



**Acting and the Litigator**  
**How Basic Acting Techniques Can Help You in the Courtroom**

**February 21, 2020**  
**10:00 a.m. – 2:30 p.m.**

**CT Bar Association**  
**New Britain, CT**

**CT Bar Institute, Inc.**  
CT: 4.0 CLE Credits (General)

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## Lawyers' Principles of Professionalism

As a lawyer I must strive to make our system of justice work fairly and efficiently. In order to carry out that responsibility, not only will I comply with the letter and spirit of the disciplinary standards applicable to all lawyers, but I will also conduct myself in accordance with the following Principles of Professionalism when dealing with my client, opposing parties, their counsel, the courts and the general public.

Civility and courtesy are the hallmarks of professionalism and should not be equated with weakness;

I will endeavor to be courteous and civil, both in oral and in written communications;

I will not knowingly make statements of fact or of law that are untrue;

I will agree to reasonable requests for extensions of time or for waiver of procedural formalities when the legitimate interests of my client will not be adversely affected;

I will refrain from causing unreasonable delays;

I will endeavor to consult with opposing counsel before scheduling depositions and meetings and before rescheduling hearings, and I will cooperate with opposing counsel when scheduling changes are requested;

When scheduled hearings or depositions have to be canceled, I will notify opposing counsel, and if appropriate, the court (or other tribunal) as early as possible;

Before dates for hearings or trials are set, or if that is not feasible, immediately after such dates have been set, I will attempt to verify the availability of key participants and witnesses so that I can promptly notify the court (or other tribunal) and opposing counsel of any likely problem in that regard;

I will refrain from utilizing litigation or any other course of conduct to harass the opposing party;

I will refrain from engaging in excessive and abusive discovery, and I will comply with all reasonable discovery requests;

In depositions and other proceedings, and in negotiations, I will conduct myself with dignity, avoid making groundless objections and refrain from engaging in acts of rudeness or disrespect;

I will not serve motions and pleadings on the other party or counsel at such time or in such manner as will unfairly limit the other party's opportunity to respond;

In business transactions I will not quarrel over matters of form or style, but will concentrate on matters of substance and content;

I will be a vigorous and zealous advocate on behalf of my client, while recognizing, as an officer of the court, that excessive zeal may be detrimental to my client's interests as well as to the proper functioning of our system of justice;

While I must consider my client's decision concerning the objectives of the representation, I nevertheless will counsel my client that a willingness to initiate or engage in settlement discussions is consistent with zealous and effective representation;

Where consistent with my client's interests, I will communicate with opposing counsel in an effort to avoid litigation and to resolve litigation that has actually commenced;

I will withdraw voluntarily claims or defense when it becomes apparent that they do not have merit or are superfluous;

I will not file frivolous motions;

I will make every effort to agree with other counsel, as early as possible, on a voluntary exchange of information and on a plan for discovery;

I will attempt to resolve, by agreement, my objections to matters contained in my opponent's pleadings and discovery requests;

In civil matters, I will stipulate to facts as to which there is no genuine dispute;

I will endeavor to be punctual in attending court hearings, conferences, meetings and depositions;

I will at all times be candid with the court and its personnel;

I will remember that, in addition to commitment to my client's cause, my responsibilities as a lawyer include a devotion to the public good;

I will endeavor to keep myself current in the areas in which I practice and when necessary, will associate with, or refer my client to, counsel knowledgeable in another field of practice;

I will be mindful of the fact that, as a member of a self-regulating profession, it is incumbent on me to report violations by fellow lawyers as required by the Rules of Professional Conduct;

I will be mindful of the need to protect the image of the legal profession in the eyes of the public and will be so guided when considering methods and content of advertising;

I will be mindful that the law is a learned profession and that among its desirable goals are devotion to public service, improvement of administration of justice, and the contribution of uncompensated time and civic influence on behalf of those persons who cannot afford adequate legal assistance;

I will endeavor to ensure that all persons, regardless of race, age, gender, disability, national origin, religion, sexual orientation, color, or creed receive fair and equal treatment under the law, and will always conduct myself in such a way as to promote equality and justice for all.

It is understood that nothing in these Principles shall be deemed to supersede, supplement or in any way amend the Rules of Professional Conduct, alter existing standards of conduct against which lawyer conduct might be judged or become a basis for the imposition of civil liability of any kind.

*--Adopted by the Connecticut Bar Association House of Delegates on June 6, 1994*

## **ACTING AND THE LITIGATOR**

How basic acting techniques can help you in the Court room.

In this workshop, the participant will be given a short monologue from a play, literature or film to perform in the session. Monologues will be picked by the instructors and distributed prior to the workshop and should be committed to memory as much as possible. Individual feedback will be provided on the performance in terms of realism, connection with the audience, movement and body control, vocal techniques and how those relate to presentation of a case in Court. Participants will be able to hold their scripts, but the more that is committed to memory, the more focus and attention can be placed on the acting techniques that are important for lawyers. This exercise should help the lawyer to “get out of their head” and really be able to use the facts of the case to tell a great “story” and connect to the Judge or Jury.

### **BIOS OF INSTRUCTORS:**

#### **JENN LEDERER**

Jenn Lederer is a Motivational Comedian, Producer and Founder of Jenn Lederer Productions (JLP).

Jenn’s signature brand of motivational comedy harnesses the power of laughter to help her audience laugh their way to a breakthrough.

JLP produces visually dynamic and engaging digital content designed to capture the truth in every story, mission and brand message. Jenn is passionate about helping creative entrepreneurs cultivate their own unique power, perspective and impact on the world in whatever way they’re meant to be it and do it. Jenn’s work has been featured by FORBES, Huffington Post, YALE, Google Headquarters, Inspiring Lives Magazine and comedy clubs around NYC and the North East.

#### **ROBERT SCIGLIMPAGLIA JR**

Robert J. Sciglimpaglia, Jr. is a Certified Worker’s Compensation Specialist by the Connecticut Bar Association and is admitted to Connecticut (State and Federal), New York and the Supreme Court of the United States. He has been named a SuperLawyer by Connecticut and New England Magazines since 2009, and was selected as a Top 10 Trial Lawyer by the National Trial Lawyers Association. He has been practicing law since 1991. He is the author of the industry leading book entitled “Voice Over Legal” which hit #1 on the Amazon Best Selling list in the entertainment law category.

Robert is also a professional actor and voice over artist and producer. He has completed several recent films (“Her name is Samantha”, “One” and “Within and Without”) through his production company, Belair Productions, LLC, which has branches in Norwalk, CT, New York City and Burbank, California. He was also the director of the sessions for the new voice of “Bixby” for Samsung’s phones and appliances. He is probably best known for his role as the “Dad” in the Super Bowl Commercial “Happy Grad.”

# Super Helpful Acting Tips Meant Especially for Beginners

Acting is an opportunity to explore yourself deeply and challenge your inhibitions. The acting theory proposed here, known by the name of method acting, is credited to Constantin Stanislavski, the great Russian actor and director. Over the time many art lovers, artists and actors have come up with interesting and helpful acting tips for beginners.

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Acting, for me, is letting go of myself for a while and become somebody who I will never be. It is like living an alternate life for a brief period of time. It is an opportunity to conquer all my inhibitions, conditioned by society and release myself from them. This Entertainmentism article has some acting tips for beginners from my study and experience of 'Method Acting' or 'Realistic Acting', an acting theory, which is based on *realistic imagination*. The acting

principles are based on Stanislavski's theoretical treatise, on method acting called '*An Actor Prepares*', which is recommended reading for any serious student of theater and acting. By nature acting is a '*Performing*' art and ergo, to understand it theoretically is not learning it, just as there is a difference between knowing the path and actually walking the path. Don't consider yourself a student of acting till you actually begin to 'act'. Only believe in what I share here, if you find it to be true through your own experience.

## **Method Acting Tips For Beginners**

*"If your mind is empty, it is always ready for anything, it is open to everything. In the beginner's mind there are many possibilities, but in the expert's mind there are few."* – Shunryu Suzuki

As the zen masters say, if you try to fill a cup, which is already full, it will all spill over. To fill something new in a cup, first it must be emptied. So, the tips for beginners that I share here, will have an effect, if you give it an unbiased thought. Read and consider the acting tips and tricks, given here, apply them and then judge them. These are tips from master theater artists, compiled by me. Look at things from the beginner's mind.

What I talk about here is mostly acting in theater, which is the most real and challenging type of acting, according to me. That doesn't mean, acting in front of the camera is inferior, but there you have the convenience of a 'retake'. There are no retakes in theater, as in life. You are there and in the *now* and the measure of your acting prowess is measured by how sincerely you offer yourself to that moment.

# No Fear!



*"Do the thing you fear most and the death of fear is certain."*

– Mark Twain

First part is dealing with stage fright of course. To deal with it and forget it, concentrate on your role and think about nothing else. Learn to enjoy the spotlight and just do what you need to do! With every outing on-stage you will get better at handling it. A little stage fright will always remain and keep you alert on stage.

# Beware of Overacting or Mechanical Acting



*"Never allow yourself externally to portray anything that you have not inwardly experienced and which is not even interesting to you. A character built on stereotype cannot grow."*

– Constantin Stanislavski

A warning right at the beginning. What separates good actors from bad ones is their sincerity of emotion and belief on the stage. Audience can spot a phony right away! Good acting is not over acting or mechanically saying lines. It is not reading out lines! Do not say or do anything on stage or on screen, without understanding what you are saying. Do not say anything, unless you understand the emotion that evokes the dialog. Words flow, when emotions evoke them out of memory and it's not the other way round. Feel the emotion, connect with it, embrace it and words will then flow naturally.

# Acting is all about Belief and Creative Imagination



*"The actor must use his imagination to be able to answer all questions (when, where, why, how). Make the make-believer existence more definite."*

– Constantin Stanislavski

Acting is living an alternate life, as I said before. It is *'make believe'*. The audience is only going to believe that you are the person you are playing to be, if you yourself believe that you are that person! To arrive from being who you are in reality, to who you are on stage, is a process which you have to go through. The thing that is going to get you there is creative imagination and belief!



# An Actor Must be An Athlete Philosopher

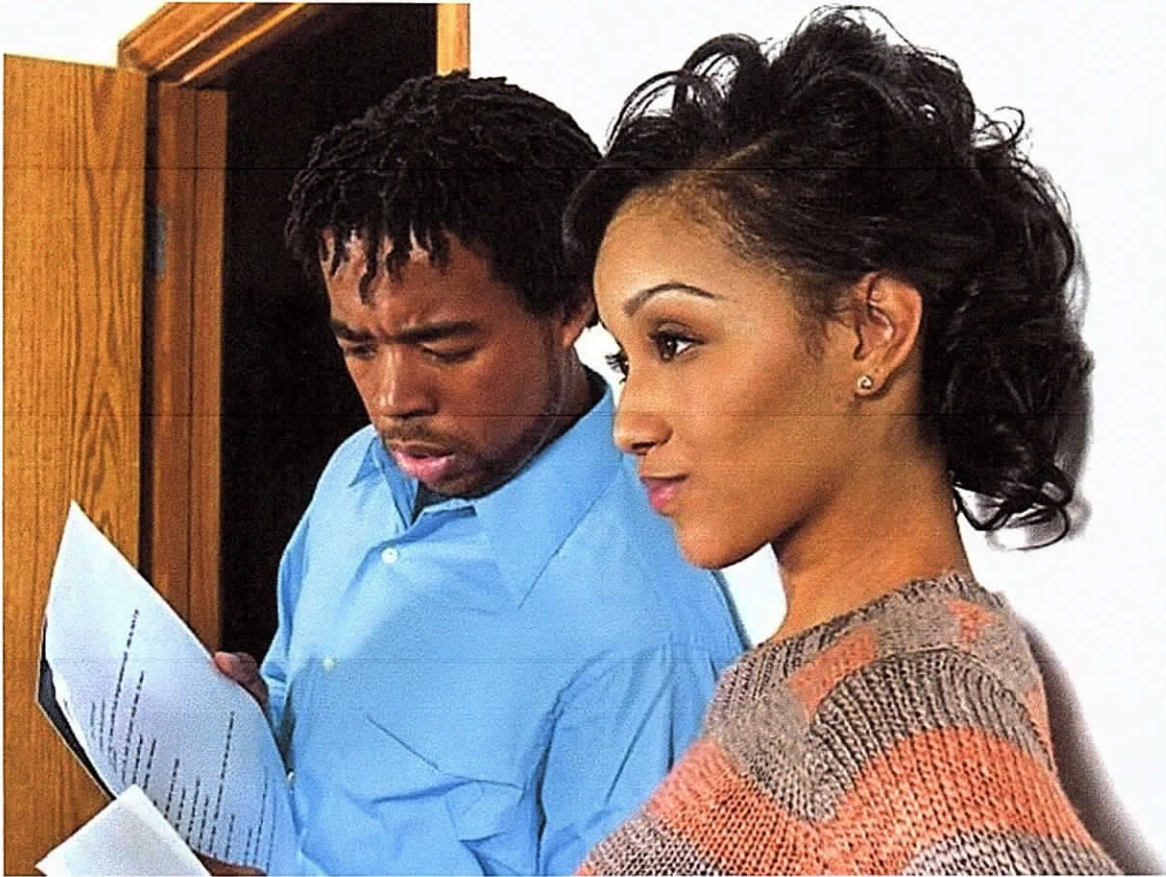


*"The actor has to develop his body. The actor has to work on his voice. But the most important thing the actor has to work on is his mind."*

– Stella Adler

An actor must cultivate his mind and body as an instrument in portraying roles. His mind needs to be able to grasp things, as astutely as a philosopher and his body must be able to portray a range of emotions. Acting is about harnessing the mind-body connection. You need to mindfully enter the character you play and you will be there bodily. The athlete is all about action, motivated by emotion and the philosopher is all about thought. An actor must walk the middle path between the athlete and the philosopher. He shouldn't be so carried away by emotions, that reason eludes him, nor should he be so overwhelmed by thought, that emotions stop flowing naturally. Achieving this inner balance is paramount, when acting.

# Read and Understand the Script

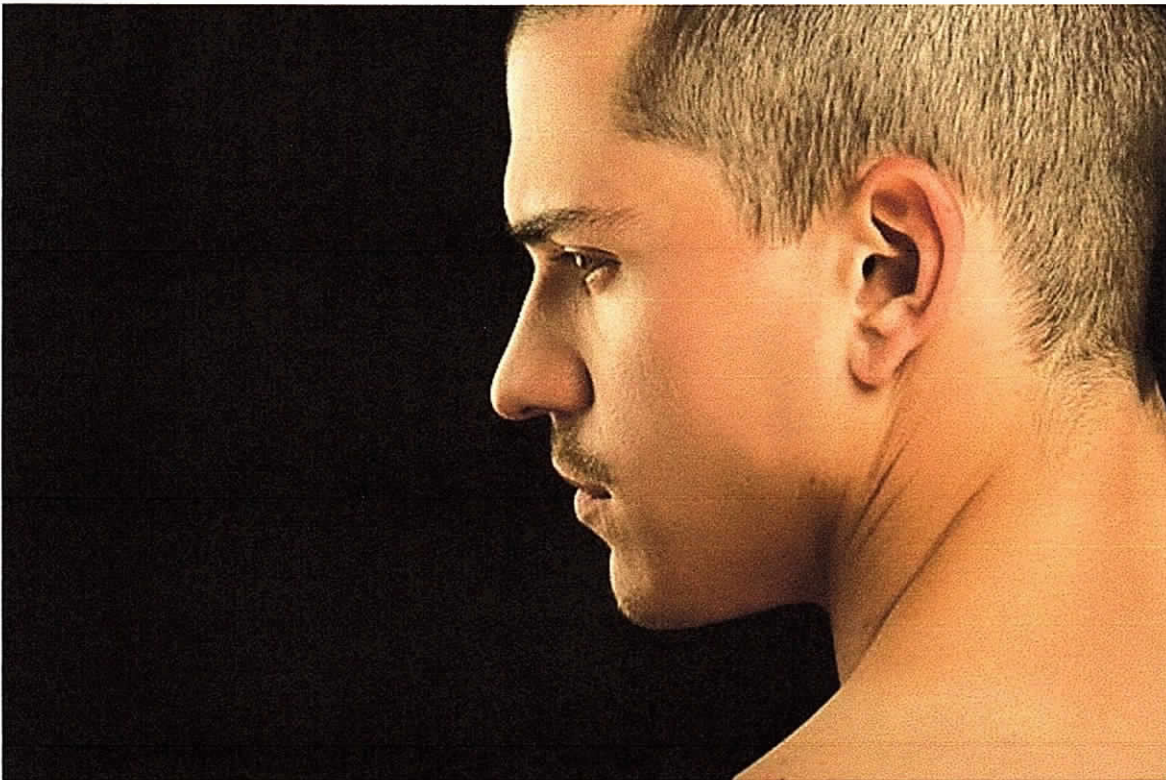


*"In the creative process there is the father, the author of the play; the mother, the actor pregnant with the part; and the child, the role to be born."*

– Constantin Stanislavski

Read the script thoroughly. Then read it and once you are done, read it yet again. Keep reading till you get from the skin to the soul of the story. Understand the script first and think about what the playwright has tried to say through the script. This a view from the outside. Then again read the story from the perspective of the role you are playing. Discuss with the director about what exactly you feel about the story and clarify your doubts. This is very important, as you need to understand the people, the surroundings, the time of the story and its message.

# Know Everything about the Role and the Person



*"The life of a character should be an unbroken line of events and emotions, but a play only gives us a few moments on that line – we must create the rest to portray a convincing life."*

– Constantin Stanislavski

Next step is to know as much as you can about the role you are portraying, in explicit details. You must ask questions about the role. Who is that person? Where does he come from? The answer to these questions will be partly found in the outlines of the play and partly out of your own creative imagination! Research the script as much as you can, to know your role! Some actors even write a diary of a day, in the life of that character! You must know him/her like the back of your hand. Even if the details of the character come from your imagination, and only partly from the script, they must be very specific.

Then, slowly, you will get an idea about how this person might be thinking. You will know why he reacts the way he does in the particular situations of a play. You will get an idea about the rationale behind the character's behavior. Understand his philosophy about life and his super objective. This is your homework.

What makes the person, that is you, is a superposition of millions of memories, biases and impressions. To become the person you're going to portray, you have to create and connect with the psyche that makes him or her. Consider his presence in the play as just a snapshot of his life and let him grow beyond that snapshot, into the past and the future. Flesh out a person out of that role, who has his likes and dislikes, his apprehensions, his rules and his defining experiences. Live his life till you understand what makes that character and who he is!

## **Connect to the Role through Emotional Memory**

*Acting is not about being someone different. It's finding the similarity in what is apparently different, then finding myself in there.*

– Meryl Streep

Now, you exactly know who you are going to portray! Next part is being him/her! It is the easiest and the most difficult part. Learn the dialogs of the play thoroughly and understand the mood of the character when he/she says them.

Draw parallels between the character's life and your own experiences from your emotional memory! Emotional memory is the parallel memory that you have stored inside you, through which you can relate to that character! Invoke your emotional memory when you say the dialogs as that person. Slowly, you will not just sympathize with the character, you will empathize! You will start thinking the way he/she thinks, feels. Once you get that character, all your body language, your toning will fall in place accordingly! In all this process, the director will aid you. Then you can polish other minor details like your

positioning on stage, your entry and exit cues and all the other mechanical things that must be remembered.

## **It is all about Concentration and Practice**

*"Remember: there are no small parts, only small actors."*

– Constantin Stanislavski

Once you start getting the role, you need to practice and rehearse it regularly. To get into the role on stage and make other people believe that you are him, you must concentrate and cultivate your imagination onstage. You must be able to see what the character sees! With each rehearsal, try to see more deeply and let the character take control.

## **Lose Yourself in the Role but Stay Aware**

*"I regard the theater as the greatest of all art forms, the most immediate way in which a human being can share with another the sense of what it is to be a human being."*

– Oscar Wilde

On a character level you must be involved, but your awareness as an actor should also be there, all the time, while performing. There are certain subtleties about presenting a character and performing on stage. There is a limit to how much realism you can bring on stage. There are some things which you need to modify, so that it is presentable on stage. While playing the role, in the flow of character, one has to be aware as an actor of all those subtleties.

# Empathize

*"Could a greater miracle take place than for us to look through each other's eye for an instant?"*

– Henry David Thoreau

One of the most important qualities that great actors have possessed is the ability to empathize. To perceive the complexities, contradictions, agony and bliss of the person behind the character, you need to empathize with him. Empathy is the key to understanding a person and the door through which you enter into the psyche of your character, to portray him and interpret him your way.

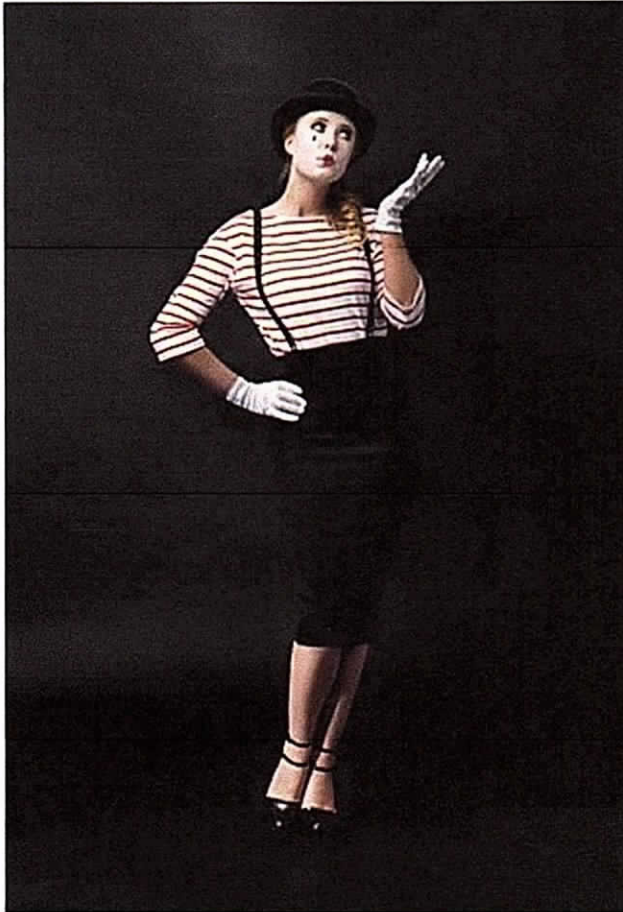
# Enjoy the Process

*"Success is transient, evanescent. The real passion lies in the poignant acquisition of knowledge about all the shading and subtleties of the creative secrets."*

– Constantin Stanislavski

Last but not the least, to do it right, you must enjoy the process! A very important part is bonding with your co-actors and developing good chemistry on stage. A play is a team job and you need to be a team player. The success of a role or a play is directly proportional to how much the team enjoyed while preparing! Keep learning and always have the passion of a beginner's mind and you will never cease to progress.

No other art helps you overcome your own self like acting. It is the most 'alive' form of art, which explores the deep labyrinths of the mystery, that is human mind. Remember, learning to be a good actor is synonymous with learning to be a good human being!



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## **4 agreements (Don Miguel Rodriguez)**

1. Be impeccable with your word
2. Don't take anything personally
3. Don't make assumptions
4. Always do your best



## **Variables of voice and speech**

1. Rate
2. Inflection
3. Pitch
4. Dynamics

### **3 basic tenets of acting**

1. Relaxation
2. Concentration
3. Imagination

## **6 viewpoints of focus**

1. Time
2. Space
3. Shape
4. Movement
5. Story
6. Emotion

## **Acting Guideposts**

1. Relationship
2. Fighting for/conflict
3. The Moment Before
4. Humor
5. Opposites
6. Discoveries
7. Communication and Competition
8. Life and Death Importance
9. Find the Events
10. Use the Place
11. Game playing and role playing
12. Mystery and secret
13. Mischievousness
14. Vulnerability
15. Architecture