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The Art of Persuasion in the Courtroom: A Reflection on Courtroom Rhetoric, Possible Risks and Technological Advancements

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Abstract: This paper explores the intricate relationship between classical rhetoric, legal rhetoric and the inherent risks faced by advocates during courtroom speeches. It delves into the fundamental principles of persuasive communication within legal contexts and legal discourse, examining how choice of language, structure, tone and voice level can significantly influence trial outcomes and perceptions pf decision-makers and the audiences. The analysis highlights various rhetorical strategies employed by advocates while also addressing potential pitfalls, including the risk of misinterpretation, emotional overload, and the lack of trust on behalf of a judge. Through case studies and expert insights, the paper provides a comprehensive understanding of how effective rhetoric can navigate the complexities of legal discourse while mitigating associated risks. Ultimately, it aims to equip advocates with the necessary tools to enhance their representation practices within the courtroom setting.

Keywords: legal rhetoric; advocate; courtroom pragmatics; speech; persuasion; risks for advocates

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I. Introduction

It is a long-standing perception that a courtroom is an arena of drama, where lives of participants are often at stake. And it is a courtroom where the power of language wields significant influence. Thus, courtroom rhetoric stands as a formidable tool, shaping the narratives of justice and affecting the outcomes of trials.

At its core, courtroom rhetoric is the art of persuasion — a delicate balancing act that requires an understanding of both the rational and emotional facets of human decision-making. Courtroom counsels employ techniques that appeal to *ethos*, *pathos*, and *logos*, creating arguments designed to resonate with decision-makers (judges and jurors) on multiple levels. *Ethos* establishes credibility in a sense that a lawyer's qualifications, experience, and moral character can significantly affect the decision-makers. *Pathos* evokes emotions creating deep connections via emotional pleas that leave lasting impressions. *Logos* appeals to logic when presenting clear evidence and sound reasoning reinforces arguments, compelling decision-makers in the courtroom to consider the facts dispassionately.

II. Methodology

During the last decade, we have witnessed revival of interest in legal rhetoric among legal professionals in Russia. The availability of monographs, treaties, and textbooks on both classical rhetoric and legal rhetoric does not reduce the demand for reflections on the peculiarities of delivering speeches in courtroom from the practitioners. Practice-oriented training declared as a priority by higher schools and law faculties have made a considerable contribution to the students' search for courtroom counsels sharing their experience and real-life recommendations based on their courtroom practice (Voronov, 2013, p. 135).

In this paper we have attempted to analyze the speeches prepared and delivered in courts and define the most important factors that should be taken into account while training law students and preparing legal practitioners for delivering speeches in court. Due to confidentiality reasons, we cannot reveal either names or the most obvious facts of the cases considered. However, we believe that this study can be of particular interest because we provide some considerations and recommendations given by one of the clients who is also a qualified lawyer with a long experience of representing clients in courts of different instances, whose participation in preparing materials of the case provided the authors with valuable remarks and considerations.

For the purposes of this study, we use the term *advocate* in the sense prescribed by the effective legislation. Under Art. 2 of Federal Law No. 63-FZ dated 31 May 2002 (as amended 22 April 2024) "On the Practice of Law and the Bar in the Russian Federation," an advocate is a person who has qualified in the manner prescribed by Art. 9 hereof as a lawyer and who is entitled to engage in the practice of law. An advocate is an independent legal counsel. In the context of providing legal assistance, an advocate shall *inter alia* represent a client in constitutional proceedings; take part as a client's representative in civil and administrative court proceedings; take part as a client's representative or defender in criminal and administrative offence proceedings; take part as a client's representative in proceedings before an arbitration, international commercial arbitration tribunal (court)

and other conflict resolution authorities; represent a client before public authorities, courts and law enforcement agencies in foreign jurisdictions, international judicial authorities and non-governmental entities in foreign jurisdictions, unless otherwise provided for by the legislation of foreign jurisdictions, constituent instruments of international judicial authorities and other international organizations or treaties of the Russian Federation.

To be admitted to practice law as an advocate, a person must obtain a law degree or a postgraduate law degree in higher schools or educational institutions properly accredited to provide legal education and train lawyers. He must also have at least two years of practice of law or have completed his apprenticeship in a legal practice.

Under Para. 9 Art. 53 of the Code of Criminal Procedure of the Russian Federation, an advocate (a defense lawyer) has the right to participate in a criminal case in the courts of the first, second, cassation and supervisory instances, as well as in the consideration of issues related to the execution of a sentence. To participate means to act while defending the client. A defense speech of a defense layer is one of such forms of his defense aimed at protecting the constitutional rights of his client. A speech pronounced in court should show the results of the lawyer's mental activity regarding the accusation, the position of the public prosecutor, it should reflect the evidence examined in court, their analysis from the point of view of the unified position of an advocate and his client.

The scope of the study does not provide us with the opportunity to investigate the issue of the advocate's personality, since this issue requires a detailed and independent consideration. However, we insist that the advocate's personality, his professionalism and pursuit of client's interests can be a subject matter of an independent study.

III. The Development of the Concept of Legal Rhetoric

For almost 2,500 year, classic rhetoric has successfully adopted to the interests of legal discourse. The classical model is still successfully applied in legal theory and in courtroom practice. Rhetoric as an educational tool provides legal professionals with instructions how

to focus on invention, disposition (arrangement), elocution (style), and pronunciation. Although judicial oratory represents — along with deliberative oratory and epideictic oratory — one of the main types of oratory, at the modern stage we can speak about some new features characterizing legal rhetoric in general and judicial oratory in particular.

Rhetoric has been taught for ages, and rhetoricians have developed different models, explaining interaction between an orator, audience and information and how they influence each other. Aristotle's model of communication comprising of *ethos* (orator), *logos* (message) and *pathos* (audience) is one of the most popular. Among Russian scholars, we can name E.A. Nozhin who claimed that, "public speaking is a type of direct communication when there are no spatial and temporal barriers between the communicator and the audience (Nozhin, 1978). Analyzing different genres of public speaking, he argues that judicial eloquence is the most difficult type of oratory because both a defense lawyer and a prosecutor have to not only operate with paragraphs of the laws and codes, but also turn to the moral and ethical principles and norms of society, seeking a fair court decision.

Academician Alexandrov claims that an orator creates information by means of three channels. The audience using three analyzers perceives information. Communication channels and analyzers together represent the direct connection between orator and audience. At the same time, there is also feedback, which allows creating a closed loop of the system. Only high-quality preparedness of the orator, information and audience will make it possible to effectively use communication channels and analyzers (Alexandrov, 2003).

In his assay on legal rhetoric, Michael Frost, providing a comprehensive overview of works devoted to different aspects of legal rhetoric, highlights that "Most of these commentators are interested in how classical rhetorical principles help discover or explain the internal logic and persuasive value of legal discourse" (Frost, 1999, pp. 635).

Although a lot of attention has been paid to classic rhetoric during the last few decades, very few "modern rhetoricians or scholars devote much attention to how classical rhetoric applies to modern judicial or legal discourse" (Frost, 1999, pp. 635). A widely respected legally trained Belgian philosopher Chaim Perelman was one of those few

who analyzed judicial uses of legal precedent in order to "illuminate connections between classical and modern methods of legal argument."

Chaim Perelman emphasized the importance of rhetoric in the courtroom as a means of persuasion, arguing that legal reasoning is not merely a rational process but it also involves emotional and ethical appeals to an audience. He believed that the effectiveness of courtroom rhetoric lies in its ability to resonate with the values and beliefs of the audience, thus shaping their perceptions of justice and truth. Perelman contended that the art of persuasion is central to legal practice, highlighting that successful advocates must engage both logic and rhetorical techniques to effectively argue their cases (Perelman and Olbrecht-Tyteca, 1991). Thus, Perelman's works demonstrated a notable departure from the general neglect of the topic of legal discourse (Frost, 1999, pp. 635).

Olga Malyukova in her recent work emphasizes that "the laws of rhetoric that apply in all spheres of its use, including jurisprudence, include the law of the correlation between a word and a deed, the law of adequate description, the law of complete and finalized narration and the law of argumentative speech in natural language." All the listed laws may be infringed and are infringed by the orator. A complete description and a complete narrative is not always possible, argumentative speech is often replaced by sophisms and paralogisms (Malyukova, 2023, p. 121).

IV. The Logical Structure of a Court Speech as a Foundation for Courtroom Speech Analysis

The main objective of the courtroom counsel is to persuade the decision-maker to decide in the most favorable manner for the client. One of the key element in persuasion is the logical structure of a court speech, whether for defense or prosecution. The logical structure allows the counsel to convey arguments and persuade the decision-maker (Ivakina, 2006). The structure may vary depending on the legal system, type of case, and audience. However, following a logical progression can enhance argument clarity and persuasiveness. The most common framework of the logical structure of the speech usually employs:

1. Introduction.

— Greeting to acknowledge the court.

— Purpose statement to state clearly the objective pursued by the counsel.

— Overview to outline in brief the main points that will be addressed.

2. Statement of the Case.

— Statement of the facts presenting the key facts of the case. The facts need to be relevant to the case and clear.

— Providing necessary background information to contextualize the case.

3. Thesis (or Issue) Statement

— Clearly articulating the main argument or position a counsel is advocating (e.g., the evidence overwhelmingly supports the defense).

4. Presentation of Evidence.

— Chronological/logical order. Evidence presentation can be logically or chronologically structured.

— Summarizing key points from witness testimonies

— Discussing any physical evidence, visual aids, or documents that support the argument.

— Providing relevant expert testimonies that support the case.

5. Counterarguments.

— Acknowledging the opposing views and presenting the strongest points made by the opposing side.

— Methodically refuting the opposing views with logical reasoning and evidence.

6. Emotional appeal provides for strategical incorporation of emotional elements that resonate with the decision maker (if appropriate), reinforcing the logical argument.

7. Conclusion.

— Summarizing key points, recapping the main arguments and evidence.

— Restatement of thesis (or legal issue). Reiterating the main position or call to action.

— Final Appeal provides for a compelling statement encouraging the decision maker to reach the desired decision.

V. Pragmatic Issues in Courtroom Speech Analysis

Pragmatic issues in courtroom speech refer to practical aspects that influence how language is used, understood, and interpreted in the context of courtroom settings. Key pragmatic issues include:

Understanding the contextual meaning. The meaning of the statements can change based on the courtroom setting, the participants involved, and the specific legal context. Lawyers must be aware of how their language will be perceived by decision makers, effected communities and opposing counsels.

Understanding the performative nature of courtroom language. In legal settings, speech acts (e.g., requests, assertions, promises, etc.) have specific implications and outcomes. For example, making an objection can lead to immediate consequences.

Understanding the specificity of the courtroom audience. Legal professionals have to tailor their speech to different audiences, including judges who require formality and jurors and members of the public who may need simplification for better understanding or emotional pleas to meet their expectations. For the sake of effective communication, an advocate is required to vary the formality and complexity of language.

The use of legal jargon and technical language (legal terminology). Legal terminology can create barriers to understanding for non-professionals. Courtroom counsels have to balance the use of legal terminology with the need for clarity to ensure that every participant of the trial on whom the outcome of the case depends, understands the arguments presented.

The use of nonverbal communication. Body language, tone of voice, and facial expressions play a significant role in courtroom speech, affecting how the message is received. Effective use of nonverbal cues can enhance persuasion or indicate confidence.

Turn-taking and interruptions. The courtroom has structured rules about who speaks when. Understanding these dynamics is essential for effective communication, as interruptions can lead to misunderstandings or even legal repercussions.

One more pragmatic issue that we would like to focus on is *the use of (cross)-examination techniques*, since in (cross)-examination lawyers

employ specific rhetorical strategies designed to challenge witnesses' credibility or memory. The pragmatics of questioning — including how questions are posed and the timing of objections — can significantly impact the trial outcome.

Moreover, courtrooms are often diverse settings. Courtroom counsels must be cognizant of cultural differences that may affect communication styles, perspectives on authority, and the interpretation of gestures or expressions. Cultural sensitivity becomes one of the key requirements for successful courtroom counsels (Abramova et al., 2023).

Influencing decision-makers' perception by means of emotional appeals. Attorneys may strategically use *pathos* in speech to evoke empathy or reinforce their arguments. The counsel's emotional appeal and understanding of the emotional landscape is becoming more and more critical for the trial outcomes.

Good awareness of legal protocols regarding such issues as when and how to object involves understanding of legal standards and procedural rules. Pragmatic competence in this domain can determine the effectiveness of an argument, the admissibility of evidence, credibility of the witness, etc.

However, when we dwell on the issues regarding the use of language in the courtroom, clarity and precision are the most vital in legal contexts. Ambiguous statements can lead to misinterpretations that inevitably affect the outcome of a case. Advocates must strive for clarity while still being persuasive.

Moreover, courtroom interactions are dynamic. Lawyers may need to adapt their arguments in real-time based on feedback or reactions from the judge.

There is one more issue that is pragmatic in nature, bit is can have decisive impact on the outcome of the case. Nowadays courtrooms can be equipped with many devices including video cameras, computers, microphones, etc. Of course, they are intended to improve the quality of proceedings. However, if any of the devices, for example, a microphone is out of order or if it goes out of order during the session, the smoothness of the proceedings and the persuasiveness of the advocates can suffer.

By being aware of the pragmatic issues, legal professionals can enhance their effectiveness in conveying arguments, persuading

decision-makers and affected communities, and adhering to legal and procedural protocols during courtroom proceedings.

Thus, pragmatically, the key element of successful courtroom speech is preparation, preparation for possible technical drawbacks and potential questions from a decision-makers, for dealing with diverse and sensitive audience, for the need to define legal terms that may confuse the audience, etc. An advocate must demonstrate confidence and composure through maintaining eye contact and a firm tone to convey credibility, which can be achieved by rehearsing the speech multiple times to refine delivery and enhance natural flow.

VI. External Factors Influencing the Courtroom Speech

Indeed, while preparing for court proceedings, an advocate pays attention to a number of external factor that are sometimes not directly associated with the case, for example, the personality of the judge. Thus, before going to court an advocate can visit different websites, ask colleagues for information and advice, search for information about how the judge appointed to deal with the case conducts (handles) the proceedings, what he pays attention to, whether he listens to the parties or prefers to resolve the issues independently. Sometimes the judge prompts the counsels of the parties with what he might need to be submitted.

External factors of primary importance include the case itself. What is the category of the case? Which court will deal with the case? If we speak about higher courts, the timing assigned for sessions can be very limited, especially if we are talking about criminal cases. Thus, in the Moscow city court, 10 minutes are assigned for one session, and several advocates of one client or several clients with several advocates can participate. If, for example, several counsels participate in the proceedings, they can prepare the speech all together, but then they share the parts of the speech in order to provide the court (a decision-maker) with as much information as possible.

Regarding civil cases, if we are speaking about a civil case in the court of first instance it can happen so that the legal issue can be resolved during only one session. A speech for such a session can be prepared

as a single unit, with the preparation carried out uniformly. Regarding another categories of cases, e.g., challenging the fines, the focus is put on whether the procedure of holding a perpetrator liable was complied with. If it is highlighted that the procedure was not complied with, the only one sentence can be enough to win the case. On the contrary, if the speech is too long, and an advocate makes too many favorable statements regarding his client, the court can be reluctant to decide in favor of the client.

VII. Oral Speech v. Written Submissions: A Formality or a Necessity

Now we come to one of the most important issues regarding preparation for the court sessions. The speech to be pronounced in the courtroom should be written down. A written form gives a counsel a number of advantages. First, timing, stress and procedural rules can prevent the counsel from delivering the whole speech prepared. Thus, some important issues can be missed, which can be detrimental to the client's case. Second, a written speech can be submitted and attached to the case files providing the judge with the opportunity to consult the submissions, clarify counsels' cases, and focus on participants' priorities.

The speech prepared by the advocate for the court session is not the only speech prepared by the advocate, especially in criminal cases. A responsible advocate must get prepared for every court session and write down his statements in order to place them in a case file. It is better to write down everything relevant to the client's case, so that after speaking, in addition to excerpts, attach the full text of the speech to the case materials.

Moreover, a written form helps an advocate structure the case, use concise and clear language, and not get confused if the judge asked questions. Well-structured statements help advocates chose the most appropriate sequence in accordance with the statements' relevance and importance, some statements can be mitigated and the others can be pronounced with more stress. Moreover, it is not only the judge who listens to the speech, but other people as well, e.g., journalist.

A prepared written text of the speech supports an advocate in reaching his purpose and defending his client. Everyone understands that in the courtroom only the minimum amount of statements will be made, and all the participants try to consolidate everything said in courtroom in a written form. Thus, preparation is also needed to put everything what the judge needs to know in writing. We prepare not to make a speech but to put everything relevant to the case in writing and arrange the materials of the case in a certain order, which can help to save time and efforts of the counsels and the judge.

Of course, it is quite possible, that the advocate can be not prepared, and when the judge asks an advocate regarding his attitude towards a certain issue, such an advocate if he does not have a written statement can be interrupted and stopped by the judge, which looks unacceptable.

Along with the statements prepared in writing, we also suggest that a counsel should use the microphone, if available. First, the microphone will help to speak louder. Second, using the microphone we will receive a recording of good quality that can be requested and used by the counsels in their work.

VIII. Risks Arising due to Ineffective Speech Skills of an Advocate

What are the reasons for the ineffectiveness of the lawyer's performance? What kind of performances are the judges waiting for? In order to answer these questions, a survey of judges of courts of general jurisdiction was conducted (Bespalova, 2011). According to the results of the survey, 75 % of judges report that they become interested in speeches in advance if an advocate demonstrates professionalism and obvious skill in the process. During the court session, the judge's attention can be attracted due to several reasons, e.g., if he is interested and if he trusts the speaker or if the information provided by the speaker is important for the judge and for making a decision, if the information is new and can influence the process of making a decision.

The reasons that prevent judges from listening to the advocate's speech include the following (in descending order):

1. a judge knows 100 % of what an advocate is going to speak about;

2. an advocate speaks “about nothing;”

3. speech is not substantiated properly by regulatory acts and legislation;

4. speech is meaningless;

5. an advocate works for the public.

6. the position of the defense is presented perversely, the evidence of the prosecution is not evaluated or refuted.

A judge will also be reluctant to listen to the speech that is protracted, if an advocate repeats clichés and speech patterns, or if an advocate is too emotional.

Dwelling on the issue of trust to an advocate making a speech in court, Bespalova classifies actually opposite qualities of an advocate as factors that impede or destroy trust:

1. Dishonesty. A dishonest person will not inspire trust and confidence.

2. Inconsistency. If a person is inconsistent and illogical, he will not know how to keep his word.

3. Unreliability and bias in relationships with others.

4. Disloyalty, unfriendliness.

5. Reserved demeanor, inability to present and share goals, tasks, decisions and information with others.

Possessing one of these qualities and demonstrating it, an advocate will unsuccessfully enter into professional communication, which will undoubtedly prevent him from solving his professional task assigned to him. However, trust, like perception, in business relations has successive phases of its development. And in fact, developing and gaining trust among legal practitioners can also constitute one of the necessary strategies in the career of a successful advocate.

IX. Courtroom Technologies Used to Increase Persuasiveness: Do They Enhance or Deteriorate Classical Courtroom Rhetoric?

Modern technology can enhance the application of classical rhetoric in legal arguments by enabling more dynamic forms of engagement and persuasion. For example, digital platforms facilitate the sharing

of multimedia elements, such as videos or infographics, which can illustrate complex legal concepts more vividly than traditional text (Hunter, 2024). Social media can amplify persuasive messages, allowing for wider dissemination and feedback loops that refine arguments based on audience reactions. Furthermore, data analytics tools can help legal practitioners tailor their rhetoric to specific audiences by analyzing demographic and psychographic profiles, increasing the rhetorical effectiveness of their arguments.[1]

However, technology can also complicate the application of classical rhetoric by introducing new challenges. The vast amount of information available online can lead to information overload, making it difficult for legal arguments to stand out and effectively resonate with the audience. The rise of misinformation can undermine the credibility of arguments and, consequently, the *ethos* of the speaker. Additionally, the impersonal nature of online interactions may diminish emotional connections that are vital in rhetoric, hampering the appeal to the audience's values and beliefs.

Technology has significantly enhanced legal rhetoric in various ways in recent cases. One prominent example is the use of artificial intelligence (AI) in legal research, where platforms use natural language processing to analyze vast amounts of legal data, allowing attorneys to design more precise and persuasive arguments based on relevant legislation, jurisprudence and case law. Although very few now, the cases involving arguments provided by algorithms and how they can be dealt with by advocates in courtroom can be of interest for the professionals due to the fact that traditional causes of action as well as traditional narratives of justice can be inapplicable in current situation (Alexander et al., 2024).

The integration of virtual reality (VR) and augmented reality (AR) in trials has already become a reality in a number of jurisdictions. A VR simulation (immersive technology) used to recreate the crime scene, allowing jurors to experience the environment directly, can provide a powerful rhetorical tool, enhancing the emotional and contextual appeal

[1] UNESCO official website. Exploring the Impact of Virtual and Augmented Reality in Courts. Available at: https://www.unesco.org/en/articles/exploring-impact-virtual-and-augmented-reality-courts [Accessed 08.12.2024].

of the arguments of the party resorting to it (Leonetti and Bailenson, 2010, p. 1074)).

Moreover, social media analytics have become increasingly important in shaping legal narratives. In high-profile cases.[2] Thus, in a notorious case *the US v. Elizabeth A. Holmes* attorneys monitored public sentiment through social media platforms. This data helped them tailor their messaging to counteract negative perceptions and effectively engage with the jury's preconceived notions.

X. Conclusion

Nowadays any person interested in rhetoric, oratory and eloquence has access to numerous speeches pronounced by outstanding political figures, public officials, judges and justices, and advocates. Many of these speeches can be studied in terms of their structure, methods used by the speaker to increase emotional stress, features of introduction, conclusion, etc. The focus from the point of view of their analysis can be put both on the construction of the speech and its delivery, on which speech efficiency depends. To assess the effectiveness of the speech the following key evaluation criteria should be taken into account: 1. Whether the position in the case is clearly stated and the answer to the "question of law is given;" 2. Whether articles of regulatory acts and laws are correctly selected and articles are quoted only in the part related to the case; 3. Whether specific facts and examples from the case file are given; 4. Whether it is convincingly explained how the facts and examples given are related to the cited rule of law; 5. Whether a logical conclusion was made and whether this conclusion shows how the cited facts and rules of law support their position in the case or refute the opposite position, whether it contains proposals for a court decision.

The list of criteria is not exhaustive and can be extended. Since "inexperienced lawyers and law students do not have that background to draw on and could certainly benefit from a greater familiarity with the comprehensive, coherent, and experience-tested classical system,

[2] See United States v. Elizabeth A. Holmes, et al., (No. 18-CR-00258-EJD). Available at: https://caselaw.findlaw.com/court/us-dis-crt-n-d-cal-san-jos-div/2200995.html [Accessed 08.12.2024].

which offers detailed advice for handling a legal case from the initial issue and fact determinations to the final courtroom techniques and strategies. [...] rhetoric has always been an educational tool geared to meet the practical demands of the legal profession (Frost, 1999).

However, the practice of law has proven the necessity to provide institutional formalization by writing down and arranging speeches and case files in a certain order in accordance with the rules developed and approved by generations of courtroom practitioners, using technical devices and following the technical advancements for the purpose of acting in the best interests of the clients.

Understanding key concepts of classic rhetoric, legal discourse and courtroom pragmatics, an advocate will succeed in pursuing his objective — to convince the court in correctness of his standing in the best interests of the client.

References

Abramova, N.A., Golovina, N.M. and Marcheva, P.E., (2023). *Rhetoric for Lawyers: Bilingual Course*. Moscow: Prospect Publ. (In Russ.).

Alexander, A.E., Tellner, C.J. and Norwood, H.E., (2024). Algorithms in Private Health Insurance Litigation: The Precursor to AI? Blumberg Law website. Available at: https://www.bloomberglaw.com/external/document/XD8PLKV8000000/health-care-operations-compliance-professional-perspective-algor [Accessed 01.12.2024].

Alexandrov, D.N., (2003). *Fundamentals of oratory skills, or in pursuit of Cicero*. Moscow: Flinta Publ. (In Russ.).

Bespalova, N.B., (2011). Advocate's Speech in the Judges' Eyes. Pravorub website (Professional Association of Lawyers and Advocates). Available at: https://pravorub.ru/articles/13570.html [Accessed 08.12.2024]. (In Russ.).

Frost, M., (1999). Introduction to classical legal rhetoric: a lost heritage. *Southern California Interdisciplinary Law Journal,* 8, pp. 613–637.

Hunter, S.T., (2024). The Modern Trial: Best Practices for Using Technology at Trial Through the Eyes of a Trial Technician. American

Bar Association (ABA) website. Available at: https://www.americanbar.org/groups/litigation/resources/newsletters/commercial-business/best-practices-for-using-tech-at-trial/ [Accessed 01.12.2024].

Ivakina. N.N., (2006). *Osnovy sudebnogo krasnorechiya [Foundations of trial Advocacy].* Rhetoric for Layers. Moscow: Jurist Publ. (In Russ.).

Leonetti, C. and Bailenson, J., (2010). High-Tech View: The Use of Immersive Virtual Environments in Jury Trials. *Marquette Law Review*, 93, pp. 1073–1120.

Malyukova, O.V., (2023). The Logical Foundations of the Legal Rhetoric Laws. *Lex russica,* 76(9), pp. 121–132, doi: 10.17803/1729-5920.2023.202.9.121-132. (In Russ.).

Nozhin, E.A., (1978). *The art of public speaking*. Moscow: Politizdat Publ. (In Russ.).

Perelman, Ch. and Olbrecht-Tyteca, (1991). The New Rhetoric: A Treatise on Argumentation. University of Notre Dame Press.

Voronov, A.A., (2013). System Approach to Legal Profession Research and Sciences about Legal Profession. *Eurasian Advocacy*, 1(2), pp. 135–140. (In Russ.).

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