

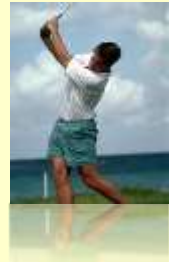


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Ten Tips on How to Make a Good Impression in Court

We know that first impressions last and influence our behaviour. We should not go out of our way to try to impress someone, but we should be aware that our demeanour will be noticed. When it comes to courtroom demeanour, a first good impression will imprint an image of you in the mind of the judge (or jurors) and may have an influence on the outcome of your case. In theory, judges and jurors are supposed to be unbiased and neutral, but in reality they are influenced by external stimuli, just like you and I. They are not only influenced by what they hear; your overall appearance, body language, the tone of voice and the way you go about asking and answering questions will have an impact on your case.

Your overall appearance

1. **Be clean.** Nothing is more offensive than a bad body odour; it creates a negative aura around the person and conveys the image of someone with low self-esteem and lack of confidence. I cannot emphasize enough how important cleanliness is. Even if you cannot afford to buy soap, a quick shower with just water will do the job. And for men, don't forget to shave, unless you are prevented for religious reasons.
2. **Wear clean clothes.** You will be at a close proximity with court staff, lawyers and witnesses. Most of us are tactful and we will not comment on the smell that radiates from your clothes, but we cannot help noticing it. If you have to 'take the stand', that is to testify, you may be very close to the judge, and odour of your body and your clothes will fill the air between you and the judge. Clean your clothes every day so you wear clean clothes in court.
3. **Avoid flashy patterns and eccentric styles.** There are studies on how juries and judges are influenced, and the style and colour of your clothes are some of those elements. Avoid dark browns, colourful patterns and populated styles.
 - a. For men, I suggest plain blue or grey jackets with grey pants and white shirt. Some of my clients ask me if they should wear a tie. My response to that is 'it depends'. If you are a blue collar worker, avoid the tie because it will convey a message that is not really you; you are not there to impress. You are there to win your case. Be unpretentious. If you don't like blazers, and the weather permits it, wear a light cotton sweater. If you are a businessman or

- professional who wears ties to work every day, by no means, put on a tie; but it should be a plain tie that will match your clothes.
- b. For women, I also suggest plain colours and clothes that are not too tied. As for colours, women can be a little more adventurous, but if you want to play it safe, wear plain patterns and avoid pinks or reds.

The tone of your voice

4. **Cultivate an elastic voice.** When you get up in the morning getting ready for court, practice singing the following: *ding, dong, bing, bong, king, kong*, alternating between low and high tones. Try it...diiiiinggg, dooongg, bingiiiiing, boooong, kiiiiingggg, kooongg, loud, louder and then deep and slow. Your voice will become elastic and when you speak in court, everyone will hear you. When speaking to the judge or the witnesses, modify the pitch of your voice to suit the distance between you and the listener. If you have to 'speak up' then do speak up. Too often, soft voices are associated with nervousness and shyness, and the judges are sensitive to that and they will try to make you feel comfortable. For impact, however, vary the tone of your voice as you emphasize parts of your testimony.

Your body language

5. **Avoid moving around too much.** We know that communication is mostly body language and the tone of our voice. Try not to imitate courtroom drama you saw on television. To be dramatic actors and actresses move around a lot and point their fingers at the opposing counsel or witnesses. Avoid these tactics; they do not work in the real courtroom environment. Try if at all possible to stay put in one place while speaking and move only when you have to show a document to a witness or pick up an exhibit from the clerk.
6. **Move your hands gracefully.** It is always a good idea to move your hands. Scientific research shows that more nerve connections exist between the hands and the brain than between any other parts of the body. Unconsciously, therefore, your hands reveal your attitude towards another person, place, or situation. By the way you position your hands, rub your palms, and fiddle your fingers you're telling anyone who's paying attention what you are really feeling. To show honesty, keep your palms facing up. When people hold their hands in a front facing open position the words that would match this position would be along the lines of, "Honestly, you can absolutely trust that I'm telling you the truth."
7. **Facial expressions.** Smiling helps, but not all the times. People with a perpetually sunny expression can be mistaken as frivolous or less serious. I tell my clients to avoid smiling too often, for it conveys a message of lack of understanding of the gravity of the situation. Your reputation, money and liberty are at stake. Therefore, be composed and

look serious, but not too grave. When you hear something that you don't like or which is totally false, remain composed. **Avoid** making facial expressions of disbelief by shaking your head. And look at the judge when you speak, establishing a good eye contact.

When being questioned

- 8. Avoid being argumentative.** During the course of my career, I questioned many witnesses, both in the courtroom arena and in special examiners' offices. Whatever you say becomes part of the record, and the judges will hear it or have it read to them. If you are too argumentative with the person who examines you- usually a lawyer- your testimony will be lost in the clouds of these arguments and will have an adverse effect on your case. The worst thing to do is to argue with the judge. Just listen and answer the question asked of you. You do not have to agree if something suggested to you is not true. Just say, "With respect, I do not agree with that statement" or "This is not what happened, your Honour". And then you explain.
- 9. Admit the obvious.** If the questioner, asks you something that is obviously correct, just admit it and move on. If you are perennially disagreeable, all of the sudden the cards will start falling and your case will be lost.
- 10. Answer truthfully to the best of your recollection.** If you tell lies, sooner or later you will be caught because judges and lawyers are sophisticated enough to test the accuracy of your statements by means of other witnesses and evidence, including expert evidence. Tell the truth, the whole truth and nothing but the truth.

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