



The Language Of Jury Trial

Gail Stygall



The Language Of Jury Trial:

The Language of Jury Trial C. Heffer, 2005-11-01 Drawing on representative corpora of transcripts from over 100 English criminal jury trials this stimulating new book explores the nature of legal lay discourse or the language used by legal professionals before lay juries Careful analyses of genres such as witness examination and the judge s summing up reveal a strategic tension between a desire to persuade the jury and the need to conform to legal constraints The book also suggests ways of managing this tension linguistically to help not hinder the jury *Jury Trials and the Popularization of Legal Language* Patrizia Anesa, 2012 This book explores the techniques and discursive strategies that are typical of the communicative interactions between professionals and laymen in a jury trial It also investigates the complex relationship that emerges between written and oral communication in different phases of the trial The analysis takes into account the many nuances that define these dynamics and the various possibilities that the jurors have to intervene in the process particularly in the light of recent procedural developments Special attention is devoted to the observation of the specific strategies adopted to illustrate legal ideas and concepts to the jurors according to the speakers various communicative purposes By adopting a discourse analytical perspective which combines both qualitative and quantitative approaches the book highlights the hybridity of the language used in court and the combination of different styles and registers **Trial Language** Gail Stygall, 1994-11-10 This study of Anglo American legal discourse is the first comprehensive discourse analysis of American legal language in its prototypical setting the trial by jury With ethnographic data gathered in a civil jury trial the book compares the discourse processing of the legal participants and the lay jurors in the trial This study examining an entire trial finds that it is constraints at the level of a Foucauldian discursive formation that prevent lay understanding Those constraints include the allocation of narrative speaking roles primarily to legal speakers in genres in which no sworn evidence is given the suppression of narrative in ordinary witnesses a set of restraints on witnesses use of certain categories of evidentials the legal topic originating in textual authority unknown to the lay participants specific distribution of verb forms by legal genre and a linguistic burden accompanying the legal burden of proof in the requirement that the lawyer of the moving party also use and explain technical legal terms to the jury at the same time as he or she presents evidence All of these factors contribute to the incomprehensibility of legal discourse to lay auditors resulting in the jury making their decision based on a commonsense script of the events precipitating the trial The study concludes by arguing for a Foucauldian discourse analysis of institutional languages a social theory powerful enough to account for the power and tenacity of these languages where traditional linguistic explanation has failed Trial Language Gail Stygall, 1994-01-01 This study of Anglo American legal discourse is the first comprehensive discourse analysis of American legal language in its prototypical setting the trial by jury With ethnographic data gathered in a civil jury trial the book compares the discourse processing of the legal participants and the lay jurors in the trial This study examining an entire trial finds that it is constraints at the level of a Foucauldian

discursive formation that prevent lay understanding Those constraints include the allocation of narrative speaking roles primarily to legal speakers in genres in which no sworn evidence is given the suppression of narrative in ordinary witnesses a set of restraints on witnesses use of certain categories of evidentials the legal topic originating in textual authority unknown to the lay participants specific distribution of verb forms by legal genre and a linguistic burden accompanying the legal burden of proof in the requirement that the lawyer of the moving party also use and explain technical legal terms to the jury at the same time as he or she presents evidence All of these factors contribute to the incomprehensibility of legal discourse to lay auditors resulting in the jury making their decision based on a commonsense script of the events precipitating the trial The study concludes by arguing for a Foucauldian discourse analysis of institutional languages a social theory powerful enough to account for the power and tenacity of these languages where traditional linguistic explanation has failed

American Judicial Process Pamela C. Corley, Artemus Ward, Wendy L. Martinek, 2015-09-25 This text is a general introduction to American judicial process The authors cover the major institutions actors and processes that comprise the U S legal system viewed from a political science perspective Grounding their presentation in empirical social science terms the authors identify popular myths about the structure and processes of American law and courts and then contrast those myths with what really takes place Three unique elements of this myth versus reality framework are incorporated into each of the topical chapters 1 Myth versus Reality boxes that lay out the topics each chapter covers using the myths about each topic contrasted with the corresponding realities 2 Pop Culture boxes that provide students with popular examples from film television and music that tie in to chapter topics and engage student interest 3 How Do We Know boxes that discuss the methods of social scientific inquiry and debunk common myths about the judiciary and legal system Unlike other textbooks American Judicial Process emphasizes how pop culture portrays and often distorts the judicial process and how social science research is brought to bear to provide an accurate picture of law and courts In addition a rich companion website will include PowerPoint lectures suggested topics for papers and projects a test bank of objective questions for use by instructors and downloadable artwork from the book Students will have access to annotated web links and videos flash cards of key terms and a glossary *Congressional Record* United States. Congress, 1996 **The Handbook of Linguistics** Mark Aronoff, Janie Rees-Miller, 2017-03-08 The first edition of this Handbook is built on surveys by well known figures from around the world and around the intellectual world reflecting several different theoretical predilections balancing coverage of enduring questions and important recent work Those strengths are now enhanced by adding new chapters and thoroughly revising almost all other chapters partly to reflect ways in which the field has changed in the intervening twenty years in some places radically The result is a magnificent volume that can be used for many purposes David W Lightfoot Georgetown University The Handbook of Linguistics Second Edition is a stupendous achievement Aronoff and Rees Miller have provided overviews of 29 subfields of linguistics each written by one of the leading researchers in that subfield and each impressively

crafted in both style and content I know of no finer resource for anyone who would wish to be better informed on recent developments in linguistics Frederick J Newmeyer University of Washington University of British Columbia and Simon Fraser University Linguists their students colleagues family and friends anyone interested in the latest findings from a wide array of linguistic subfields will welcome this second updated and expanded edition of *The Handbook of Linguistics* Leading scholars provide highly accessible yet substantive introductions to their fields it s an even more valuable resource than its predecessor Sally McConnell Ginnet Cornell University No handbook or text offers a more comprehensive contemporary overview of the field of linguistics in the twenty first century New and thoroughly updated chapters by prominent scholars on each topic and subfield make this a unique landmark publication Walt Wolfram North Carolina State University This second edition of *The Handbook of Linguistics* provides an updated and timely overview of the field of linguistics The editor s broad definition of the field ensures that the book may be read by those seeking a comprehensive introduction to the subject but with little or no prior knowledge of the area Building on the popular first edition *The Handbook of Linguistics Second Edition* features new and revised content reflecting advances within the discipline New chapters expand the already broad coverage of the Handbook to address and take account of key changes within the field in the intervening years It explores psycholinguistics linguistic anthropology and ethnolinguistics sociolinguistic theory language variation and second language pedagogy With contributions from a global team of leading linguists this comprehensive and accessible volume is the ideal resource for those engaged in study and work within the dynamic field of linguistics

Legislative History of Titles VII and XI of Civil Rights Act of 1964 United States. Equal Employment Opportunity Commission,1968

Meaning and Power in the Language of Law Janny H. C. Leung,Alan Durant,2018-01-18

Legal practitioners linguists anthropologists philosophers and others have all explored fundamental challenges presented by language in formulating interpreting and applying laws Building on centuries of interaction between legal practice and jurisprudence the modern field of law and language or forensic linguistics brings insights in linguistics and related fields to bear on topics including legal drafting and translation statutory interpretation expert evidence on language use and dynamics of courtroom interaction This volume presents an interlocking series of research studies engaged with different legal jurisdictions and socio political contexts as well as with the more abstract notion of law Together the chapters written by international leaders in their fields highlight recent directions in research and investigate in particular how law expresses yet also conceals power relations in its crafted use of words and in the gaps and silence between those words

Negotiating and Drafting Contract Boilerplate Tina L. Stark,2003 This resource serves to educate lawyers and business professionals on how to draft the many types of boilerplate provisions a legal term that refers to the standardized one size fits all provisions of a contract Each chapter tackles one of 20 provisions and analyzes why it is important the key legal and business issues raised and how to draft the provision to suit a particular transaction Such analysis not only helps readers better understand how to draft these provisions in their contracts

but also helps them better understand the other party's process

The Papers of Clarence Mitchell Jr., Volume V
 Clarence Mitchell Jr., 2022-08-02 Volume V of The Papers of Clarence Mitchell Jr records the successful effort to pass the 1957 Civil Rights Act the first federal civil rights legislation since 1875 Prior to the US Supreme Court's landmark 1954 decision in *Brown v Board of Education* the NAACP had faced an impenetrable wall of opposition from southerners in Congress Basing their assertions on the court's 1896 separate but equal decision in *Plessy v Ferguson* legislators from the South maintained that their Jim Crow system was nondiscriminatory and thus constitutional In their view further civil rights laws were unnecessary In ruling that legally mandated segregation of public schools was unconstitutional the *Brown* decision demolished the southerners argument Mitchell then launched the decisive stage of the struggle to pass modern civil rights laws The passage of the Civil Rights Act of 1957 was the first comprehensive lobbying campaign by an organization dedicated to that purpose since Reconstruction Coming on the heels of the *Brown* decision the 1957 law was a turning point in the struggle to accord Black citizens full equality under the Constitution The act's passage however was nearly derailed in the Senate by southern opposition and Senator Strom Thurmond's record setting filibuster which lasted more than twenty four hours Congress later weakened several provisions of the act but crucially it broke a psychological barrier to the legislative enactment of such measures The Papers of Clarence Mitchell Jr is a detailed record of the NAACP leader's success in bringing the legislative branch together with the judicial and executive branches to provide civil rights protections during the twentieth century

Miscellaneous Reports. Cases Decided in the Courts of Record of the State of New York Other Than the Court of Appeals and the Appellate Division of the Supreme Court New York (State). Courts, Francis Blaine Delehanty (Reporter), Austin B. Griffin (Reporter), Robert George Scherer (Reporter), Edward Jordan Dimock (Reporter), Joseph Albert Lawson (Reporter), Charles Cook Lester (Reporter), William Van Rensselaer Erving (Reporter), Louis J. Rezzemini (Reporter), 1916 Cases decided in the courts of record of the state of New York other than the Court of Appeals and the Appellate Division of the Supreme Court including the Appellate Term of the Supreme Court for the hearing of appeals from the City Court of the city of New York and the Municipal Court of the city of New York special terms and trial terms of the Supreme Court City Court of the city of New York the Court of general sessions of the peace in and for the city and county of New York county courts and the Surrogates Courts varies slightly

The Southeastern Reporter, 1912

The Eastern Reporter, 1886

ABA Journal, 1981 The ABA Journal serves the legal profession Qualified recipients are lawyers and judges law students law librarians and associate members of the American Bar Association

Ohio Nisi Prius and General Term Reports Ohio. Courts of Common Pleas, 1901

West Virginia Law Quarterly and the Bar, 1926

Annotated Cases, 1917

The Southwestern Reporter, 1921

Amendments to the Federal Rules of Criminal Procedure United States. Supreme Court, 2002

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