

Bench & Bar

The newsletter of the Illinois State Bar Association's Bench & Bar Section

Thanking Us for Our Service

BY MIKE CORTINA

I can't, and won't, speak for all veterans. This is strictly my opinion on this topic, and I am sure that not all veterans agree with me. I just felt that this needed to be said.

As I write this, it is November 11, 2022. Veteran's Day. I am a veteran. I don't consider myself as someone truly entitled to be called a veteran when I stand next to those who served in overseas wars or peacetime active duty soldiers and sailors, but I enlisted and eventually

received an honorable discharge, so I am a veteran. I enlisted in the United States Army Reserve in 1988, attended Basic Training and Advanced Individual Training at Ft. Jackson, South Carolina from July 6, 1989-December 15, 1989. Yes, I remember the exact dates. After that, I served primarily with the 245th Engineer Battalion in Baton Rouge, Louisiana with a Military Occupational Specialty of 63B – light wheeled-vehicle mechanic. While

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Lend Me Your Ears: Shakespearean 'Will- Power' to Improve Oral Advocacy

BY ASHLEIGH A. STOCHEL

I remember my first year of graduate school at the University of Tennessee-Knoxville. I was rehearsing Richard II's famous speech "Of comfort no man speak." I was passionate and tears were streaming down my face. I knew I nailed it. My professor asked me how I felt. I told him I felt great! In my head, I believed my performance rivaled that of Sir Ian McKellen or Dame Judi Dench. I

walked him through the key beats of my performance. He looked around at my classmates and after a brief pause said, "Yeah, we didn't get any of that." And.... back to earth. A devastating note but a profound lesson. Who cares how good I think my performance was if I didn't move the audience? The same could be said for lawyers. Who cares how "good" we think

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I did serve during Operation Desert Shield and Operation Desert Storm, my unit was one of the few from the South that was not called to active duty. While I would have gone with my unit to Kuwait or Iraq if we had gotten the call, we did not, so I did not serve overseas or in a combat theater. While I did serve on a classified mission during the Gulf War, that is really not germane to this article.

When people learn that I am a veteran, they often say, “Thank you for your service.” While the sentiment is appreciated, especially knowing how poorly soldiers have been treated in our country in the past, it always makes me feel awkward. Is the person saying it truly appreciative of the fact that I volunteered to serve our country and fight for our freedoms, or is it just a response that people think that they are supposed to say when they learn that you are a vet? Not to diminish the sentiment, but it sometimes feels like the equivalent of someone saying “bless you” when someone sneezes. Some people clearly mean it when they thank me, others just say it because they think that they are supposed to say it. Quite honestly, I don’t know how to respond when someone says this to me because they are thanking me for something that I did of my own volition. I have always been drawn to the military and expected no thanks from

anyone when I enlisted because I simply wanted to serve. When someone thanks me for my service, I don’t respond with “you’re welcome” because I didn’t enlist as a favor to them.

I really do not mean to make light of the thanks that people give to veterans. It makes me proud to have served when people who truly respect my time in uniform give me thanks. It is the people whose words ring hollow when they say them that give me pause.

By the time people read this, Veteran’s Day 2022, will be in the past. If people truly want to thank us for our service, consider doing more than just saying so. Donate to a veteran’s organization or volunteer for one; encourage or engage in *pro bono* work for a veteran; consider a veteran for employment; anonymously buy a veteran’s lunch for them if you see them at a café; encourage your legislators to do more than pay lip service to us by encouraging them to pass legislation that supports the troops. You get the point.

Soldiers are not soldiers because we are the fastest and strongest—we are soldiers because we voluntarily stand between those who wish us harm and those that we love. If you wish to thank us, it is appreciated, but always consider that actions speak louder than words. ■

Lend Me Your Ears: Shakespearean ‘Will-Power’ to Improve Oral Advocacy

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our arguments are if we cannot persuade or capture a judge or jury’s attention?

Legal education lacks any practical training to help lawyers, especially litigators, learn the necessary skills to be an effective communicator and storyteller. Law school teaches us how to craft an argument but we don’t learn how to effectively deliver those arguments. Cicero, the legendary Roman lawyer and rhetorician, believed an argument was only so good as the delivery of an argument. Proper delivery can be

taught and learned and should be included in law school curriculums and continuing legal education.

What is delivery? Delivery is the manner in which we communicate with our given audience, which includes the voice, body, gesture, articulation, emotion, and connection. Delivery is the heart of any Bachelor of Fine Arts or Masters of Fine Arts acting program. The art of delivery should not be left to the real of the actor. After more than a decade as a professional

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OFFICE

ILLINOIS BAR CENTER
424 S. SECOND STREET
SPRINGFIELD, IL 62701
PHONES: 217-525-1760 OR 800-252-8908
WWW.ISBA.ORG

EDITORS

Evan Bruno
Hon. Barbara L. Crowder

PUBLICATIONS MANAGER

Sara Anderson
✉ sanderson@isba.org

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actor and teacher, I believe Shakespeare is the best way to learn effective delivery. When most people think of Shakespeare, they instantly think of poetry. Shakespeare, however, was a master of rhetoric and storytelling through argument. Shakespeare demands the skilled use of the voice, body, and emotion to clearly communicate a character's thoughts and connect with an audience.

If you are new to Shakespeare or perhaps hated or failed to understand it in high school, have no fear! I too loathed Shakespeare in high school. For starters, it's not meant to read. It's meant to be *played*. Go see a Shakespeare play. Due to COVID, there are also a variety of streaming platforms offering live productions of Shakespeare's plays, such as the National Theatre and the Globe in London. You can also find DVDs of great performances from leading Shakespeareans such as Dame Judi Dench, Sir John Gielgud, and Sir Ian McKellan. Other great actors to watch for

are Dame Harriet Walter, Roger Allam, Tom Hiddleston, David Tennant, Fiona Shaw, Simon Russell Beale, Adrian Lester, and even the incomparable Meryl Streep. Nonetheless, the real way to fall in love with Shakespeare and experience its true power is to play it. Lawyers and law students should seek out workshops and classes that teach the art of playing Shakespeare. Many theatre companies throughout the country offer workshops and classes. You can even find such classes in big cities or university towns, such as Chicago.

Attending a continuing legal education course regurgitating platitudes on delivery techniques is insufficient. These tips are only useful if they can be practiced. Any athlete will tell you that the time to practice technique is not during a tournament. I think the same principle applies to lawyers. The best time to practice delivery techniques is not on the eve of a closing argument. Proper delivery techniques need to be practiced outside the courtroom. Ideally,

these techniques should be taught in law school and continue as requirements in legal continuing education courses. Shakespeare is the perfect vehicle for learning proper delivery. By studying Shakespeare, lawyers will gain greater awareness of their voices, bodies, gesture, and presence. Lawyers will learn how to connect with their audience and bring authentic emotion to their arguments. Lawyers will learn effective storytelling. Lawyers will walk away from any training in Shakespeare with greater confidence and stronger sense of self. "I only speak right on. I tell you that, which you yourselves do know." ■

Ashleigh A. Stochel is a classically trained professional actor and teacher with an M.F.A. from the University of Tennessee-Knoxville. She is an attorney focusing on complex litigation and employment/labor law at L&G Law Group, LLP in Chicago.

Recent Appointments and Retirements

1. Pursuant to its constitutional authority, the supreme court has appointed the following to be circuit judge:

- Mia S. McPherson 18th Circuit, October 24, 2022
- Melissa A. Presser, 1st Circuit, November 28, 2022

2. Pursuant to its constitutional authority, the supreme court assigned the following to the appellate court:

- Hon. Sanjay T. Tailor, 1st District, October 3, 2022

3. The circuit judges have appointed the following to be associate judges:

- James Harvey, 12th Circuit, November 1, 2022
- Kim DiGiovanni, 16th Circuit, November 28, 2022
- William G. Engerman, 16th Circuit, November 28, 2022

4. The following judges have retired:

- Hon. Joseph Leberman, 1st Circuit, October 31, 2022
- Hon. Raymond Rossi, 12th Circuit, 5th Subcircuit, November 1, 2022

- Hon. Michael D. Kramer, 21st mCircuit, November 2, 2022
 - Hon. William B. Raines, Cook County Circuit, November 6, 2022
 - Hon. Alfred J. Paul, Associate Judge, Cook County Circuit, November 11, 2022
 - Hon. Michael P. Bald, 115th Circuit, November 30, 2022
 - Hon. Anne M. Burke, Supreme Court, 1st District, November 30, 2022
 - Hon. Casandra Lewis, Cook County Circuit, 5th Subcircuit, November 30, 2022
 - Hon. Michael D. Risinger, 10th Circuit, November 30, 2022
 - Hon. Bernard J. Sarley, Cook County Circuit, November 30, 2022
 - Hon. Ketki Shroff Steffen, Cook County Circuit, 13th Subcircuit, November 30, 2022
5. The following judge has resigned:
- Hon. Kavita Athanikar, 18th Circuit, October 7, 2022 ■