



HS Intro to Public Services

Friday, April 24, 2020



HS Intro to Public Services

Overall Lesson: **Aspects & Overview of Legal Careers**

Sub lesson for Friday, April 24: Pre-Law Pathway -
Rhetorical Strategies Overview & Use in Legal Writing/Oral
Argument

Learning Target:

Students will identify rhetorical modes of writing and speaking as they are used in professional settings (legal and otherwise).



Opening Exercise

- Please read [this](#) article on what rhetoric is and how it can be applied to careers. Then, reflect on the following questions:
 - *Which of the three modes of rhetoric (ethos, pathos, or logos), in your opinion, is the easiest to apply as a speaker? How about as a writer?*
 - *In a legal setting, to whom are you most likely going to address a persuasive argument? Judge? Jury?*
 - *Do you necessarily have to believe in what you are arguing in order for an argument to be effective?*



Examples of Rhetorical Modes

- Pathos: The appeal to emotion
 - Which emotion do each of the examples below appeal to?
 - “We have been mistreated, abused and oppressed. They have benefited from our suffering and we must act now!”
 - You love your dog; so buy this dog food, as it will help him to get all his nutrients.
 - “If you don’t purchase this life insurance, and something happens to you, how will your family survive?”



Examples of Rhetorical Modes

- Ethos: The appeal to ethics or authority
 - In the examples below, what would each speaker be qualified to argue?
 - “Dentists all over the world are telling their patients the same things. You must floss regularly.”
 - “You should definitely get help with your debt, & I say that as somebody with over 30 years experience of debt counseling.”
 - Having written ten successful novels myself, I can tell you that this book is worth buying.



Examples of Rhetorical Modes

- Logos: The appeal to logic and reason
 - Is the logic sound in each of the examples below? Yes, or no? Why?
 - “Everyone has children. Therefore, everyone needs to think about the schooling of his or her children.”
 - “Cigarette smoke contains over 4,800 chemicals, 69 of which are known to cause cancer. So why start smoking?”
 - “That is not my wallet. My wallet has a tear in it. This wallet has no tear in it. Therefore, it cannot be mine.”



Practice

- Read this [second article](#) on how rhetoric is applied in the legal field.
 - Please answer the following questions about the second article on a separate sheet of paper.
 - Ethos: How does one's "implied messages" when arguing contribute to the success or failure of a given appeal?
 - Pathos: According to the piece, is pathos effective in a courtroom? Why or why not?
 - Logos: Why can't an argument rely solely on facts and evidence when in the courtroom?



Practice *KEY*

- Read this [second article](#) on how rhetoric is applied in the legal field.
 - Please answer the following questions about the second article on a separate sheet of paper.
 - Ethos: How does one's "implied messages" when arguing contribute to the success or failure of a given appeal?
 - The implied messages that a litigator delivers establishes that the argument that is being made is trustworthy. If one is unable to establish legal authority, then the jury is unlikely to be convinced of the arguments that they are making.
 - Pathos: According to the piece, is pathos effective in a courtroom? Why or why not?
 - Pathos can undermine ethical authority, so it is not always effective.
 - Logos: Why can't an argument rely solely on facts and evidence when in the courtroom?
 - "An advocate becomes so convinced that the logic of his argument is unassailable that he gives no thought to the likelihood that a particular judge will reject it anyway. Or an attorney has so much pride in the formal validity of her argument that she forgets to present it in a way that adopts to the decision maker and invites agreement."