

This new insight on how the TCP functions is the result of my participation this year in a graduate program in narrative studies at Columbia University. As a result, I have become aware of the power of stories in the legal realm. I have learned from my coursework that a well-told and well-attended story makes it possible for the listener to understand the plight of another person and thereby take action on that person's behalf. In the legal context, the transformative effect of stories obtains insofar as how well they are constructed, how well they are received, and most importantly what the story yields by way of a result of its having been told and heard.

This growing awareness of lawyers and judges as to the importance of a litigant's story-how it is crafted, how it is listened to, and what is the effect of its telling-has prompted a burgeoning emphasis in legal education on teaching law students to listen carefully to their clients' stories and to create well-developed presentations of them to the court. Likewise, this narrative standpoint also has relevance for judicial decision making. Judges who take the time to fully ascertain the litigant's story are better able to fashion appropriate decisions. As a consequence, attention also is being given to making judges cognizant of the value of the stories that underlie the cases before them.

Clearly, the requisite telling, listening, acting and reacting all were operative to facilitate a positive outcome for the injured child described in the recent account demonstrating the impact of the TCP's response to a family in need. It was, in the first instance, the telling of the story to the judge that set in motion the narrative capacity. I imagine that the student fellow associated with the case had a hand in this phase. Once the story was told in the TCP proceedings, it then fell to the listener (Judge O'Malley) to unleash the full force of its effectiveness. Of course, at this juncture, Judge O'Malley's empathetic stance and her strategic reactivity won the day for the child. In sum, it is not only the story of the child and the judge that is important, but also the story of the TCP and how it uses stories to make a difference in the lives of families and children that is the tale that should be told.

By Judith Moran, Former Senior Fellow