



HUMANIZING THE LOGO

Transforming Corporate Testimony into Credibility

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In today's courtroom, few uphill battles are steeper than earning a jury's trust when your client is a corporate logo. Jurors walk in with deep-seated skepticism, shaped by headlines about corporate scandals, greed, and faceless institutions. They expect slick messaging and corporate jargon. They brace for evasion and rehearsed answers. They assume that any narrative from a corporate defendant is carefully engineered to obscure rather than reveal. For defense lawyers, this reality means one thing above all: storytelling is no longer a luxury but rather a necessity. Beyond that, not just any story will do.

Anti-corporate biases and societal narratives play a key role in influencing jury perceptions, making the corporate representative's performance pivotal to a company's success in the courtroom. A re-

cent survey of 352 jury-eligible individuals across seven metropolitan areas¹ provides rare statistical insight into the perceptions that shape how these stories land in jurors' minds, challenging advocates to rethink their strategy at the intersection of fact, empathy, and credibility.

Juror perceptions of corporate witnesses reveal a persistent undercurrent of skepticism, setting the stage well before any testimony is delivered. They bring elevated expectations for expertise and preparedness in the corporate witness chair. When asked if "designated witnesses for corporations should be expected to know all of the ins and outs," a striking majority (57%) strongly or somewhat agreed. Just under 14% disagreed, with a scant 3% of jurors who strongly disagreed with the statement. The signal is clear: jurors expect mastery, rather

than mere foundational knowledge, as the baseline for corporate representatives.

These elevated standards not only shape the way jurors assess a witness's competency but may also color their initial impressions regarding honesty and trustworthiness. When mock jurors were asked about the trustworthiness of individuals testifying on behalf of corporations, 12% expressed outright doubt in these representatives. More striking, however, is that 35% remained uncertain, reflecting that a significant portion of the jury pool starts from a place of hesitation and questioning. While overt distrust is not the majority position, this level of skepticism cannot be ignored; it signals an uphill battle for any corporate defense seeking to establish credibility from the outset.

Jurors do not simply evaluate the con-

tent of what is said; they scrutinize *how* it is said, including the mannerisms and nonverbal behaviors of the representative as they are saying it. The data is clear: suspicions of dishonesty can be triggered by nonverbal cues that are actually symptoms of nervousness. When asked whether “a witness who fidgets and shifts around a lot is probably lying,” 25% agreed (3% strongly, 22% somewhat), while 34% were unsure and 41% disagreed. The same trend occurs with eye contact: 30% of jurors equate a lack of eye contact with deception, and another 27% are unsure.

Verbal responses also matter. A full quarter of jurors (25%) believe that if a witness says, “I don’t recall,” they are probably lying, with 35% remaining unsure. After all, how often does one use that phrase in everyday life? For that reason, it is best to suggest that witnesses use the more colloquial “I don’t remember.”

When a witness provides a non-binary answer—anything other than a straightforward “yes” or “no” when specifically backed into dichotomous questioning—over 28% see it as evasive, while another third (34%) are unsure. Such statistics underscore that small cues in delivery and mannerisms can have a disproportionate influence on perceived credibility.

Yet, amid this skepticism, the corporate representative is not without opportunity. The survey data should not merely inspire caution but fuel a sense of purposeful preparation. When 57% of jurors expect mastery, not mere competence, companies must select witnesses who possess both technical command and the humility to admit complexity where it exists. When over a quarter of jurors equate fidgeting, averted eyes, or non-binary answers with deception, the importance of clear, calm, and authentic communication cannot be overstated.

After trials, consultants at Verdict Insight Partners frequently conduct post-trial interviews involving direct calls to jurors to inquire about their impression and feedback on arguments, attorneys, and witnesses. A common takeaway is that the most effective witnesses are those who embody a cooperative, nonconfrontational demeanor. Jurors appreciate it when witnesses remain polite under pressure and avoid defensiveness or combative exchanges. Communication skills are equally vital: jurors respond best to individuals who are comfortable speaking in public, can convey complex information with clarity and em-

pathy, and are always considerate of their audience’s perspective. Confidence is crucial, but it must be paired with composure and humility—a witness who remains calm under challenge and never lapses into arrogance. Notably, post-trial interviews with jurors consistently reveal that it is the witness’s general competence, compassion, and sincerity—not any specific words—that are most memorable. While rigorous preparation of key facts and policies is essential, priority must also include shaping positive impressions, as these linger long after testimony concludes.

Effective nonverbal communication can be just as influential as words in shaping juror perceptions of a corporate representative. Sustained eye contact conveys both engagement and attentiveness, signaling to jurors that the witness is fully present and invested in the proceedings. Maintaining good posture is equally significant, as it projects openness and confidence, making the representative appear both approachable and self-assured. Attention to hand placement is important: resting hands calmly rather than fidgeting minimizes distraction and reinforces composure. The representative’s emotional affect should align with the context of the testimony. For instance, showing appropriate seriousness or empathy when the subject matter calls for it, rather than remaining expressionless or appearing incongruously detached. Similarly, repetitive or distracting mannerisms such as tapping, shifting, or nervous gestures should be consciously avoided to maintain credibility and reduce the risk of jurors misinterpreting nervousness as lying.

Practice is a crucial part of preparing any witness, particularly when it comes to nonverbal behavior. A few rehearsal sessions can help representatives eliminate distracting habits such as fidgeting, hedging, humming, stalling for time, looking down, or engaging in other distractive behaviors. All of these mannerisms can be interpreted as signs of nervousness or evasiveness, potentially undermining credibility before a single word is spoken. It’s especially helpful for a third party to provide feedback to the witness during preparation in order to maintain rapport between attorneys and witnesses. By practicing repeatedly and with a trained communications consultant, witnesses and their teams become familiar with an individual’s natural communication style and can work to minimize behaviors that may raise red flags for jurors. Moreover,

rehearsal helps to dispel some of the initial anxiety and emotional tension, allowing the witness to appear more composed and authentic on the stand.

A single incident highlights the stakes: during one trial, a witness, deep in thought, unconsciously covered his mouth with a hand while pausing. Later, a juror remarked that it looked as if the witness was “trying to hold in the truth,” even though the witness was simply thinking. This is just one example of many that underscores just how critical it is to coach representatives on all facets of their presentation, as jurors may misinterpret innocent gestures in ways that have serious consequences for corporate credibility.

As a result, we advocate a strategic pivot: don’t simply prepare your witness with facts. Prepare them as the narrative voice for a company striving, like the witnesses themselves, to be understood and believed. A well-prepared corporate witness can serve as a face to an otherwise dehumanized corporation. They are the vessel for sharing the company story in a way that can resonate with jurors on a personal level. Every moment on the stand is an opportunity to turn corporate skepticism into individualized trust. Victory may hinge not on the strength of legal argument alone, but on the ability to meld knowledge with empathy, and fact with story. In the end, the path forward is clear. In an era where every corporate misstep can become a headline and every representative is a *de facto* ambassador, only mastery, relatability, and sincerity will suffice. Trust is neither assumed nor conferred; it is painstakingly built, one answer, one gesture, and one meaningful story at a time.



With nearly a decade of dedicated trial consulting experience, Juliana Manrique of [Verdict Insight Partners](#) refines trial strategies through mock jury research, nuanced data analysis, and guidance in jury selection.



[Verdict Insight Partners](#) Director of Jury Consulting Jessica Kansky, Ph.D., leverages over 15 years of expertise in psychology and statistics to analyze jurors’ reactions to case themes and predict juror behavior at trial. She provides mock trial facilitation and jury selection assistance with an emphasis on developing juror profiles to effectively guide counsel through jury selection.

¹ Baltimore, Chicago, Los Angeles, Santa Barbara, San Francisco, Myrtle Beach, and Newark, New Jersey.