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PERSUASIVE FEATURES- ARGUMENTATION AND PRACTICE IN THE COURTROOM

Abstract

Language is a powerful tool in communication and people can also use it while persuading other people. This article explores the concept of a general opening statement and the persuasive features accompanying. Employing certain linguistic features, lawyers are able to persuade the judge or the members of the jury to encourage them to view the events and participants in the light favorable for them. In addition, this paper examines the frequency of pronouns, phrases utilized to contrast their opinions with transitional phrases in persuasive argumentation. This also reveals the power of the language and seeks out to answer the following questions: 1. what kinds of pronouns are utilized in opening statements in the courtroom? 2. which other linguistic means are used in this part of the courtroom for persuasive argumentation? Finally, the paper emphasizes the role of the metaphor as an argumentative device and its contribution to achieving the final goal of the trial.

Key words: Persuasion, Perception, Features of language, Opening statements

1. Introduction

Language shapes the way people see the world and the manner they act on a daily basis. Language use and linguistic choices affect people to a varying degree. Use of language has influenced power positions of people and states throughout history as various language policies have been implemented, sometimes forcefully. Language is not only a tool to express

one's point of view, but it is also used to assert power and dominance in various situations. Making linguistic choices, can, therefore, be a political and highly challenging decision.

Language is a complex phenomenon. Its use depends on both the participants of the communicative act and the context. The background of the participants determines the vocabulary employed. Pronunciation and register¹ may change depending on the setting and the participants (O'Grady, Archibald & Katamba, 2011, p. 513). Most people are aware of how easily language can affect first impressions and shape one's views of a person.

Many members of the trial assert that the opening statement is underrated and overlooked part of the trial. The opening statement is one of the most essential components of any trial. It is the first opportunity to present the case to the jury and to shape the jury's perspective of the entire trial. The opening statement is also the first opportunity to present the case to the jury and to establish the kind of credibility that will persuade jurors to trust the testimony and other evidence submitted for their consideration. Therefore, it is considered that a good opening can set a path toward winning the case and the first opportunity to present the case as a cohesive whole. In addition, the opening statement starts this persuasive process.

Proper opening statements are not arguments, although occasionally they are considered as such. Opening statements are supposed to be limited to informing the jury of the facts the lawyers intend to prove. The temptation to argue about legal standards, make inferences, and speak in broad terms about justice and truth may be almost irresistible at times.

In the work by Charles Becton and Terri Stein, the function of the opening statement² is determined as follows: Empirical studies conclude that after hearing opening statements, 65 to 80 percent of jurors not only make up their minds about the case but in addition, in the course of the trial, they do not change their minds. Jurors do not makeup minds throughout opening statements before they have heard any evidence. This piece of incorrect information is usually attributed to the research of the University of Chicago Jury Project, but no actual source is ever cited, and all that the Chicago Jury Project found was that the real decision is often made before

¹ O'Grady et al. (2011) have defined register as '[a] set of linguistic structures that is associated with a particular speech situation; it may carry an association with a particular style' (p. 646) and style as '[t]he level of formality associated with a linguistic structure or a set of structures classified along a continuum between most informal to most formal'

² William L. Burke, Ronald L. Poulson, and Michael J, p.24

the deliberation begins. Most jurors reach a tentative decision at the end of the trial, after closing arguments, and most verdicts reflect the majority's tentative decision.³

2. The concept of opening statements

The opening statement is thus well established as a part of the opposing system, that it is the most likely to rise to the amount of a right. Opening statements can be defined in the following way:

“The practice of permitting attorneys to make opening statements is a practice long accepted as established and traditional in jury trials. It has the practical purpose of directing the attention of the jurors to the nuances of the proposed evidence in such a way as to make the usual piecemeal presentation of testimony more understandable as it is received”. (KASSIN & LAWRENCE S. WRIGHTSMAN, (1988).

The present research reveals that the opening statement does more than simply preview the story of the trial: it addresses the broader questions of the nature of society and the social order; stories must be told in a way that appeals to different juries, organizing evidence and choosing the ‘theme’ that emphasizes the principal point of their argument.

Some scholars define the "opening statement" differently. According to Bergman and Berman-Barret (2003), the opening statement is the first opportunity to outline the evidence planned to be offered to the judge or jury. Johnson (Johnson 2011, p.87-89) explains that the opening statement is the first opportunity to persuasively communicate with the jury without interruption.

Studies focus on particular linguistic technique or stylistic device in a particular case, thereby offering only a partial mapping of the genre. In addition, since these studies focus on the propositional and expository mode of presentation in order to achieve the transactional goal of winning the case, the role of interaction in the opening statement is merely suggestive and downplayed. To present a more comprehensive picture, this study will bring to the forefront the interactive aspects of the opening statement in a group of trials. In the

³ HARRY KALVEN & HANS ZEISEL, THE AMERICAN JURY 488–89 (1966)

present study, the opening statement is conceptualized as involving ‘fictive’ interaction (Pascual, 2002).

3. Data and methodology

3.1. Research materials

The data consist of the following transcripts (*Defendant Pleads Guilty in Vending Machine Business Opportunity Case United States v. Kevin M. Marks, District Court Orders PharMedium Compounding Pharmacy and Two Executives to Comply with Drug Safety Standards United States*) of the cases in American courtrooms and direct observation on the 4 trials (2 cases of Civil and 2 Criminal cases, 2019 where the opening statements are delivered for Civil and Criminal laws. American transcripts were given by the Department of Forensic Linguistics at Chicago State University and I personally attended the trials in Georgia and recorded them in order to explore the utilization of specific linguistic features. The comparative study of statements of the trials of the two above-mentioned countries made by prosecutors and defense counsels was conducted. In addition, it was interesting to explore what kinds of elements can be considered as persuasive features and whether they are linguistic or not.

With the effective structure, the opening statement provides the jury with important information. Furthermore, one of the most frequently used stylistic devices; Metaphor also appears in the context of persuasion. It helps to focus on the idea and make new semantic connections. The judge or jury link the rest of the argument back to the metaphor, and this makes it a lot easier for them to understand the argument. This makes statements much more persuasive.

To present a more comprehensive picture, this study will bring to the forefront the interactive aspects of the opening statement as used in certain trials. In particular, while the opening statement involves the lawyer as the author of the discourse, she/he responds to the anticipated doubts or challenges from the jury and the opposing side. In doing so, the lawyer

strategically structures the opening statement in a conversational frame, using a range of dialogic resources as an integral part of the genre.

4. Findings

As mentioned above, pronouns can contribute to the authoritativeness of the lawyers or judges, as they serve to emphasize previous claims, their roles in the creation of the discourse, and their identity outside of the courtroom. The overall frequency of interactive features (personal pronouns, 1st-2nd sing-plural forms, questions) reveals that they are an integral part of the opening statements, and are found in all opening statements (see Table 1). Pronouns (217 instances per 10,000 words) clearly predominate in the sessions of the trials. Within this category, second-person pronouns stand out. It can be explained in the following way: usage of second-person pronouns requires a certain sensitivity of judgment on the part of the speaker and, develops interpersonal meanings and might be associated with respect and formality in its appropriate public setting for both - Georgian and American trials.

This overt linguistic device displays the lawyers' pragmatic awareness to bring in the reader. At the same time, the lawyers frequently used the first-person singular pronouns (99 per 10,000 words) to project their role in the creation of the fictive dialogue. First-person plural form pronouns were also used to include the reader into the same group as the lawyers, or exclude them from that group.

Table 1. Frequency of interactive devices according to their semantic categories.

Features	Occurrences	per 10,000 words
Pronouns (total)	2000	17
1st person	200	2
1st person pl.	900	8
2nd person	300	10
Questions	100	1

A leading question is the one in which the attorney asks the question and suggests the answer, thereby crossing the line between attorney questions and witness answers. Such questions, were sometimes used (10,000 words and 8 per 10,000 words, respectively). From initial observation, it appears that the lawyers built a relationship through many types of speech acts, such as requests (1a), greetings (1b), and apologies (1c).

- a. *Could you give me leave now to observe ... b.I have the honor to attend you as Council for this prosecution. c. I am sorry to call back to your recollection ...*

Attendance on the trials with analyzing of the U.S transcripts present that first-person singular and plural, as well as second-person pronouns, engage the lawyers, judges or jurors in the creation of a fictive dialogue. Second-person pronouns are used to include the jurors as experiencers during the trial. The pronouns tend to occur with the verbs denoting mental activities. However, in reality, the lawyers do not actually possess such knowledge of the jurors' experiential and mental states.

2a. if you think he did not go round purposely and deliberately... the prisoner acted under the impression of the rage that that occasioned, then I think you cannot carry it any further...

2b. Audience, you see this letter orders the answer to be directed to him, You observe farther, that this letter gives great hints of something to be told very much to the advantage ... you see too, a great secrecy is to be imposed on the very person, whom, if guilty, it concerned only to keep it so.

In (2a), the lawyer used pronouns to anticipate and respond to a doubt that the jurors may have, while in (2b), the lawyer took the juror's mental state for granted.

- o *You observe farther, you see too*

These forms serve to represent the jurors as agents who willingly accept the lawyers' arguments or rebuttals as true. By using the second-person pronouns, the lawyers reminded the jurors that all the events at the trial took place for the benefit of the public, and thus the jurors should decide on the outcome of the case accordingly. Mostly occurring in the request for the verdict phase, this technique foregrounds the responsibility the jurors had because of their position, as (3a) shows.

3a. The law has called upon you to make so many victims to public justice; you and I have nothing to do with that ...

Second-person pronouns help relate the jurors' experience inside the courtroom to their experiences outside of it. References to outside contexts serve to highlight the similarities between what is happening in the trial and another experience that the jurors may be more familiar with and be able to connect to.

As it was revealed, expressions of 'as I *tell/have told you*' primarily served to make a new claim that the lawyer's previous account stood uncontested. This may have an impact on the construction of a coherent representation in the jurors' memory. Second, first-person singular pronouns foreground the role of the speaker in the creation of the discourse and were used to help organize the propositional information in the opening statement. The lawyer announced the discourse goals (4a) and managed topic change:

(4) a. I forgot to mention ... that at the spot was found not only a part of her ear...

b. Gentlemen, this is all the observation I shall make: I shall proceed now only to state what evidence has appeared with respect to the prisoner's motives for this act.

Using this pronoun, the speaker can align herself into one group or community that may or may not exist in the real world (Zupnik, 1994), thereby constructing a shared identity.

As a result, listeners will not question the speaker's argument and will accept that the speaker is genuinely speaking on their behalf. As to the opening statement based on observation of both Georgian and American trials gives the features that first-person plural pronouns are used in the following ways:

- First, they were used when the lawyers referenced themselves and other legal professionals as a group of specialists in legal matters, possessing the knowledge and evidence pertaining to the case.
- Second, the lawyers used first-person plural pronouns to construct a single homogeneous unit, presenting the narrative as if they and the jurors shared the same knowledge
- Third, the lawyers used first-person plural pronouns to draw upon communally held social values, thereby including social members outside of the courtroom.

The second person pronouns are mainly used for asking questions and addressing the listener. Some of the lawyers' questions, which are given below, were expository in nature, functioning to introduce a topic and providing textual scaffolding for the discourse to follow. The lawyers first introduced an issue, and then turned it into a question, to demonstrate their argument. This strategy makes the opening statement fictively interactive in two ways. First, the question–answer pattern can split the speaker into two communicators: the questioner and, in most cases, the answerer. Second, expository questions serve as an organizing device that provides text continuity (5a).

5a. did anybody escape from the house. Did anybody run out upon the alarm? Nobody: Was any body found in the house with any weapon of offence? Nobody. Upon the stairs; when they came in there she was. Did she give any account of any person coming in? No, but there she stand.

In (5a), the lawyer progressed in his narrative by means of a chain of questions, together with corresponding answers.

5b. it may be asked, if this is the description of the libel, why is it brought forward into the view of the public?

*JUSTICE ALITO⁴ :1 But in this case, **isn't it the case -- isn't it true** that the*

2 state court and the bankruptcy court held that

3 Taggart had returned to the fray –

*4 MR. GEYSER: They -- and that would –5 **therefore there would not have been a -- a 6***
violation of the discharge?

*7 MR. GEYSER: **If those courts were***

*8 **correct, but they were wrong.** Both the state*

9 court was reversed by the state appellate court

⁴ Case 18-489, Taggart versus Lorenzen. The Supreme Court of the USA

10 and the bankruptcy court was reversed by the

11 federal district court.

12 And I don't think it's enough the fact

13 that they had some judicial decision maker say that conduct was permitted.

14The question is did it actually violate the code?

15 Unfortunately, no, not for this case.

In (5b), and the following transcript a question and an answer were given to pre-empt the jurors' doubt. Attention to a particular aspect of the discourse can be achieved through questions and answers.

4.1. Georgian Cases

In the reality of Georgian trial system, specific speech acts (mostly greeting and apologies) are less common, courtroom language is more straightforward and it presents the theoretical part from the accepted Code such as give in 6a example.

6a. სასამართლო სხდომას გახსნილად ვაცხადებ, იხილება ქალაქ თბილისის მთავარი სამართველოდან შემოსული ადმინისტრაციული სამართალდარღვევის ოქმი და მასალები, მოქალაქე გ.ვ-ს მიმართ ადმინისტრაციული სახდელის დადების თაობაზე, სამართალდარღვევა გათვალისწინებულია ადმინისტრაციული სამართალ დარღვევათა კოდექსის 173-ე მუხლით, მდივანს ვთხოვთ მოგვახსენოს ვინ არის გამოცხადებული... ვთხოვთ ხელი მოაწეროთ გაფრთხილების ხელწერილს

In the light of recent events in Georgian court, the concept of opening statement is not well established in Georgian judicial process, and, without introduction of the opening statements, trial can be continued its whole path. For this reason, pragmatic nature is not fully revealed in Georgian court.

Observations on four Georgian trials (*2 cases of Civil and 2 Criminal cases, 2019*) showed that judges and lawyers employ personal pronouns, several speech acts, such as greetings, questions, and commands, as well as attitude markers. The opening statement is not separated, in contrast to US courtroom, and it is the part of essential discussion of the case for the Georgian trials. In this role, the lawyers addressed the judges or jurors directly or indirectly by anticipating their doubt and responding to it through the pronoun *you*, included themselves through the pronoun *I*, and established a sense of a shared identity or common ground through the pronoun *we*.

Below, there are the most frequently phrases used by lawyers in persuasive argumentation at the selected for this research Georgian and American trials and prosecutors. Some expressions such as **Phrases to Contrast Points** (*On the other hand, nevertheless, despite, in spite of, yet, conversely, instead, by the same token*) were used which deviated from an accurate definition of negligence. The main purpose of those terms is to make emotional appeals for sympathy for your own client, or antipathy toward the adverse party. However, you are able to discuss facts that have emotional content. These tendencies revealed in all above-mentioned cases.

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More details can be found during the observation of those mentioned countries and throughout this paper it would be valuable for the study if frequently transition signals/phrases were grouped along with the pattern of the words in the opening statements for both Georgian and American courts. They are integral part of the whole process in order to show whole picture of the case. As expected it is a way to guide audience from one thought to the next. Thus, the cases of the trials were compared with each other and revealed the most frequently used transitional phrases during the speech delivered by lawyers, judges and prosecutors.

Table 2. Most frequently used phrases for Persuasive Argumentation in the selected speeches.

Phrases to Illustrate Point	Phrases to Introduce Example	Phrases to Make Suggestions	Phrases to Transition Between Inform.	Phrases to Contrast Points	Phrases to conclusions
For instance for example, specifically, in particular namely, such as like	For example, thus as an example, the instance of, in other words, to illustrate	To this end keeping this in mind, for this purpose, therefore	Also, furthermore, additionally, besides that equally important, similarly, likewise, as result, otherwise, however	On the other hand, nevertheless, despite, in spite of, yet conversely, instead, by the same token	With this in mind, a result of, because of this, for this reason, so, due to since, finally, in short.

Careful attention should be paid to the quantity of employed transitional signals during the opening statements by lawyers, judges, and prosecutors and while presenting the opening statements. For clarity, the numbers of them were different in civil and criminal laws in Georgian and American trials, so study urged us to split the following table into two cases, Civil or Criminal law, and the numbers are given separately for G/A courts. We have obtained accurate data for both types of courts in each country. Specifically, the analysis of the data with the help of counting has revealed that the most commonly employed transitional signals for persuasion are the above-mentioned phrases, which reflect the frequency of their employment by the speakers during the

trials. The study examined the semantic prosodies of these phrases used to describe the invisible channel of communication between the participants. In particular, while the opening statement involves the lawyer as the creator of the discourse, she responds to the doubts or challenges from the jury and the opposing side. In doing so, she/he strategically structures the opening statement in a conversational frame, using a range of dialogic resources as an integral part in the 100,000-word opening statements of trial. Interestingly, civil law both for Georgian and American trials use the least amount of contrasting phrases (95). However, not surprisingly, expressions for a consequence or resulting reach the highest score (250). In the case of Criminal Law, the highest number of transitional signals (140) are revealed in using the word, accordingly'' and the explanation of this can be the following one: it may be defined as a dimension that includes features which refer to the ways speakers present themselves and showing or conveying their judgments, opinions, and commitments, acknowledging their uncertainties and including them as discourse participants. Since there is no complete consensus about the categories of stance expressions, the table that has been suggested by the study clearly overlap.

Table 3. Quantity of the most frequently used transitional signals on the selected trials

Transitional signals	CIVIL LAW G/A cases	CRIMINAL LAW C/A cases	GEORGIAN/AMERICAN (Separated)	
I am certain	80	100	25/55	45/55
დარწმუნებული ვარ				
Obviously	147	155	55/92	55/100

ცხადია				
Regardless მიუხედავად	112	85	45/67	35/50
Although თუმცა	95	88	40/55	35/53
Consequently შედეგად	250	120	100/150	50/70
Accordingly შესაბამისად	180	140	88/92	53/87

The lawyers considered that conveying their attitudes about the crime and the defendant was also critical in the opening statement and it is used for pragmatic purposes. This was wholly presented in the U.S transcripts of the trials when the lawyer repeated his defendant's speech during the presenting of opening statements. Further, in the case, the lawyer introduced his defendant's following sentence in a different way:

Defendant:., I told him to leave me alone, that I was tired''.

Lawyer:., She told him to leave her 'tranquil', that she was tired''. The lawyer managed to interpret the first clause pragmatically, by changing the 'tranquil' for, alone'. The questioner must maintain control of the answers so as to present a particular argument to suit his/her case. On this level, during the observation, selected Georgian trials did not reveal any interesting aspects; however, Georgian and American trials were coincided with pragmatic signification. Based on this, they identify three broad types of interrogatives:

1. Yes/No questions – elicit ‘affirmation or rejection’ offered in form of a yes or no answer.
2. Wh-questions elicit a “reply supplying g an item of information”
3. Alternative questions elicit a reply in which “one of two or more options provided in the question” is picked as an answer.

5. DISCUSSION

Paying attention to the purpose of using language in the opening statements, it becomes persuasive or powerful if the opening statements can present several key elements so that they can be effectively delivered in the courtroom. For instance, military terminology can be used, including both official nomenclature and simpler phraseology (e.g., “junior enlisted,” as opposed to “lower enlisted,” and “weapon,” as opposed to “gun”). They do not use law enforcement jargon because it is not straightforwardly perceived.

Moreover, the opening statement can be persuasive with the use of such persuasive device as Metaphor. Metaphors help to understand and explain complicated situations by creating analogies. In order to be effective, the opening statement should be outlined in well-structured elements. The important argumentative device help to express one side of a concept and obscure others. Furthermore, some legal expressions were strongly singled out which can be named as metaphors in law. , Metaphors in law are to be narrowly watched, for though starting as devices to liberate thought, they end often by enslaving it’. (Winter, 2008)

Legal concepts are most often than not abstract, as are certain aspects of our social reality and abstract concepts cannot be expressed in literal language, therefore figurative language in legal discourse is inevitable.

Furthermore, comparative research on the examples of Georgian and American cases showed that legal expressions often carry metaphors that are no longer perceived as stylistic devices but are part of the legal language as a system and they are the most common usage metaphorical expressions for both countries. Therefore, legal concepts are most often than not abstract, as are certain aspects of our social reality and abstract

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Furthermore, comparative research on the examples of Georgian and American cases showed that legal expressions often carry metaphors that are no longer perceived as stylistic devices but are part of the legal language as a system and they are the most common usage metaphorical expressions for both countries, thus:

“Break the contract”, there are “binding agreements” and “ripening of obligations”, whereas court proceedings are viewed as a war with a “defendant” who either “wins” or “loses”.

One of the example from the American court where the metaphor is used as perceive device in the opening statement is the following one:

*„ To stand before you now and address you in what is called opening Statement. Now, the opening statement is not opening argument, but it is just **That, opening statement. If you have had occasion to go to a movie, you Know that there is something called the previews of coming attractions, and That is supposed to be -- it is supposed to be a guide, a roadmap, if you will, What we expect the evidence to show. As an officer of this court and in the Course of my remarks this morning and maybe this afternoon, I would expect to tell you, as honestly and as forthrightly as I can, what I expect the Evidence to be. As the court has so appropriately indicated, what I say is not Evidence. It's just to aid you and guide you.**”*

This sentence reveals that at the beginning of his opening statement Lawyer Johnnie did not want to lose his jury’s attention to listen to him. It meant that he wanted to grab the jury’s attention. Therefore, he used the word movie as a metaphor to refer to his opening statement. At that moment, with the use of this word he tried to inform the jury by making an implicit comparison that he designated his opening statement as “a movie” which has the previews of coming attractions, something appealing for him. With the use of this metaphor, it means

that he also attempted to convince the jury that his opening statement is supposed to be a “guide” and for the jury to make a decision his statements mentioned below. He attempted to convince the jury that in his opening statement there would be evidence for the basis of making a decision.

Amongst the Georgian cases, several metaphorical phrases can be singled out during the opening statements: For the Georgian cases, some metaphorical phrases can be singled out during the opening statements:

„მამაკაცსა და ქალს შორის შედგა ევროპული ურთიერთობა”, „ჩრდილოეთის ირმის რქები დაადგა ცოლმა ქმარს”, „მართლმსაჯულების სასწორი”, „კონფლიქტის მკურნალი”, „მიზნები სასურველი ქონებაა”, თქვენი მოქმედება გზის დასასრულია”, თქვენ ვერ გაუწევთ წინააღდეგობას ქარის ქროლვას”.⁵

As a result, it should be taken into consideration such important elements for communication with others as given in a sentence “Who says what in which channel to whom with what effects?” Thus, Metaphor allows speakers to manipulate the information by presenting it in a very specific way, as changing the source domain allows the way in which the information is presented to be changed. Metaphor allows speakers to manipulate the co-speaker(s) and the listener(s) by influencing their perception of a given reality.

6. CONCLUSION

Since language is a powerful tool for communication, people can use it for various purposes. One of them is for persuasion. In the courtroom of Georgia and America, for example, through the opening statement, the lawyers use language to persuade the jury that their client is right and should win the case. For this fact, the lawyers have to pay better attention to how they can use their language persuasively or powerfully with the usage of pronouns. In the courtroom, in order to be persuasive in the trial opening statement, it is important for the

⁵ For English:

"European Relations Between Men and Women", " His Wife embrace North Deer Horns ", "Judiciary Scale", "Counselor Treatment", „Purposes are Desired Possessions”, „The End of Action is the End of the Path”, „Resist the winds of change”.

lawyers to take some elements or factors considered here as persuasive features into their account such as concrete transitional phrases for argumentation. Contrastingly, together with these sections, their opening statements must contain the theme of the case and damages that are delivered in persuasive language with the use of such persuasive devices as a metaphor. Therefore, the speaker must be thinking quite logically if she knows how to manage other people's perceptions...

References

1. Austin, J. L., 1975. *How to Do Things with Words*. 2d ed. Oxford: Oxford University Press.
2. Chaemsaithong, K. Interactive patterns of the opening statement in criminal trials: historical perspective
3. Clements, C. S, Perception and Persuasion in Legal Argumentation: Using Informal Fallacies and Cognitive Biases to Win the War of Words, 5-1-2013
4. *Handbook of Forensic Linguistics*. New York: Routledge, pp.296-314
5. <https://journals.sagepub.com/doi/abs/10.1177/1461445613508900?journalCode=di>
[sa](#)
6. McMenamin, G., 2002. *Forensic Linguistics: Advances in Forensic Stylistics*. Boca Raton: CRC Press. <https://www.taylorfrancis.com/books/9780429247972>
7. McMenamin, G., 2010. *Forensic Stylistics. Theory and Practice of Forensic Stylistics*. In: M. Coulthard and A. Johnson, eds. *The Routledge Handbook of Forensic Linguistics*. New York: Routledge, pp. 487–507.
8. Wydick, R.C Plain English for Lawyers, 7-31-1978, Volume 66 | Issue 4

Internet Recourses

<http://www.thefreedictionary.com/synesthetic+metaphor>

<https://american.edu/directory/?d=services&id=1001>

<https://lawshelf.com/courseware/entry/opening-statements-burdens-of-proof>

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