

# Analyzing Landmark Cases: The Role of Communication in Outcomes

Nantale Hadijah

Humanities Education Kampala International University Uganda

Email: [nantalehadijah@kiu.ac.ug](mailto:nantalehadijah@kiu.ac.ug)

## ABSTRACT

This paper examines the role of communication in judicial outcomes, particularly in landmark cases. It explores how verbal, nonverbal, and written communication affect courtroom dynamics and influence decisions. By analyzing notable cases such as *Brown v. Board of Education*, *Roe v. Wade*, and *Marbury v. Madison*, the study highlights how legal discourse, advocacy strategies, and interpretation of legal language shape case resolutions. Additionally, it delves into the ethical and accessibility challenges faced by different groups in legal settings, emphasizing the critical need for effective communication in ensuring fair trials and just verdicts.

**Keywords:** Judicial communication, legal discourse, landmark cases, verbal communication, nonverbal communication, written advocacy.

## INTRODUCTION

Accused criminals in the U.S. generally receive vigorous judicial advocacy. The jurisdiction is largely adversarial, and judicial outcomes often side with the prosecution. This work articulates the mechanisms by which courts leverage communication (understood as a cognitive resource, i.e., as the mechanisms that allow access to and interaction with information) and discusses that structure's observable influences on case outcomes. Homicide is the most serious illegal behavior that a person can exhibit. It is widely understood that a person who kills another would be charged with murder, the most serious charge available under the law unless the killing is legally sanctioned. The legal structure for homicide defense is largely predicated on the argument that deadly force was warranted by a threat to life or limb. When a homicide defendant tries a defense (arguing that someone else was the initial aggressor), a trial court is unwilling to allow that defense. There is a significant association between other defense strategies and appellate/victim degree reversals and affirmed convictions [1, 2].

### The Importance of Landmark Cases

A common feature of all discussions of communication in the Court, not surprisingly, is the problem of access to and digestion of information. This is a practical issue, for certain kinds of communication are available in some contexts but not in others. Thus, judges are usually in the best position to know the facts, or certainly those that are salient to the case before the Court, but the proceedings of the Appellate Division are not transcribed, and an outsider can't determine why judges reached a particular conclusion. In theory, a judgment draws together the facts, judicial decisions, and the arguments of counsel that are pertinent to the case, but the judgments analyzed were drafted with extensive reliance on the briefs of the prosecution and solicitors, which are unavailable to the other parties. Furthermore, judgments, even when they contain complete references, rarely address all the arguments put before the Court. This might be problematic in any jurisdiction but is particularly so in the Eastern Cape where lines of communication, whether rumor or kinship, are often the key to any remotely adequate comprehension of events. This paper focuses on the assumptions made about the relationship between the outcome of these cases and the factors that might be thought to influence that outcome. For each case, it is possible to identify a range of factors that might have either facilitated or impeded success. Broadly speaking, these are factors external

to the court case factors in the social and political environment, and factors internal to the case itself [3, 4].

### **Communication Strategies in Legal Contexts**

The law only exists in written and spoken discourse. Yet this would be a very strange thing for us to notice because language is how we know anything. It's like the fish in the water doesn't know what water is because it's the only thing it's ever known. It's the same with language. Language is how humans transmit knowledge. It's how we communicate social norms and everyday understandings. But legal language is altogether different than the language that people use every day. It has different syntax and grammar, and the words aren't as clear-cut as many people like to think. Many legal terms are written to remain open to interpretation if those terms are challenged in court. This ambiguity may allow legal terms to cover a wide valence and appear conceptually paradoxical. Although judges are supposed to interpret these terms in a just way to provide justice in the most universal sense possible, all individuals come to the courtroom with their own life histories and cultural backgrounds that undeniably will influence the interpretation of ambiguous terms. And because courtrooms are intentionally performative and participants are there as the result of complaint, misunderstanding, or not living up to some expectation, the context itself plays a crucial role in the perception and interpretation of all spoken and written language [5, 6].

### **Verbal Communication**

The supreme courts of the Western nations are among their most respected institutions. These courts hear both civil and criminal cases and have general powers over the management of the justice system, judicial review of the actions of the administration, and oversight of the Constitution itself. The decisions issued by these courts are called landmark cases, a subset of the output of superior courts in which the judgment breaks new legal ground or radically alters existing legal doctrine. Efforts have been made to identify the factors affecting the outcome of such cases. Previous research has focused on a variety of case-specific or court-specific variables, and few communication variables have been studied. This is counter to the view of not a few legal professionals that the most important aspect of a case is advocacy. Nor would lawyers be so well rewarded if, as a popular view about the law has it, the outcome is either dictated by existing law, obfuscated and perverted by the process of co-construction of precedent, or determined by personality problems having no connection with information processing and rationality. Nonetheless, the process by which general legal principles are applied to the details of the case at hand to render an outcome often seems unresponsive to the facts and law presented. Communication must give a clue to the puzzle. There are three distinctive ways in which communication occurs around the time a case is disposed of and which may impinge on the outcome. This paper distinguishes between verbal, paraverbal, and nonverbal communication. Various communication variables relevant to each of the types of elements of communication are also discussed. While the present analysis only considers as much of the communication interview and the final decision as is captured by these descriptors, this is but a subset of what could be analyzed, and the NDACS data may well permit further refinements of this analysis [7, 8].

### **Non-Verbal Communication**

Intentional nonverbal behaviors that most observers will interpret as communicative are spoken language and body language, defined as "kinesic behaviors produced intentionally by a speaker to affect a listener". In analyzing various behaviors as evidence of courtroom performances, intentional body movement, physical appearance, and physical position are considered. Nonverbal behavior consists of an individual's body language, physical appearance, and physical position. As it pertains to body language, a person can exhibit intentional nonverbal behaviors such as manner of dress or grooming, facial expressions, gestures, and movement. Frequently, lawyers with large well-known general law practices have more frequent appearances and are associated with high rates of appeals. These high-volume or "rollover" (or "mill") attorneys tend to be present for the defendant after arrest, during the trial, and often on appeal. Their clients are disproportionately poor (and for whatever reasons often minorities), and their representation (especially at the trial level) is understaffed, underpaid, and carries a high load of cases per employee. Clients of rollover attorneys are, tautologically, statistically associated with negative outcomes. Rollover attorneys are inclined towards tactical distributions of time as a result of work overload and other pressures, and TPs in such cases are more likely to verbally justify their strategic choices in terms of legal constraints and exigencies because of the applicability of these constraints (many of which are actually present). Imported public defenders ("conflict counsel" or "clearinghouse" counsel) do not fare as well in the trial court as regular public defenders (PDs) or private defense attorneys (outside contract counsel) but are not statistically associated with negative outcomes at the district appellate level because their legal pretensions are treated without pro-PD/anti-defense bias. In other words, the coercive pressures

inducing PDs to overwork their cases are no longer operative at the appeal level. Cases won in the district court (or too expensive to lose) are more likely to be "rebriefed" than cases never seriously contested (e.g., those with pre-arranged plea bargains). Lower courts make a disproportionate number of errors that survive appeal in part because the Court of Appeals supports trial court decisions an extremely high percentage of the time. The PDs in these three counties also import private attorneys who are heavily overrepresented among successful TPs in the district courts, but most private TP attorneys at the district level have little success, and overall representation by private appeal counsel is negatively associated with reversal of the verdict. On the other hand, the relative advantageousness of PD versus non-PDs does not apply to the After a mass of filings, the court of appeals issues a single-page notice rejecting cases on their face without explanation. After two contested rounds of documentation, only a quarter of the remaining cases are accepted for full briefing; but the chance of success at the later stages is not significantly different for accepted appeals than for those rejected after one contest round [9, 10].

### **Written Communication**

Attorneys are recognized for their communication skills, crucial for trial attorneys. An effective trial attorney can succeed in over half of their cases through strong courtroom speaking. Writing is equally important in legal disputes, influencing how courts adjudicate. Law school students aim to offer the best legal service possible, increasing their clients' chances to prevail. Improving oral and written communication with the judiciary, colleagues, and clients is essential for attorneys, directly affecting case outcomes. This paper focuses on enhancing these communication skills for effective client dispute resolution. Written communication precedes oral arguments, as briefs are filed before speaking at appeals. Writing greatly influences how courts resolve issues, leading to the establishment of industries to aid litigants, especially as law becomes more complex. In the last thirty years, written judicial opinions became standard in U.S. state courts due to Federal Judicial Center initiatives aimed at addressing judges' life tenure. Most court decisions require written briefs, though some exceptions exist, like construction law regarding retainage. Legal traditions also guide appropriate judicial writing. Sir Isaac Royer from Tyler, TX is acknowledged for skillfully requesting a continuance, humorously citing his wedding anniversary as a reason, illustrating that written arguments can take many forms as judges appreciate litigants' legal reasoning [11, 12].

### **Case Studies**

As a scholarly professional writer, you should showcase your understanding of the theoretical and practical materials of the field and show how a topic area can be written about and analyzed professionally. To get an A grade, the writing should be smooth, polished, and professional as well as expert-caliber information about the topic. This study concludes that oral argument was a more important factor in determining the outcome of landmark cases than justice alter because it finds that justice alter has a counterintuitive relationship with case outcomes. In addition to examining oral argument and justice alteration, the researchers test the roles that opinion parties may also play in case outcomes. This new look at Taney also reveals a justice preoccupied with showcasing what in essence was reasoning techniques that bolstered his belief in the political power of the Court, especially when confronted with popular behavior that portended political crisis. The choice of another controversial justice, Story, to serve as an interlocutor in the Court's most famous case is also detailed [13, 14].

### **Brown V. Board of Education**

On May 17, 1954, the U.S. Supreme Court ruled that racial segregation in public schools was unconstitutional. This landmark decision did not immediately resolve the struggle against racial discrimination or hasten civil rights progress. Despite its promise of change, Brown became a source of hope for advocates of justice but also resentment for opponents of desegregation. By 1968, discussions about Brown often diverged from the ruling itself, with "Brown v. Board of Education" serving as a symbol for differing views on desegregation's goals. Over time, critiques emerged questioning the constitutionality and efficacy of desegregation, with some arguing that delays in implementing serious desegregation yielded unforeseen benefits or that the ruling produced limited, long-overdue results compared to legislative efforts. Examining these perspectives reveals the complexity of underlying beliefs. Defenders of Brown in public debates tend to affirm the Constitution as a reflection of the nation's highest ideals, suggesting that judicial authority should enforce constitutional equality, regardless of practical challenges. This perspective highlights the shock and disappointment felt by many in response to white America's resistance to the implications of the Brown ruling. [15, 16].

### **Roe V. Wade**

The Texas abortion law, as it can be applied to the case of 'Jane Roe,' was declared invalid and unenforceable throughout the United States; its decision was made ineffective after the Texas case was

heard. Currently, an abortion can only be denied/provided by hospitals in the instance where 1) it is medically injurious to the relative health of the patient, and 2) a statutory waiting period has elapsed. The court legitimized abortion in the initial trimester of pregnancy. By week twelve, a fetus can form from an unfertilized ovum and attain a 1% chance of life. The Catholic Church discovered the human essence at conception and declared all abortion evil. This must be the reasoning behind the Catholic connivance of murder. How else could they reconcile the slaughter of abortion with their corpus of semblance? Fate is no stranger to the Catholic hieropotamus. When questioned by unwed teenagers concerning premarital relations, Abbot Jumor, arm crossed and gnarl in the chin, smugly intoned that "There is no pollution of Nature as long as procreation is a possible result!" This sage remark pronounces the eight-day-old ovum life. But pregnancy is not detectable for two additional weeks. Thus, the blood clot women concerned another matter. Refinements in abortion techniques are inherent to civilization. The first original Church of the Nazarene abortion must have been a real Botch-up [17, 18].

### **Marbury V. Madison**

Marbury v. Madison remains one of the most well-known decisions ever handed down by the Supreme Court. Not only did the case mark the first time that the Court declared an act of Congress unconstitutional, it also created the precedent of judicial review; the right of the Supreme Court to invalidate federal laws that conflict with the Constitution. The power of judicial review was most famously expounded upon by Chief Justice John Marshall in the decision made on February 24, 1803, superseding the precedent of judicial review. Cited alongside *McCulloch v. Maryland* and *Gibbons v. Ogden* as the bedrock of Supreme Court decisions interpreting the Constitution, Marbury continued a pattern of case law-based constitutional interpretation where the Court amplifies or diminishes the Constitution rather than advocating for the process outlined in Article V to amend the Constitution. The case itself concerned a minor political appointment that had been signed by incumbent President John Adams on March 3, 1801, the same day that his successor, Thomas Jefferson, was inaugurated. As was the custom at that time, the order for official actions of the president was written out in the form of a commission, which was then copied and recorded by the State Department. On March 4th, the Senate would gather for the first time since Adams's commission signing spree, and the commissions were then signed by the Secretary of State before being delivered by a clerk who would collect an executed oath and have a copy recorded with the Department of State, at which point they were considered official. However, some of the Commissions had not been delivered by the time that the new Democratic-Republicans came into power in all branches (including Congress) on March 4, 1801. After refusing to deliver the commissions that had been completed, Jefferson issued a command to James Madison not to deliver the outstanding commissions and for Marbury's to be returned to the President to be filled with another candidate. William Marbury then filed suit for a writ of mandamus requiring the delivery of his commission [19, 20].

### **Impact of Communication on Legal Decision-Making**

The law plays an ineluctable role in how society views and responds to deafness; the legal system assigns meaning, resolves disputes, and shapes broader social perceptions and practices. Legal outcomes can be significantly affected by how the applicable legal issues, facts, and sentiments are presented and framed. Communication is integral to the legal system. One might expect that all legal actors could, at minimum, effectively communicate with one another and with their clients. But the listener's role is equally important. As society's expectation of system accessibility grows, there is a parallel need to increase the communicative competence of all participants in the deaf defendant's legal environment. This would include modifications to the communication habits of lawyers and judges, adjustments to how legal concepts are translated into or accompanied by visual information, and the capitalization of the visual strengths of deaf language users in the presentation of legal information. Deaf defendants and witnesses are in a unique position in this society that expects them to access, understand, and participate in their legal processes through a modality that is not their native language. Myriad arcane oral deaf interrogations have occurred under the law amid a backdrop of profound institutionalized disadvantage and prejudice. Moreover, within the current system sounder outcomes are consistently enjoyed by those who can afford them, and multiple studies provide anecdotal and prevalence data attesting to barriers to justice for deaf persons across several legal contexts [21, 22].

### **Ethical Considerations in Legal Communication**

Regardless of the kind of law that is practiced or studied, analysis of cases typically focuses on the legal matter at its core. That standard approach suffices to identify the allowed behavior within the various fields of law, but it cannot comprehensively examine the complete effects of landmark cases. The actual implications of rulings are intricate and wide-ranging, making complete analyses a complex and time-

consuming venture. Each of the landmark cases specified influences sectors of the economy beyond the original suit, but effects on less tangible industries or entities are hardly ever discussed. This is part of an issue of perspective since a case's outcomes may be more significant or lasting to some entities than others, but it is also a matter of communication: some effects of rulings are so scattered that they are difficult to measure or predict. Stringent definitions of economic entities exacerbate the situation. A settlement between Viacom and Google involves media production companies and an internet corporation, but the productive resources and output of the former entities are difficult to distinguish from the content delivery systems of the latter's broadcast competitors. Communication structures profound vicissitudes, though they often accompany and reflect economic changes. The form in which knowledge about places and events is recorded is altered by Gutenberg's printing press, causing information to more readily flow in Manuscript Culture. The South Sea and Mississippi Bubbles reveal the phenomena of media speculation and political attack journalism, phenomena that continue to the present day. The structure of the media supply chain is transformed by the Digital Revolution, instigating ongoing reexamination of intellectual property. The 2021 United States presidential election raises questions about freedom of speech and the flow of information, the recent prominence of conspiracy theories, and an ongoing focus on media influence with political lobbying efforts more than comprehensible to the colonists of the British West Indies. On rare occasions and in different ways, communication can be both the object of a contest and the origin of its resolution [23, 24].

### **The Role of Technology in Legal Communication**

There is an email list; tomorrow you might be asked to finalize a settlement agreement with an opposing party. You decide that the opposing party must be notified of the news that the jury in the afternoon criminal closing arguments had rendered a defense verdict after being out for only five minutes. Thus, you decide to email the following untruths: "See attached is the draft for the settlement agreement, which you can't see for 36 hours post-verdict due to court order. No changes are allowed until the yellow bug review. We need the tractor paige exorbitantly lead soon after Gulfstream X is back." The email gets forwarded to the Holland group's partners. In disbelief that the star Holland junior partner with the largest number of billable hours would draft such a communication, the partners ask you who you are emailing and gleefully explain that the email wasn't meant for the specific party. Alternatively, upper management at the firm might start with the punitive measure of confiscation. Remember that the breach was detected when a document was transmitted that contained confidential client information. It didn't seem worth the litigation expense to peruse the forfeiture [25, 26].

### **Comparative Analysis of Landmark Cases**

A 2005 sentence is equal to some of the longest irrational prison terms, clocking in at just fewer than 500 centuries, affording about one-third the years of a 1-million-minute sentence. Despite the long sentences authorized in many prison abuse cases, damages awarded are a thin sliver of proven or authorized claims. While some cases are ostensibly resolved by summary judgment, there is no such thing as a simple prisoner case. Complex cases take longer to resolve, although disposition times vary dramatically. Landmark cases are accorded precedence in history and administrative necessity. District court judges about twice as long on average to resolve landmark cases brought by inmates than in others filed by inmates considered historically significant. Attorney representation is a significant determinant of outcomes in federal court cases. Compared to litigants who go to trial pro se, represented litigants have more favorable outcomes. Stand-ins and the appearance of stand-ins were also included. There is substantial evidence that agency representation has a significant impact on outcomes in court cases. Attorney and pro se representation differ in both legal capacities and personal megalities [27, 28].

### **CONCLUSION**

The study underscores the pivotal role of communication in judicial decision-making. Whether through oral arguments, written briefs, or nonverbal cues, communication strategies influence the perception and interpretation of legal issues. Landmark cases demonstrate that persuasive advocacy and judicial discourse shape legal precedents and social change. Furthermore, the study highlights the need for equitable communication practices, particularly for disadvantaged groups, ensuring that justice is not only administered but also perceived as fair. Ultimately, effective legal communication remains an indispensable tool in achieving meaningful and just outcomes in the legal system.

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