

# Speaking as one: confronting the trials of bad accents



S. Todd Rogers/Daily Journal

Lisa Wentz is a voice, speech and physical presentation coach.

By Susan McRae  
Daily Journal Staff Writer

Personal injury lawyer C. Michael Alder, a Louisiana native, said that when he first came to California, he worked hard to lose his Southern accent for fear of being branded a country bumpkin.

He'd say, "Y'all" for everything and tried to consciously change it to, "You guys." But he said he soon realized that intelligence comes through regardless of accent, so if what he said was well thought-out, a jury listened.

It also didn't take him long to recognize the benefits of his Southern upbringing. As a boy, he said he was taught to address adults as sir and ma'am, a practice he said comes across as respectful in court.

"I've had people tell me, 'You just destroyed him, but you respected him,'" said Alder of Alder Law APC. "How did you get away with it?"

"I think that [way of speaking] goes a long way because being a trial lawyer requires having a lot of respect for a jury. I'm kind of hard-wired for that."

While solid, logical arguments and clear and compelling evidence are key to any case, experts say it may not be enough to carry the day in court. How something is said, they say, may be as

important as what is said.

"A trial lawyer should be as articulate as a Shakespearean actor," said Lisa Wentz, founder of San Francisco Voice Center, who's coached lawyers in the United States and the United Kingdom on courtroom delivery.

"It's about being heard without the audience having to work hard for it."

That doesn't necessarily mean losing one's native accent. In fact, some lawyers have used their natural drawl or brogue to advantage. But, experts say, it must be genuine. Juries can spot a phony, and the fake is sure to backfire.

High-stakes litigator Patricia L. Glaser, who hails from West Virginia, said she asks jurors at the beginning of trial whether they're prejudiced against someone with a Southern accent.

While it's hard to imagine anyone thinking for a split second of Glaser as dumb, she said she'll address jurors in her opening statement by saying, "I know there are many people still today, though it's hard to believe, who think if you have a Southern accent and talk slow that you're stupid. If you think I'm a little dumb, you might think my client's dumb."

Glaser, who heads the litigation department of Glaser Weil Fink Jacobs Howard Avchen & Shapiro LLP, said she doesn't expect anyone to respond

that they're prejudiced. But if they are, she said she means her remarks to dispel any association of a drawl with a lack of intelligence.

Alan Blumenfeld, of Act of Communication in Los Angeles, who with his wife, Katherine James, coaches lawyers in effective speaking, trial strategy and witness preparation, said it's important to be yourself and to develop and build on your natural strengths. He said Southerners have a great oral tradition and are natural storytellers.

"Many lawyers have come to us saying they want to take acting classes," he said. "I tell those lawyers they're already acting. They're acting like their idea of [how a lawyer acts]."

"Our goal is to get them to be themselves — honest, expressive, open and genuine, to use the voice and body connected to the mind, heart and gut. None of this is touchy-feely, California-based stuff. This is called human interaction."

He said the most common complaints lawyers hear about their voice is it's too whiney or nasal, making them appear to be pleading or begging. For women, he said the main complaint is that their voice is too soft.

"All of this is as fixable as going on a diet or to the gym regularly," Blumenfeld said. "It's like exercising a muscle, repeatedly and with regularity. It's possible to increase range, flexibility, strength and suppleness, something that actors have known forever."

Blumenfeld said it's not uncommon for people to subconsciously take on the most appealing characteristics of those around them by changing their vocal inflection, tone and pitch. When it's done naturally and without forcing it, he said it can be a persuasive tool.

Nationally renowned New York trial lawyer L. Peter Parcher recalled experiencing that phenomenon early in his career. He'd gone to Florida to try a case with Thomas W. McAliley, whom he described as a cigar-chomping, boot-wearing Southern civil rights attorney.

Mimicking McAliley's gravelly drawl, Parcher said he'd joined the legendary lawyer in defending an advertising agency charged with fraud. Parcher said one of his most memorable moments was going before the judge, who said to him, "Y'all from Brooklyn, New York?" I said, "Yes." He said, "That's north of the Mason-Dixon line?" I said, "Yes." He said, "Y'all got a Bill of Rights up in Brooklyn?" I said, "Yes." He said, "I've got it here, too," and takes out a pearl-handled revolver."

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Rather than being shocked by the judge's words or actions, Parcher said he was fascinated by his accent.

At the end of trial — which Parcher said he and McAliley won — Parcher asked to read the transcript. To his astonishment, he said, he'd talked like a Southerner, subconsciously imitating those around him.

But the main thing, he said, reinforcing the mantra of voice coaches, is to be yourself. That's the best way to connect with a jury, he said.

In 2007, when Parcher and two colleagues from Manatt, Phelps & Phillips LLP sued the National Football League Players Association in San Francisco federal court on behalf of a class of more than 2,000 retired professional football players over licensing revenues, he said he played up his Brooklyn roots.

Facing a predominantly Asian-American jury, Parcher said he knew he was going to need something more than a breach-of-contract claim to grab the panel's attention.

"I thought about what they related to," he said. "It was family. The union was family, and the union had turned its back on the retired players."

When it came time for closing arguments, Parcher said his key moment in the summation was when he said, "I'm from Brooklyn, New York, and in Brooklyn when someone turns his back on the family, they're no good."

The jury returned a \$28.1 million verdict for the retired players.

"Certainly, the tone of voice, body language, all kinds of things go into putting on a trial," he said. "But who we are [is crucial], and part of who we are is where we're from."