Contents

Aci	knowlea	lgment	xi	
ı.	Introd	duction		
	I. II. III. IV.	Lawyers Are Storytellers 1 Legal Arguments Are Stories in Disguise 2 The Parts of a Story 4 Movies and Closing Arguments 5		
2.	Plotting I: The Basics		8	
	I. II.	What Is Plot? 8 Plot Structure in Two Movies 20		
3.	Plottii	ng II: Plot Structure in a Closing Argument to a Jury in a		
	Complex Torts Case		28	
	I. II.	The "Backstory" 30 Annotated Excerpts from Gerry Spence's Closing Argument on Behalf of Karen Silkwood 31		
	III.	Concluding Observations 57		
4.	Chara	acter Lessons: Character, Character Development, and		
	Chara	acterization	69	
	I.	Introduction: Why Emphasize Movie Characters in Legal Storytelling? 69		
	II.	What Is Character, and Why Is It Important to Legal		
	III.	Storytellers? 71 Flat and Round Characters and Static and Changing Characters— <i>High Noon</i> Revisited 75		

	IV.	Techniques of Character Development and
		Characterization: Excerpts from Tobias Wolff's This Boy's
		Life 82
5.	Chara	acters, Character Development, and Characterization in a
	Closi	ng Argument to a Jury in a Complex Criminal Case 90
	I.	The "Backstory" 90
	II.	Annotated Excerpts from Jeremiah Donovan's Closing
		Argument on Behalf of Louis Failla 93
	III	. Concluding Observations 110
6.	Style	Matters: How to Use Voice, Point of View, Details and
	Imag	es, Rhythms of Language, Scene and Summary, and
	Quot	cations and Transcripts in Effective Legal Storytelling
	I	. Backstory: Grading Law School Examinations 115
	II	. Preliminary Note: "Voice" and "Style" 117
		. Voice and Rhythm: "Staying on the Surface" 119
	IV	7. The Use of Scene and Summary: "Showing and Telling" 126
	V	7. Telling in Different Voices 130
	1	. Perspective or Point of View 138
	VII	. Several Functions of Perspective: How Does Perspective
		(Point of View) Work, and What Work Does It Do? 140
	VIII	. Concluding Observations 153
7.	A Se	nse of Place: Settings, Descriptions, and Environments
]	I. Introduction 155
	II	I. Dangerous Territory: Contrasting Settings Evoking
		Danger and Instability in Joan Didion's "The White
		Album" and the Judicial Opinion in a Rape Case 158
	II	I. More Dangerous Places Where Bad Things Happen: Use of
		Physical Descriptions and Factual Details to Create Complex
		Environments in W. G. Sebald's <i>The Emigrants</i> and the
		Petitioners' Briefs in Two Coerced Confession Cases 164
	IZ	V. Settings and Environment as Villains and Villainy in the
		Mitigation Stories of Kathryn Harrison's While They Slept and
		the Petitioner's Brief in Eddings v. Oklahoma 175
	7	7. Concluding Observations 184

		Contents	ix		
8.	Narra	Narrative Time: A Brief Exploration 185			
	I. II. III.	Introduction 185 The Ordering of Discourse Time 187 Concluding Observations 200			
9.	Final	Observations: Beginnings and Endings	202		
Not	es		211		

227

Index