

Influencing the Reptilian Brain

Young Katy's eyes are locked on the treat sitting on the gray metal desk in front of her. It looks like such a tasty morsel. It reminds her of the ones her mom puts in her hot chocolate on cold mornings. She wants to eat it so badly, then she remembers what the man in the lab coat told her.

"If you wait until I get back, you can have two mini-marshmallows."

He is taking forever. Perhaps she could eat this one now, and then get another one when she returns home? Maybe he isn't coming back? Maybe when he returns she won't get anything? She kicks her 4-year-old legs, squirms in her chair, and hums her favorite song with her eyes closed. Then finally she hears the door squeak open behind her.

"Congratulations," says the man in the lab coat as he casually strolls into the room, "since you were patient, now you get two mini marshmallows. He hands her the two soft treats, and she gratefully gobbles them down.

This same experiment was carried out dozens of times over four decades by Dr. Walter Mischel of Stanford University. There are two very interesting discoveries that were made by Dr. Mischel through this experiment. First, those children who had the will power to hold off and wait for two marshmallows were more successful than those who did not. How much more successful? The studies showed that those children who could wait were more socially competent, self-assertive, and capable of dealing with frustration. In fact, according to *Influencer: The Power to Change Anything*, where I first heard the story, those patient children also scored on average 210 points higher on their SAT's. That small marshmallow turns out to be a pretty strong predictor, and to understand why- we need to understand how the brains function. Second, he learned that the survival instinct that pushes children to eat that first marshmallow is a very strong one. So what is going on in the human brain? How can understanding that help us as professionals?

If we understand inner-workings and the conflicts within the human brain, suddenly influencing people becomes far easier. Attorney Don Keenan, co-author of the book "Reptile, the 2009 Manual of the Plaintiff's Revolution" shows us just how powerful. Don Keenan is one of the most successful plaintiff's attorneys in America having obtained 145 verdicts/settlements over a \$1,000,000.00, eight over \$10,000,000.00 and one verdict over \$100,000,000.00. [In addition, he has twice been chosen "Trial Lawyer of the Year."](#) One factor he attributes to his great success? Understanding the human brain.

The human brain is made up of three parts, or a "triune brain," as first discussed by Dr. Paul Maclean in 1952. The outer formation of the brain, called the neocortex, is like the brain of higher mammals and is devoted to higher order thinking. Things like linguistics and verbal memory are handled by the neocortex. Next is the limbic system which controls emotion, some aspects of personal identify, and many critically important memory functions. Finally we have the R-complex (including the brain stem and the amygdala) which you can think of as your primitive "fight or flight" brain. This is the reptilian brain. Have you ever been too scared to speak? That is because your R-complex has taken over.

Why would a child choose 1 marshmallow over 2 marshmallows? Because the R-complex or survival instinct, is overriding the child's rational neocortex. Think of this as the R-complex hijacking the better judgment of the neocortex. Have you ever made the excuse, "I didn't know what I was thinking?" Turns out you WERE thinking, just not with the correct brain. According to Valerie Swanner who is spearheading the "Reptile" project at the plaintiff's law firm of [Sigfreid & Jensen](#), understanding the power of this reptilian brain holds a key to influencing jurors, judges, and really anybody.

So why is the reptile brain so important? Well, as Val pointed out to me, “Dr. Eric Kandel and the neuroscientists following in his work have now proven that the older parts of the brain circuits are several times faster than the analytical components of the brain. So when push comes to shove, the more primitive brain takes over. But there is a key, a “Rosetta Stone” that can unite the R-complex, the limbic system and the neo-cortex. And that’s story. The reason, in fact, that stories can elevate to the level of myth is because they can crack and satiate all three brains. You must tell a story when presenting a case to keep all brains attention.”

This makes sense, doesn’t it? How many of you have sat in on an outstanding lecture before? Did it include great stories? So how can we improve our stories so that they resonate, not just with the rational mind, but with the reptilian mind? Tomorrow, Friday the 26th of February, Valerie Swaner will be joining my weekly conference call to share the techniques that will help us craft stories that resonate with the Reptilian Brain- and share a little bit about how their Plaintiff’s firm is implementing the concepts from [David Ball & Don Keenan](#) book, “Reptile, The 2009 Manual of the Plaintiff’s Revolution.” I have just been informed that we may have the author himself, Don Keenan joining us on the call as well. As always, if you have any questions please email them to info@adriandayton.com and we will discuss them on the air tomorrow, February 26th. [CLICK HERE to sign up for the call](#). The first 10 callers get a free mini-marshmallow.

Adrian Dayton is a New York attorney, and author of the book [Social Media for Lawyers: Twitter Edition](#). His normal weekly calls will be on hold for the month of March as he travels to Australia to promote his book. You can find out more details of his trip at <http://adriandayton.com/australia>