

DO LAWYERS SPEAK A DIFFERENT LANGUAGE? A SHORT ANALYSIS OF LAWYERS PROFESSIONAL-SCIENTIFIC LANGUAGE AND ITS IMPACT ON LAWYER-CLIENT AND LAWYERS' COMMUNICATION IN PRIVATE LIFE

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Abstract. Every nation has their own characteristics of not only inhabitants of particular country, but also concrete professions which they do for living. First, which usually come to one's mind, are medical practitioner, teacher, lawyer and computer scientist. Why do societies pay so much attention to those, even though hundreds of them already exist? The most relevant explanation is related to importance to one's living, because people are able to do without a cook, but seldom do they poses knowledge on how to win their case in court or how to cure cancer.

Keywords: lawyers, communication, society, personalized, speech, law, provision of law, lawyer-client relationship

MAIN PURPOSE

In this paper I would like to draw attention to one of four professions of public trust mentioned above, which arouses more controversy than medical profession. Lawyers are recognizable in the society not as their outfits, but mostly, because of demands and expectations created by studies and society. Lawyers need to communicate with completely different types of people depending on, whether they are at their workplace (court or office) or spending time in their family house. They also should adjust their language to the level of education and self-awareness of colleagues, clients and family. The question which should arise immediately concerns changes in language which should appear depending on who they speak to; family, friends, coworkers or clients.

RESEARCH PROBLEM

The main problem is that the official language, which lawyers use during their professional work strongly impacts their ways of communication with people without proper scientific knowledge and with whom they meet the most frequently, namely, their clients and family.

PLACE IN THE SOCIETY

Let us take a closer look at the position of lawyers in the Polish culture and society. This profession belongs to one of the oldest in the history. Frankly speaking, seeking justice resembles more of a fundament of the world rather than plain possibility. Why have lawyers become so special?

Firstly, their position is mostly determined by their rhetorical and fluent knowledge of law, which means that they are capable of understanding the written regulations, as well as putting them in practice. The definition according to Cambridge Dictionary states that a lawyer is a person, whose job is to give advice to people about the law and speak for them in court. Considering years of development and the fact that the common state structure in Poland, which since 1990's remains a democracy, an increasing need for well-educated, highly trusted professionals, as well as with immaculate ethical level scientist in province of law was created (Dziurnikowska, 1997). One can see that this profession is necessary to take care of one's cases in terms of regulations. That is why they are respected. Obviously, in various kinds of democracies their main role is serving the citizens or representatives chosen of them, that is why the foremost component of lawyers work are clients, who have no need for understanding and gathering every single regulation or fiat. Thus, it is also visible that the lawyers are in between. Not only do they have to work with the law, but also with people who possess little knowledge about it. That draws attention to various kinds of communication levels, in which the specialist has to be fluent. At this point it is also relevant to emphasize that fulfilling duties of the profession of public trust generates also many expectations of official profile of lawyers. Their language, behavior, outfit, even the car they drive are not seldom being observed by possible clients. No one would like their representative to look worse than after a walk in heavy rain. Therefore, they need to keep the level of professionalism and show that they are worth the money they want to be paid.

LAWYERS FROM CITIZENS PERSPECTIVE

Hence, at this point, it is worth differentiating between two types of lawyers functioning in the society. This paper covers part of the law society which is Polish one, in minor contrast to American style, as it is closer equally to the author and readers, as well as more complex and engaging problem. Polish people associated with law have a special place, although they work in reality of this country which remains tough and demanding. For many, who do not know any lawyers themselves, they seem good-looking, with high salaries, fierce mind and speech. However, they tend to overlook the fact that this is mostly a created image rather than true appearance. That is proved by Karolina Kocemba in her paper: The "main" image of lawyers is created by stereotypes and pop-culture, which confuses future law students and the rest of the society. Because of that, lawyers in Poland are treated as an elite (Kocemba). Thus, one should ask, if it is possible to remain natural in contact without any implications on private life.

LAWYERS IN NUMBERS

The essential role of lawyers in society is also shown in statistics of how many students incept law studies every year. Only in 2022, at the University of Warsaw signed two thousand people signed for Law Degree and five hundred of them were accepted for full-time studies. At the most admired university of law studies in Poland, the Jagiellonian University, one thousand eight hundred thirty seven students applied. Even these numbers seem enormous, among past years the number of eager young people for this degree declined. The question is whether it is a problem of long term education or just the negative reception of people associated with law or so called palestra. One needs to realize that in next few years it will be extraordinary good when nearly half of accepted students, finish with their master's degrees. The next step of their educational process is taking up at least three years of application, which depends on the side in court they want to work in. Simultaneously, they need to work in order to gain experience in solving cases. Further on, they have to live a private life and remain capable of every day communication. As hard as it could possibly get, they cover four different levels of relationships, which includes adjusting their language to the place as well as things they do. They are: court, contact with colleagues, clients and family. Every single stage of communication, like speech in court or family dinner small talk, requires completely different skills and attitude, as well as a way of expressing their thoughts. Not rarely does the official law language interfere with other parties, which should not take place.

PROFESSIONAL LANGUAGE IN COURT

In court, these professionals need to be firm, bold as well as precise and scrupulous. They also live up to the Polish standards in this kind of place, which demands high respect from every party of the case. Otherwise, no one will be listening to. Moreover, before the case, they obviously go through every essential provision of law, also regulation or act. Therefore, it is necessary for them to be capable of understanding their sense and use it in practice. Not without a reason is the language of law distinguished from legal parlance. Both seem rather similar to foreign language than a speech of every citizen in Poland. Even professionals like journalists, who basically specialize in law, need help to understand the message, because the language used by lawyers in courts, prosecutors' offices and offices is sometimes an insurmountable obstacle for journalists from the press, radio, television and web portals where coverage of trials and investigations are realized. Legal and jurisprudential language is to many a hermetic world, to which translators are needed in order to understand (Tumidalski, 2016). Hence, their materials are inflected from the beginning by someone's personal decision, to explain the whole sense or only part of it. Therefore, the question is how a regular citizen can possibly understand it. That is why they need specialists, in terms of any contacts with law.

Lawyers in their workspace

It is also essential to emphasize that legal parlance appears not only in written acts or regulations. As it is widely known, lawyers usually work in legal offices as well as some of the national institutions as prosecutor's offices. Hence, they often discuss their cases with each other as well as cooperate while having one together. This also strongly influences the

way they speak to each other, thus they often use even the whole ready verbiage e.g. from the codex which they have just read. Obviously, they do not need to correct themselves, for why they are understood by their colleagues. Therefore, they get into a habit of formulating sentences in frequently unnatural way for the Polish speakers. Certainly, every single field of science and people associated with it generate their own technolects in some time (Colasuonno), which can be either easier or harder to understand by a third party listener. On the contrary to them, lawyers need to communicate with regular citizens in the one-third of their time which does not apply for the professions like computer programmers or even physicians when it comes to explaining tough, newest acts. The likelihood of changing the law here is much higher than, for example, introducing innovations into medicine, which simultaneously are crucial to patients. On the other hand, thanks to parlance lawyers can easily and efficiently communicate with each other, even though as an example they use only the name of the act, which on its own takes up place for three lines.

Lawyer-client relationship in Poland

As it was mentioned above, lawyers spend nearly one-third of their time on contacts with their clients. It is tough to generalize how much time one consultation takes, as it depends on various factors such as: type of the case, specific field in which lawyer works and personality of both sides of communication process. It is not impacted by the fact that there appear both a sender and receiver, who communicate via medium. Hence, this kind of relationship differs from natural ways of expressing one's opinion. Though, it is vital to perceive that this type of contact could be concerned as an outstanding case not only for juridical reasoning but also juridic discourse. One side to this reasoning, the client, states about the facts, and the other, the lawyer, refers to the law and makes a preliminary attribution of findings of fact to findings of norms (Lewandowski, 2018). Moreover, the way the lawyers speak to a client is also relevant to the case they deal with. Till the client does not support and fully understand the law regulations, there is no possibility that they would agree for any move in the court. All in all, it does enhance the fundamental role of lawyers' communication.

As it is widely known, the communication takes place on two various levels: verbal and non-verbal (Hirshfeld). Thus, it is not only knowledge and manner of expressing matter, but also clothes, behaviour and gestures.

In the Polish lawyers' offices it is more likely to meet rather cold, professional look rather than warm smile of a person who is dedicated only to their clients. The legal profession concentrates mostly on cases and scientific background, rather than on building at least a minor bond with a client. Especially when one of the professionals normally takes care of cases of domestic or international companies. They frequently lack on compassion and showing interest, as well as they do not concentrate on the way how they express themselves, not only regarding pronunciation and adequacy, but also the main content of message, which can be completely misunderstood by the client. Polish society, especially because of stereotypes, expects lawyers to be high-professional also that one won't understand them in total. They need to be effective, not especially customer friendly and concentrating on clients' emotional status in life. Hence, it is awaited of them to wear business attire and possess upmarket car, therefore they are representatives of individuals themselves. Facing reality, it

is also difficult to criticize lawyers, who are though to talk away. Those professionals belong to elite and one of the most intelligent community in Poland. That makes it harder to try to stand in the place with all the people from different social and education levels, because it requires a lot of soft skills. Naturally, making a generalization remains complex, because of various components involved in this kind of relationship. Especially regarding characters of both sides, this communication can be efficient or completely disturbed. Notwithstanding, the lawyers dominate over clients.

POLISH STYLE IN COMPARISON TO AMERICAN STYLE

Even though, there are various opinions about the Polish palestra, it undoubtedly distinguishes from the American one. Obviously, the nature of democracy plays a great role in this distinction. The relationship between lawyer and client in the United States of America is directed at clients and the fact that they seek lawyers usually when they come through with their life tragedy. That is why those professionals concentrate more on communication and showing compassion, rather than on they aim or wealth of individuals (Upcounsel). They always try to find the way to put the communication in the most understandable and personalized way. It should also be emphasized that American lawyers meet completely different expectations compared to their Polish colleagues. They do not tend to aspire for elite and meeting one's expectations, but they actually manage to take care of clients. Warm smile, straightforward as well as personalized messages can completely change the situation, sometimes even one's life.

LAWYERS IN PRIVATE LIFE

The other crucial aspect of lawyer communication forms their private relationship. It cannot be forgotten that behind knowledge, outsmarting opponent side in the court and helping people, they remain human beings with their right to rest and experience regular citizen life. If what appears interesting is how their profession influences the way they communicate in basic social contacts as with their family members and friends. The manner in which they speak as well as how easily or accurately they express their opinions can silence the majority of their interlocutors. Again, the lack of proper focus on the manner of speaking could cause difficulties.

LAWYERS NOWADAYS

The subject is so intriguing that the author decided to ask the Polish society about the their opinions. The survey was conducted via Google Forms between 13th to 18th January 2023. Thirty eight people took part in it, who has various educational background; from students to white collar workers. The nearly 95% of those filling this questionnaire are citizens of Poland. The research proved that lawyers are not the first choice when it comes to the question, without which profession people cannot imagine their lives. Lawyers are in between, after physicians, teachers, police officers and mechanics and before psychologists and cooks. Little do the members of the Polish society realize that they will sooner or later need to contact them. Until it is necessary, no one would think that they have to one day meet with a lawyer. Many believe that they will avoid this situation. That is why only 15% of people asked thought of them.

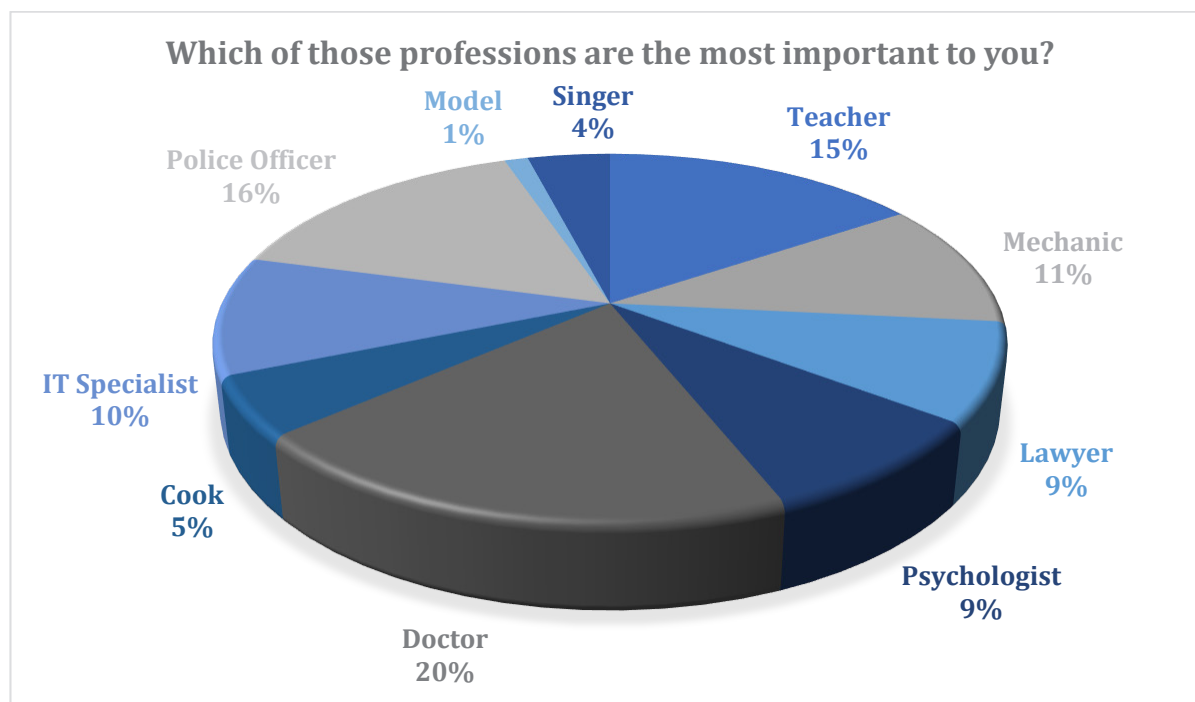


Fig. 1 Results of the author's own survey conducted on 38 participants between 13th and 18th January 2023

What is even more relevant, when speaking of expectation in lawyers' behavior most of the respondents stated that they would prefer to receive clear information (83%) as well as honest opinions (81%). On the other hand, it is also worth emphasizing that nearly 70% know some lawyers or students of the law, usually they were colleagues (in 52% of interviewee) or friends (36%).

When interviewed, the participants think they will need lawyers mostly for proving their innocence or generally for legal cases. Hence, their answers regarding special position of lawyers in Poland were divided in half.

All in all, opinions differ depending on what kind of lawyers individuals meet and depending on lawyers' education, social environment, field of law and kind of relationship which they have with those professionals.

STATUS OF THE PROBLEM

All in all, the problem with lawyers in Poland remains complex. Many various components need to be analyzed and looked into. The worst obstacle is that the generalizations are always detrimental for some part of the society. However, as Norman Vincent Peale once said: "Change your thoughts and you change your world", because no one said that this case cannot be solved.

WHAT COULD BE DONE

In order to introduce changes it is necessary to accept that some of above described elements need to be improved. Further on, new subjects from linguistic field can be instituted, for instance forensic linguistics and psychology, especially regarding human perception and

reaction to various announcements. That, of course, requires help from specialists in these fields, but still throughout cooperation of lawyers, linguists and psychologists, this problem can be partly solved.

LAWYER - A FRIEND OR IDOL

Last but not least, it is hard to explicitly define, how lawyers should behave. Nevertheless, it remains certain that they are exceptional specialists who will always be needed. Hence, it is relevant to ask, if one should not pay attention to how they behave or better invest in lawyers in order to receive pertinent communication, when it will be desperately needed. This question everyone needs to answer on their own.

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