

## What is Your "Courtroom Voice"?

For those who go to court, do you have a courtroom voice? I've been going to court several times per week for the last 10ish years. Like any litigator, I have internalized that I need to speak louder than typical, enunciate more so than my normal speaking voice. At the same time, I have to come off like I'm not yelling or screaming.

This will be imprecise, but I'd guess that if my normal speaking voice is a 3 or 4 and yelling is a 10, my court room voice is maybe a 6. That's seemed to work well, but lately, I've run into "Counsel, say that again please" quite a bit.

I think part of it has to do with the normal hustle and bustle of the courtroom where someone might say something, but the recipient isn't ready for it and the information needs to get repeated. I've noticed that it is really common -- maybe 70% of the time - - for a judge to say a date for the next hearing, for instance, and then immediately have one of the lawyers ask "What is that date again?"

Sigh.

Andy I. Chen, California

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Yes, I elevate my courtroom voice volume, too, and try to enunciate properly appreciating the court reporter too. I need to because sometimes I hear myself in my own head, but it's just not loud enough to others.

Craig McLaughlin, California

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Definitely do, and I'd agree it's a volume between yelling and normal conversation with a focus on clearer enunciation.

I regularly receive a nice little backhanded compliment based on "courtroom voice;" I apparently slide into it automatically when I start pontificating about a legal issue to friends or family, who then typically respond with, "Wow, you actually sounded like a real lawyer just then!"

Uhhhh...thanks?

Bryce Davis, Florida

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I do, and I know where it came from, Masonic Ritual. When I first started doing ritual, back when I was in law school, I can remember an old past master of the Lodge who came up to me and told me several things, one of the most important of which was that he could not hear me. He told me to always speak to the person in the room who was furthest away from me, as if that person was hard of hearing. So, whenever I am in court, I always speak to the judge (or juror) who is the furthest away from me as if they were hard of hearing. In 20 years, I have only ever been asked to tone it down once. And in that instance, a rather young judge said the room was small and he could easily hear me. (When I did tone it down, OC kept asking the judge to have me speak up. The poor judge.)

Frank Kautz, Massachusetts

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My way of thinking about it, which works here, is I have a public speaking voice. It is a reflex where I am speaking to a crowd or in a courtroom. Projecting your voice is part volume, part projection, and part enunciation to my view. It is much different than typical conversation.

Darrell G. Stewart, Texas

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Depends. If I'm addressing the Judge I speak more loudly since most are old farts, hard of hearing and who refuse to wear their hearing aids. Like me. I have even been known to resort to AMESLAN-like hand movements (or maybe plains tribes trade signing?) to help me communicate with the old bastard.

However, I often address juries in a low-volume conversational tone while close to the box - seemingly creating a closed conversation that only includes the jury and me. They tend to concentrate more closely, too, if only to hear me. BTW - this actually works.

OC usually just gets the hairy eyeball.

Russ Carmichael, Pennsylvania

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I would not describe my "courtroom" voice as yelling, but it is louder. I too was given the advice of speaking to the furthest person away (often the judge). Specifically, the analogy of being on stage was used. You want to "project" your voice so the furthest person hears you. I think my cadence changes (subconsciously) as well to help be better understood.

One of my law school professors talked about this first court appearances in NY where the courtrooms were large and that you had to almost yell to be heard. Said they also had echoes as well. Here, we do not tend to have such large courtrooms that you need to yell to be heard.

Phil A. Taylor, Massachusetts

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My court has excellent microphones and a really loud phone speaker, so if you call in here, please do not use your loud lawyer voice. We have one lawyer who practically shouts your ear off. Now that I'm writing this, I'm wondering if I should tell him.

My speaking voice is generally high-pitched and fast. When in court, I have to make a conscious effort to slow down. I also make it a point to look at the judge. Often, they are still flipping papers and making notes from their previous line item. Unless they tell me to go ahead, I wait until they look at me before speaking. I tend to drop my voice a bit too, because it is easier to hear. Fun fact - people often lose their ability to hear high voices before their ability to hear low voices.

Since we are an electronically recorded court, the important thing is that your voice makes it into the sound system as well as to the judge.

Corrine Bielejeski, California

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Depends on the courtroom, the judge and the nature of the proceedings.

Small claims, pretrials, other more informal proceedings with just the judge, I generally stay with a normal talking voice.

With bench trials or summary judgment hearings, my approach is more formal, more structured, but I can't say that I raise my voice.

Appellate arguments: much more formal in my approach, and depending on the room, perhaps a bit louder. But I don't overdo it. Generally, the sound system in appellate courtrooms are fine for a normal public speaking voice, and judges don't want you conducting a trial or playing on emotions.

Jury trials -- different ball game. You are on display to the jury anytime you are in front of the jury. Dynamics, emphasis, modulation of voice and tone, and a bit of acting to boot, are all necessary. But keep in mind that if your voice is constantly loud, you will lose your ability to make an emphasis when needed. And remember that sometimes you get a jury to pay closest attention when your voice is soft -- when they have to listen to hear you. Treat witnesses with respect, and that means questioning loud enough so the jury can hear, but not so loud that the jury feels you're the bully in the courtroom.

Of course, there are some judged with hearing problems that you need to take into account. There are also some courtrooms that demand a more commanding voice to be heard by everyone -- A specific example is the large courtroom (often called the ceremonial courtroom) in federal court in Indianapolis.

It is the most impressive courtroom in which I have ever appeared -- and that includes the US Supreme Court. But it is almost cavernous. Sounds can echo around the room and make it difficult the understand. You need to speak loudly and even more important, enunciate very clearly and at a slower pace so the words don't become garbled in the reverberations.

My thoughts, anyway.

Stephen Terrell, Indiana

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This thread is addressing counsel's courtroom voice.

Documents we file, of course, 'speak.'

Appeals have been mentioned, and our briefs speak in both the text as well as the physical manifestation of the brief. For example, copy paper stapled at the top left corner, or bound bond paper with a cover.

The court may have rules, so, of course, we must adhere to the court's rules.

If the appellate court has no rules, I like to file briefs printed on water-marked bond paper which is bound with a plastic spine. The covers will be on heavier stock paper, and, usually, be colored. Many justices take files home to read. I want my briefs to stand out and be immediately easy to spot in his/her stack.

This extra effort, in my opinion, 'speaks,' not only to the justices but to their law clerks.

Rob Robertson, Texas