



South Carolina Bar

Continuing Legal Education Division

2026 SC BAR CONVENTION

Trial & Appellate Advocacy Section

“Storytelling through Written & Oral
Advocacy ”

Friday, January 23

SC Supreme Court Commission on CLE Course No. 260135

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Civil Law Update

Scott Bauries

No Materials Available



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Storytelling through Written Advocacy

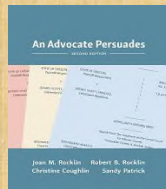
Professor Christine Coughline

Storytelling Through Written Advocacy

2026 South Carolina Bar Convention

Christine Coughlin

Professor of Law



WAKE FOREST
UNIVERSITY

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6



Alaska v. EPA

“It’s got to be a good story. Every lawsuit is a story. I don’t care if it’s about a dry contract interpretation; you’ve got two people who want to accomplish something, and they’re coming together — that’s a story.”

Chief Justice John Roberts, interview with Brian Garner



7

For generations, Inupiat Eskimos hunting and fishing in the DeLong Mountains in Northwest Alaska had been aware of orange- and red-stained creek beds in which fish could not survive. In the 1960s, a bush pilot and part-time prospector by the name of Bob Baker noticed striking discolorations in the hills and creek beds. . . . Baker alerted the U.S. Geological Survey. . . . Although Baker died before the significance of his observations became known, his faithful traveling companion—an Irish Setter who often flew shotgun—was immortalized by a geologist who dubbed the creek Baker had spotted “Red Dog” Creek.

8

LOGOS, ETHOS, PATHOS IN WRITTEN LEGAL ADVOCACY





		
LOGOS	ETHOS	PATHOS
APPEAL TO REASON	APPEAL TO ETHICS	APPEAL TO EMOTION
USE OF LOGIC AND EVIDENCE	USE OF AUTHORITY AND CREDIBILITY	USE OF PASSION AND FEELING

<https://motioncue.com/examples-of-ethos-pathos-and-logos-in-advertisement/>

*Graphic created with ChatGPT on November 16, 2025.

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The Psychology of Storytelling

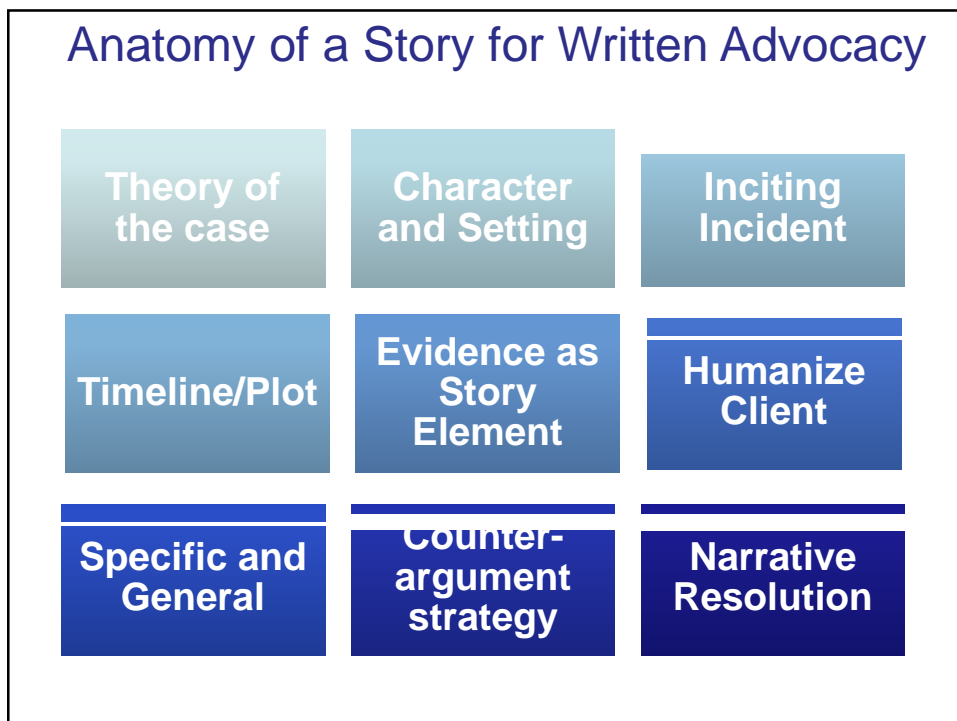
Narrative as Brain Default 	Transportation 	Empathy 	Resistance 
Coherence 	Memory 	Priming 	Trust 

Graphic created with ChatGPT on November 16, 2026

10



11



12

Theory of Case as a Story

“This case is about a company that knew its loading-dock gate had malfunctioned eight times in six months yet sent employees into the area unprotected. On a rainy Tuesday morning, that predictable hazard crushed Mr. Lopez’s hand — an injury the company had been warned would happen.”

13

Character and Setting

For more than fifteen years, Mr. Holloway ran the small auto-repair shop his father opened on the corner of Pine and Lark Streets. The garage is a two-bay, cinder-block building where he works side-by-side with two longtime employees, servicing the same neighborhood families who have come to him for decades. On the afternoon in question, he was in the front office completing inventory records when the incident occurred in the customer parking area.”

14

Character and Setting

“Ms. Liu spent ten years in the lab she helped build, working beside humming freezers and long benches crowded with pipettes and glassware. When her supervisor began excluding her from meetings, she was left alone at the far end of the lab—physically isolated in the space where she once trained new researchers.”

15

Highlighting the Inciting Incident

“Everything changed the morning Ms. Rios reported the accounting irregularity. Before that report, she had received three straight years of ‘outstanding’ evaluations. Two weeks after it, she was reassigned to an isolated basement office.”

16

Timeline and Plot

“At 7:42 p.m., Officer Brown radioed that he had mistaken the address. By 7:49 p.m., the entry team had already breached the wrong apartment. And by 7:51 p.m., Ms. Harris lay on the kitchen floor with a gunshot wound. Those nine minutes show a cascade of preventable errors.”

17

Evidence as Story Element

“Dr. Patel acted promptly and within the standard of care. The patient arrived with nonspecific abdominal pain, normal vitals, no fever, no focal tenderness. Labs at 11:42 a.m. were normal, and the 12:17 p.m. ultrasound showed no signs of appendicitis. Nursing notes document stable symptoms during repeated reassessments. Together, these records tell a simple story: at every decision point, the available data pointed away from appendicitis, and Dr. Patel’s care was appropriate.”

18

Humanize Client

Operating 365 days a year, 24 hours a day, the Red Dog Mine is the largest private employer in the Northwest Arctic Borough, an area roughly the size of the State of Indiana with a population of about 7,000 Prior to the mine's opening, the average wage in the borough was well below the state average; a year after its opening, the borough's average exceeded that of the State.

See John Roberts Brief in Alaska v. EPA

19

Specific and General

"The hospital describes the delay as a routine 'operational issue.' But for Mrs. Ellery, it meant sitting for hours in a hard plastic chair, gripping the heating pad she'd used all night to manage the stabbing pain under her ribs. While the institution offers abstract explanations, the chart entry at 12:41 p.m. notes she was "pale and unable to reposition due to pain." The clinical record captures what the hospital's generalities obscure."

20

Counterargument

The defense calls the incident ‘a spontaneous outburst.’ But that claim cannot be squared with the fact that Mr. Ellis texted three separate threats in the hour beforehand. A spontaneous outburst is unplanned — this one was announced.”

21

Narrative Resolution

“When the law is applied to these facts, the ending is clear: the City created the risk, ignored repeated warnings, and caused the harm. The Court should grant summary judgment and allow Mr. Daniels to move forward with rebuilding his life.”

22

To persuade a judge or panel of judges, you as the advocate must transfer the view of the universe from your head into the head of the judge or judges before whom you are appearing. Only then, when the court perceives the universe as the advocate does, will the



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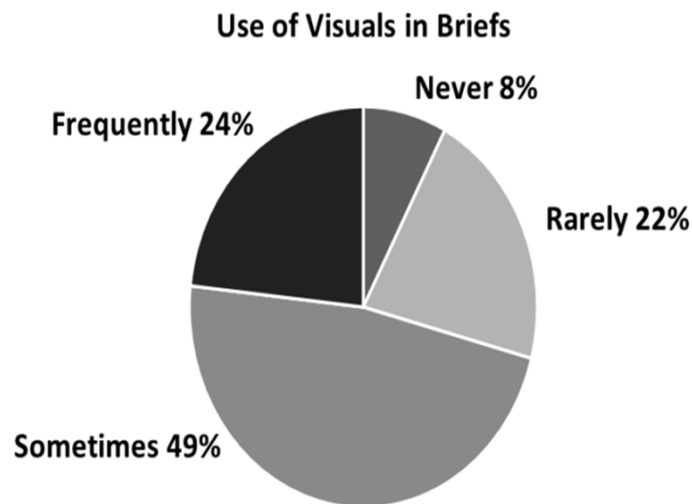
**CAN A
PICTURE
PAINT
A THOUSAND
WORDS?**



Created with PerplexityAI on November 16, 2025.

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Using Visuals to Tell the Story



Wayne Schless, Using Visuals in Briefs, <https://sites.utexas.edu/legalwriting/2020/11/08/visuals-in-briefs-part-1/>

25

Focuses the reader on the core narrative



Reduces cognitive load and clarifies complexity

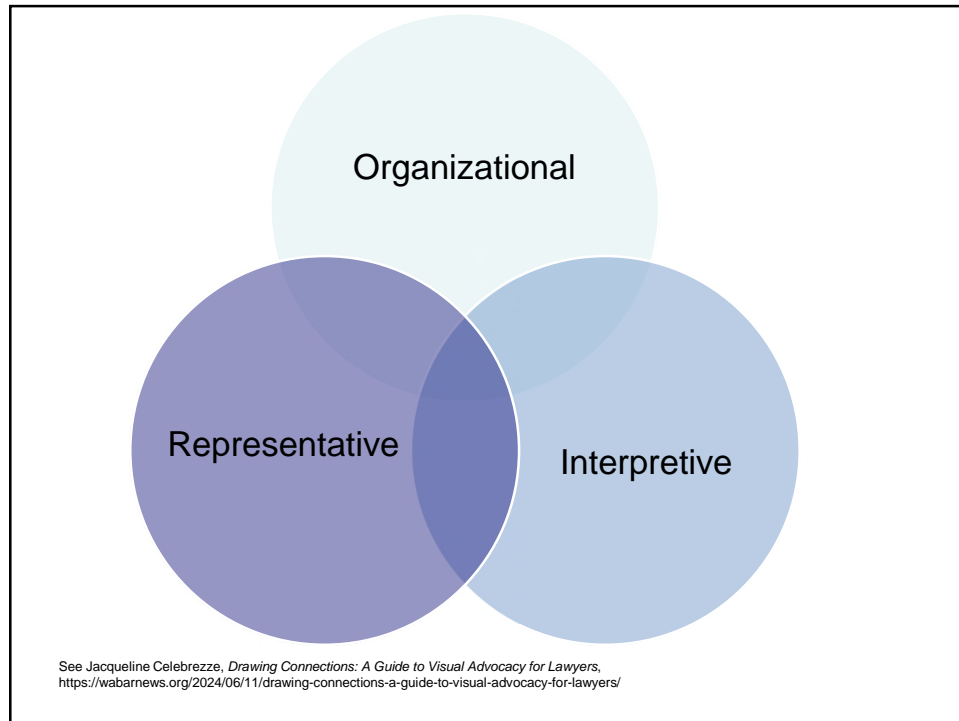


Makes key story points memorable

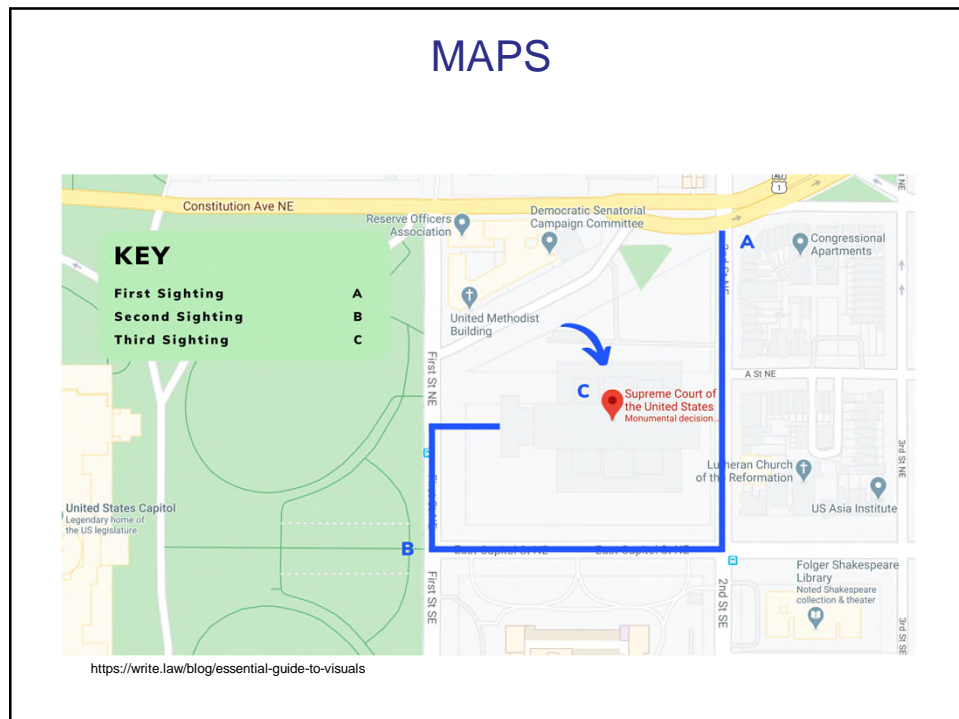


Allows the court to see your client's "universe"

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TRADEMARK DISPUTES



See <https://write.lawblog/essential-guide-to-visuals>

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Screen Shots



Briefing Visually by Robert Dubose

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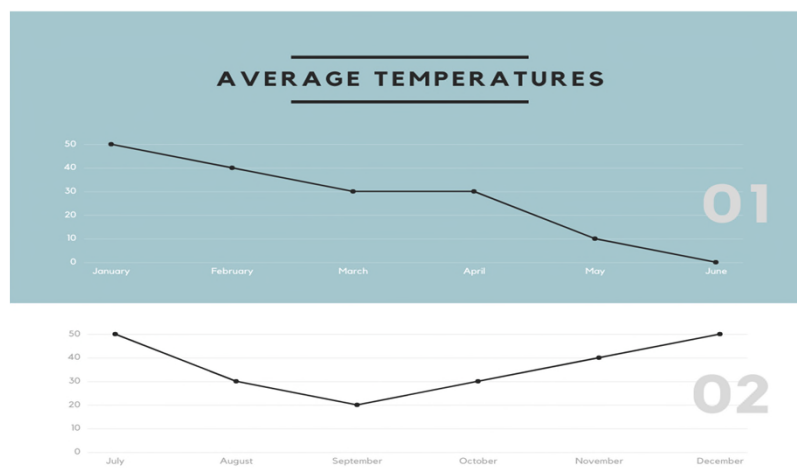
Photographs



See <https://write.law/blog/essential-guide-to-visuals>

31

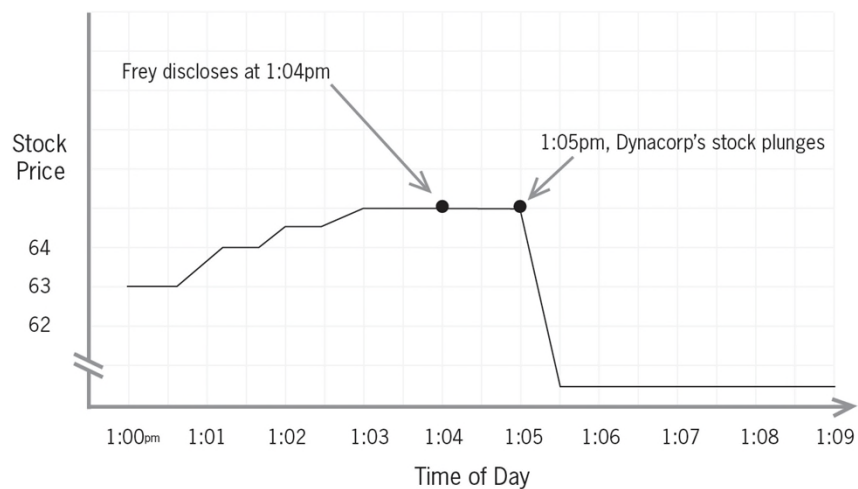
Charts and Graphs



See <https://write.law/blog/essential-guide-to-visuals>

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Charts and Graphs



See Adam L. Rosman, *Visualizing the Law: Using Charts, Diagrams and Other Images to Improve Legal Briefs*, 63 J. of Leg. Ed. 70, 71 (2013).

33



- Keep visuals simple, high-contrast, and professional.
- Use short phrases on the visual; let the brief's text carry nuance.
- Use visuals sparingly to clarify or emphasize a key part of the story.

34

Pace Yourself

“[Pacing] It’s a word I’ve used a lot because I think it’s important: good pacing. . . . The pacing—bringing the reader along at the particular speed you want, for the effect you want—is, I think, very important.”

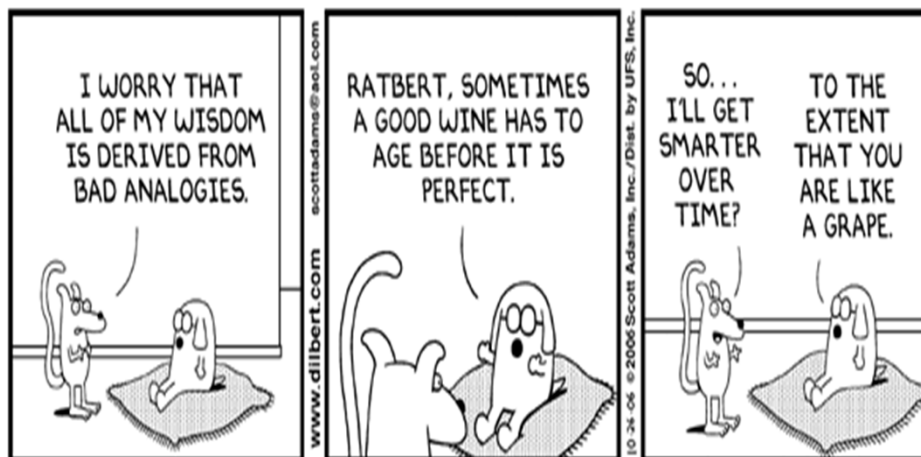


Chief Justice John G. Roberts, Jr.

Julie Oseid, *Live! Their Lives Up a Little Bit. Good Pacing Persuades Judges*, 24 Legal Writing 239 (2020).

35

Confirm your analogies make sense



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See John H. Larsen, *Using Visuals to Better Communicate Logic in Legal Reasoning*, 25 LEGAL WRITING 285 (2021).

36

Avoid Hyperbole

- Claiming "three" as "many"
- Describing a good faith production of documents as "a mountain of irrelevant documents"
- Characterizing the opposing party's brief as containing "the most outlandish thing anyone has ever written"
- Claiming a minor procedural error has "fatally destroyed all notions of due process"

37

Disclose adverse authority and relevant counterarguments



"The ostrich is a noble animal, but not a proper model for an appellate advocate"

See Beth Scherer, *The ostrich is a noble animal, but not a proper model for an appellate advocate*: Seventh Circuit Chastises Attorneys for Ignoring Controlling Precedent, <https://ncapb.foxrothschild.com/2011/11/28/the-ostrich-is-a-noble-animal-but-not-a-proper-model-for-an-appellate-advocate-seventh-circuit-chastises-attorneys-for-ignoring-controlling-precedent/>

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Channel your inner
John Roberts: let
storytelling guide
the court through
your analysis, not
stand in for it.



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South Carolina Bar

Continuing Legal Education Division

Storytelling through Oral Advocacy

M. Dawes Cooke

James Edwin McTeer, Jr.

December 29, 1903 – April 19, 1979

“Legendary Lawman, Author, Spellbinder and Raconteur”

--- Inscription on the J.E. McTeer Bridge in Port Royal, S.C.

Ed McTeer made history early and often. When he became Sheriff of Beaufort County at age 22, he was the youngest sheriff in the country. Thirty-seven years later, he would be the longest-serving sheriff. And he was -- as far as we know -- the only sheriff in the country who was also a witch doctor.

Ed was born on December 29, 1903, in Hardeeville, South Carolina. His father, James Edward (“Jim Eddie”) McTeer Sr., was a farmer and also Beaufort County's sheriff. Ed's mother, Florence Percy Heyward, was the great-great-granddaughter of Thomas Heyward, signer of the Declaration of Independence. Florence was reputed to have been clairvoyant.

Jim Eddie died in office as Sheriff in 1925. On February 11, 1926, Ed was appointed to complete his father's unexpired term. He would win re-election every term until 1963. During that time, the sheriff was the highest authority in the County, leading Ed to be referred to often as the “High Sheriff.” Ed's encounters with bootleggers, rumrunners, murderers, a white dolphin, and a nudist colony became the stuff of legend.

Herbert Ravenel Sass described Ed McTeer in *The Story of the South Carolina Lowcountry* (1956) as “a man of imposing stature, he is well liked for his warm personality and courteous manners. It is by men such as he, that progress is promoted, communities built, and the best interests of the public are preserved.” (p. 403).

Storytelling was a foundation of Ed's way of life. It was his way of connecting with people. He rarely carried a gun because he believed that there was no one he couldn't convince through moral suasion to do what he wanted him to do. It was his affinity for connecting with people through storytelling that led Ed to become a nationally renowned witch doctor. In the 1930s, as Ed patrolled the sea islands, he encountered root doctors—Gullah healers who brewed

potions from roots and used hoodoo rituals to ward off evil or, sometimes, to control other people. Ed was troubled that these root doctors, including Dr. Buzzard and Dr. Eagle, were selling potions for human consumption, which constituted practicing medicine without a license. Spells and roots were fine, but Ed drew the line at selling medicine. Rather than dismiss these practices as superstition, though, Ed declared himself a witch doctor. He claimed to have learned the dark arts at the knee of a descendant of an African witch doctor, who lived on Ed's family's farm when he was growing up. The local doctors eventually accepted Ed as their peer, and they agreed to stop selling medicine.

The voodoo vernacular began as Ed's way of connecting with the people of the Sea Islands whom he served as Sheriff, but he would become nationally known as a voodoo healer. He was called a "white witch doctor" – not because of his race, but because he practiced only white magic, removing spells using roots made with dirt from a preacher's grave rather than black magic, which would require roots made with dirt from a murderer's grave. Ed received visits and letters from people across the country who had had evil spells cast on them. He even received referrals from the Medical University of South Carolina of patients suffering debilitating physical illnesses after having roots put on them. In private Ed would call himself a "poor man's psychiatrist", a nod to the fact that most of his patients suffered from psychosomatic illnesses. To his patients, though, he could see the evil aura around them and knew just the magic needed to remove it. His early rivals, Dr. Buzzard and Dr. Eagle, eventually became his friends and colleagues.

Ed was an avid outdoorsman and an expert on all things Nature. During World War II, he took a leave from his sheriff duties to command the 6th Naval District's Mounted Beach Patrol, leading horseback units to scour the coastline for German U-boats and saboteurs—a role that married his Lowcountry savvy with national defense. He hunted, fished, and boated his entire life, and he was an expert on the outdoors.

Ed loved telling stories. He would tell his grandchildren that every day brought a new experience and another story to tell. He said that everyone had one book in him, and they should write it. He wrote four books, beginning in 1970 with *High Sheriff of the Low Country*

(1970). The book starts off with "Rum-Running Days" and weaves through "Witchcraft" and "Murder," offering vivid vignettes of chases and charms. He followed up in 1971 with *Beaufort, Now and Then*, a loving history of Beaufort County, and in 1972 with *Adventure in the Woods and Waters of the Low Country*, a page-turner filled with stories of hunting, fishing, and boating. He even included a collection of poems that he had written. In 1976 he finished with *Fifty Years as a Low Country Witch Doctor*, in which he chronicles half a century of encounters with root doctors and hoodoo practitioners.

Ed McTeer died on April 19, 1979, at age 75, leaving his wife of more than fifty years Lucille, his children Mookie, Sally, Georgianna, James Edwin III, and Thomas, and a bevy of grandchildren. The McTeer Bridge, dedicated in 1981, bears a plaque hailing him as "legendary lawman, author, spellbinder, and raconteur."

Ed's Poems

Capers Recollections

I returned to Capers Island
As I did in days of yore—
And the memories came back
Flooding like the tides upon her shore.



I sank in reverie gentle
As there I stood
By the ashes of a campfire
That I left in Capers wood.

Once again I tramp her woodland
Where I hunted deer and coon—
And I hear the wild ducks talking
In an old saltmarsh lagoon.

And I gaze out on the ocean
At the vastness of it all
When you stand beside a giant oak
Don't you feel very small?

Your ego and importance
Really seem to fade—
For you spend but a fleeting moment
In the universe He made.

Tonight when I lie sleeping
With my head upon her sod
And the stars dispel the darkness
I feel very close to God.

Metamorphosis

I never had felt better,
last night when I went to bed,
but when I awoke this morning
I found my youth had fled.

My boyhood friends had aged so fast,
they had my sympathy.

Why it never once had crossed my mind
that it could happen to me.

When shaving in the morning,
Of one thing I'd been sure,
the gray hairs that I saw there
were only premature.

And the aches and pains which beset me
in a hundred ways,
well, now I was "paying the Piper"
for my glorious football days.

It was a bitter pill to swallow,
but now I know the truth:
Old age demands her payment,
exacts it from my youth.

My medicine cabinet is well stocked,
filled right to the door,
and when I pull the handle,
things spill out on the floor
as if they were trying to tell me
what I should have known so long ago.

So, I accept, I am resigned,
I'll let new rules apply
and sitting there in my rocking chair,
If a "bikini" passes by,
I'll be circumspect, I promise,
and look with just one eye?

James E. McTeer

Tireless Hands

When I entered the room
I saw her there
She was taking a nap
In her rocking chair.



I could tell she was dreaming
Her chin on her chest
But the tiny hands clasped tightly
Seemed unable to rest.

Why, when a dog attacked our son one day
She grabbed him by the hair
And held him off with those little hands
Til I could hurry there.

She went visiting to California
But she went by pullman car
For the busy hands had work to do
For the coming Church Bazaar.

Truly a wonderful person
And if she sees your love shine through
She will take those two small hands of hers
And move mountains for you.

Yes, those lovely hands can soothe you
Their touch is a caress.
Why besides her other duties
She held five babies to her breast.

Now, her blue eyes open
She looks and smiles at me.
I didn't hear you come in
I'll get up and make some tea.

So, I'll not try to change her,
She's not the changing kind,
But to do the many things she does
Her hands should be as big as mine.

Campfire Pals

I sit by my fireside dreaming
The firelight flickers and gleams
I fall into reverie gentle
And go back to the woodland streams.
 Along the trail with me in my memory,
 Come my friends, how I miss them all,
 Why we lived so close to nature,
 Nature's creatures came to our call.
When we hunted the miles of marshland
For ducks in a large lagoon
The music there, we loved to hear,
Was the eerie call of a loon.
 There's no better place to learn a man
 Than around a campfire, deep in a wood
 Work and danger there, both must share
 Yes, it brings out the bad and the good.
One night deep in a forest
We made camp by an Indian Mound
And hoped that their god had led their souls
To their happy hunting ground.
 Two sons of mine have taken over my guns
 and camping gear,
And they still try to get me out of my easy chair.
 I really want them to hunt, with a variety
 of men
And sort them, while they're still young
And find out their true friends.

ECOLOGY

In ages past it was no task
Nature kept her household pure.
In man's search for wealth and comfort
How long can she endure?
What are you willing to give up
To show you really care?
It might be the car you are driving
Or your Frigidaire.
We can't blame it on corporations,
Or call it a conspiracy;
For all of their stockholders
Are people like you and me.
J.E. McTeer

Ducks on the Wing

Off to the duckblind at daylight
gee, it makes you 'most want to sing
for you know that you'll soon be hearing
the murmur of ducks on the wing.

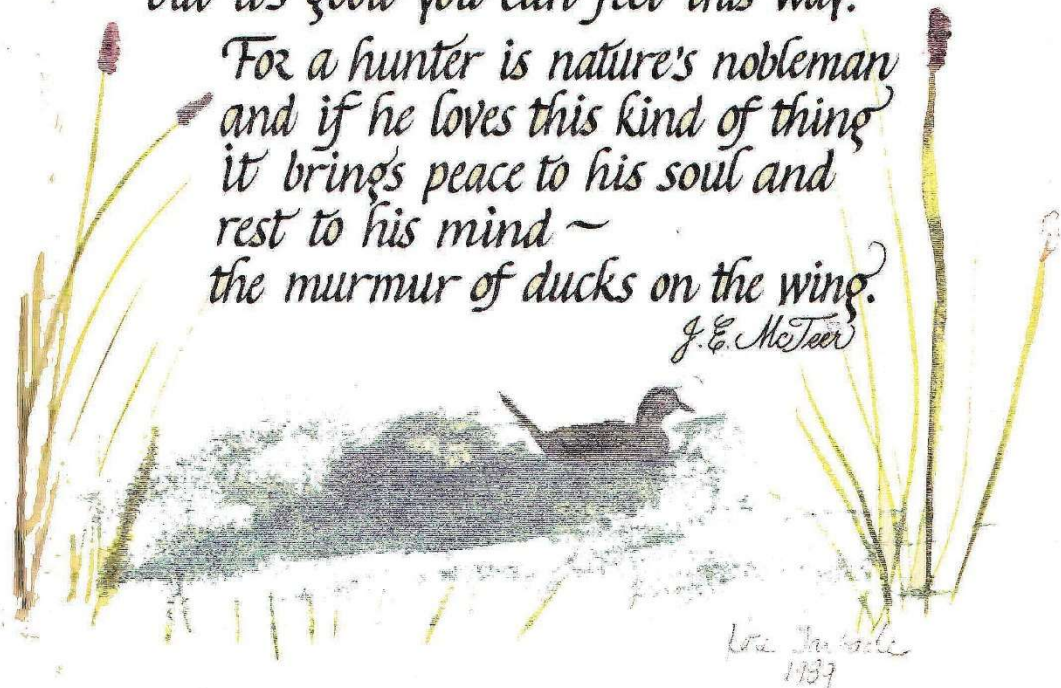
There will be other sounds of music
as you head out in the bay.

You are in a great Cathedral,
you can hear its organ play.

Why, it's only the wind in the treetops
but it's good you can feel this way.

For a hunter is nature's nobleman
and if he loves this kind of thing
it brings peace to his soul and
rest to his mind ~
the murmur of ducks on the wing.

J. E. McTeer



Wm. J. McTeer
1937

If I Had My Way

The way in which we depart this life
is not for us to choose,

but I had no choice in coming here
so what is there to lose?

Now I'll let you know how I'd like to go,
when the Reaper claims his dues.

Let me go with the roar of the surf in my ears;
and a fish running strong on the line!

Here I've shed my cares throughout the years
with the passing of my time.

Or in my garden let me go,

I plant the seed, I watch them grow,

every plant a joy to see

they fulfill their destiny,

reproduce like you and me,

that's how it was meant to be.

And now I ask, let it not be

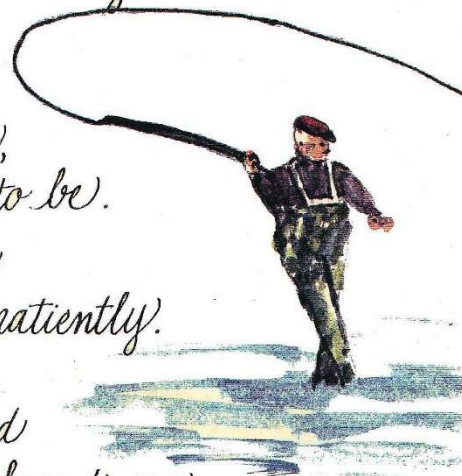
on a green bench waiting patiently.

Lord, I've led a busy life,

and at the end of my road

I'd be embarrassed if you found me,

waiting my turn at shuffle board!



James E. McTeer

P
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pictures that I love to see
are ones that nature paints for me.
geese formations flying by;
ducks against a leaden sky.
a deer upon an ocean dune,
silhouetted by the moon;
a heron on sylvan lake,
what a picture this would make.
the greatest artist I would be,
if I could paint just what I see.



The Vacant Chair

It's an old Beaufort custom
To assemble every day,
And discuss the world's condition
At Harry's on the Bay.

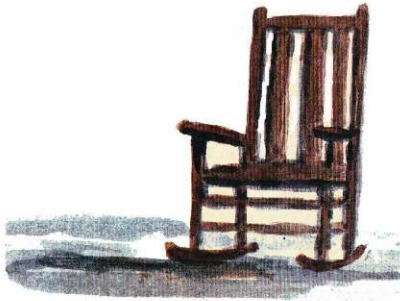
Now when I drop a pearl of wisdom
Much to my surprise
No one argues with me,
They just avert their eyes.

No longer comes the greeting
"How are you feeling Ed?"
I know I'm a Senior Citizen
For it's "Mr. Mac" instead.

I look around the table
For an old familiar face,
Why who's that young man
Sitting there in Cal's accustomed place?

Somehow the time has passed me by.
It was not so long ago
That at this morning meeting
Were Arthur, Cliff and Joe.

I can well remember,
The year I'm not quite sure,
But I was a very young man
When I walked through this same door.



Sitting around the table
Were the old men of the town,
An empty chair was waiting there,
They said, "Ed, won't you sit down?"

So I sat there amongst them,
And saw them fade away.
Now I'm the senior member
And soon someone say,
"There's a vacant chair at the table,
Come sit with us today."

Books by and About Ed

