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With all due respect: The 12 tracks of Christmas

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Enjoy laughing at the failings, foibles and faux pas of others? Of course you do. Then why not contribute to WADR ?

By email to wadr@liv.asn.au, by fax on 9607 9451 or by mail C/- The LIJ, 470 Bourke Street, Melbourne 3000.

Hello and welcome to September. The month when Spring arrives, footy finals begin and end, and hayfever tablet sales skyrocket.

It is also the month that brings us the first hint that Christmas is approaching. The tinsel starts going up, advertisers play on the "holiday spirit" and Myer prepares its famous windows.

Christmas has always posed problems for lawyers as it is almost impossible to combine those billable hours with Christmas shopping.

It is also a problem for family and friends of lawyers who have to buy that special someone a gift that says it all and also doubles as a tax deduction.

However, *WADR* can proudly announce – problem solved!

US attorney Lawrence Savell has released a sure-fire Christmas pleaser for lawyers with an album full of law-themed holiday tunes.

The Lawyer's Holiday Humor Album contains such tunes as "Santa and I are gonna pull an all-nighter on Christmas", "Santa v Acme Sleigh", "It's gonna be a billable Christmas" and "I dreamed I saw Santa workin' in the library".

It also contains parodies of old favourites such as "Let it snow" ("Let 'em sue") and "Jingle Bells" ("Bill those hours").

The album got *WADR* thinking about an Australian version of the album. Practitioners are encouraged to pen new lyrics to holiday favourites and send them to *WADR* via the contact details at the top of this page. The best entries will be run in upcoming editions of *WADR*.

In the meantime, those interested in either hearing fragments of the songs or buying the CD (US\$15 plus postage and handling) can go to <http://www.lawtunes.com>.

A true story reaches *WADR's* ears of a crafty attempt by one law firm to win a case.

A practitioner, who wishes to remain anonymous, recounted the unique manoeuvre by a rival firm in July.

The opposing firm, which was involved in a court action with the practitioner's firm, decided to lodge a notice of discontinuance.

The only problem was that the opposing firm was representing the defendant in the case.

The practitioner said that the notice caused much head scratching and nervous laughter. Had their rivals found a hitherto unknown clause in the *Supreme Court Rules* that would revolutionise litigation in Victoria?

Inquiries of the opposing firm uncovered the truth. The firm was attempting to lodge notice that it was discontinuing acting as lawyers for the defendant.

It is often said that communication is 90 per cent non-verbal. What you say depends on what your eyes are doing or what your hands are saying or even the way your legs are crossed.

So it was with great interest that *WADR* – the faceless being that compiles this column – came across an article by personal presentation teacher Dave Gunby in *Texas Lawyer* on 27 July.

Mr Gunby poses the question: "Does your face say what you want it to while communicating?"

He writes that there are many "common facial faux pas" committed by people who speak in public, ranging from the deadpan face that says nothing through to the contradictory countenance face that shows the complete opposite feeling to what is being said.

Mr Gunby then outlines a series of exercises to help lawyers making presentations or appearing in court to get the best out of their face.

These exercises include:

1. Study the faces of skilled presenters and communicators. The more you study facial movements and expressions, the more attuned you will become to your own.
2. See how many different emotions you can portray without saying a word. Look in the mirror as you do this. Exaggerate the faces. For the bold, try this with friends or co-workers to see if they can guess the emotion. Think this sounds a bit too much like drama class? So what. There's a bit of actor in all the best lawyers.
3. Before that next presentation to a client or date on the docket, warm up your face. Get the blood flowing. Make your face as "big" as possible. Then make it small. Make your face broad and wide, then make it tall.
4. After each presentation or trial, grade yourself on facial animation. Before the next one, set a goal for 1 per cent improvement.

WADR urges practitioners to take on board these suggestions, use them at the next major partners' meeting and give us some feedback on how it went.

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