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CICERO

A Three-Part Seminar on Advocacy Ethos, Logos, Pathos

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ETHOS

The Character of the Advocate

Aristotle, the great organizer, structured advocacy into three parts: ethos (character), logos (logic), and pathos (emotion). His seminal work is *On Rhetoric*.

Aristotle walked onto the stage of Greek thinking after a great conflict between Plato (actually his nickname, meaning broad-shouldered, given by his wrestling coach), who argued that absolute truth existed, and the Sophists, who argued truth is relative, most notably Protagoras, who asserted, “Man is the measure of all things.”

As advocates, while sometimes we deal with facts in dispute, what we most often argue about is what the accepted facts mean. This is why lawyers in opening statements will frame a case by saying, “This is a case about keeping a promise,” or about responsibility, and so on. The lawyer is adding a value-system to the fact pattern to create a meaning. And so, man is the measure of all things, which is to say, “we decide what the facts mean.”

Aristotle, who was a student of Plato, understood Protagoras' point, and saw the problem that followed: If we take facts and create a meaning from them, how do we establish one meaning over another?

According to Aristotle, one meaning triumphs over another through the process of advocacy. I agree. We begin with ethos.

Ethos is the first thing we notice about an advocate. How does she carry herself, are her intentions good, does she connect with us? The more favorable these qualities, the more persuasive she will be.

You should be establishing your ethos the moment you meet your decision-maker.

We will discuss these elements:

1. Appearance
2. Body Language
3. Voice
4. Energy
5. Knowledge
6. Goodwill
7. Integrity
8. Authenticity
9. Similarity
10. Empathy
11. Fairness

Let us begin.



Christopher P. Kriesen is the Founder and Principal of The Kalon Law Firm, LLC. He has tried cases in state and federal court, argued before Connecticut's Appellate and Supreme Courts, and taught advocacy at UConn Law School for many years. He holds a Certificate in Corporate Innovation from the Stanford Graduate School of Business, a Master's from Trinity College, and a Juris Doctor from the University of Connecticut School of Law.

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