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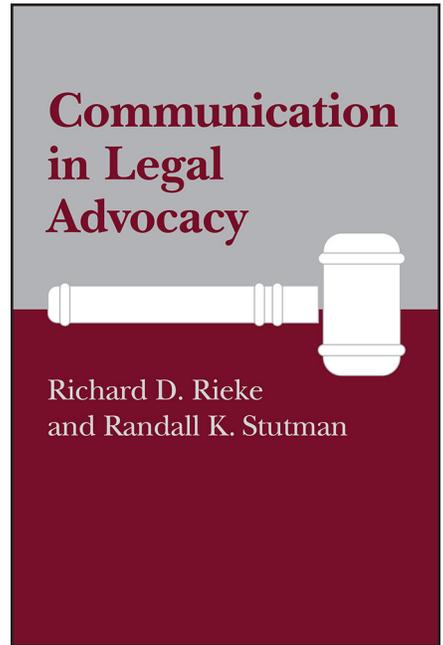
# COMMUNICATION IN LEGAL ADVOCACY

Richard D. Rieke and Randall K. Stutman

The first book in a new series—Studies in Communication Processes—this is a research-based, practical analysis of communication processes in trials. Besides the traditional perception of trials as scientific fact-finding proceedings, the authors look at trials as social-scientific phenomena. Responding to the emerging interest in alternative dispute resolution, the book examines the ways in which negotiation, mediation, and arbitration interrelate with trials. The authors combine traditional argumentative analyses (such as presumption and burden-of-proof) with contemporary ideas about narrative rationality.

Social science research is used to expand the understanding of such traditional concepts as procedural fairness, the credibility of witnesses as sources of knowledge, and procedures such as jury selection, opening and closing statements, witness examination, and jury deliberation. Readers looking for a practical and strategic guide to effective trial advocacy, theoretical insights into trials as socially sanctioned mechanisms for dispute resolution, and a study of applied argumentation within the specialized field of law will find this book extremely beneficial.

February 2009, 245 pages



**Richard D. Rieke** has been a student of communication and law since his doctoral work at Ohio State University in 1964. His dissertation "Rhetorical Theory in American Legal Practice" was one of the first studies to argue for a rapprochement between legal theory and rhetorical theory in relation to the practical processes of conducting trials and appeals. Since then, as a member of the faculty at Ohio State and later the University of Utah, he has continued to study trials, appellate advocacy and appellate decision making from the perspective of rhetorical/communication theory.

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2. Prevention of legal disputes is an integral part of legal assistance provided by the lawyer; the lawyer will take care to eliminate any obstacles that may hinder an amicable agreement.Â apply for legal assistance, of clients, of colleagues and of other individuals; behave and dress in a manner befitting business conduct. Article 9. 1. Lawyers may not: 1) Act contrary to the clientâ€™s lawful interests or deny him/her legal assistance, being guided by considerations of personal gain, immoral interests or acting under external pressure; 2) Adopt a position regarding the case which runs counter to the clientâ€™s position or act against the clientâ€™s wishes, except for the instances when the defense counsel.

His dissertation "Rhetorical Theory in American Legal Practice" was one of the first studies to argue for a rapprochement between legal theory and rhetorical theory in relation to the practical processes of conducting trials and appeals. Since then, as a member of the faculty at Ohio State and later the University of Utah, he has continued to study trials, appellate advocacy and appellate decision making from the perspective of rhetorical/communication theory. He is currently involved with the Utah State Bar and the American Arbitration Association in making dispute resolution more accessible. Advocacy defined and explained with examples. Advocacy is the act of arguing in favor of, or pleading for something on behalf of someone else. The term advocate is also used to describe a legal professional who represents another person in legal proceedings. Advocates can either be trained professionals, or volunteers working to help people in certain situations, though only attorneys can represent people in court proceedings. Regardless of the cause, advocates of all types can receive training to help achieve their goals. Example of Advocacy in Family Law. The Legal & Advocacy department of Project South connects legal and advocacy work and movement lawyers with grassroots organizations with a focus on immigrants' rights and defending Muslim communities against state repression. Our work is also focused on connecting with and supporting social justice movements in the Global South. Project South's Legal & Advocacy Director Azadeh Shahshahani has worked for 15 years in the US South to protect the human rights of immigrants and Muslim, Middle Eastern, and South Asian communities. She also brings years of experience in defense of global movements. Legal advocacy jobs can involve many areas of law, from family law to environmental law. Discover why you might want to consider becoming a legal advocate! Prosecutors and district attorneys frequently maintain victim advocacy offices to provide support to crime victims and witnesses and help them find their way through the legal system. Mediation. Some legal advocates are hired to act as mediators to resolve legal disputes, to avoid the time and expense of a court trial. Minor disputes that might otherwise take months or longer to be resolved in the traditional legal system can reach a much faster and less adversarial conclusion this way. How can I become a legal advocate, and what does it pay? Legal advocacy is central to AARP Foundation's mission. As such, we issue our annual publication commenting and weighing in on cases coming before the U.S. Supreme Court in the coming term that may have a significant impact on those 50 and older. Given the ever-increasing number of adults over the age of 50, impending Supreme Court decisions are likely to affect a growing percentage of the U.S. population. Participation in these cases is an integral part of AARP Foundation's advocacy, particularly in a time when older adults with lower incomes are more vulnerable than ever. AARP Foundation will