
Life Lessons Learned Along the Way: Lights Out Story Crafting

By Thomas W. Werner

We continue our series of personal, impactful stories that have shaped how we practice law.

“Daddy, tell me a story.” Oh, I knew that strategy very well. “Daddy, tell me a story” was a delay tactic, as if my son Alex was actually saying, “Daddy, let me stay up an extra 20 minutes before lights out!” Yet, although I knew “Daddy, tell me a story,” was pure strategy, I could not say no to Alex’s request. The kid knew me far too well. So I smiled and started talking.

I vaguely remember that first bedtime story. It was something about a clown named Clarabelle and a clarinet; I seem to remember that oatmeal cookies, fireworks, and the beach were featured prominently as well. What I more concretely remember is that the story took several logical leaps from place to place to place and, consequently, the story wasn’t particularly good – although Alex, then three years old, seemed to like it, so what do I know from good?

Good or not, the story was highly educational – at least for me if not for Alex. The next time I crafted a story for Alex the results were better than the ill-fated story of Clarabelle Clown. The second story was about a slug named Sammy. Unfortunately for Sammy, he wasn’t much more compelling than was poor Clarabelle. So the next night’s story featured an entirely new character, as did the night after that, and the night after that. Within a few more nights of lights out stories, I finally had a character that stuck: a garden gnome named Billy who lives under the porch of an old rich man’s house, and who has several friends including a newt named Nick, a dragon named David, and a goblin named Graham.

Billy the Gnome and his friends have been on multiple adventures, including riding a train, debating some highly political rats, learning to drive, meeting a giant, and encountering a cave ghost. I have retold each Billy the Gnome story countless times. With each retelling, the stories are honed and shaped until the stories, in

final form, each contain a singular narrative theme, and, potentially, even a life lesson Billy the Gnome learned along the way.

The art of storytelling from Clarabelle Clown through Billy the Gnome taught me the two most important elements of crafting a lights out story: (1) creating a strong, compelling and likeable main character; and (2) establishing an overarching theme.

The same two elements are critical in the story crafting inherent in defending litigation. Through each case, we tell a story. Within that story, it is crucial to cast our clients in the best possible light. Through the entirety of the case, we work very hard with our clients to find out all of the positive things about them in order to ensure that their stories are told, and told well. By the time the case reaches a jury, the story (having been honed and shaped throughout the discovery and motion practice processes) will make our clients strong, compelling, and likeable characters. Similarly, we work with the facts of and law applicable to each case in order to craft a singular narrative theme that presents to the jury the strongest possible defense for our clients.

Alex, now 10, and his sister Sydney, now 9, still from time to time request the telling of a Billy the Gnome story. And I'm grateful to them for doing so. For me, from lights out to litigation, continued story crafting is crucial, indeed. If only I could figure out how to work Billy the Gnome into a closing argument . . .

Our [2nd article this month](#) is a follow-up story on the outcry of criticism over mandatory arbitration. My partner Rick Mitchell is our go-to on this as he continues to keep us informed. Good stuff!