

Simple Secrets For Improving Your CLE

By **Daniel Karon** November 14, 2018, 12:44 PM EST

I'll begin this essay with a quiz. After every one of my questions, say, "I don't care." After my last question — and I'll let you know that it's my last question — say, "I think I might care?" Here goes.

"Good morning, I'm Danny Karon."

"Thank you so much for being here."

"How 'bout this weather we're having."

Here's my last question:

"Let me tell you what you're going to learn today."

We have all suffered through continuing legal education programs that begin with thoughtless and purposeless attention-killers and time-wasters like my first three remarks. This introductory drivel is only outdone by the occasional instructor who looks over both shoulders, taps the microphone and asks, "Is this on?"

Teaching a CLE is serious business. People are spending their time and money to learn from you. They trust you and, by extension, their clients trust you. You can't let them down, yet it happens all the time.



Daniel Karon

In my experience, 90 percent of live instructors fail miserably. They're unimaginative and rambling. Their content is boring, and their presentations are lifeless. This irritates the audience and is hardly the speaker's goal, if the speaker had an articulable goal to begin with. Audience boredom is best measured by observing how quickly iPhones emerge.

It's no secret that few cases go to trial and that many courts don't take oral argument. How, then, can you keep your oral presentation skills sharp? By finding opportunities to teach CLEs. But what can you do to avoid falling flat, adding no value and solidifying a reputation as someone who can't hold a room, has no presence and isn't worth inviting back? Turns out, a lot of easy things. The hard part is having the courage to do them.

The Introduction

You must start strong. In literature, this is called a memorable first line, like my first line here. In public speaking, it's called an attention-grabber. Your attention-grabber can be a question, a joke (that had better be funny), an anecdote or an observation — pretty much anything original. But it must be thoughtful, relate to your remarks and, above all, not be a weather report. Because as in writing, every word matters — especially your first ones.

After grabbing your audience's attention, you need to make your audience trust you. How often have we watched a presentation and wondered, "Why should I listen to this person?" You need to gain credibility — credibility that you'll develop and prove as you go. This lets your audience know why it should listen to you, not merely that it should.

You begin building credibility with a powerful introduction. "This person cares about capturing my attention," your audience will think. Only afterward should you tell your audience about yourself, emphasizing characteristics that concern your message.

While doing this you need to be likable. The easiest way is to smile, have fun and engage your audience. People want to listen to and be around someone they like.

Credibility and likability are what lead to trust. You can begin establishing credibility and likability early, but building trust takes time. If your audience doesn't trust you, you have no business being on stage.

Credibility, likability and trust are my hallmarks of persuasiveness. Without all three elements supporting you, you'll tip like a two-legged stool. If you don't want to take my word for it, take Aristotle's. I first studied Aristotle's "Art of Rhetoric" while earning a B.A. in speech communication and rhetorical theory.

In this work, he instructs that rhetoric (or the art of effective or persuasive speaking or writing) means "the ability ... to see the available means of persuasion." He describes the primary forms of persuasion as logos, ethos and pathos. To be an effective speaker (and writer), he says, you must understand these three terms.

Logos, or the appeal to logic, means to influence an audience by use of logic or reason (my credibility). Pathos, or the appeal to emotion, means to persuade an audience by tapping their emotions (my likability). And ethos, or the ethical appeal, means to convince an audience of your reliability or character (my trust).

After you've begun persuading your audience, you can explain what its members are going to learn. A roadmap demonstrates your readiness and commitment to making your audience members' lives better through your message and its effect on them.

The Body

So far, I've discussed only the introduction. It should last no more than three minutes.

Now comes the reason your audience showed up: your content. I can't tell you what to teach. I can only suggest ways to teach it more effectively. Your content must be meaningful to your audience. After all, the first rule of public speaking is to know your audience.

After determining what your audience wants to hear, you must research your topic deeply. Nothing kills a vibe faster than lost credibility. Like a fiction writer who misdescribes Fifth Avenue as a two-way street, if you get the facts wrong — and the audience detects it — you're dead.

Perhaps the most challenging element to presenting a dazzling program involves formatting. Formatting means your program's look. Panels are energy suckers. No one likes being talked at sequentially by people planted behind tabletop microphones, reading

monologues before text-dense and largely ignored PowerPoints. But panels are easy. That's why we continue to see them. If you're not willing to take a chance on doing something different, you can set aside this essay.

For beginners, I recommend the "Oprah set." There's a reason she did it and that Ellen does it. It involves comfortable chairs, a loveseat (if available) and a few tables with centerpieces.

It's relaxed, collaborative and avoids a barrier between teacher and student. If your budget doesn't permit an elaborate spread, go with whatever soft seating exists on site and stage it in a half circle. This way, you and your guests can interact with each other and with your audience.

For the more adventurous, plays, talk shows, game shows, town halls, mock oral arguments and mock mediations all satisfy. These formats take time, creativity and, often, considerable set production. But when you pull one off, you're guaranteed to bring down the house.

The elephant in the room, of course, is PowerPoint. Although [Microsoft](#) designed PowerPoint to provide visuals for group presentations within business organizations, it has become widely misused in many other communication situations including law.

If your program even requires PowerPoint, it should support your program, not supplant it. That's why my PowerPoints are largely visual, as every lesson on PowerPoint instructs.

Still, people cram text into their slides — from top to bottom and from border to border — often only to breeze through them or to skip some altogether. (Never mind that people in the back row can't even read them.) I wonder why anyone would want their audience to watch a boring screen instead of watching them.

The simplest PowerPoint I ever prepared supported a talk show that I wrote. My PowerPoint presented the show's logo, which slide I supported with theme music and a live announcer. After my opening remarks, my PowerPoint yielded to a video segment that teed up the issue for our guests to discuss.

My guests and I spent the next 30 minutes debating the issue, with a slide simply identifying the topic that we were discussing. When it came to Q&A, I switched to a slide that announced “Q&A,” which slide then gave way to a prepackaged video call-in timed to appear as if it were live. I ended with rolling credits, more theme music and a flashing applause light. This wasn’t easy or cheap, but it was unforgettable and fun.

My most effective PowerPoint was only three slides. I wrote a three-act play on the anatomy of a consumer-fraud class-action case. Act I was the plaintiff and his counsel formulating their case, act II was the defense counsel debunking the plaintiff’s theory and act III was a mock class-certification argument. To support this content, slide I was the interior of a [Starbucks](#) (where I do my best thinking), slide II was the interior of a defense firm and slide III was the interior of a courtroom. All eyes were fixed on me and my cast, as intended.

Finally, the other week, I taught another program that involved only graphics. After I’d finished teaching a Rule 23 primer, I presented three real-life case hypotheticals, and challenged my audience to channel them through Rule 23’s tenets.

I divided the room down the middle and assigned the right side to be plaintiffs counsel, and the left side defense counsel. This forced people to interact and challenge themselves. I then asked each side to make its best certification (or not) argument for my first hypothetical before I revealed the court’s ruling. For my second hypothetical, I switched the sides. For my third hypothetical, I switched back the sides. I achieved this program in only six visual slides.

Your audience won’t remember your slides, except, perhaps, for how bad they might be. Your audience will remember you. If you need to read slides to deliver your message, stay off stage. Write an article instead, because nobody wants to watch someone read.

But well-researched content and vibrant formatting alone don’t get the job done. Your A/V requirements must fit your show. This means lavalier microphones (so instructors aren’t restricted), draping and backlighting (for pop), music (for vibe), crescent rounds with centerpieces (so your audience can see), well-timed breaks with refreshments (so your audience is comfortable) and a real lunch, not a tepid display of wilted, preset salads and alternating room-hardened desserts so that only every other person gets a good one.

Many of these elements depend on your venue and professional staff. If either won't permit something creative, you'll need to work with what you have. These elements also depend on your budget, meaning you should maximize your sponsorships. More sponsorship dollars mean more creative features, including, perhaps, a cocktail party for your audience after the program or between consecutive days. There, your guests can decompress, mingle and get to know your faculty. Often, this is where the best learning occurs.

The Conclusion

How you end is essential to what your audience remembers. After most instructors mistime their ending, what do they invariably say?

"We're just about out of time. We're happy to take any questions."

One of three things then tends to occur. First, nobody has any questions, which prompts the humorless retort, "I guess we were that good." Second, someone filibusters because they wish they had been on stage. Third, someone asks a question that no one can answer, so the instructor offers to "look into it," which, of course, never happens.

All three uninspired options allow the program to end on someone else's terms. Slinking off stage is memorable only for how unmemorable it is.

I conclude my CLEs in a way that allows me to maintain control and that seals in my message. I say, "Before I briefly conclude, what questions do you have?"

This sentence achieves three things. First, it doesn't squeeze in Q&A because I'm running out of time; it recognizes that the audience is eager to participate, although often the audience will have participated all along. Second, it doesn't merely ask my audience for questions; it tells my audience that I know it has some — let me hear them.

Third, it returns control to me after the interaction (if any) concludes. Now, I can deliver a stirring send-off that sums up my major points and theme in a way that I want my audience to remember. I want my words to be the last ones that my audience hears.

I'm giving away all my best oral presentation secrets because I believe it's essential to help people teach better CLEs. Better CLEs create better problem solvers, and that produces a better and happier world.

We're in show business, whether that means performing for a judge, a jury or an audience. Our job is to educate and entertain, as only that way can we expect our audience to listen to and believe our message. So fashion a thoughtful one, control its presentation and go kill your next CLE.

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