

Trial Lawyer, Songwriter.

By: Greg Westfall, 2002

Ever since I wanted to be anything, I wanted to be a professional musician – a rock star, actually. Even before I started playing the guitar at 13, I had pictured myself on a stage somewhere. I played in bands all the way through high school and into college. I played guitar through the Army. Upon discharge from the Army in 1987, I had been accepted into the Guitar Institute of Technology in Hollywood, California, and the Army was going to pay for it. But a couple of months after getting out of the Army, I just changed my mind. I don't know why, but after wanting to do that all my life, when I was just about to cross the threshold, I turned around.

But the music didn't go away. I still practiced. I still played in bands. Two years later, I was on my way to becoming a lawyer.

I guess I wrote my first song when I was 15 or so. I wrote a lot of songs in high school, a lot of poems, too. After high school, I didn't write so much, but I would still write a little. Frankly, though, it never occurred to me to try to approach songwriting as a craft. Every once in a while a song would come to me and I wrote it down, but nothing beyond that. I figured either you had it or you didn't and I kind of didn't.

Then I went to Trial Lawyers College in 2002.

One thing that settled in on me at the Ranch was story telling. Finding the emotion in stories was a true revelation for me. I had never even been aware of that. One Saturday not long after I had returned home, got out my guitar and a pen and some paper. Within an hour or so, I had written "The Hill." That would ultimately become the first song on my first CD, "Texas Theater," issued in December, 2003, 16 years after I "gave up the dream."

More and more I started telling stories with songs. I then took my acoustic guitar and went to open mic nights to play them. They were generally well received. I am still not a prolific writer by any means, but I now have a deeper understanding of how to write songs – and what makes a good song - than I would have ever had without doing all the personal work I have done, which began in that summer of 2002. I am a songwriter, published, earning royalties every day. The dream I thought I had walked away from essentially came true. It didn't take music school. It took becoming human.

Since 2002, unlike before, I have really studied songwriting as a craft. Here are some excerpts from my favorite songwriting book (yeah, I hate block quotes as much as you do, but I couldn't say it any better):

“Every truly successful song expresses a universally understood meaning.”

Sheila Davis, *THE CRAFT OF LYRIC WRITING*, 1985, at 2.

“Songs embody experiences common to everyone: the adventure of first love, the frustration of misunderstanding, the anguish of jealousy, the wistfulness of goodbye. A singer does not offer a sermon we must heed, or a code we must decipher, but rather a universal truth we already know: ‘Harper Valley P.T.A.’ dramatizes the maxim ‘people in glass houses shouldn’t throw stones’; ‘She’s Not Really Cheatin’, (She’s Just Getting’ Even)’ illustrates that what’s sauce for the goose is sauce for the gander; the materialist values of ‘Mr. Businessman’ remind us that it is easier for a camel to go through the eye of a needle than for a rich man to enter the kingdom of heaven. Such songs vivify, and thereby reaffirm, the fundamental tenets of our common experiences.”

Id.

“Lyrics that resonate with universally felt emotions foster strong identification between the performer and the audience. A song is successful when an audience responds with a recognition that says: ‘Me, too ... I’ve felt that ... I’ve seen what you’ve seen ... I know what you mean.’ That is what our applause says. The performer is singing not so much *to us as for us.*”

Id. at 3.

Isn’t that what we as trial lawyers want to do? We want the jury to have a strong identification with us and with our clients. We all want to sing *for* the jury rather than *to* the jury. So how can it be done? Same way in both arenas – by communicating on an emotional level.

The two greatest things I have learned from songwriting are (1) conveying emotion through words and images; and (2) using language to describe moods, things and places metaphorically, which itself evokes emotion. The constraints of rhythm and rhyme create a structure that requires creativity and imagination to convey the writer’s intent. The discipline is really pretty demanding. We don’t need to write songs that you may hear on the radio, and the craft, like any other craft, takes years to learn and master and you get better at it as you practice. But even going in, there is much we can learn.

Whether you are writing a song or getting a case ready for a jury, the first thing you need to identify is the universal theme – something we all share and have experienced. There will usually be more than one. If you need help with ideas, just Google “universal themes” and you will get plenty of help. They are things like hope,

abandonment, love, overcoming obstacles, helping others, etc. It would be good to have clear themes going into a trial. Songwriting too. Remember, universal themes are just that – universal. We want the largest audience possible. In songwriting, there is a process referred to as “going from the particular to the general.” This is how we broaden themes to become as universal as possible.

For instance, let’s say the story I want to tell is about a person recovering from a methamphetamine addiction. I could just talk about what it’s like to hit bottom from meth, to first seek recovery and then recover, which would be a story that people could really identify with – if you tell it in a Narcotics Anonymous meeting. How can we broaden it up? Well, for starters, “addiction” is way broader than “methamphetamine addiction.” In fact, we can even use “addiction” as a metaphor as so many have done. But addiction is a term with a lot of baggage and still narrower than we would like, so we are still not communicating like we want to. So think, what is recovery? Isn’t recovery, in the end, just overcoming an obstacle? Everybody has overcome obstacles in their lives. “Overcoming obstacles” is a universal theme.

Once we have that universal theme, how do we convey it? That is the more difficult part of songwriting – conveying that universal theme through language that evokes emotions and within the constraints of rhythm and rhyme. This means we can’t just literally say something. We don’t say, “I have overcome obstacles.” We must speak in terms that evoke images and emotion. Here are some examples:

My theme = regret.

I want to say: “I have made choices I am not proud of and lost things dear to me.”

I write: In the mirror, the ghosts in my eyes
 betray the fears and the compromise
 of the things I had for the things I had to do.

My theme = grieving.

I want to say: “We miss you and think of you often.”

I write: The wind is blowing cold. The sky is grey.
 It’s been like this since you went away.
 It’s a way of knowing that you’re still around.

These are both small parts of songs I have written. Here is a full song that came from my first CD. I wrote this as I hit 40 years old. One theme is self-examination at midlife, kind of like “A Pirate Looks at 40” by Jimmy Buffett. Another theme would be “coming home.”

JONES COUNTY LINE

The first thing I remember as a child
Are the red brick streets to the highway going out
Through the cotton and red ground that surrounded our West Texas town
Just inside the Jones County Line
And the rodeo that came every year
And the cowboys riding bulls and drinkin' beer
And all the boys and me would chase those calves and talk and dream
'Bout one day, gettin' far away from here

[CHORUS]

This town was home when my home was an easy place to come home to
This town was all that I dreamed and all I dreamed there'd ever be
But this town was a small town and life moved pretty slow
For a young cowboy with a hunger for the road
And this town was the last thing that I had on my mind
When I crossed that Jones County Line

Now I wonder where 20 years have gone
I've been on this lonely road for so long
All that I could see were the little things that anchored me
To a place I didn't want to stay
I left a trail of dust and loose ends
I made and lost a lifetime of friends
I claimed that I was free but this empty place inside of me
Brought me to Jones County again

[CHORUS]

© 2003 by Greg Westfall

How often have we read stories or seen movies where someone at midlife returns to the town of their childhood? Maybe the protagonist doesn't even remember why he left. The strands of longing and regret wind their way through to hit us on a plainly emotional level. We all have felt them, because regret and longing are universal themes.

So singing a song and talking to a jury are not so different from each other. In either case, if you are not emotionally honest, you are not going to connect. Your audience will abandon you and ignore your message. But if you are honest, and if you search for a way to connect with your audience, they will stay.

And they will applaud.

Greg Westfall lives in Fort Worth, Texas with his wife, Mollee, and their two children, Bennett and Kate. He represents people in both civil and criminal cases. Greg was in the first TLC Death Penalty Seminar in 2001 and TLC in 2002 and has been on the faculty since 2005. You can contact Greg at gwestfall@hillgilstrap.com.