



Facts STILL Can't Speak for Themselves: Reveal the Stories that Give Facts Their Meaning, Second Edition

Eric Oliver

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Today, most trial lawyers and consultants accept the fact that all legal decision makers decide cases by first making up their own version of the case story. Yet, few have yet to fully adjust their practices to meet the demands of that reality. *Facts Still Can't Speak for Themselves* offers specific methods for trial professionals to increase their reach into the full range of potential stories decision makers can construct (and will construct) during any single case, and then shows you how to refine those stories into the one most compelling presentation for any legal decision maker to judge, in any legal decision-making venue. What you'll find inside:

- How the stories decision makers imagine affect verdicts as much as their backgrounds and beliefs or the attorney's presentation in court
- Which focus group method reveals the real range of stories decision makers can build from your case
- How to profitably apply focus group results in negotiations and mediation equally well as in trials
- How to run voir dire like a focus group (and a focus group like voir dire) improving both in the process—and how to avoid common misleading mistakes
- How focus group deliberations are the *least* valuable part of the process
- How asking focus group participants which side in a case they "like" could be a major mistake
- Why you should think twice before ever again asking a "why" question or using the word "any" during voir dire or in focus groups
- How to establish immediate rapport with decision makers and to manage how they build their perceptions of your client's case story—in time to affect their final judgments

In this new edition, **Eric Oliver** dives deeply into cutting-edge research in communication, human judgment, perception, and influence and breaks down the process of turning theoretical abstractions into effective persuasive practices that help legal decision makers hear—and see—the case story from your client's point of

view. Each chapter is now supplemented with some of the most relevant developments in the science of decision making, as well as with the decade of additional experience Eric has acquired working with trial lawyers and their clients since the first edition was published in 2005.

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