



The Credibility Trap: What Undermines Juror Trust

Even the strongest legal arguments can falter if jurors question the messenger delivering them. In these moments, credibility becomes more than a professional virtue; it becomes the foundation of persuasion.

In a recent IMS Elevate conversation, veteran trial attorney Keely Duke of Duke Evett PLLC joined IMS Senior Strategy & Jury Consulting Advisor Chris Dominic to discuss how she approaches difficult cases, prepares witnesses to testify authentically, and balances tenacity with restraint in front of juries. Their conversation explored what it takes to advocate forcefully without sacrificing trust, and why credibility remains the most valuable currency in the courtroom.

Building Skill Through Repetition, Not Perfection

For many attorneys, especially those early in their careers, courtroom performance can feel intimidating. Keely emphasized that confidence is not innate; it is developed through consistent, uncomfortable practice.

She encouraged younger lawyers to get on their feet often, present arguments, and answer questions under pressure, even when it feels awkward. She shared, “We’re not all built to just stand up and do it perfectly. It takes practice—even for the best of the best.”

Reviewing recordings of your own performance can be humbling, but Keely sees it as a necessary step in professional growth. Discomfort, she noted, is often a sign that learning is happening. This mindset of continual improvement, rather than natural talent, shapes how she prepares both herself and others for trial.

Preparing Witnesses to Be Themselves

That same philosophy extends to witness preparation, particularly when working with

executives and professionals who may not be accustomed to adversarial questioning. Rather than coaching witnesses to perform, Keely focuses on helping them remain grounded in who they are and what they truly know. She believes authenticity resonates far more strongly with jurors than polished delivery.

This is because jurors are quick to sense when testimony feels scripted or defensive. Reinforcing factual mastery and encouraging witnesses to speak in their own voices helps ensure that credibility remains intact even under aggressive cross-examination.

Maintaining Tenacity Without Losing Trust

Known for her strong advocacy style, Keely is also intentional about never crossing the line into overstatement—especially when credibility is on the line. When asked how she balances intensity with restraint, she pointed first to her approach with clients: “I am not going to tell the client what they want to hear...They’re going to hear the good, the bad, and the ugly.”

That same candor extends into the courtroom. “You cannot oversell to a jury—ever,” Keely said. “If you overstate something even small, you lose credibility ounce by ounce.” Those small losses accumulate. By the time jurors deliberate, credibility deficits can outweigh even strong factual arguments. Zealous advocacy only works if jurors trust the advocate.

Speaking Directly to Jurors’ Role in Deliberations

She also shared how she uses closing arguments to acknowledge the realities of jury dynamics, particularly in defense cases where the opposing side delivers the final rebuttal.

Rather than ignoring that procedural disadvantage, she addresses it directly by reminding jurors she will not have another opportunity to respond, and they will soon become the advocates in the room.

Keely tells juries to “be me” during deliberations and focus on the evidence, so they are not fooled. This approach reinforces jurors’ responsibility while drawing on the credibility she has built throughout the trial. When jurors trust counsel, they are more willing to carry arguments forward when attorneys are no longer present to speak for themselves.



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Providing Advice to Aspiring Trial Lawyers

When asked for her advice for trial attorneys aspiring to become first-chair, Keely returned to

two foundational principles: mastery of facts and authenticity of style. “Know your case and facts like the back of your hand. Be true to who you are. No one can emulate anyone else’s style.”

She also emphasized that lawyers are not simply advocates, but counselors, responsible for guiding clients through difficult realities rather than simply delivering optimistic narratives. That counseling role, she believes, is inseparable from ethical and persuasive advocacy.

Keeping Credibility at the Core of Advocacy

Across trial preparation, witness development, client counseling, and jury persuasion, Keely’s philosophy remains consistent: credibility must come first. Without it, even well-crafted arguments lose power. With it, jurors are more willing to listen, trust, and ultimately act on what they hear.

In high-pressure cases where every moment matters, maintaining that trust with clients, witnesses, and juries alike can determine whether advocacy persuades or falls flat.

Elevating Trial Credibility and Persuasive Advocacy

Keely’s perspectives emphasized that effective advocacy is built on strategic preparation and an unwavering commitment to credibility. From refining case narratives to preparing corporate witnesses to testify authentically, IMS proudly supports law firms like Duke Evett through every phase of litigation with insights grounded in real experience.

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