



Lee Burgess:

Welcome to the Law School Toolbox podcast. Today we're talking about working on your public speaking skills with Jennifer Warren. Jennifer is the Academic Achievement Coordinator at Oklahoma City University School of Law. You might have also seen some of her posts on our Law School Toolbox blog. Your Law School Toolbox hosts are Alison Monahan and Lee Burgess, that's me. We're here to demystify the law school and early legal career experience so you'll be the best law student and lawyer you can be. We're the co-creators of the [Law School Toolbox](#), the [Bar Exam Toolbox](#), and the career-related website [CareerDicta](#). Alison also runs [The Girl's Guide to Law School](#).

If you enjoy the show, please leave a review on your favorite listening app, and if you have any questions, don't hesitate to reach out to us. You can reach us via the [contact form](#) on [lawschooltoolbox.com](#), and we'd love to hear from you. With that, let's get started.

Welcome back. Today we are talking about how to better your public speaking skills, something that every law student and lawyer should want to talk about whether or not you want to be a litigator. I have to say thank you to Jennifer Warren for joining me on the podcast today and for suggesting this topic. Jennifer, can you share a bit about how you discovered public speaking skills are so important in law school and beyond, even if you don't want to do it, I think which a lot of people would say?

Jennifer Warren:

Well, I think I saw how important it was pretty early on right from those first few days in law school, right, when you're having to deal with answering questions in class. Once I started practicing law, I realized that it was just really unavoidable. Lawyers are communicators. We don't necessarily build things. We don't create tangible objects. We communicate, and we advocate for our clients, so we have to have these strong communication skills, and that includes oral communication skills. I mean we're going to use this in all sorts of contexts, right? Whether it's speaking to a client, making a court appearance, even just talking with opposing counsel, or doing something like presenting at a CLE, so I think it's just important in all of these different contexts.

Lee Burgess:

I think that's true, and I do think it's kind of a misnomer that folks think if I do transactional law or work in the business side of a corporation that you don't have to present yourself and use public speaking skills, but a boardroom still requires public speaking skills, or meeting with clients. I think maybe you're not standing in a room of 50 or 100 people, but there is still that need to be able to communicate clearly and to control your own nerves and present yourself in the way you want to be presented. It is a skill, yeah. I mean I think you're right. We're all communicators. That's what lawyers do, and we can't avoid that as much as some of us would like to.



Jennifer Warren: Yeah, and some of the skills that you use when you're standing up in a big auditorium full of people are the same presentation skills that you need to use even if you're just speaking to one client, or to one opposing counsel, or to just a judge.

Lee Burgess: Yeah. Yeah, I think that's very true. When you and I started talking about this topic, you've really been focusing on public speaking since you were a law student, and I am actually a huge fan of public speaking, which may be shocking to our listeners, but I have never found a microphone I didn't like since I was a little kid. Today we kind of put together a kind of a top 10 list, I think, of the lessons that you've learned and some of the lessons that I've learned to, hopefully, give folks some ideas of how to really start to work on this skill. I think all of us, no matter how good you think you are at it, can elevate this skill through practice and these tips we have. Should we kind of dive in and start talking about what some of the best practices around public speaking are?

Jennifer Warren: Absolutely.

Lee Burgess: All right, so what do you think is the first thing that students should think about when they think about public speaking?

Jennifer Warren: Definitely to be yourself. I don't really like public speaking. It's just not something that comes naturally to me, but it's definitely something that I've worked on over the years, and one of the most important things I've learned is that you have to be yourself, and you have to find your own style. Early on, I would kind of try to emulate what I would see other lawyers or other presenters doing, so I would see them using humor really effectively, and I would try to do that. Then I realized I'm just not funny, right? I can't tell a joke. I'm just really not that funny. I mean so it works really effectively for some people, but for me, I had to find a different way to engage with my audience.

Same thing goes when I would see other lawyers. I would see other lawyers who would be really loud, and worked up, and get kind of angry at trial or in oral argument, and I would try to emulate that, and it would just seem disingenuous, and it just wouldn't work for me. I found that being more of myself, being a little bit more controlled, still passionate, but a little bit more controlled, was ultimately a much more effective speaking style for me, so just be yourself.

Lee Burgess: Yeah, and I think, through practice, you can kind of find what your public speaking persona is.

Jennifer Warren: Definitely.



Lee Burgess:

Because it might be a slightly different than how we talk to our friends, or our significant others, or our kids, or our pets, but it can still be an authentic representation of you.

I grew up watching my dad, who was a lifelong litigator, and I would talk to him about going to court because he definitely did have a different persona. He was a prosecutor for many, many years, and he would always talk about how you would get dressed up for the role. I think that was something that was always kind of meaningful for me both when I did acting, and singing, and musical theater when I was younger into my 20s and then when I entered the legal profession.

Feeling like you're getting dressed up in your suit and walking into this role, it can still be authentic, but it almost is like you get the benefit of not being 100% yourself. If I'm going to be "Lawyer Lee", "Lawyer Lee" might even seem a little more confident about what she's doing than my true authentic self because I kind of get to be in this persona, and part of that is getting dressed up in the suit and feeling confident in the way that you're presenting yourself.

I find that that idea has really stuck with me, whether or not I have appeared in court, whether or not I have given speeches, whether or not I have taught in a classroom. If you ever see me at one of these events, you will always notice I'm almost always dressed up in some way because it's part of the persona. I think if I went and showed up at my ... in one of my classes that I taught in yoga pants, which it's possible I'm wearing right now, but ... that I might not feel as professional than if I was kind of dressed for the role, and so it is something to think about when you're trying to find that confidence, that kind of presenting yourself like you're almost playing a part can help a little bit.

Jennifer Warren:

I definitely think there's something to that, right? You want to be yourself. You want to play to your strengths, but you also need to be confident and have self belief, so embracing the role that you're sort of performing can help with that. I used to do the same thing when I was first going to court and having to argue motions or do things like that. In my mind, I would kind of think, "I'm this new lawyer. I'm this baby lawyer, and they might take advantage of me. I won't do well." Then I would just tell myself, "Stop," remind myself that I'm a lawyer, and I got this. Kind of just putting yourself in that mental state can help with the confidence.

Lee Burgess:

Yeah. I think it is about getting kind of into that mental state, so whatever you need to do to kind of make yourself feel legitimate, I guess is maybe one way to say it. When you show up to court, you're like, "I might be a baby lawyer, but I have done this. I've passed the Bar. I have earned this. I have the skills to do this." Even if things go a little south, you still have to kind of keep that persona.



Lee Burgess: I had a clerkship with the US Attorney's office when I was in law school, and I totally got yelled at in open court because I screwed something up, and my supervisor didn't catch it, but it was totally on me. I mean I was shaking, like knees shaking in my heels because I was just flabbergasted that, one, I'd made this mistake, and then, two, I was really getting called out for it. I would never have made that mistake ever again, but even when you're shaking in your boots, I still couldn't lose it, right? Because you're still in that role. It was like, well, I just had to stand there like my lawyer self and take it with my knees rattling in my skirt, and then I could go out at lunchtime and have a bit of a panic about it, but in the moment, you still had to fulfill that role.

Then I called my father, the experienced litigator, and I was like, "I just screwed up and got yelled at in open court." He's like, "Congratulations. Now that's done." He's like, "Everybody gets yelled at at some point." I was like, "Oh."

Jennifer Warren: Yeah, I think that's so true. The more you do it, the more you realize that even experienced lawyers and even experienced public speakers have those moments, right?

Lee Burgess: Oh, yeah.

Jennifer Warren: It's just something you have to deal with.

Lee Burgess: It is, and you just have to learn that that's not a reflection of your ability to do some of this work or your ability to stand up and be a lawyer. It's just that some of these things are rights of passage. Everybody's going to make a mistake and feel like an idiot, and then it's not going to ruin your legal career usually. It's just going to make you feel like an idiot. You might have to apologize for something, and then you'll fix it, and then you'll move on.

Jennifer Warren: Yeah.

Lee Burgess: All right, so I think that's so important, this idea of being yourself, being authentic, and finding the public speaking version of you. What do you think is another important tip that law students should think about when thinking about public speaking?

Jennifer Warren: Particularly when you're giving some sort of presentation, or a CLE, or speaking to a jury, I think it's really important to be excited about what you're doing. The audience is definitely going to feed off your energy, so if you start a class or you start a presentation by saying, "You know, I know this a boring subject, but let's just get through it," your audience is probably going to agree that it's a pretty boring subject, but if you're excited about that topic, and you're engaged with it, they're more likely to be excited too. You just have to be excited about what you're doing and be excited about what you're talking about.



Lee Burgess: Yeah, and you got to find something about it that's interesting. I mean even if you're speaking on something that's somewhat boring, you've got to find something that's interesting about it. Find those threads. Even the most boring legal topics can have a thread of something interesting in them, so-

Jennifer Warren: Yeah, definitely. You have to find some way. Be creative, find some way to get the audience to engage with this material, and that's going to make the presentation go smoother.

Lee Burgess: Yeah. When I had that same job working at the federal courts, there was a large-scale patent litigation going on in the courthouse, and they encouraged us to go sit and watch some of this trial. This trial was about the screens on dialysis machines. I mean not exactly the most sexy topic. We're talking patents around the screens on dialysis machines. There were a couple lawyers that they had flown in. There was this one guy, particularly, from Texas that they had flown in to do this trial, and I mean he really made it sound interesting, that this patent dispute was really interesting. I mean unless you're maybe a patent litigator or create dialysis machines, I don't think most of us would think that is at all interesting.

For much of the time, the jury sure didn't look like they thought it was interesting, but it was fascinating to me to watch how he found a way to make this narrative engaging, and I think that was one of the reasons why he was so good and, clearly, had been flown in to do what he did, because he was able to breathe some life into kind of a tough, dry topic that most people wouldn't even understand why you would spend weeks and oh, my gosh, can you only imagine what that trial cost, and that amount of money litigating over.

Jennifer Warren: Yeah. I always think back to a professor I had in law school. He taught bankruptcy. To me, bankruptcy is pretty dry and pretty boring, but it was one of my favorite classes in law school because he was so excited about it. He was so passionate about it, and he made the material interesting, so even something that you think seems dry and seems boring can be made interesting if you get creative with the presentation and if you're excited about the material.

Lee Burgess: Yeah, yeah. I think that's a good point. If you do want to litigate, you've got to figure out this skill because not every case is going to be exciting. Some cases are going to be-

Jennifer Warren: Yeah, most probably aren't going to be very exciting.

Lee Burgess: Right. Some of them are going to be very technical and dry, and one of your jobs is to find the story that can connect with people, whether it be the judge or the jury, to make it have some life to it, because that's what people remember. I think people oftentimes don't remember the nuances. People remember that



charisma and that ability to really connect with the audience. Jennifer, have you ever seen any of [Brene Brown's speeches](#)?

Jennifer Warren: I haven't.

Lee Burgess: She's great. I'll link to some of her Ted Talks in the podcast notes. She was actually in the Bay Area last night, and I wasn't able to go, but I've seen her speak other places. Alison and I actually saw her speak in San Jose a couple years back. She really is honest about kind of this journey of becoming this really powerful, impactful public speaker. She talks a lot about vulnerability, a lot about authenticity, a lot about overcoming challenge, but she connects with her audience in such an amazing way that you're just all in.

She's a social scientist, I believe, and she does a bunch of research, and a lot of what she's reporting on is social science research, but it's really, really impactful and fascinating. If you have some free time, it's really worth listening to some of her Ted Talks or reading some of her books. Her books are absolutely amazing, but she's one of those folks who has really cultivated and worked towards this idea of being able to be excited about what you're presenting and then connecting with the audience and really bringing them along on your journey. I think she does a beautiful job.

Jennifer Warren: Yeah, and watching people like that who you think are great public speakers and are passionate about what they're doing can actually give you some ideas and help you be more excited and be a better speaker yourself.

Lee Burgess: Yeah, so at this talk that Alison and I went to in San Jose, Brene Brown opened, and the other keynote was Hillary Clinton, pre-election. We have talked about it. Alison and I are both ... we're both with her, but Hillary Clinton, who is a brilliant woman, is not the same sort of engaged, dynamic speaker. I think she has so many amazing skills, but it was tough to put them head-to-head because they just were different skills.

I mean Hillary Clinton did a great job on her speech, and I was actually very impressed by what I saw. In her question and answer session, I thought she was even more dynamic because she was a bit off script. She was just talking in a way that was a lot more approachable, but it was just interesting to see how these different styles and abilities, some of which are learned, some of which are just, I think, innate of being able to connect with the audience, can create a different listener experience.

Jennifer Warren: Yeah, and it's important to know where your strengths lie, right? Some people are great at standing in front of an audience and giving a presentation. For other people, they're a lot better if they have sort of that back and forth Q&A. Other



people do great when they have a position to advocate for. It's kind of important to figure out what's the best format for my public speaking style?

Lee Burgess: That's true. Like you were saying, jokes don't go really well for you, so why would you use jokes?

Jennifer Warren: Right, yeah.

Lee Burgess: That's not going to elevate your speech.

Jennifer Warren: Yeah.

Lee Burgess: All right, so we're going to go through 10 of these things. Now we're on number three. Number three, I think, that you shared with me, Jennifer, was don't worry about being judged, which I think is also so important.

Jennifer Warren: But so hard, right?

Lee Burgess: Yeah.

Jennifer Warren: It's so hard to stand up in front of a room full of people and not worry about what they're thinking about you, but it's so important, especially if you're somebody who struggles with nerves, right? You really have to work on just sort of letting go of that fear that you're going to be criticized. Don't worry about what that other lawyer's going to think of you. Just do your job. Don't worry about what the audience is going to think of you if you stutter a time or two. Probably not even going to remember, right?

Lee Burgess: Mm-hmm (affirmative).

Jennifer Warren: This sort of epiphany kind of occurred to me pretty recently. I was actually giving a speech at a 1L orientation, and I had done it the year before, and it didn't go that well, so I was really determined to do a better job this year, and I found myself getting really nervous about it again. I finally realized, why am I nervous? These are 1Ls, right?

Lee Burgess: Right.

Jennifer Warren: They don't know anything about law school, and they don't know anything about the law. I know way more than them. I shouldn't be nervous about this. Once I kind of just realized that I can let go of that fear and not worry about what other people thought of me, it definitely helped control the nerves and made everything else go smoother.



Lee Burgess:

Yeah. I also think, as we were talking about earlier, this idea of kind of having a public speaking persona can soften this a little bit because then if somebody's also making a judgment on you, they're judging your persona. They're not judging you. It can be a very different amount of vulnerability which, from just a mental state, can give you a bit more separation of what you're doing, but you do have to just be confident in what you do and realize that people are going to have their opinions. Some of them aren't going to remember whether things are good or bad. Some people are going to like what you do. Some people may not, but that doesn't mean that you don't do it.

This is something I think that we all struggle with. I love doing this podcast. It is wonderful. I love the fact that many of you guys have rated us on iTunes. We have very high ratings on iTunes. Guys have left us wonderful messages. There are a couple nasty ones on there, and it is really hard not to get obsessed with the nasty messages because even though there might be a couple nasty messages and a whole bunch more beautiful messages, we can be really critical of ourselves and then feel very judged and be like, "Well, this person didn't like what I did." Yeah, but these other people do appreciate what we do.

It's something that we constantly have to check ourselves about because we can find ourselves making changes or criticizing ourselves because of one person or two people who may have an opinion that differs from ours or may have a judgment on what we do, but that doesn't reduce your worth at what you're doing. That doesn't mean you don't take feedback. Feedback is very important, but it does mean that you have to keep things in perspective and don't get obsessed with being judged by other people.

Jennifer Warren:

Yeah. It's always easier to remember those one or two bad reviews or those one or two bad experiences, but you can't let that stop you from trying and from trying to get better too.

Lee Burgess:

Yeah. Yeah, exactly, which leads us really well into our fourth piece of advice, which is, it seems like our advice for absolutely everything, which is practice. It's like every podcast, "What's your advice for law school?" Practice. I mean I think you made a good point that it's practice, but don't overdo it.

Jennifer Warren:

Yeah, and I think you kind of have to find the right balance for you as a public speaker. A lot of people told me, "If you're giving a speech, you need to have it completely memorized, and that's the way to give a good speech." I would try that, and I found that when I had it memorized, and if I forgot one word, or one sentence, or one point, I would get completely lost, and the whole thing would go downhill. For me, what worked better was to have pretty detailed notes but still have the flexibility to sort of go off the cuff if I needed to. [The more you practice and the more you prepare](#), the easier it's going to be for you to figure out what's the right way for you to get this presentation ready.



Lee Burgess:

That's a really good point. I also think that we oftentimes assume that people don't practice and are just amazing at what they do. Like these podcasts, we were just talking about this before we did this podcast recording today. I think almost any good podcaster has some sort of script or outline. We do. We don't go into these podcasts cold just saying like, "Hey, Jennifer, let's just talk about some stuff today. It'll be fun. Everybody wants to listen to that." You don't want to listen to us ramble on for a half hour to 45 minutes without some sort of a plan. That would not be an efficient use of anyone's time. We always kind of have an outline or a plan. Of course, sometimes we're going to go off on tangents or tell stories that may not be in the outline, but basically, we have to think about what we're going to do and talk about before we do it.

I listen to the Pod Saves America podcast, which is hugely popular these days. I oftentimes will notice that when they're doing their recordings, they talk about, "When I was preparing for this podcast, I was doing XYZ." I found that really interesting that they frequently mention that they each spend quite a bit of time preparing for the podcast, and I appreciate that honesty both as someone else who has a podcast, but also just as a human being who tries to be excellent at what I do. It's just a great reminder that we all have to prepare, and they wouldn't be as good at producing their show if they didn't all sit down and study and prepare, and that's why they have succinct material to present.

I think, in almost any context, there is some sort of preparation. A few years ago, Alison and I attended a talk that was hosted by Above the Law with some of the lawyers who were working on the same sex marriage cases at the United States Supreme Court, and one of the things they talked about was how they prepared their legal team for those oral arguments. Again, you might think that it's a few people who's having written some stuff, but they did mock argument after mock argument with different people coming in to play the judges, different questions, drilling them, giving them feedback.

Of course, you never know exactly what the justices would say in a Supreme Court argument, but they had prepared so well that they had an idea of the universe of things that could have been talked about, and they had outlines or talking points that they knew that they could pull from. I was very impressed at the diligence with which somebody prepared for that. That was the first time I'd ever heard folks who'd been part of that team talk very honestly about how much preparation just goes into preparing for that short amount of time that you have to present your work.

If you start looking out in the world, I think you can see a lot of people talk about how much they practice. I read Amy Schumer's book, and one of the things that she mentions in there is how much she practiced comedy and failed miserably to get as good as she is, if you like Amy Schumer, but she's pretty successful, so a lot of people think she's pretty good. She would do comedy club



after comedy club and would bomb, and would go to the next one, and would try and get better, and she would get feedback.

I believe it was Chris Rock who actually noticed her and kind of started to give her some accolades, and one of the things he really appreciated was how hard she was working and this idea that she wasn't just good because she was funny. She was good because she was busting her butt and running all over New York City to become the best stand-up comedian she could be. If you've ever seen stand-up comedians like Chris Rock, his show is completely perfect. Have you ever seen him perform, Jennifer, or seen one of his specials?

Jennifer Warren: I have, yes. He's very impressive, and it's ... With anything like that, with any presentation that you're seeing, with any performance that you're seeing, if the person is doing a good job, I guarantee you they have put hours and hours of practice and preparation into it.

Lee Burgess: Yeah. Yeah, I remember the first time I saw Chris Rock perform, and I think his set was about two hours, fully memorized, and you could tell how rehearsed it was, not to the point that it was not funny, but it was so clean that you could just feel the preparation, and I really respected that as an audience member. He wasn't there to waste my time, which I appreciated. We all paid money to sit and listen to him be funny, and he was really prepared to be funny.

I've been to other comedians who are testing out new material, and they will even joke that they're testing new material, and they'll be surprised when something goes well, and they'll be like, "Well, I better write that down so next time I remember that people like that joke." There's all this practice and preparation, and if you think somebody's just good at what they do because they're just good at it, that's probably just not the case.

Jennifer Warren: Yeah, and it's really important too to prepare and to practice for things that are big and for things that are small too, especially when you're starting out as a lawyer, and you're just getting comfortable with public speaking.

I remember I had to give a short presentation to some very important clients, so like a group of 10 people. I don't think I was speaking for more than 10 minutes, but I still spent time writing out notes, practicing what I was going to say, standing up, saying it to an audience because, no matter how big or how small, it's really important to just have that very thorough, diligent preparation when you're going to be speaking.

Lee Burgess: Yeah, it's very true. The more you feel confident in your ability to deliver your message, the nerves will be calmed, and it's just easier to do in the moment, and that's very powerful. The time you're putting in makes the actual output so much easier to execute.



Jennifer Warren: Yeah, and doing some practice and preparation will help with some of the other things we've been talking about. It will help you figure out what is your public speaking style? What is the role that you need to play? How do you engage with your audience? You really can't underestimate the importance of practice.

Lee Burgess: Yeah, and we talk about this even in the interview context when you're trying to practice interview answers or work on an elevator speech, that it can be helpful to just sit with your friends and kind of all practice your elevator pitches to each other, to ask each other the 10 ... You could Google what are the 10 most common interview questions, and you can practice off of those. All of us who've done a lot of interviews definitely have gotten the same questions over and over again. Part of that is just getting comfortable with using that language to talk about yourself, so in the moment, you can present yourself in the way that you want to be presented.

Jennifer Warren: The person who's doing the interview can tell if you have prepared, right?

Lee Burgess: Oh, yeah.

Jennifer Warren: They appreciate that, and it just gives a better impression.

Lee Burgess: It does. It does. All right, so that takes us to number five. What's your fifth piece of advice for preparing for public speaking?

Jennifer Warren: Okay, this one seems kind of silly, but if you're someone like me, and you don't necessarily love public speaking, and you tend to get a little bit nervous, I think it can be really helpful, especially when you're first getting comfortable with this. I suggest that you have some sort of a signaler, so recruit someone, recruit an intern from your office, get a friend, find someone to just sort of sit in the back of the room and give you the thumbs-up or thumbs-down if you're talking too loud, or you're talking too quietly, or you're going too fast or too slow, or something like that. It's just going to give you one less thing to worry about when you're giving your speech if you have someone else there who can give you a signal.

Lee Burgess: I think it seems like something that shouldn't feel necessary, but it can, especially if you're new at this, give you such confidence about how much time you have, because nobody wants to listen to the 45-minute version of a 30-minute speech. I know, yeah.

Jennifer Warren: Right.

Lee Burgess: The more you do it, I think ... I believe you teach classes in law school, and I've taught classes. If your class period is typically an hour, or you do an hour, and you take a break, you kind of start to know what that hour feels like, and so



after a while you're like, "Oh, I'm pretty good going with that hour," but if you're doing something that you haven't really done before or you're especially nervous, just having someone to be able to give you some of those cues can be very powerful.

Jennifer Warren: This isn't something you'll necessarily do any time you're public speaking, but it can be helpful in certain environments, right? Sometimes you may have to give a presentation or give a speech in a room or an environment that you've never been in before, right? Maybe you're using technology that you haven't gotten to practice with. You don't know how large the room might be. You just don't know how fast do I need to talk? How loud do I need to be? Will the microphone work? Having someone else there when you're dealing with those types of things can just help things go a little smoother.

Lee Burgess: I think you make a really good point about microphones as well. If you are not used to using microphones, if you have a naturally loud voice, public speaking voice, you have to really accommodate a microphone if you're going to have a microphone, so I typically ... If I'm lecturing in a hall, it's not that many people, I don't use a mic because I'm pretty loud, and I can typically project. If I have a mic for some reason, I have to really dial down my own voice because, if not, it sounds awful. It just sounds horrible. It's way too loud, kind of shrill, not good. I have to talk in a normal speaking voice. I used to perform. I used to sing. It was the same thing. Singing without mics in an environment was totally different than singing with a microphone, and you had to have a different skill set for that.

If you're not used to using that technology, practicing with it or getting feedback, even in the moment, doing sound checks if you can do that. I was just at a conference where they keynote speaker got up and was able to do sound checks in the room so she knew what she was going to sound like on the microphone system. It's very important.

Jennifer Warren: Yeah. Sometimes too, if you're really nervous, it's just helpful to know that there's somebody there watching you who's going to support you and tell you you did a good job not matter what, right? That's another good reason to kind of recruit someone to be your signaler.

Lee Burgess: Yeah. Moving on to number six, I think we've talked about this a bit, but don't be afraid to use notes or to have some sort of a plan.

Jennifer Warren: Yeah. This was a big game changer for me, right? If I was giving a big speech in front of a lot of people or I was giving a presentation, I would feel like I couldn't use any notes, I couldn't bring any notes up there with me, and that would just end up making me more nervous. Finally, I just said, "You know, I'm bringing my notes up there," and I ended up not even looking at them, but just knowing they



were there gave me that comfort level, so I would say don't be afraid to bring a cheat sheet up with you. This is especially true if you're taking a deposition or arguing a motion in court. Totally acceptable to have your notes there with you. You still want to practice. You still want to be prepared. You still want to have things memorized, but fine to look down at your notes every now and then if you need a little help.

Lee Burgess: Yeah, and it's that delicate balance, right? You don't want to have your head in the notes because then you're not going to connect with your audience, but those notes can be that security blanket that you need if you do get pulled off track and that you can kind of come back to it. Through practice, I think you can get comfortable with how to use those notes. Like you said, most of the time, if it's going well, you don't even need them.

Jennifer Warren: It may be too that, as you get more experienced and you get more comfortable, you get to a point where you don't need them at all, but when you're first starting out or if you have those nerves, having the notes there can make a huge difference to this presentation style that you use. I say use them if you need them.

Lee Burgess: I think if you go to court and you watch most lawyers, most lawyers have notes in the courtroom.

Jennifer Warren: Definitely, yeah.

Lee Burgess: Especially if you're doing witness testimony, you typically have a path of the conversation that you're looking to have, and you don't want to miss a chunk because you forgot.

Jennifer Warren: Yeah, yeah. It'll depend on, right, the type of speaking you're doing. If you're giving a big presentation, you may just need to have some very short, sweet notes that can jog your memory. If you're doing a trial, or you're doing a deposition, or something like that, you may need to have a more detailed listing of every question that you need to get down. It's going to depend a little bit, but don't be afraid to use them if you need them because, in the end, it may make your presentation go a lot smoother.

Lee Burgess: Yeah. I think that's really true. All right. Now, I think number seven on our list is going to cause a lot of people to shudder, but it's super important. What is our seventh recommendation?

Jennifer Warren: Yeah, this is absolutely mortifying, but it's so helpful. You need to record yourself. If you really want to improve your public speaking skills, you need to record yourself, and watch yourself, and figure out what are you doing right and what are you doing wrong?



- Lee Burgess: Yeah, it's not fun, but it is really the way to be able to give yourself feedback. If you're not ready to put it down in digital form, you can always practice in front of the mirror, which is important as well, but now, I think, with iPhones especially, there's no reason why you can't quickly do an audio or video of yourself to get some of that feedback. Once you get past listening to yourself, which can be challenging, you're able to hear things that you just don't hear when you're in the moment, and those can even be the bad habits that you want to scrub out. Maybe you say, "Um," too many times. I know a big thing for women can be fidgets around like pushing their hair behind their ears or things that you might even be doing physically to kind of calm yourself that you don't even realize you're doing. You're not going to notice that unless you record yourself and look at it. I mean it's not fun, but you just kind of got to do it.
- Jennifer Warren: It is mortifying, but if you do like you said earlier and kind of play that role, it can kind of insulate you a little bit from the horror of watching yourself, so try to think of yourself ... You're not watching yourself. You're watching the lawyer role, so you're criticizing the lawyer not criticizing yourself.
- Lee Burgess: Exactly, and lawyers always practice this stuff. I mentioned my dad was a litigator. My mother is also a lawyer, and basically every case was tried at my dining room table growing up. Every opening argument, every closing argument, it was all practiced and critiqued by the other legal mind in the house. That's just kind of how I grew up seeing that work. My mom was not going to hold back on her perspective. She was very honest in her feedback, and I'm sure that made my dad a better trial attorney. When my mom had a part of her career when she was a trial attorney, they did the same thing for her. I think that idea of getting together even the people who might be able to give you that very honest and thoughtful feedback can be very powerful as well.
- Jennifer Warren: Yeah, it's really important to practice in front of an audience because it's going to simulate the experience a lot closer, right? You're going to think about how to deal with interruptions or deal with questions, and that'll just help you refine your technique.
- Lee Burgess: Yeah. All right. Number eight, which I think was a really good point that you made, was to be cognizant of the occasion. We've talked about a lot of different types of public speaking as part of this podcast, but you do have to be aware of what you're doing and who you're talking to.
- Jennifer Warren: Yeah. You have to be strategic, right? Who is your audience? Are you trying to convince a judge, or are you trying to convince a jury? Well, you might have a different presentation style, and the substance of your presentation might need to be different. Are you talking to a client, or are you pitching a strategy to your boss, right? The words you use, the way you phrase things, the tone you will take can all change depending on your audience and the occasion.



- Lee Burgess: Yeah, and I think most professionals have this ability to switch their language based on their audience. One of my best friends is a veterinarian, and if you have animals or pets ... I don't know, Jennifer, do you have any pets?
- Jennifer Warren: I have two lovely dogs.
- Lee Burgess: Okay, so you will get this. Having a vet friend is amazing because then they take all your phone calls about your crazy, I have two cats, crazy animal crazies. She has frequently, I mean maybe not so much anymore because our cats are 10 and have been through a lot, but she's taken quite few questions from me of, "I don't know what to do." This is a friend that I've had for, oh, my gosh, now almost maybe 20 years, 15 to 20 years, and she will switch into her doctor voice when she starts to talk to me like she's giving a medical thought, or she's telling me I need to take the cat to the vet, or she's telling me I need to do something. It always is fascinating to me because she's got her doctor voice where she talks to patients and clients. I think that, through almost all professions, I think that's true. You kind of switch into that different voice or that different tone.
- If you have a significant other, it's possible in a fight you might have ... You will hear something to the effect of, "Don't lawyer me," or, "Don't use your lawyer voice with me."
- Jennifer Warren: Absolutely. Lawyers definitely have a voice when they're asked legal questions by their friends or family.
- Lee Burgess: Yeah, yeah. It is important to think about who your audience is, and sometimes it's very appropriate to be able to switch gears to ... even if it's just a one-on-one situation to have the right language for the right situation that you're discussing.
- Jennifer Warren: Yeah, and you may find that some of these situations may come easier to you than others. You may be great when you're just talking to a few people around the conference table, but when you have to stand up in court, it's more challenging. Other people are the opposite. They love the pressure of being up in court in front of a jury, and they don't like that one-on-one interaction. You have to figure out where are my strengths? Where are my weaknesses, and what is the area that I need to work on?
- Lee Burgess: Yeah. All right. Number nine on our list is to get creative about practicing public speaking. I think that one of the things that a lot of people forget is there are ways that you can practice this that aren't in the classroom or at your job. You can actually work on this outside of those areas where maybe you feel a little vulnerable because you might not want to present ... might be worried about what your presentation will have an effect on how your professors see you, or your employer may see you, or your classmates may see you.



You can go outside of your bubble and get some experience and some ideas if you want to work on these skills so that you can take a class on public speaking. Oftentimes, community colleges are really great for this. I took a community college public speaking class in high school, and I actually learned a lot from it, to be honest, even when I was 17, that I still remember. Community college or even online classes can give you a lot of exposure to basic public speaking skills that you can pull into your professional life.

I also think it's great to really put yourself outside of your comfort zone. A lot of folks find it helpful to take acting classes or [improv comedy classes](#). Again, this may be really outside of your comfort zone, but-

Jennifer Warren: That sounds terrifying.

Lee Burgess: I know.

Jennifer Warren: I'm sure it would be incredibly helpful, but it does sound terrifying to me.

Lee Burgess: It can. It can be a little terrifying, but oftentimes, acting classes are improv ... Improv comedy is where there's no script, so you're just kind of taking cues off of each other. Taking these classes can just really focus on how you present yourself. They will talk a lot about body language, and voice, and projection, and even memorizing things and how you deliver lines, which when it all comes down to it, public speaking is its own form of acting in a way, and so if you don't feel confident about that, go ... You can drive to a different town or something if you want to make sure you won't know anyone in the class, but give it a shot. You never know. You may actually really like it once you get over being super uncomfortable, but it's worth at least exploring if that's something you have struggled with in the past. Number-

Jennifer Warren: Yeah, and you really do have to look for opportunities to practice your public speaking skills. I was really lucky that I had a boss at my first job who sort of pushed me to do some of these things that I was nervous about and let me do them, but if you don't have that support, you have to take the initiative. You have to volunteer. You have to put yourself out there and do everything you can to practice.

Lee Burgess: Yeah. Another organization that some folks like are [Toastmasters](#), which are kind of this formal club where you get together and do public speaking practice. We've linked to their website so you can learn more about them online.

It can also be just other things that you're passionate about. If you are volunteering in an organization, try and encourage yourself to speak up at a board meeting, to get a leadership position where you have to report on things. Leadership positions typically force you to talk in front of people. If you're doing



something that is a volunteer activity, it's likely you're passionate about it, and it can also be really helpful to practice talking about things you're passionate about. We were talking about needing to find excitement and passion in whatever you're doing, but it can be nice to say, "Oh, well, I'm passionate about this, so I already naturally have that passion," and then you get used to what it feels like to talk about something that you're passionate about.

Jennifer Warren: Yeah, absolutely, and it will get easier, right?

Lee Burgess: Yeah.

Jennifer Warren: The more you do it, the easier it's going to get.

Lee Burgess: It does. I think my last tip, which we've talked about a little bit through this podcast is you have to have a plan to deal with nerves. Almost everybody gets nervous no matter how good at this you are, but it's all about having coping mechanisms to deal with it. That can be something as simple as a breathing exercise you do before you go up to present your presentation, because breath, it turns out, actually can calm our nervous system. Also, the problem is if you are breathing very shallowly, and you are not getting enough oxygen, the first thing that your body shuts off is your brain, so that's-

Jennifer Warren: Yeah, and actually, controlling your breathing when you're giving a long speech can be kind of difficult if you've ever practiced it, right?

Lee Burgess: Yeah, it's true.

Jennifer Warren: That's something you have to look at.

Lee Burgess: Yeah. Some deep belly breaths can really center you and help you feel anchored if you're starting to feel those nerves bubble up again, but you got to practice it so you know, "This is the breathing exercise I need to do, these are how I would take a deep breath to refocus in the middle." That's kind of one of the things you need to do with practice. Nerves may never go away, but you just have to have a way to deal with them, but I've always found the better prepared I am, the less nervous I am, so that's always something to think about as well.

Jennifer Warren: You have to find the best coping mechanism for you. I heard a story about a lawyer, great trial lawyer. He would hold a pen behind his back and twirl it in his hand, right?

Lee Burgess: Oh, interesting.

Jennifer Warren: Yeah, really subtle, but just some little movement that kept him calm. Some people like to pace across the stage when they speak. Other people like to be



glued to the podium, right? Figure out what works best for you, what's your coping mechanism to keep you calm.

Lee Burgess: Law school is the best time to practice all of these different things because law school's going to present lots of opportunities, both through Moot Court, or maybe you're on a negotiations team, or maybe you are the president of a club, maybe you are a TA and you're getting up and doing workshops. Whatever it might be, if you look for these opportunities, then you can test these things. Am I a podium person? Am I a walk around person? I, personally, am not a podium person, which is probably why I don't like using microphones as well because it means then I have to stand on one spot, but I find it a lot easier to engage with people if I'm able to move around, but that's not the same case for everyone, and I've only learned that because I've done a lot of this stuff, and I've learned that about myself. You're going to have to try different things. If I stand at a podium, I white-knuckle it, and I look really stiff and anxious. It's really funny, even if I'm not, that's how my persona comes off.

Jennifer Warren: You're so right that law school is the perfect place to start practicing some of these things. I think I wrote in [the column I did on this topic](#) that when I gave this 1L oral argument competition, I did really bad. It didn't go so well and, as a result, I sort of just shied away from doing Moot Court, and trial practice, and all of those competitions throughout the rest of law school. Now that I'm older and wiser, I know that the better strategy would have been to sign up for all those things, and practice, and figure out what do I need to do to get better at this, right?

Lee Burgess: Yeah.

Jennifer Warren: Because that is the perfect testing ground for refining your technique before you go out and become a real lawyer.

Lee Burgess: Yeah. You might have a legal passion that's just going to require you to do this sort of work. I mean I have a good friend who's a family law litigator. She loves family law. She hated public speaking. I think she might have thrown up before the court argument when we were 1Ls, but now she is in court all the time because that's the work that she does, and so she had to get past it because she couldn't practice the type of law she wanted to practice if she wasn't willing to go to court.

Jennifer Warren: It's like what we said earlier is that lawyers are communicators. No matter what type of law you are practicing, you are going to have to communicate with people one way or another, so there's really no avoiding public speaking.

Lee Burgess: Yeah, I totally agree. Well, we've got some helpful resources in the show notes to check out, including a great post that Jennifer did on The Girl's Guide to Law



School about public speaking, so check those out if this is something that interests you, but with that, we are out of time.

If you enjoyed this episode of the [Law School Toolbox podcast](#), please take a second to leave a review and rating on your favorite listening app. We'd really appreciate it, and be sure to subscribe so you don't miss anything.

Jennifer, thank you so much for joining us today. It was a lot of fun to talk about public speaking.

Jennifer Warren: Thank you.

Lee Burgess: I think that this counts as public speaking. We're talking to the public.

Jennifer Warren: Absolutely, yes.

Lee Burgess: So we were even practicing doing a podcast, public speaking. If you have any questions or comments, please don't hesitate to reach out to myself or Alison at lee@lawschooltoolbox.com or alison@lawschooltoolbox.com, or you could always contact us via our website [contact form](#) at lawschooltoolbox.com. Thanks for listening. Good luck practicing your public speaking, and we'll talk soon.

RESOURCES:

- [Want to be a Better Public Speaker? Do what the Pros do.](#)
- [Public Speaking Tips from a Work in Progress](#)
- [The Number One Way for Introverts to Become Better at Public Speaking](#)
- [What Did Improv Classes Teach Me about Public Speaking](#)
- [Toastmasters](#)
- [Brene Brown's TEDTalks](#)