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Dean's Message

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Each year I use my messages in *Law Quadrangle Notes* to examine a quality that helps to define an outstanding attorney. I have discussed how great lawyers pursue intellectual growth and renewal, maintain integrity, teach others about the law, serve as community citizens, bolster our profession's image, exhibit patience, and sustain a form of optimism. In the coming year, I would like to explore the quality of voice.

The famous English preacher Charles Haddon Spurgeon published "Hints on the Voice for Young Preachers" in 1875. Most of his guidance had to do with diction — with qualities such as articulation, cadence, and volume. And while that is not the kind of "voice" I am speaking of here, I nonetheless expect most lawyers would find his recommendations entertaining at least. Consider, for example, the following advice:

■ "[A]void the use of the nose as an organ of speech, for the best authorities are agreed that it is intended to smell with."

■ "It is impossible to hear a man who crawls along at a mile an hour. One word today and one tomorrow is a kind of slow-fire which martyrs only could enjoy. Excessively rapid speaking, tearing and raving into utter rant, is quite as inexcusable; it is not, and never can be powerful, except with idiots."

In referring to the "voice" of a great attorney, however, I am speaking of more than diction. I am referring to qualities of personality — to the ways that we can shape the nature of our relationship with our listeners through choices about timing, syntax, tone, and word selection. And we can read some of Spurgeon's observations differently from the way he wrote them, in ways that prompt reflection about what substantive attributes of voice might characterize the best lawyers. Let me note a few examples:

"[O]pen your mouths when you speak, for much of inarticulate mumbling is the

result of keeping the mouth half closed."

The best lawyers always seem to know when and how to speak up. Never too soon, never too late, never in ways that leave their listeners wondering why they chose to speak at all.

"Always speak so as to be heard. . . . Adapt your voice to your audience." These lawyers share an unerring sense of audience and context. They know which clients should be patiently walked through each step of a complex analysis, and which clients become confused and impatient with anything beyond a summary conclusion.

"Do not as a rule exert your voice to the utmost. . . . Vary the force of your voice." Persuasion often requires restraint. The lawyer who tries to steamroll listeners, overwhelming them with an avalanche of argument, often elicits suspicion and resistance more than acquiescence.

"Get a friend to tell you your faults, or, better still, welcome an enemy who will watch you keenly and sting you savagely." Important moments of advocacy or negotiation require preparation. The best attorneys appreciate the limits to their ability to imagine the reactions of others, and they make effective use of third parties to unearth the dangerous unintended reactions that a presentation might provoke.

During the coming year, I hope to explore in greater depth the ways in which a great lawyer's voice can influence a situation or a relationship. Like Spurgeon, I believe that we may profitably analyze, debate, and teach the subject of "voice." In doing so, we can better prepare our students for careers in which the voices they use are often as important as the substantive ideas they express.

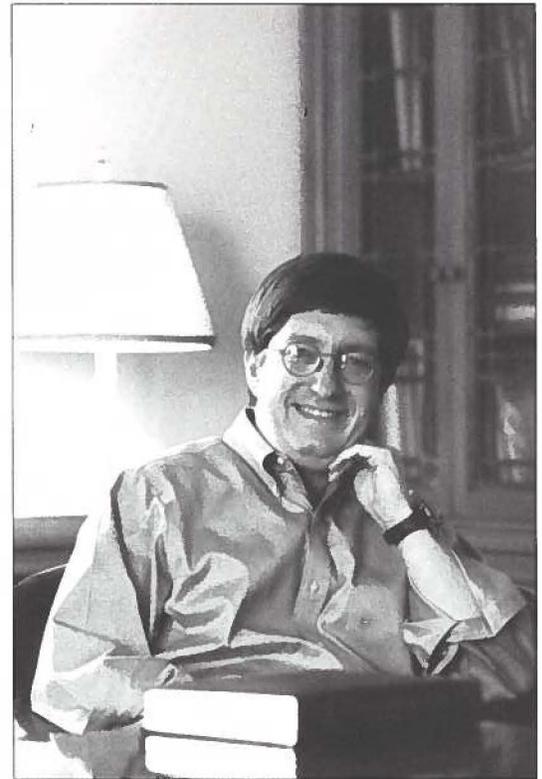



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