



# Crafting a Closing Statement That Gets Jurors Talking

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A closing argument is the bridge between trial and deliberations. It is the attorney's final opportunity to shape how jurors interpret the evidence, evaluate competing narratives, and discuss the case in the jury room. The most effective closing arguments provide jurors with a framework for reaching a verdict, helping them understand how the evidence supports a particular outcome.

## Build the Argument Before the Trial Ends

Experienced trial lawyers often describe the closing argument as one of the most important persuasive moments of a trial. Plaintiff attorney Brian Panish prefers the term "closing argument" over "summation" because it represents an attorney's final opportunity to argue the case rather than simply recap the evidence.<sup>1</sup> Defense attorney Robert F. Tyson similarly emphasizes the significance of the closing argument, describing it as a lawyer's last, and potentially best, chance to persuade the factfinder.<sup>2</sup>

That perspective highlights an important reality: successful closing arguments are built long before the closing of evidence. Attorneys should approach trial with a clear understanding of the verdict they want jurors to reach and the reasons they will use to support that decision. Stephen Covey's "begin with the end in mind" principle provides a useful framework.<sup>3</sup> When attorneys understand where they want jurors to end up, they can develop themes, present evidence, and tell a story that consistently moves the case toward that destination.

Jurors are naturally drawn to stories, which is why the strongest closing arguments organize evidence into a cohesive narrative. A compelling story helps jurors understand what happened, why it happened, and why it matters. Effective advocates connect key evidence to a central

theme that helps jurors interpret facts and organize information. Tyson notes that jurors are unlikely to be persuaded by a simple repetition of testimony and jury instructions. They are far more likely to remember a presentation that is engaging, memorable, and motivates action.<sup>4</sup>

## Give Jurors a Framework for Deliberations

Jurors also need help organizing the evidence they have heard throughout the trial. A persuasive closing argument reinforces the testimony, exhibits, and facts that matter most while explaining why they support the attorney's position. The focus should remain on the evidence most likely to influence deliberations. Visual aids such as timelines, demonstratives, and key exhibits can strengthen juror recall and make complex information easier to understand and discuss in the jury room.

Effective closing arguments address weaknesses jurors may already be considering. Jurors expect attorneys to confront difficult facts and competing explanations. When advocates acknowledge and explain unfavorable evidence, they often enhance their credibility while reducing the impact of opposing arguments. Closing arguments also provide an opportunity to highlight gaps, inconsistencies, and unsupported assumptions in the opposing case. Successful attorneys explain why those weaknesses matter and how the evidence supports a different conclusion.

## Connect Logic, Emotion, and Credibility

Impactful advocacy requires both logic and emotion. Jurors rely on evidence, testimony, and legal standards when making decisions, but they are also influenced by the human significance of the case. Strong closing arguments connect facts to broader concepts such as accountability, responsibility, safety, and fairness.

Tyson encourages attorneys to “keep it real” and demonstrate genuine concern for the issues at stake.<sup>5</sup> Authenticity can be especially powerful because jurors evaluate both the substance of an argument and the sincerity of the advocate presenting it.



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Delivery also plays a critical role in how jurors receive and remember a closing argument. Clear language, purposeful pacing, vocal emphasis, and strategic pauses can reinforce key messages. Attorneys should avoid unnecessary legal jargon and focus on communicating ideas in a way that is accessible and memorable. Body language, eye contact, and tone should reflect confidence and credibility. As Tyson advises, an attorney's final words should be dynamic, persuasive, and caring.<sup>6</sup>

## Make the Path to Verdict Clear

Perhaps most importantly, jurors should leave the closing argument with a clear understanding of what they are being asked to do. Effective advocates connect the evidence, legal standards, and case themes directly to the requested verdict. Jurors should understand the outcome the attorney seeks and why the evidence supports that result. Panish has observed that jurors should view their verdict as an opportunity to do something meaningful and significant. When attorneys provide jurors with a clear path forward, they equip them to carry those arguments into deliberations and advocate for them in the jury room.

Ultimately, the purpose of the closing argument is to shape the conversation that follows in the jury room. By providing jurors with a compelling story, a clear interpretation of the evidence, and a persuasive reason to act, attorneys can help ensure their key themes remain central to deliberations when the verdict is decided.

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### References

- <sup>1</sup> Brian J. Panish, "Closing Argument: Argue, Don't Summarize," Plaintiff Magazine.
- <sup>2</sup> Tyson Jr., Robert F. Nuclear Verdicts: Defending Justice for All (Law Dog Publishing, LLC, 2020), p. 180.
- <sup>3</sup> Covey, Stephen R. The 7 Habits of Highly Effective People: Powerful Lessons in Personal Change.
- <sup>4</sup> Tyson Jr., Robert F. Nuclear Verdicts: Defending Justice for All (Law Dog Publishing, LLC, 2020), p. 188.
- <sup>5</sup> Tyson Jr., Robert F. Nuclear Verdicts: Defending Justice for All (Law Dog Publishing, LLC, 2020), p. 189.
- <sup>6</sup> Ibid.
- <sup>7</sup> Brian J. Panish, "Closing Argument: Argue, Don't Summarize," Plaintiff Magazine.

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