

How To Pick A Great Litigator

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"There have been great societies that did not use the wheel, but there have been no societies that did not tell stories."— [Ursula K. LeGuin](#)

"Scratch the surface in a typical boardroom and we're all just cavemen with briefcases, hungry for a wise person to tell us stories." - Alan Kay, Vice President at Walt Disney

Telling stories is as old as society itself - from bragging about a dangerous hunt 5,000 years ago to tweeting about the hunt for angel funding 30 seconds ago, it's all in the telling.

A trial is nothing more or less than ritualized story-telling. Both sides have essentially the same facts to work with but must apply very different nuances, emphasis and perspectives to them; i.e., they each tell a very different story. In the end, in a close or even not so close case, my money is always on the side that tells the best story with those common facts.

"If you tell me, it's an essay. If you show me, it's a story."— [Barbara Greene](#)

Think about a dry textbook version of an important historical event that your dry "by the book" teacher read to you in 12th grade while you stared out the window at a beautiful spring day. Now think about a masterful piece of historical fiction (or "non-fiction novel") about that same event that you just couldn't stop reading even though you were sitting a beautiful beach on a perfect summer day with warm ocean waters lapping at your feet. Most lawyers are great at writing essays, but I am pretty confident that no one ever won a trial based on a good essay. Trials are won with stories; well told.

*"Stories are the creative conversion of life itself into a **more powerful, clearer, more meaningful experience**. They are the currency of human contact".* — Robert McKee (emphasis added)

I'm sure you can guess where I am going with this: can your prospective litigator tell you a good story over coffee? Over a beer? Walking down the street?

Can she keep you laughing about or riveted to a narrative you wouldn't otherwise pay two cents to hear about at all? Does she make you care about the people in her story so that you wished you'd been there in person?

If yes, congratulations, you have just exponentially improved the odds of winning your case.

No? Keep the number of a good appellate lawyer handy.

Or, better yet, go out and find a litigator you could listen to all day long, because after all, your jury will have to do just that...

Thanks for reading.

Richard Russeth