



Anger Has No Place in Court

Publication

12.17.12

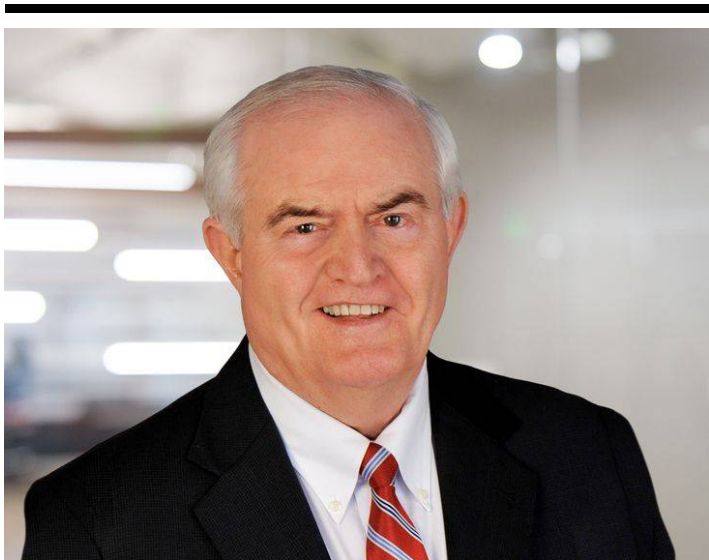
Trial Lawyers like action, love drama, seek out confrontation, and want to skewer adverse witnesses. However, trial lawyers defending employers must shy away from these traditional trial lawyer goals. These lawyers need to adopt different tactics or they will end up on the front page of the newspaper. That is not a good thing; defense verdicts rarely are reported with the same verve as the plaintiff's.

Defense of employment law jury cases give experienced trial lawyers pause...as it should. Over the course of 40 years, I have tried many types of cases, almost always representing defendants. It is a truism that every case is different but employment trials are a unique animal. Jury trials in employment cases are just different; if you defend the case the same way as other types, you are in for a rough ride with potentially nasty surprise verdicts.

Employment trials are emotional roller coasters for both the plaintiff and employer. Plaintiff's try to heighten that emotion to get the jury to overreact. Defense counsel should always find ways to keep anger and emotion out of the courtroom. If successful, the juror may not agree with you, but the chances are that you won't be victimized by a runaway verdict and be the lead item in the news.

This article appeared on December 17, 2012 issue of *The Recorder*.

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