

# BACK STORY

## BOOK REVIEW: THE ARTICULATE ATTORNEY

BY MARK HINUEBER, ESQ.

Nearly every lawyer I know has heard some version of this career advice while growing up, either from a parent (or, in my case, grandparent), a teacher or a friend:

“You know, you really argue and speak well, you should become a lawyer.”

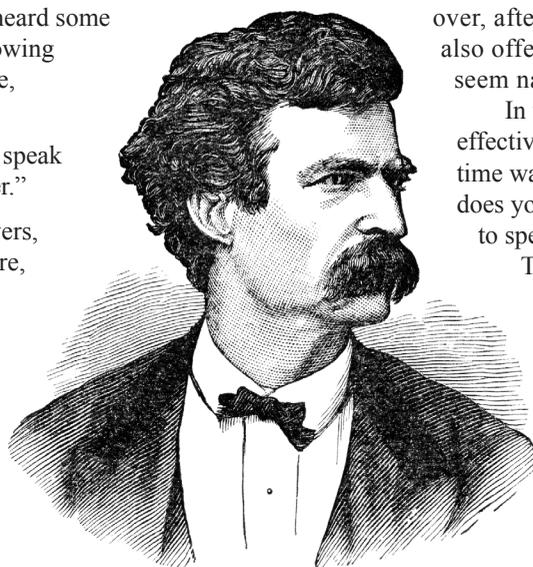
Most people assume that, as lawyers, speaking comes naturally to us – we are, after all, lawyers.

Written communication is one of a lawyer’s most important practice skills – one for which we have had significant training. The other skill, oral communication, receives less attention. In law school, most of us had trial practice or moot court experience. But oral communication, like written communication, takes practice and training. We did not leave law school speaking like the articulate attorneys who dazzle courts, clients and audiences with their oration on television.

To add to our knowledge and training, Brian Johnson and Marsha Hunter have contributed the excellent, short, second edition of their book, *The Articulate Attorney, Public Speaking for Lawyers* (Crown King Books, 2013), available through [www.Amazon.com](http://www.Amazon.com) and other sites.

Johnson and Hunter note that speaking is part of an attorney’s job. Whether in a courtroom or a boardroom, speaking makes up as much a part of our day as writing. Johnson and Hunter have trained many lawyers in the art of public speaking. Their advice is practical and “how-to,” and fits into three broad categories.

First, the authors note that body posture and position are important to better speaking. How many times have you watched people fidget, rock or shift from foot to foot? All of these behaviors, they remark, distract from the natural speaking style we strive to obtain. They offer practical suggestions for improving posture, position and breathing. My days of holding a pen while I speak are



*“There are two types of speakers:  
Those that are nervous and  
those that are liars.”*

— Mark Twain, as quoted in  
*The Articulate Attorney (2013)*

over, after heeding one of their lessons. They also offer great suggestions for making gestures seem natural and unforced.

In the ‘brain’ section of the book the authors effectively address the phenomenon of the time warp. How often, when you are nervous, does your adrenaline kick in, prompting you to speak faster, as time itself seems to slow?

The authors offer some useful advice on overcoming the instinct to speed up; they recommend listening to the silence before you speak and then developing a natural cadence. Silence, they comment, is an aid to your audience since, “comprehension happens in the silence.”

They also suggest that less is more when speaking with PowerPoint presentations. While many books offer suggestions on how to improve PowerPoint presentations, Johnson and Hunter offer this simple admonition: “don’t feel that everything you say must be repeated by a slide.” (Feel free to circle this passage and leave it anonymously next to the conference room laptop and projector).

Finally, many of us have listened to recordings of our voices and thought, “I sound strange.” The authors remark: “Get over the notion you sound funny, you don’t.” But, we still need to listen to our voices objectively. Vocal technique will improve through practice and even warming up before speaking can help.

This book offers many practical suggestions for improving our speaking styles. My favorite is to emulate President Lincoln’s habit of practicing his speaking while walking in Springfield (or, as the authors note, during your morning ablutions, i.e., talking in the shower).

As members of a service profession, our clients pay for our time, intellect and skills. Speaking effectively is one of the many ways we deliver superior service to those clients. ■

AUTHOR’S BIOGRAPHY IS AVAILABLE ON PAGE 5.