

Humour Anything but Unserious

Humour in the practice of law: Seriously | Marcel Strigberger

By **Marcel Strigberger**



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(February 21, 2020, 2:06 PM EST) -- Are you sometimes overstressed practising law? Is your sense of humour dormant or even worse, muzzled? Of course not, but if it is ...

Let me share 10 tips and thoughts on how and why I used humour successfully while in practice for over four decades.

1) Health benefits

Humour and laughter can relieve stress and enhance health, lowering blood pressure and by releasing endorphins, ease pain. Good so far?

2) Rapport

I made it a point on commencing a case, to telephone opposing counsel ensuring a giggle or two followed quickly.

In a nasty divorce matter, I told the lawyer his letter to my client sounded like it was penned by Captain Bligh. He chuckled. The ice was broken, and he soon conceded that his client was not pushing spousal support and would settle for a reasonable property adjustment. We averted a mutiny on the Bounty.

So why the reluctance to use it?

3) Humour is not serious

I once had a pretrial meeting with a Crown attorney regarding a repeater shoplifter. A jail term was imminent. After some banter we came to a deal for a fine. The Crown wrote in his brief, "A fine is fine." He then said, "No, this looks like I'm making light of the matter." He revised it to "A fine is OK." Now that's serious!

Humour is anything but unserious. Research has shown that many Fortune 500 businesses routinely hire consultants to bring some fun into the lives of their company's operations. Herb Kelleher, former CEO of Southwest Airlines, credited a large part of the company's 25-year consecutive profit success to his irreverent management style.

He said, "We should take our jobs seriously but never ourselves." Kelleher propounded that there is a direct relationship between having fun on the job and productivity. Kelleher, incidentally, received a law degree at New York University. Seriously!

Hey, Ukraine recently elected as president Volodymyr Zelensky, a comedian. And did you know he also has a law degree? Seriously!

And how does the public perceive lawyers? I tell people that I write humour and a common response is, "A humourous lawyer? That's an oxymoron."

Relish that image?

4) You need to be Seinfeld (not that there's any ...)

What generates humour? Anything not perfect. In one word: "IMPERFECSHUN." This includes weather to traffic to some judges.

Even perfection is humorous. As the sage Yogi Berra said, "If the world were perfect, it wouldn't be."

5) Humour is per se offensive?

In today's climate people are afraid their humorous comments may cause trouble. What to do?

Ask if your goal is to promote goodwill or to insult or amuse haphazardly. Set your compass to common sense.

When a colleague would not return my communications, instead of sending a nasty message, I would often e-mail, saying:

I can think of only three reasons why you're ignoring me:

- You're extremely busy;
- You're paying me back for ignoring you; or
- You discovered it was I who deflated the tires of your new BMW.

I always got a quick response, often with an apology. And amazingly humour begets humour. One colleague responded noting reason number three. (Little did he know ...)

I'd like to share some of my humour tricks of the trade.

6) Pictures, puppets and posters, oh my!

I had a wall corkboard with Far Side cartoons. I also had a poster of Mark Twain saying: "Always aim to do the right thing. It will gratify some people and amaze the rest."

My desk sported a puppet of cartoon character Foghorn Leghorn, the southern gentleman rooster. You squeezed his belly and he blurted out, "Ah say, go away son. You bother me."

I invited distressed clients to squeeze old Foghorn. They would giggle and feel better, until I told them "Laugh, laugh. You're paying me \$X.00 per hour. Then I'd say, "Only kidding; I should pay you for making me laugh."

I never lost a client for importing humour. Using humour says that their lawyer is also human.

7) Borrow from the wise; Churchill said ...

Another useful method for generating humour is reading from a cute news story or using a quote. You will get all the credit for the chuckles.

On an estate issue, I would quote French humourist, Rabelais, who said his will reads, "I have little. I owe much. The rest I leave to the poor."

Borrow some wisdom from Lincoln or Winston Churchill. My favourite Churchillian quote, in speaking of a rival is, "That man has all of the virtues I despise and none of the vices I admire."

Note that Lincoln and Churchill maintained their humour even in the midst of great wars, (which were rather serious).

8) Target yourself

Humour comes easier when you are the target. For sure, you will have little resistance.

A successful colleague of mine when presented with a lowball offer, rather than assailing the offeror would often respond, "Hey, when I last looked at my driver's licence, it said Sydney Cooper, not Homer Simpson."

We all have a sense of humour. As Stephen Leacock said, "The world's humour, in its best and greatest sense is perhaps the highest product of our civilisation."

9) But ...

Humour is not a panacea for all the world's problems. John Cleese says, "When you charge the enemy machine-gun post, don't waste energy trying to see the funny side of it."

In short, use humour appropriately.

I know. That's only nine tips. Hey, I'm not perfect.

Marcel Strigberger retired from his Greater Toronto Area litigation practice and continues the more serious business of humorous author and speaker. Visit www.marcelshumour.com.

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