic Fixed Point

A point that moves through space but retains consistent focus or energy — giving the illusion of control and intention.



Example: Carrying an invisible heavy object (like in mime) where the point of contact must remain "fixed" to maintain believability.





WHY USE FIXED POINT?

- **Focus** for both performer and audience. A fundamental principal of physical theater is that audiences will look where the performer looks. Look down, the audience will look down. Look out across the stage, the audience will shift their gaze to the opposite side of the stage. The same principle applies in the courtroom. Look down at a transcript in your hand while you are cross-examining a witness, the jury's attention will go there. Make eye contact with the witness during cross-examination, the jury will look directly at him. For more on this, see the section on "Cross-examination and the Triangle" where I recommend integrating your body as a fixed point when cross-examining the detective in order to stop him from turning his head to the jury and speaking to them directly every time he answers a question.





WHY USE FIXED POINT?

- The other fixed point in a cross-examination would be the witness himself. Essentially, the attorney would oscillate back and forth between himself as an internal fixed point and the witness as an external fixed point as questions are asked and answered. This act of giving focus and then stealing focus would create a rhythm unto itself that is friendly to a jury because it creates an identifiable pattern that they can latch onto.
- Note that the jury themselves can and should become an external fixed point. Indeed, they are the ones who will decide the case and thus, are the most important people in the courtroom.





WHY USE FIXED POINT?

- **Tension** and **control** in physical expression. Fixed point can be used to raise the stakes dramatically. For example, if during a private moment when I am alone, I hold a locket with a picture of my ex-lover in one hand and in the other hand the engagement ring that I plan to give to a new love interest, shifting my gaze from one to the other would only heighten the tension since the audience would read it as an internal conflict going on inside me where something had to be lost before something else could be gained. But if I were to focus all my attention on the engagement ring at the expense of the locket such that I ignored it completely, then that would tell a very different story indeed.





WHY USE FIXED POINT?

This first “tension-generating” movement was so universal and recognizable that it became enshrined as one of Lecoq’s twenty movements.



But what about the latter one?





WHY USE FIXED POINT?

The latter was used effectively by Sam Waterston in his role as DA Jack McCoy on “Law & Order,” especially in homicide trials where the state’s motive was that the defendant killed his spouse in order to obtain a pecuniary benefit, such as her life insurance proceeds.





WHY USE FIXED POINT?

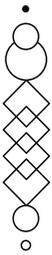
Sam would use one hand to represent the deceased spouse and the other hand to represent the life insurance proceeds, hold them up in front of the jury, and then turn his head and shift his gaze ever so slightly to the hand that was figuratively holding the life insurance proceeds as if to suggest that to the defendant, it was a “no brainer.” Very few words were needed to accompany it since the movement spoke for itself.





WHY USE FIXED POINT?

- **Clarity** in storytelling through movement.
- **Characterization** (e.g., a robotic character might have fixed-point hips).
- **Comedic Effect** (especially in clowning and mime).





FIXED POINT TRAINING

Actors train with fixed points to:

- Develop spatial awareness.
- Build physical discipline.
- Create imaginative worlds (especially when using no sets or props).





ISOLATION IS KEY

Because of the precision required, many of the exercises focus on isolating one body part at a time while keeping the rest of the body still.



It takes an enormous amount of physical restraint NOT to move other body parts when isolating one body part at a time, such as when turning your head from the middle to the right, back to the middle, to the left and then back again to the middle in four distinct steps. Essentially, middle becomes “home base.”

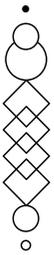
The temptation is to default into something less rigid and more familiar.





ISOLATION IS KEY

This simple exercise is so enlightening in the sense that it shines a light on our habitual patterns of movement which developed back when we were young and which continue to evolve over time in response to our environment and the physical limitations that naturally come about as a result of the aging process.





ISOLATION IS KEY

But for purposes of this exercise, it's helpful to think of building a bookcase. In the same way that you wouldn't go straight to the last step without starting out on step one and proceeding chronologically, so too would you begin with the first step in the "head turning" exercise and then proceed chronologically through the rest of the sequence until arriving at step four.

For more on this topic, be sure to read the chapter on "Economy of Movement."





ATMOSPHERES

In the Michael Chekhov acting technique, atmospheres refer to the intangible feeling, mood, or quality that permeates a space or event, creating a specific ambiance. Chekhov emphasized that sensitivity to and creation of atmosphere is crucial for actors, connecting them to the performance and the audience.





ATMOSPHERES

For example, if I am in a film that takes place in Anchorage, Alaska in the dead of winter during the Iditarod Dog Sled race and filming takes place in a studio in front of a “green screen,” Chekhov’s atmospheres will be vital to recreate the spirit of Alaskan wilderness complete with blizzards and freezing cold temperatures, not to mention the enduring partnership that exists between humans and sled dogs.





ATMOSPHERES

Even characters can have a unique personal atmosphere – an “aura” that encapsulates their essence and influences their interactions with the world. And this aura can be so intoxicating that it fundamentally alters the atmosphere of a space.



Look no further than courtrooms and judges. Because of their high status, it is no small coincidence that a courtroom’s atmosphere often reflects the aura of that particular judge. The same is true when it comes to lecture halls in law schools and law school professors.

Walk into a courtroom with a strict, no non-sense judge and you may find the silence in the courtroom to be deafening. Indeed, the atmosphere in the courtroom is likely to be so tense that you can cut it with a knife.





ATMOSPHERES

For me, it can even smell like burnt toast. I like to refer to this atmosphere as “bound flow.”



Conversely, walk into a courtroom with a nice, down-to-earth judge and you’re likely to find a more relaxed and laid back atmosphere where people are making small talk and chatting amongst themselves. I like to refer to this atmosphere as “free flow.”

Invariably, there is also a noticeable change in the atmospheres of the people inside the courtroom itself, particularly the court staff whose atmospheres have been so immersed by that of the judge that they now embody it, perhaps without even being consciously aware of it.





ATMOSPHERES

It is for this reason that an attorney who falls out of line with the judge is likely to feel alienated by the court staff who may come across as indifferent or even a little snippy.



Building on this, we can no longer overlook what to some may be an inconvenient truth.



If this is what we, as lawyers, perceive from regularly frequenting the courthouse, what must potential jurors perceive when they enter this unfamiliar place to do their civic duty? Or what about the clients themselves?

Returning to the first example of a courtroom that takes on the atmosphere of bound flow due to a stern, no-nonsense judge, what impact does this have on the participants in a trial?





ATMOSPHERES

Let's examine it from the lawyer's perspective first. Not wanting to get singled out for running afoul of the decorum and formalities established by the judge, the attorney may choose to "lay low" and refrain from doing anything that may "rock the boat."



After all, no one wants to attract the ire of the judge.





ATMOSPHERES

The danger this poses is that storytelling thrives on creativity, ingenuity, and inspiration – the very things that are stifled in an environment as hostile as this one. It's like throwing a wet towel on a cowbell.



Moreover, zealous advocacy doesn't fit so neatly into something as restrictive as a straight jacket. While courtesy, respect, and professionalism must always predominate, there will inevitably be times when things get heated. As the legendary trial attorney Gerry Spence so eloquently states, "Justice is an emotion."

Indeed, adversity is inherent in a trial by virtue of the fact that there is an underlying dispute that cannot be resolved and that is going to result in one party winning and the other party losing.





ATMOSPHERES

And the stakes could not be higher. In a criminal case, a guilty verdict means that the defendant will go to prison and lose his most cherished right – his liberty. And in a civil case, the only way to get justice for the injured plaintiff is through money damages.



Now let's explore it from the perspective of the jury. I've already provided some clues. The best writers and directors know how to create high stakes and suspense that keep you turning the page.





ATMOSPHERES

At the same time, they understand something fundamental about high stakes and suspense in drama – they cannot be constant. This is just as true with nature and with machines as it is with man. Like a steam engine, a pressure cooker, a wave that has reached its apex, or a volcano on the cusp of erupting, there must be a release. Otherwise, there would be an explosion. For an audience, the equivalent would be insanity.



Even in the most iconic suspense-filled movies from Hitchcock's "Psycho" to "Jaws," to "Mission Impossible" and "James Bond 007" you see writers honoring this tried and true principal of "ebb and flow" or increase and decrease which mirrors the cyclical rhythm of tides coming in and going out.





ATMOSPHERES

Such a release usually takes the form of building in lighter moments with humor and levity so as to give an audience some room to breathe.





ATMOSPHERES

Here are two great examples of movies that balance suspenseful scenes with softer, quieter moments:

“The Silence of the Lambs” (1991)

Suspenseful Scene:

When Clarice Starling (Jodie Foster) explores Buffalo Bill's house in the dark — the tension is at its peak, especially with the night vision camera showing her from his perspective. The music, the silence, and the confined space all heighten the suspense.

Followed by a Softer Scene:

After the climax, there's a quiet, emotional scene where Clarice graduates from the FBI Academy. She receives a congratulatory phone call from Dr. Hannibal Lecter. It's eerie, but it's far more subdued, offering a moment of calm after the storm.



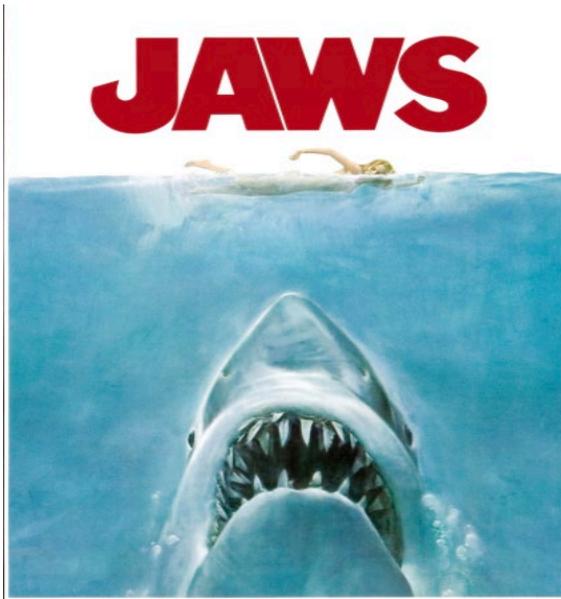


ATMOSPHERES

“Jaws” (1975)

Suspenseful: The shark attacks or stalking sequences.

Softer: The bonding scene on the boat where the three men compare scars and sing together.





ATMOSPHERES

This has given rise to the overwhelming popularity of the dark comedy such as “Barry” and “Wednesday,” which blends macabre themes and gothic elements with deadpan humor.



These shows deal with murder, death, and supernatural mysteries — but in a stylized, often humorous way that softens the gravity of those topics.



For example, Wednesday’s emotionally detached, sardonic personality is a hallmark of the dark comedy.





ATMOSPHERES

My concern when it comes to a courtroom, especially one that is oozing with bound flow, is that the jury is being suffocated metaphorically with a disproportionate amount of tension at the expense of any release. Not only is this unhealthy for their nervous systems, but it will also impede the story that you are trying to tell them.



For this reason, I encourage bringing more humanity into the space starting with yourself. You can smile, you can nod. You can be warm and welcoming. You can be earnest. You can choose to be patient and calm even when your adversary strikes below the belt. These are all things that are well within your control and that should not result in admonishment.





ATMOSPHERES

For me, I think that there is room for levity in the courtroom when the moment calls for it and the circumstances are right. It is sorely needed. What I find doesn't work are clever and witty remarks. They are often a turn-off to the jury.





STATUS IN THE COURTROOM & EMPOWERING THE JURY

The reason I'm a staunch advocate for "empowering the jury" is due to what I call the "status dynamic" of the courtroom. It is not unlike that of a company cocktail party.

From the moment a jury arrives in the courtroom, they become cognizant of this dynamic. They realize that the judge commands the "highest status" because he or she is wearing the robes and is the authoritative figure while Johnny, the defendant, has the lowest status. The lawyers are usually somewhere in the middle. This is why humanizing Johnny is so important.





STATUS IN THE COURTROOM & EMPOWERING THE JURY

But the perception that the jury has of themselves is what often-times gets overlooked. Despite the fact that they are the most important people in the courtroom insomuch as they are the judges of the facts and will determine the outcome of the case, most jurors see themselves as being at the bottom of the food chain vis-à-vis everyone else in the courtroom.





STATUS IN THE COURTROOM & EMPOWERING THE JURY

In order to change that, we must empower them and bolster them by reminding them how important they are. Thanking them is not enough and may even be misinterpreted as pandering. Empowering, on the other hand, has the added benefit of generating goodwill, especially when your adversary doesn't do it.





STATUS IN THE COURTROOM & EMPOWERING THE JURY

Here's what that might look like during closing argument:

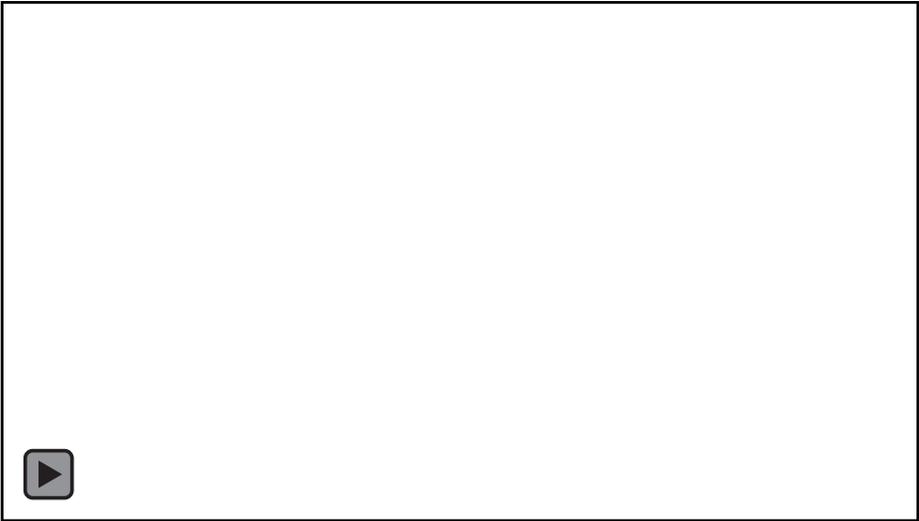


“Michael sits before you an innocent man whose false statement has convinced everyone that he committed these crimes. Someone has to say ‘no’ to this. Guess who that is? I can’t do it. The only thing I can do is ask *you* to do it. Only *you* have that power.”





THE “THINKING” BODY





THE LANGUAGE OF MOVEMENT

As an actor, I'm a keen observer of human nature and have become intensely curious about how the inner rhythm and quality or "dynamic" of objects and elements from the natural world become reflected by humans in everyday life.



What do I mean by "dynamic?" In music, dynamic describes the volume and sound of a piece of music, whether it is played softly, quietly, staccato or loudly. The dynamics in music are the part of the written score that a musician interprets. They allow each person to play a piece of music differently.

We also use dynamics in theater, referring to them as the dynamics of movement. Exploring different objects very often leads to physical characterization.





THE LANGUAGE OF MOVEMENT

For example, have you ever observed a tennis ball being bounced, a plastic bag unfurling after being scrunched, a sugar lump dissolving in a cup of tea, or a match being struck?



In my theater-training, my instructor would divide the class into groups of three and ask us to carefully observe and then to recreate with our bodies the movement of these objects. We were encouraged to be precise and specific.



Indeed, it wasn't about inventing new movements so much as it was about recreating what we actually saw.

If someone was successful in expressing a dynamic, you would know it immediately. In fact, I'd find myself amused when watching an accurate movement due to the surprise of how alien the human body appeared.





THE LANGUAGE OF MOVEMENT

Even more stunning was when a “scenario” would emerge in the movement being made. For example, a group recreating the movement of an unfurling plastic bag looked like a group of gossiping old women.





Rhythm

Rhythm is just as vital to theater and to the performing arts as it is to songwriters, musicians, and singers. Without rhythm, there would be no comedy.

Director Simon McBurney said it best:



“In rehearsals we frequently refer to rhythm. By this we mean the beat (or heart beat) which maintains the flow of an improvisation or particular piece. In a finished piece of theatre the rhythm is infinitely various and complex, however it is extremely useful to raise consciousness of the concept of rhythm by beginning with a much simpler idea.



For example, by imitating the beat of a jazz band with only the voice. It will become very clear when the rhythm is dropped, a beat is missed or a cue is not picked up. The same principle applies to all theatre. There is a musical quality to theatre, as inexplicable as music, which has its core in the concept of rhythm.





Rhythm

As an experiment, get a vocal jazz rhythm going and then get your students to tell a story in words, but maintaining the precise jazz rhythm. The notion of picking up cues and keeping the improvisation going rhythmically will rapidly become even more apparent.”





The Inextricable Connection between Your “Outer” & Your “Inner”

How does the physicality of a character inform an audience about their emotional state, occupation, or status?

Actor Harriet Walters put it best,

“As a key to character it works like this: you alter your posture and that alters your breathing; change your breathing and you can change your motional state; cock your head on one side and it changes your attitude. Such tiny physical adjustments can take you inside a character when the psychological approach has got you stuck.”





The Inextricable Connection between Your “Outer” & Your “Inner”

Traditional western acting training places great emphasis on creating a character psychologically. So while students respond to hot seating questions and are in tune with their character’s thoughts and attitudes, they are less secure about their physical being.



They end up walking, moving, and talking like themselves.

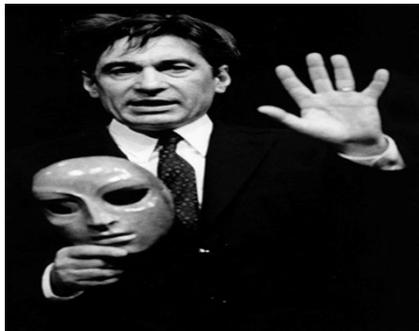
Enter French stage actor and acting movement coach, Jacques Lecoq. He believed that a character that was really working could be understood by an audience without the need for spoken text. At his school in Paris, he created an approach where characters were explored primarily through how they moved.





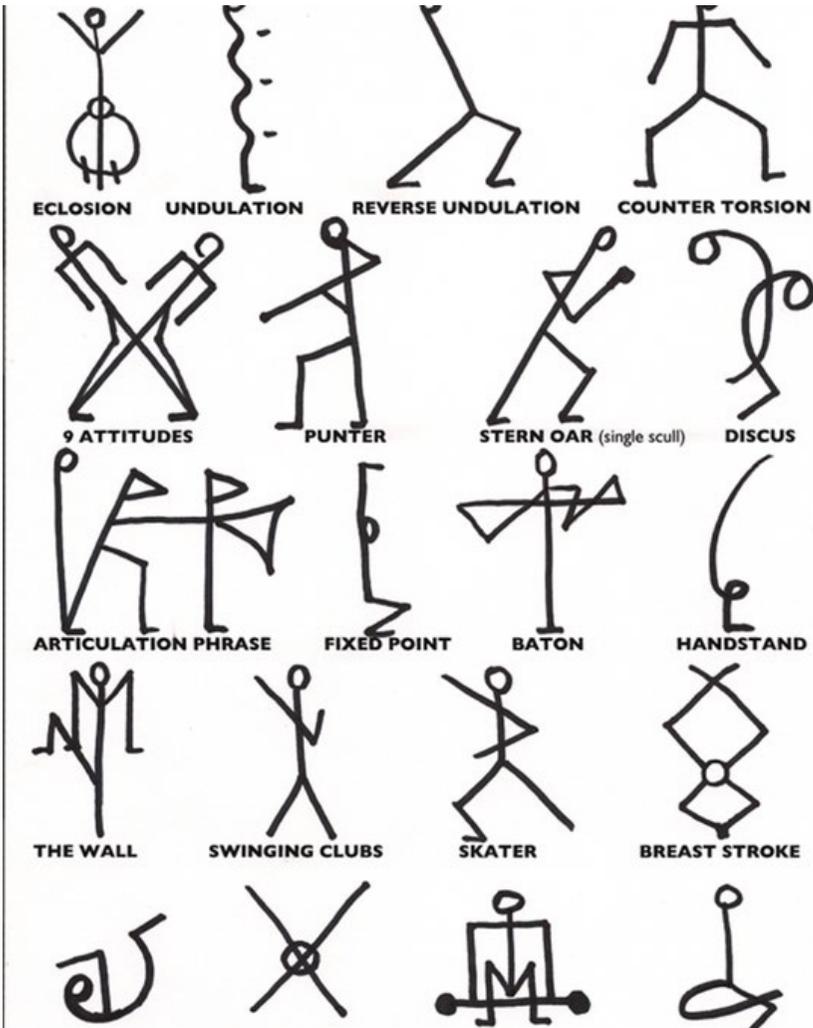
JACQUES LECOQ

“Everything moves.
Everything develops and progresses.
Everything rebounds and resonates.
From one point to another, the line is
never straight.
From harbour to harbour, a journey.
Everything moves... as do I!
Joy and sorrow, confrontation too.
A vague point appears, hazy and con-
fused,
A point of convergence,
The temptation of a fixed point,
In the calm of all the passions.
Point of departure and point of destina-
tion,
In what has neither beginning or end.
Naming it, endowing it with life, giving
it authority
For a better understanding of what
Movement is.”





LECOQ'S 20 MOVEMENTS





The Inextricable

Connection between Your “Outer” & Your “Inner”

Starting with the feet and working up to the head, we are led through an exploration of how our character could move.



We're asked to consider the following:

- > The distance between their feet.
- > The length of their stride.
- > Whether their feet are parallel or turned in or out.
- > If they walk with the weight on the front or back of their feet?
- > Which part of their body they lead with? Head, stomach, chest.
- > If they give the impression of being pushed/pulled from the back or front?
- > Whether they roll their hips.
- > If they seem to defy gravity or are prey to it.
- > If they resemble a particular animal.





The Inextricable Connection between Your “Outer” & Your “Inner”

We are urged to be bold and definite with our physicalizations so that we feel a physical transformation. After all, they can always be toned down later.



Just as important as it is to explore and experience all of the options, we also bring awareness to the sensations that come up inside us as a result of changing the habitual way that we move our bodies.

The ability to alter your physical and mental state at will through tiny physical adjustments is an incredibly powerful storytelling device since the attorney now has greater agency over their movements and can use them in service of telling the story vividly and bringing it to life with rich subtlety and nuance.





The Inextricable Connection between Your “Outer” & Your “Inner”

It is also an antidote for avoiding the
doldrums of a monotonous and bland
delivery that will put your jury to sleep.





Standing in One Place versus Pacing when Public Speaking – Which is Better?



This is a common question. And not unlike the answer you give to a client who is soliciting your legal advice, the answer is, “It depends.”



When public speaking, both **standing in one place** and **pacing** can be effective—*if done intentionally.*

The key is using body movement to support your message rather than distract from it. The following is a comparison.





Standing in One Place

Pros:

- **Conveys confidence and control** – Especially during key points or introductions.
- **Minimizes distraction** – The jury can focus more on your message.
- **Good for small venues (i.e., courtrooms) or virtual talks** – You stay within camera or audience view.



Cons:

- Can seem rigid or stiff if overdone.
- May reduce engagement if there's little variation in tone or gesture.





Standing in One Place

Best For:

- Emphasizing strong or emotional points.
- Opening and closing your talk.
- When using visual aids (slides, whiteboard).





Pacing (Moving Purposefully)

Pros:

- **Adds energy and dynamism** – Can reflect passion or enthusiasm.
- **Engages different parts of the audience** – Especially in larger spaces.
- **Can help with nerves** – Physical movement may reduce anxiety.



Cons:

- **Aimless pacing looks nervous** – Uncontrolled movement can distract.
- **Can break eye contact** – Makes you seem less connected.





Pacing (Moving Purposefully)

Best Practices:

- Move **with purpose** – For example, shift positions when transitioning topics.
- Pause, plant your feet, and speak – then move again.
- Use space to **visually mark progress** in your talk (e.g., “Problem,” “Solution,” “Call to Action”).





Standing in One Place versus Pacing when Public Speaking – Which is Better?



Tip: Blend Both



- Stand still when delivering key points in your speech. To practice, you should walk to a fixed point in the room in silence. Upon arrival, pause, plant your feet, and speak. This will help you get into the habit of not speaking when walking to a fixed point in the room to deliver your message and conversely, not pacing or swaying side to side when arriving there.





Standing in One Place versus Pacing when Public Speaking – Which is Better?



Tip: Blend Both

- Move when transitioning or telling stories.
- Use the “anchor point” method: Assign different areas of the courtroom to different themes or parts of your speech.





UNITY OF OPPOSITES

Because we, as humans, are so complicated, contradictions can become "second-nature" to us, without us even being aware of them. In the same vein, we don't always say what we mean or mean what we say. I can think of at least two different examples here.

You're at the swimming pool one summer afternoon with your four year-old toddler. He takes off running while you are reclining in a lounge chair reading your book. You jump out of the chair to race after him. As you get closer, you stub your big right toe on the concrete and blood starts gushing out. The pain is excruciating.

Every fiber of your being wants to yell out every four-letter expletive you know, but instead you hop around on one foot, wincing and grimacing, while holding it all in.

A passerby asks you if you're okay. You say, "Yea. I'm fine." Had this happened in the privacy of your own home in the middle of the night when you got out of bed to go to the bathroom, chances are you would have let out a yelp and a scream followed by expletives. But because you've been conditioned by society to refrain from anti-social behavior, you've suppressed this primary impulse.





In a second example, your mom calls just as you're getting ready to walk into court for a busy Monday calendar. Against your better judgment, you pick up the phone. She has important news to share with you and launches into a long-winded and uninterrupted narrative without so much as taking a breath. You have to stop her dead in her tracks if you are to have a fighting chance of making it to court in time for the calendar call. So, you are short with "mom" and tell her that now is not a good time and that you need to call her back later.

Two hours later when you are still in court, mom calls again. And again, you tell her that you cannot talk. "Why does she keep calling me at the worst possible times? Can't she see that I am at work?" you ask yourself. But three times is a charm. Later that day, just as you are getting ready to board the "quiet car" of the train for your commute home, mom calls. By now, she has whipped you up into a frenzy and you answer in an abrupt tone. You tell her that you can't talk as you are getting on the train for the commute home, but that you'll call her back later.

You arrive home, sit down on the sofa with a pint of Ben and Jerry's Heathbar Crunch ice cream, and watch the next episode of "Ozark." Later never comes. Because of how persistent mom is, you assume that she will call you back again, but the rest of the week goes by without mom calling you back. Now it's the weekend and not only are you desperate to hear from mom, but you're feeling guilty about having been so "short" with her. You wonder why she hasn't called.



We call this, “unity of opposites.” It could also happen in reverse where you wish and wish for something to happen – to get that “dream job” that you always wanted, to go out on a date with that woman that you always fancied at work, or to get that puppy that you wanted from the time you were a child – and when you finally get it, you no longer want it. Thus the expression, “Be careful what you wish for.” We humans are inherently contradictory.

Because the characters that actors play are messy, inherently flawed, and full of baggage, actors go in just the *opposite* direction, leaning into the inconsistencies between the nonverbal and verbal to create a rich, multi-dimensional character. This is what makes passive aggressive people so interesting to watch – you don’t know what they’re going to do next. They’re like trying to solve a mystery.

Harry Potter : The most famous and (rumored to be) most powerful wizard in the wizarding world, and he lives in the cupboard under the stairs at his abusive aunt and uncle’s.

Frodo from *Lord of the Rings* : The most unskilled, unqualified, and harmless person who is the only one capable of taking the most evil magical object, the Ring, through the darkest lands to be destroyed.

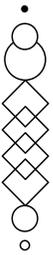
Rudy .





This theme of persevering against all odds to achieve the one thing that you want more than anything else in life is universal. And it makes for one heck of a story.

Why? Because we can all relate. Who hasn't had to struggle for something that meant the world to them and which initially felt impossible to attain? It is intensely personal. And we think that we're the only one that is "suffering" in this way. Until we meet the protagonist in a movie like "Rudy" and see the cards that he has been dealt and how no matter how many time he gets knocked down, he keeps getting back up again. It inspires us to stay the course and not to give up. We can see glimmers and flashes of ourself in the character which lead us to say, "If Rudy can do it, I can too." This is why we love stories like "Rudy," Rocky, and "rags to riches" stories like those of Oprah Winfrey who started from nothing and defied the odds to achieve unimaginable wealth.





SYNCING NONVERBAL & VERBAL

But for the lawyer looking to persuade jurors, both the nonverbal and verbal must be in sync! In other words, there must be an integrity of body, mind, and voice.

Tip: As simple as this might sound, one of the biggest reasons why a lawyer's nonverbal communication and gestures are out of sync with his words is because the lawyer, himself, has not convinced himself of his client's innocence. When defending a person accused of a crime, if you haven't convinced yourself — lock, stock, and barrel — of your client's innocence, your nonverbal communication will reveal the uncertainty!





ECONOMY OF MOVEMENT

Because we are in a perpetual “close-up” shot with the jury due to our close proximity to them where less is always more, I want to introduce a concept called, “economy of movement.” There are two questions that must be asked.

First, must you be doing anything or is your movement distracting from the truth and meaning of your words?

The movement doesn't necessarily have to be a big gesture like flailing your arms about in order to be distracting. It could be as subtle as balling your hand up in a fist.

In Hamlet's famous speech to the players, he implores them to act naturally without exceeding the bounds of natural behavior. He tells them to suit the “action” to the word and the word to the “action.” Therefore, a fundamental question that lies at the heart of “economy of movement” is whether this movement or gesture is 100% needed?

If you can't take your eyes off of an actor, if you've been moved to tears by an actor, or if you've been pulled to the edge of your seat, chances are that the actor's actions fit their words and their words fit their actions.





On the other hand, if your mind begins to drift and you reach for your smart phone or the urge to let out a deep yawn sets in, one of the reasons might be that the actor is “indicating” or “gesticulating” in a way that distracts from what they are really feeling on the inside. That rich, inner life is far more interesting for an audience to watch, but far more revealing – and I dare say, vulnerable – for the actor to show. For this reason, the actor might consciously (or unconsciously) begin an extraneous movement as a distraction to hide from the audience the true feelings that are welling up inside him.

The second part of economy of movement has to do with holding onto patterns that no longer serve us in healing or surviving and is based on Somatic and embodied practices.

Our bodies are remarkable at adapting. When we consider everything they do for us every moment of every day, we must acknowledge the absolute mastery of our ecosystem.

A complex, interdependent system of autonomic and willful actions keeps us moving, breathing, relating, creating, and healing. But sometimes, we hold onto patterns that no longer serve us in healing or surviving. That shoulder you injured years ago? It still carries the story of overcompensation.

That tight lower back? It could be silently supporting unprocessed stress.

Our belief about relaxing? It’s keeping us from recovery.





Practically speaking, once you've decided that a certain movement is really needed, the question to then ask yourself is, "Which muscles do I actually need to make that movement?"

For example, in order to raise your arm, you don't need to tense your leg or your neck. Your neck muscles don't move your arm. This is an example of what Moshe Feldenkrais called, "parasitic movement."

The Feldenkrais Method is a gentle, slow, and meditative learning process. The accent is on your first-hand experience, similar to the organic process you experienced when you were a baby, learning to roll over or make your first steps.

If you want to turn your head, do you need to tense your shoulders? No.

This training takes time. If you have a habit from years and years of raising your shoulder every time you turn your head, that habit isn't going to disappear overnight.

Hint: Pay attention to the gestures and movements that you use in everyday life when you're in conversations with other people. This will help you to identify which movements are natural and organic to you verses those which are merely "window-dressing," to wit a mask that covers up the "juicy" stuff that is stirring around on the inside and that the audience has paid good money to see.



EXAMPLE

Comedians are experts at knowing what energy they are bringing into a room and how it is landing on an audience. In my opinion, the best comedians are those that know their quirks, peculiarities, and idiosyncrasies inside out and backwards and who aren't afraid to share them boldly with an audience. This is not for the faint of heart as more often than not, it relates to the tender parts of self that may be the very reason why other kids picked on you or made fun of you when you were growing up. Therefore, it requires a lot of bravery and self-awareness.

There is also a heightening element that is required. If late night talk-show hosts Jimmy Fallon and Stephen Colbert were known to play "stepped-up" versions of themselves, I'd argue that some actors have made a career out of playing oversized caricatures of themselves. For example, consider John Candy as "Uncle Buck," Chevy Chase as Clark in "National Lampoon's Christmas Vacation," Michael Richards as Kramer in "Seinfeld," or Joe Pesci as Vincent Gambini in "My Cousin Vinny."





And for comedy, look no further than the late, great comedian, John Pinette. John Pinette shows the power of self-deprecation and fully embodying the story he is telling. His stories are as real as he is and are told as if they are unfolding right before the audience's eyes.



Comedian Sebastian Maniscalco recently said, “With all that’s going on in the world today, we need to laugh more.” I think that he’s right. Laughing definitely helps to purge the toxins. At the very least, it doesn’t hurt to smile.

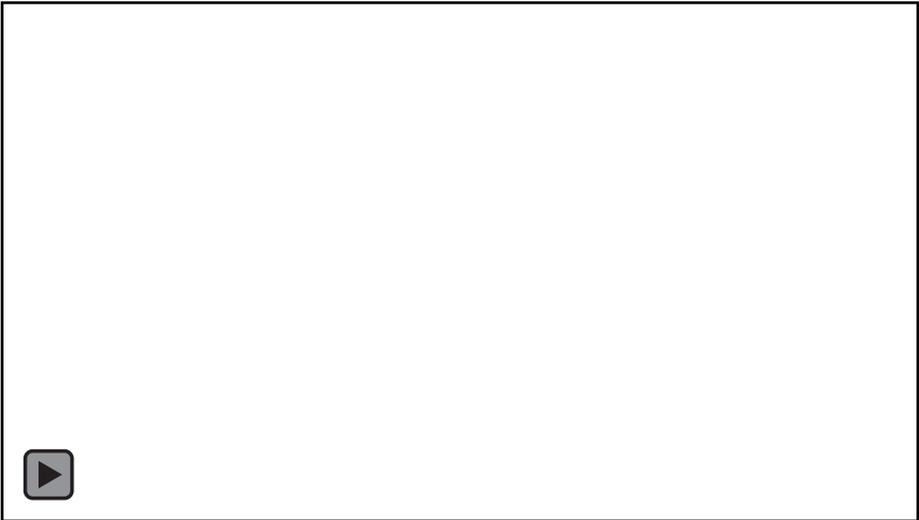




In fact, I think that there is room for levity in the courtroom when the moment calls for it and the circumstances are right. For example, who can forget Barack Obama's 2004 DNC speech where he said, "the hope of a skinny kid with a funny name who believes that America has a place for him, too. The audacity of hope!"



SOFT HUMOR
EXAMPLE FROM
OPENING IN “THE
LINCOLN LAWYER”
(MANUEL GARCIA -
RULFO)





WHAT “ENERGY” AM I BRINGING INTO THE ROOM?

Swiss psychiatrist Carl Jung suggested that there are twelve main character archetypes.

It’s fascinating to think how the Jungian archetypes have withstood the test of time, becoming a “go-to”

framework for writers, filmmakers, and creatives worldwide. His categorization doesn’t just list character types; it delves into the psychological underpinnings of why characters behave the way they do, offering a richer, more nuanced understanding of storytelling.

A bit of background is in order. Carl Jung believed that

human beings all over the world have a universal character (archetype) within them, which is a part of the collective unconscious, a shared reservoir of memories and ideas that all humans have in common.

Each of the twelve primary archetypes carries its own set of values, meanings, and personality traits, contributing uniquely to our shared psychological experience. He organized the twelve common archetypes into three sets of four – ego, soul, and self – with each set sharing the same underlying motivation for their actions and decisions. Jung believed that these archetypes are innate, universal, and hereditary, and they shape human behavior and experiences.





This universal character within us resonates with the archetypes we see on screen or in pages, creating an invisible thread that connects us to the stories we love. It's a testament to the enduring power of storytelling and its ability to tap into the deepest parts of our human psyche.

As we dive into the intricate world of character archetypes, we're not just learning about fictional characters; we're uncovering aspects of ourselves, our own intrinsic personality traits, and understanding why certain stories resonate with us on a profound level, thanks to our shared connection through the collective unconscious.

When entering a room or appearing in front of a jury, your body will instinctively take on one of these twelve archetypes and the jury will instantly begin to make judgments about you. This is what I mean when I say that your body is the front-line of expression and that it has already told a story long before you have opened up your mouth.

Few of us know what energy we're bringing into a room. Imagine the power that you would have over a jury and what you would be capable of doing when it comes to storytelling if you knew your specific archetype. This is not for the faint of heart as we may not like what we discover. Therefore, it requires an openness, a sense of self-acceptance, compassion, and modesty. It is important to note that these archetypes are never static. They are always changing and shifting based on your inner life and the surrounding circumstances.





THE TWELVE ARCHETYPES





1. THE INNOCENT

Often a child or someone with a childlike demeanor, the Innocent archetype as identified in Carl Jung's analytical psychology, perceives the world with unfettered optimism and wholesomeness. They shine with purity and simplicity, embracing life with trust and warmth, which endows them with the extraordinary capacity to see the sublime in the mundane. With an unflinching reservoir of hope and positivity, they represent an untainted perspective, a beacon of light in a world that can be overshadowed by complexity and skepticism. Their innocence is not just a trait but a lens through which the beauty and interconnectivity of life are magnified, offering solace and inspiration to all they encounter.





2. THE ORPHAN

The Orphan character archetype, while not necessarily a literal orphan, carries the thematic weight of isolation and the quest for belonging that is central to so much of human storytelling. This figure is a poignant representation of the universal search for a place in the world, a tribe to call one's own, and a purpose that grants life a deeper meaning. The orphan's narrative arc is inherently linked to the concept of the 'everyman' archetype, as they often come from humble beginnings, only to be thrust into extraordinary circumstances that highlight their common humanity and relatability. Orphans make great protagonists because they've got a lot to gain if the story goes in their favor, creating a strong rooting interest for the audience. Usually, they're a regular person plucked from obscurity, becoming the main character in a story filled with growth and self-discovery.





Their stories strike a chord with the audience, embodying a sense of resilience and the hope that even from the most desolate conditions, one can rise and find or forge a sense of family and belonging. The orphan's journey is emblematic of the individual's struggle against the larger forces of society or destiny, often navigating through the social landscape in a search for personal identity. With a resilient spirit and a heart full of hope, the orphan character navigates their way through challenges, learning to rely on their own strength and the help of newfound friends or allies. Their journey is often one of transformation, as they learn to overcome their insecurities and realize their own worth.





3. THE HERO

Sometimes known as the Warrior, this stock character is indispensable when you want to inject your story with heart-pounding action and high-stakes drama. This is the person you position at the forefront of conflict, ready to crush the enemy and save the day with an unyielding spirit. Brimming with courage and unwavering determination, they embody the archetype of a true leader, prepared to take on any challenge and inspire those around them. Often natural leaders, these characters are the ones others look to in times of crisis, ready to lead by example and with an innate ability to rally the troops.





4. THE CAREGIVER

The Caregiver, embodying the nurturing and protective qualities often associated with the mother archetype, takes on various forms – they could be a parent, spouse, or a steadfast best friend. Regardless of the role they play, their essence revolves around providing support and care to those they cherish. Their instinct to nurture goes beyond mere obligation, stemming from a profound place of altruism and compassion. They are the unsung heroes whose influence may not always be at the forefront of action but is felt deeply by those who rely on their steadfast presence.

•These archetypes can be counted on to give their all when it comes to ensuring the safety and wellbeing of their child, lover, or friend. Sometimes they emerge as an active sidekick, significantly contributing to the narrative's progression, while at other times, they offer their support more subtly, staying in the background yet always ready to lend a helping hand.

•In addition to their caring nature, archetypes often possess a quiet wisdom and a deep understanding of the human condition. Caregivers not only seek to respond but to understand, offering sage advice that often guides protagonists towards personal growth and healing. Their ability to see the best in others and to heal not just physical wounds but emotional ones too is a testament to their profound impact on the trajectory of a story.





5. THE SEDUCER

These beautiful, irresistible character types, often referred to as the Seducer in Jungian psychology, use their good looks and irrepressible charm to spin every situation in their favor. They come in every shape, size, and gender, embodying the archetypal stock character that challenges the status quo with their unconventional ways.

Wrapped in allure and mystery, these archetypes often operate with a core desire to captivate and master others, harnessing their attractiveness as a means to exert influence and satisfy their deep-seated need for power. They thrive on the thrill of conquest, whether it's the pursuit of a love interest, the acquisition of wealth, or the attainment of a strategic advantage. Their magnetism can be both an asset and a liability, as it may win them favor but also attract envy and suspicion.

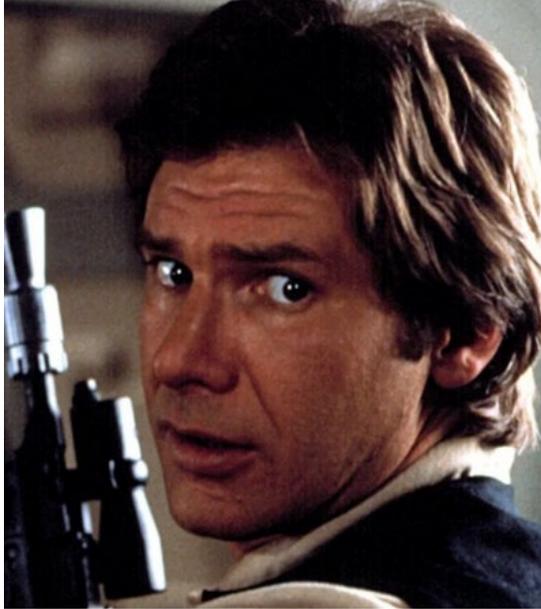
With a keen understanding of human nature, they can read desires like an open book, using this insight to weave their way through social labyrinths, leaving a trail of both admirers and adversaries. The seducer's ability to entrance is often rooted in a deep understanding of the arts of persuasion and influence, making them as intellectually formidable as they are physically appealing. With an arsenal of power, sex, money, and influence, they navigate the world with ease, manipulating circumstances to get what they want. However, it's worth noting that anything on offer from the Seducer usually comes with a high price, masked by their enchanting allure.





6. THE REBEL

In analytical psychology, the rebel archetype, also known as the revolutionary or the outlaw, represents a profound challenge to the cultural shadow—the unspoken rules and unchecked power structures of society. This archetype is a catalyst for change, embodying the quest for freedom and the dismantling of oppressive systems. The rebel is a figure of transformation, tearing down what no longer serves the greater good to make room for new growth and progress.





The rebel character stands firm against the tide, refusing to accept the status quo. With an unwavering belief in justice, they dedicate themselves to leveling the playing field and challenging the existing order of things. These characters are not always in positions of leadership; in fact, many embody the everyman anti-hero persona, making their rebellious acts even more impactful.

Their path is fraught with conflict and opposition, yet it is their very marginalization that often gives them a unique perspective on what needs to be transformed.

The rebel does not seek rebellion for its own sake but is driven by a core desire for equity and authenticity, guided by a vision of what society could become if freed from its outdated conventions and corruptions.





7. THE LOVER

The lover is a character archetype that showcases the depth and intensity of human emotions and relationships. These individuals wear their hearts on their sleeves, embodying devotion and passion in its purest form. They are utterly devoted to the object of their affection, sometimes to the extent that they are willing to put their own safety and well-being at risk.

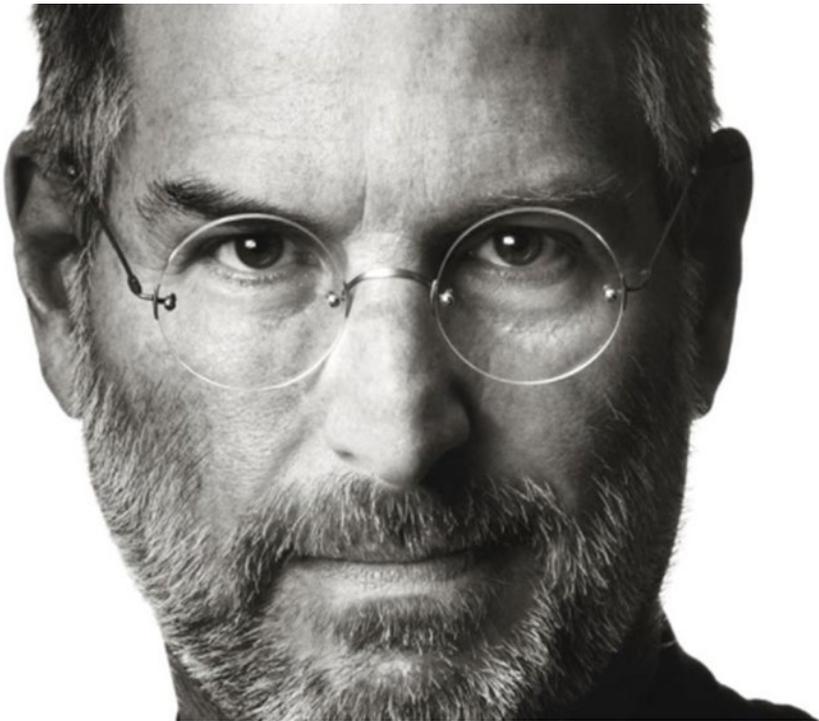
The lover archetype, while deeply passionate, also exemplifies the transformative power of love in Jung's analytical psychology. This character's love often extends beyond the personal, touching upon the collective unconscious, where archetypal patterns of behavior are shared and understood on a universal level. In their love story, we see not just a personal romance but a mythic journey that echoes the deepest yearnings of the human spirit.





8. THE CREATOR

The creator archetype is truly a fascinating figure in storytelling, embodying the quintessence of imagination and innovation. These are the individuals who feel an insatiable urge to produce, create, and shape the world around them. While they can often be seen as the classic, eccentric artist completely immersed in their work, they might also take on the role of a visionary business leader or an ingenious entrepreneur.





9. THE JOKER

The joker, as one of the notable Jungian archetypes, embodies a unique combination of humor, wit, and often, unexpected depth. With their infectious laughter and love for a good joke, they bring a lightness to any story, helping to balance out more serious or tense moments. They excel at living in the moment and encourage others around them to do the same, embracing the joy and spontaneity of life.





10. THE MENTOR

In the vast and intricate tapestry of character archetypes, the mentor holds a special place, embodying wisdom and guidance. Everyone, from the most humble to the most heroic protagonists, needs a mentor in their journey.

Sometimes referred to as the sage, the mentor archetype makes its presence known by guiding the protagonist, providing them with the knowledge and preparation necessary for the challenges ahead. They manifest in various forms—a parent, a close friend, or even as the archetypal wise old man with a long, flowing beard.





11. THE MAGICIAN

The magician stands out as a complex and multifaceted character in the world of story archetypes, weaving a web of influence and control. Forget the stereotypical image of endearing old men in silk shirts pulling rabbits out of hats—the magician character archetype often harbors a more enigmatic and potentially sinister aura.

Much like the mentor, they are on a quest for enlightenment and wisdom, but what sets them apart is their desire to bend and shape the world around them according to their own vision.





12. THE RULER

The ruler archetype in Jungian psychology represents authority, responsibility, and sovereignty, both in their personal domain and in a broader societal context. Their rule can be just or tyrannical, but always, it is marked by their commanding presence. The ruler exerts influence not just through direct control, but also through the establishment of laws, norms, and structures that define the environment in which they and others operate.





WHICH ONE AM I?

There is an exercise called, “See and be seen” designed to unlock this. Students take turns standing in front of the class and taking everyone in while the class takes them in. The actor need only stand there and be present. There is no need to “perform” or put on a figurative mask. If you are in a lousy mood, you’d just stand there in your lousy mood and let the class take you in while you took them in.

The key is that you must “see” and take in everybody.

This means that you can’t just stare into space. Instead, you must make eye contact with each person and take a moment to really see them. It sounds simple, but actors sometimes get used to hiding behind a character. When you’re up there in front of everyone, it’s just you as you. You have nowhere to hide. A couple of people cried. Not because of anxiety or anything like that, but just because they let themselves be vulnerable.

As previously mentioned, there is also an intimacy that comes with making eye contact with someone and really noticing each other. It’s a surprisingly existential experience.

So, you might ask, “What’s the point?” This exercise pushes you out of your comfort zone by forcing you to be more present and connected with a jury. As a trial lawyer, vulnerability is one of your greatest assets. But it’s also one of the hardest to access. We put up walls and hide behind masks. This work starts to break down those walls and shows us what it really means to “see and be seen.”



MOVEMENT IN THE COURTROOM

Actors never “pace” or “wander” around the stage. Every move is done with purposeful intention to emphasize, draw attention to, or offer “subtext” to the script or content. In the same way, so too should the trial lawyer move with purpose in the courtroom, especially during opening and closing when addressing the jury.

When an actor moves from place to place on stage, it’s called a *cross*. Crosses are precise, clear movements from one place to another. Each movement should be done with purpose, at a specific point in your presentation.

Wandering, pacing or even unconscious weight shifting is distracting and takes your attention away from where it should be: the jury. It weakens the impact of your speech.

By moving to a specific point in the courtroom, you can *punctuate* a point.

Tip: If you want to make a strong point, taking three steps forward will alert the jury you are about to say something important.





Think Like a Director

Just as a director looks at the stage to see the areas of strongest impact for the audience and sets the stage for the scene, so should you when it comes to the courtroom.

You should always think about the courtroom from the juror's point of view, keeping it balanced and visually interesting.

Look at general areas of the courtroom as points to reach your jury (*all* of your jury) on as many levels as you can. For example, you may move closer to the jury box to get closer to one or two of them, or keep your distance in order to take in *all* of them.

Look carefully at the placement of furniture (lecterns, tables, projection screens) in relation to YOU and where you are in the jury's view.

Make sure you are not "upstaged" by an unnecessary piece of large furniture, which unconsciously draws the jury's attention away from you.

The following theatrical techniques will help you stage your opening and closing in a way that uses movement to enhance content.

Upstage and Downstage

Directors *block* the movements of actors to emphasize dramatic meaning and to maintain clear sightlines.





- The downstage area, closest to the audience, is a strong position and is the best place to present the most important content of your speech. However, you don't want to live there. In fact, if you meander too close to the jury in this area, you will be entering the dreaded, "zone of the pathetic."
- *Upstage* , away from the audience, is less powerful but can be used effectively for reflective pauses. But be careful. If you meander too far away from the jury in this area, you will be entering the dreaded, "zone of the tragic," where intense scenes are played out, with extraordinary consequences, such as a battle between the hero and his arch nemesis.
- Moving from upstage to downstage in order to make an important point is highly effective.





DOWNSTAGE AREA

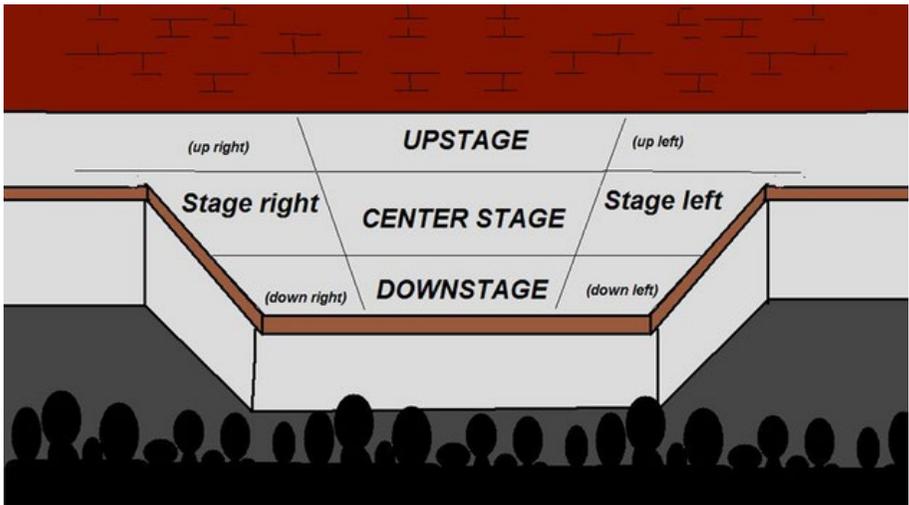
Be careful about getting too close to the jury. I see many lawyers who stand directly in front of the jury box, virtually nose-to-nose with the jurors in the first row. Inevitably, you'll see one or two jurors begin to recoil.

The reason for this is that we are all encased in a figurative “bubble” of varying sizes that act like a protective case for our personal space and represent our “safe space” for engaging with others. For some people, their threshold for close contact with others is high. And for others, it is low.

In these post-COVID times, I would argue that most people’s bubbles have become wider and more expansive than they used to be. In fact, embracing and hugging, which was once so common is now something that most people approach with apprehension and reticence, so much so that it has become necessary to request consent from the other first.



MOVEMENT IN THE COURTROOM





- Stage Right and Stage Left
- In American and British theater, Stage Right and Stage Left refer to the actor's – or speaker's – point of view.
- The position *Downstage Right* is perceived by western audiences as having intimacy and importance (probably because we read from left to right).
- In theater, love scenes, monologues and narration are usually performed *Down Right*.
- Public speakers use this position for their most important content, or for stories that have a strong emotional effect.



DOWNSTAGE LEFT TRADITIONALLY HAS A CONSPIRATORIAL FEEL TO IT, A PLACE FOR PLOTS AND DISCUSSIONS IN THE THEATER.



HUMOR IN A SPEECH IS OFTEN VERY EFFECTIVE WHEN DELIVERED FROM THIS POSITION.

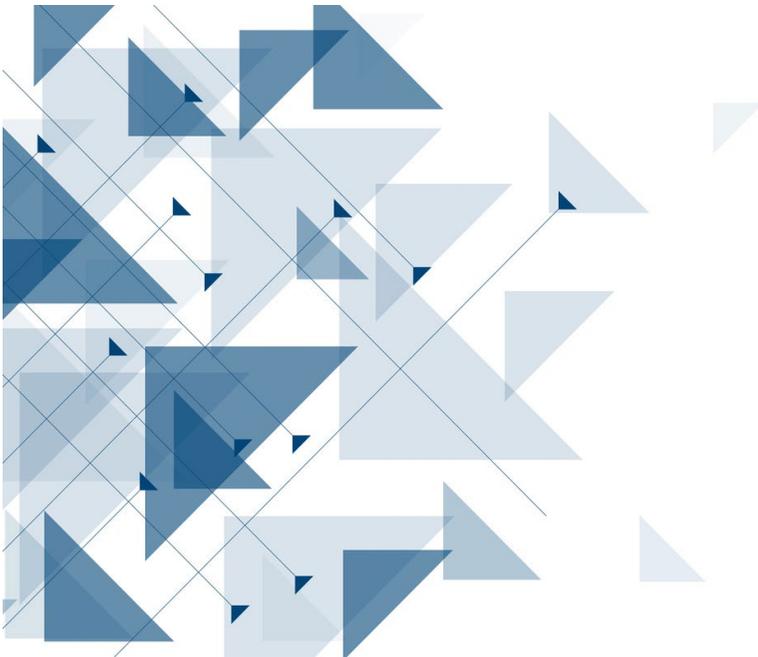
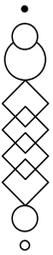




CROSS-EXAMINATION & THE TRIANGLE

FBI Special Agents are trained to make eye contact with the jury whenever they are testifying -- whether on direct or cross. This allows them to make a very strong connection with the jury.

The AUSA will usually position themselves near the jury well when conducting a direct examination so that the agent need only swivel their head ever so slightly to make eye contact with the jury. What can we, as defense attorneys, learn from this?

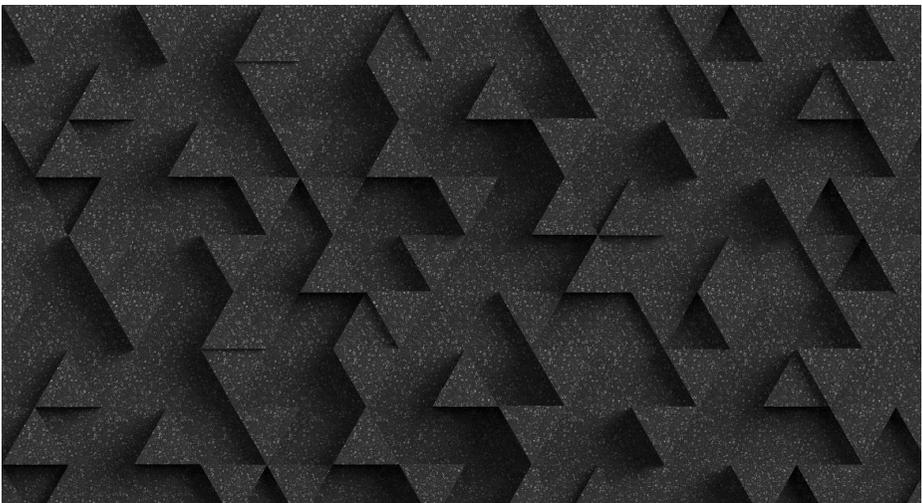




When cross-examining a special agent, it is a good practice to create a right triangle with the agent at one point, the jury box at another, and you at a third. A right-angled triangle is a type of triangle that has one of its angles equal to 90 degrees.

Simplifying this, I try to stand on the opposite side of the courtroom from the jury box. That forces the witness to crane their neck and turn their head in a direction that is opposite to the jury box in order to look at me when I am asking the question. The agent is less likely to turn back to the jury box and face the jury when answering

the question. Seasoned agents will still break eye contact with the attorney and turn back to face the jury when answering the question. However, in my experience, it does not happen with the same amount of frequency as when the defense attorney stands on the opposite side of the courtroom from the jury box in this right angle configuration.



TIPS

Follow your instincts. Be led by those jurors who seem to beckon for your attention. You'll see it; you'll feel it.
But NEVER leave anyone out.

