

Take the (Emotional) Shortcut: Why Legal Writers Should Consider Using Character Archetypes to Generate Empathy

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Have you ever wondered why so many protagonists have dead parents?

In *Frozen*, Elsa and Anna's parents die in a shipwreck less than twenty minutes into the blockbuster Disney hit.¹ About half an hour into *Harry Potter and the Sorcerer's Stone*, viewers learn that the evil Voldemort killed Harry Potter's parents, launching Harry's journey to Hogwarts.² And dead parents aren't just a fixture of modern screenplays. Even in the 1939 film *The Wizard of Oz*, the protagonist, Dorothy, is an orphan, raised by her Aunt Em and Uncle Henry.³

Without spending many valuable minutes of screen time, writers who set their protagonists in a world without parents intuitively establish themes of loss and resilience early in their stories. But the "dead parent" setup also offers a unique opportunity for character development through a different narrative technique: the use of character archetypes. A character archetype is a universal character motif that recurs across stories, myths, and cultures. A parentless protagonist needs to assemble a team for the journey ahead and must quickly attach themselves to a familiar cast of characters. As this group of archetypal characters —

¹ *Frozen* (Walt Disney Animation Studios 2013).

² *Harry Potter and the Sorcerer's Stone* (Warner Bros. Pictures 2001).

³ *The Wizard of Oz* (Metro-Goldwyn-Mayer 1939).

from mentors to villains — interacts with the protagonist, the audience naturally develops a rooting interest in the protagonist’s “winning” the journey and instinctively draws conclusions about the surrounding characters. The result? An emotional shortcut to empathy. In this article, I suggest that like writers across other genres, lawyers can similarly create empathy and a more engaging reading experience by considering and sometimes deploying character archetypes when telling their clients’ stories.⁴

In the introduction, I’ll briefly describe the work of Joseph Campbell and his concept of the monomyth. Then I’ll show how screenwriters Christopher Vogler and Blake Snyder adapted Campbell’s ideas and created templates that include a robust set of archetypes that appear in typical spots of the modern three-act screenplay. In the next section, I will provide a primer on basic character archetypes, using characters from *Harry Potter* to demonstrate the archetypes in action. In the third section, I’ll explain why this matters to legal writers. In the fourth section, I will review several applied-legal-storytelling articles that discuss the Hero’s Journey, highlighting the work of other legal scholars who have considered how narrative writing techniques might be effectively employed by legal writers. This article specifically builds on Ruth Anne Robbins’s *Seattle Law Review* piece, *Harry Potter, Ruby Slippers and Merlin: Telling the Client’s Story Using the Characters and Paradigm of the Archetypal Hero’s Journey*.⁵ While Professor Robbins explores Dr. Carol Pearson’s work on “hero types” in that article, my piece focuses on inclusion of archetypal characters beyond the hero and why they should matter to legal writers. Robbins and her coauthors briefly discuss gatekeepers and shapeshifters as other “character roles in the legal ac-

⁴ See Ruth Anne Robbins, *Harry Potter, Ruby Slippers and Merlin: Telling the Client’s Story Using the Characters and Paradigm of the Archetypal Hero’s Journey*, 29 *Seattle U. L. Rev.* 767 (2006).

⁵ *Id.*

tion” in chapter 15 of their textbook, and this article is meant to build on that foundation.⁶ Finally, because there is naturally some skepticism about how a technique more commonly used by fiction writers could be applied in a nonfiction context, I demonstrate with a robust example from my own writing that employs all eight leading archetypes. This example demonstrates how familiar relationships make clients feel more relatable, instinctively generating empathy. I then conclude by suggesting a few additional contexts in which character archetypes could benefit legal writers.

Introduction

While it would take far too long to start at the very beginning, perhaps a useful launching pad is a brief discussion of Joseph Campbell’s work and his landmark book, *The Hero with a Thousand Faces*.⁷ In this book, Campbell, a midcentury writer and professor at Sarah Lawrence University, introduces the idea of the “monomyth,” which is also commonly referred to as the “Hero’s Journey.”⁸ The monomyth is a universal narrative structure that Campbell found in stories from cultures worldwide.⁹ In his deep dive into comparative mythology, Campbell discovered that cultures whose inhabitants never crossed paths nonetheless told stories with common traits.¹⁰ Campbell’s theory about how this happened? In a nutshell, human beings are essentially hardwired to relate to stories that follow a certain template or movement, specifically stories about overcoming hardship and chang-

⁶ Ruth Anne Robbins, Steve Johansen & Ken Chestek, *Your Client’s Story: Effective Legal Writing* 268–76 (3d ed. 2024).

⁷ Joseph Campbell, *The Hero with a Thousand Faces* (3d ed. 2008).

⁸ *Id.* at 1.

⁹ *Id.* at 16–17.

¹⁰ *Id.* at 7–9.

ing as a result.¹¹ Time after time, the “hero” of the story goes on an adventure, learns a lesson, wins a victory with newfound knowledge, and returns home, transformed.¹²

Hollywood’s Take on the Hero’s Journey: Christopher Vogler

Writers across genres picked up on Campbell’s concept, with one of the most influential being Christopher Vogler, a Hollywood story consultant who adapted Campbell’s work and refined his ideas for screenwriters.¹³ Vogler, who worked as a story analyst at Disney in the 1980s, spent his days reading scripts and then preparing reports for studio executives.¹⁴ While in that position, he wrote a seven-page memo that drew on Campbell’s work in creating a story framework useful to screenwriters. That memo caught fire in Hollywood, influencing the development of films such as *The Lion King* and eventually morphing into Vogler’s book, *The Writer’s Journey*.¹⁵

Vogler’s model borrows Campbell’s monomyth and adapts it for practical Hollywood storytelling.¹⁶ Vogler was influenced by Carl Jung’s work on symbolic patterns and figures in myths, dreams, and the collective unconscious, a subject beyond the scope of this piece. In a sense, Vogler later translated these into story functions (Hero, Mentor, Ally, Trickster, etc.), while Blake

¹¹ See *id.*

¹² See *id.* at 18.

¹³ Christopher Vogler, *Chris Vogler Bio and Frequently Asked Questions*, Chris Vogler’s Writer’s Journey Blog (Nov. 4, 2023), <https://chrisvogler.wordpress.com/category/christopher-vogler/the-writers-journey> [<https://perma.cc/4AF6-2Y82>]. See also *Chris Vogler’s Writer’s Journey Blog*, <https://chrisvogler.wordpress.com/> [<https://perma.cc/M57V-X26N>].

¹⁴ Vogler, *Chris Vogler Bio and Frequently Asked Questions*, <https://chrisvogler.wordpress.com/category/christopher-vogler/the-writers-journey> [<https://perma.cc/4AF6-2Y82>].

¹⁵ See Christopher Vogler, *The Writer’s Journey: Mythic Structure for Writers* (25th anniversary ed. 2020).

¹⁶ See *id.* at 3–4.

Snyder (whose contributions will be discussed next) simplified further by converting the archetypes into recurring Hollywood roles. Vogler's framework focuses on twelve narrative stages, or steps, along the Hero's Journey and eight character archetypes.¹⁷ Vogler defined the following eight archetypes: Hero, Mentor, Threshold Guardian, Herald, Shapeshifter, Shadow, Ally, and Trickster.

Vogler passed the baton to Blake Snyder, whose practical screenwriting manual, *Save the Cat!*, is often taught alongside Vogler's mythic model. Snyder acknowledged Vogler's influence on his "story beats" approach, which often lines up with stages of the Hero's Journey. The twelve steps outline the universal path that a hero often follows in myths and other narrative storytelling.¹⁸ Vogler emphasizes that not every story uses all twelve steps and that the order can fluctuate slightly, but this pattern provides a strong storytelling backbone.¹⁹

Vogler also identified a cadre of more detailed character archetypes that appear across stories from many cultures, such as the mentor, shapeshifter, and shadow.²⁰ Vogler noted that these and other recurring characters embody specific forces and functions along the Hero's Journey.²¹ The archetypes aren't a formula. A single character can embody multiple archetypes (for example, an ally can morph into an antagonistic shadow), and multiple characters can split a single archetype (for example, multiple men-

¹⁷ *Id.* at 8, 25–27.

¹⁸ *Id.* at 8.

¹⁹ For those interested in character archetypes and screenwriting, John August's website is a treasure trove. See Stuart Friedel, *The Writer's Journey: Mythic Structure for Writers*, John August (Aug. 15, 2011), <https://johnaugust.com/2011/the-writers-journey-mythic-structure-for-writers> [https://perm.cc/P88Y-MVUJ].

²⁰ Vogler, *The Writer's Journey* at 26, 28.

²¹ *Id.* at 26–29.

tors may exist in a single script).²² While each character type has a specific function in advancing the plot, this flexibility allows writers to create unique and complex characters while still benefiting from the structure provided by archetypes.²³

Note that Vogler drew on three-act structure, a foundation of narrative storytelling far beyond the scope of this piece that essentially means that the story should have a distinct beginning, middle, and end.²⁴ I'll quickly review Vogler's steps below, dividing the story steps into the three acts while highlighting points at which archetypal characters might appear.

²² See *id.* at 25–26. For a detailed discussion of archetypes and screenwriting, listen to Episode 143 of the popular screenwriting podcast *Scriptnotes*. A transcript can be found here: *Scriptnotes, Ep 143: Photoplays and Archetypes — Transcript*, John August (May 16, 2014), <https://johnaugust.com/2014/scriptnotes-ep-143-photoplays-and-archetypes-transcript> [<https://perma.cc/KW4P-YJ8S>].

²³ See Vogler, *The Writer's Journey* at 26.

²⁴ Teresa M. Bruce, *The Architecture of Drama: How Lawyers Can Use Screenwriting Techniques to Tell More Compelling Stories*, 23 Legal Writing 47, 60–62 (2019).

Table 1: Vogler's 12 Stages of the Hero's Journey²⁵

Step	Stage	Description
1	Ordinary World	Introduces the protagonist in their normal environment.
2	Call to Adventure	A challenge or opportunity disrupts the status quo.
3	Refusal of the Call	The hero hesitates or resists.
4	Meeting the Mentor	A guide provides wisdom, tools, or encouragement.
5	Crossing the First Threshold	The hero commits and enters a new world.
6	Tests, Allies, Enemies	The hero encounters obstacles and forms alliances.
7	Approach to the Inmost Cave	Preparation for the central ordeal.
8	Ordeal	A major crisis or confrontation.
9	Reward (Seizing the Sword)	The hero gains a prize, insight, or advantage.
10	The Road Back	The hero deals with consequences and recommits.
11	Resurrection	A final test demonstrates transformation.
12	Return with the Elixir	The hero returns with wisdom or benefit for others.

²⁵ Vogler, *The Writer's Journey* at 8. The twelve steps come directly from Vogler's framework in *The Writer's Journey*.

Vogler's Variation on Three-Act Structure

Vogler lays out four beats per act, dividing his narrative steps into three equal parts.

Act One

Vogler outlines steps 1 through 4 as follows: (1) Ordinary World, (2) Call to Adventure, (3) Refusal of the Call, and (4) Meeting with Mentor.²⁶ In a nutshell, at first we see our hero in everyday life to establish the hero's baseline normal. Then something disrupts the hero's ordinary world and invites the hero to face a new challenge. At first, the hero hesitates or resists the adventure. But then a mentor figure appears, providing advice, training, or even a magical gift to prepare the hero for the journey ahead.

Act Two

Vogler approaches steps 5 through 8 as follows: (5) Crossing the First Threshold, (6) Tests, Allies and Enemies, (7) Approach to the Inmost Cave, and (8) Ordeal.²⁷ In crossing the initial threshold, the hero commits to the adventure and enters the new world. Then the hero will face challenges, assemble a team of companions, and identify antagonists. This is when the hero is likely to encounter several of the character archetypes discussed above, such as allies and shadows. The hero then prepares for the main ordeal, often encountering setbacks. And in the last stage of the middle of the story, the hero experiences the central crisis or confrontation, which could be anything from a near-death experience to a breakup to a face-off with a long-held fear.

²⁶ *Id.* at 8.

²⁷ *Id.*

Act Three

Vogler's final steps are the following: (9) Reward (Seizing the Sword), (10) The Road Back, (11) Resurrection, and (12) Return with the Elixir.²⁸ After surviving the ordeal, the hero gains a treasure, insight, or power and then begins the return to the ordinary world. In the climax, the hero will face a final test, which will often involve sacrifice or transformation. A shapeshifter may emerge. Finally, the hero will return home with something new to bring back to the ordinary world.

Save the Cat! (featuring Blake Snyder's Story Beats and Character Archetypes)

Because Hollywood loves a sequel, it's no surprise that someone picked up where Vogler left off. Enter Blake Snyder and *Save the Cat!*, the beloved screenwriting manual that draws on story-structure theories, especially Campbell's Hero's Journey.²⁹

Snyder built on the foundation created by Campbell and Vogler but streamlined their concepts specifically for novice screenwriters.³⁰ Instead of twelve steps, he created a fifteen-part "Beat Sheet" that mirrors the Hero's Journey but uses more accessible language.³¹ Snyder doesn't offer a Jungian-style list as Vogler does (Mentor, Shapeshifter, Trickster), but instead discusses necessary character roles that must be present for the Beat Sheet to work.³²

²⁸ *Id.*

²⁹ Blake Snyder, *Save the Cat! The Last Book on Screenwriting You'll Ever Need* (Brett Jay Markel ed., 2005).

³⁰ *See generally id.* (explaining how to break into screenwriting). Snyder also believed that every story type could be boiled down to one of ten categories (Monster in the House, Buddy Love, etc.), which are essentially modern takes on time-honored archetypal conflicts.

³¹ *Id.* at 70.

³² *Id.* at 47–59.

For example, instead of a step for “Tests, Allies, Enemies,” Snyder instructs screenwriters to create a “Fun and Games” beat that often features allies and tricksters.³³ Likewise, Vogler’s shapeshifters often appear in Snyder’s “Bad Guys Close In” beat.³⁴ You get the idea. Snyder basically modernizes Vogler’s cycle, compressing mythic stages into something that screenwriters can summarize on index cards for the process known as storyboarding.³⁵ Importantly, he converts the twelve steps into fifteen beats that appear at specific points over the three acts of a modern screenplay.³⁶ Though Snyder devoted a full book (and sequels) to his beats, I will attempt to briefly summarize the key steps.

In Act I, the screenwriter establishes the character’s original world with an “Opening Image.” In these opening beats, the screenwriter will subtly hint at the movie’s theme while presenting the hero’s flaw. Then a life-altering event will launch the hero into a period of self-doubt and debate before the hero decides to enter the new world. Screenwriters call this moment the “Break into Two.”³⁷

In Act II, the screenwriter introduces the “B Story” (a secondary storyline that often involves a love interest or sidekick) and then delivers on the “promise of the premise” in the “Fun and Games” beat. The “Midpoint” is a pivotal moment of either a false victory or a false defeat, which leads to rising conflict as the “Bad Guys Close In.”³⁸ This act culminates in the moment of complete defeat and hopelessness, the “All Is Lost” beat, followed by the emotional rock bottom of the “Dark Night of the Soul.”

³³ *Id.* at 80–82.

³⁴ *Id.* at 85–86.

³⁵ *Id.* at 97–118. In chapter 5, Snyder explains the storyboarding/index-card method.

³⁶ *Id.* at 70.

³⁷ *Id.* at 78–79.

³⁸ *Id.* at 82–85.

Finally, Act III begins with the hero's epiphany and what screenwriters call the "Break into Three," where the hero will apply the lessons learned from the B Story before facing a final battle in the "Finale" beat.³⁹ The hero's complete transformation is shown via the concluding "Final Image," which should mirror the Opening Image.

Table 2: Snyder's 15 Beats from *Save the Cat!*⁴⁰

Beat	Name	Description
1	Opening Image	A snapshot of the protagonist's world before change.
2	Theme Stated	The story's central lesson is hinted at.
3	Set-Up	Characters, stakes, and problems are introduced.
4	Catalyst	The inciting incident disrupts the status quo.
5	Debate	The protagonist questions whether to act.
6	Break into Two	The protagonist enters a new world.
7	B Story	A subplot that supports the theme.
8	Fun and Games	The premise unfolds in engaging ways.
9	Midpoint	A major turning point raises the stakes.

³⁹ *Id.* at 86–88.

⁴⁰ *Id.* at 70–90. The "beats" in this table reflect Snyder's standard "Beat Sheet" from *Save the Cat!*

10	Bad Guys Close In	External and internal pressures intensify.
11	All Is Lost	A devastating setback occurs.
12	Dark Night of the Soul	The protagonist reflects and regroupes.
13	Break into Three	A new insight leads to a final plan.
14	Finale	The climax where lessons are applied and conflicts resolved.
15	Final Image	A mirror to the opening image, showing transformation.

Character Archetypes and How They Work (with Examples from *Harry Potter*)

Now that three-act structure and typical story beats have been covered, let's dig deeper into the discussion of character archetypes and their common traits. It would be impossible to provide an in-depth analysis of character archetypes in an article like this, since many books have been written on the subject.⁴¹ But a basic description of the classic archetypes should be useful for legal writers who are considering how character archetypes could benefit their storytelling.

This section also draws on the work of Robbins, who argued that Harry Potter's story can "help us as lawyers invoke more effective characterizations of clients and the role of the lawsuit in our clients' stories."⁴² I agree, and because *Harry Potter* characters are some of the best known and therefore the easiest for readers to understand, I will follow in Robbins's footsteps and take

⁴¹ See Vogler, *The Writer's Journey*; see also Robert McKee, *Story: Substance, Structure, Style and the Principles of Screenwriting* (1997).

⁴² Robbins, 29 Seattle U. L. Rev. at 768.

the somewhat unusual step of discussing *Harry Potter* in a law-journal article. Because the *Harry Potter* series is universally known and includes character archetypes that cling closely to the standard definitions, a simple Google search will yield many results discussing *Harry Potter* and character archetypes.

I will now offer a short explanation of the eight primary archetypes as seen through the characters in J.K. Rowling's works.

The Hero

The hero is typically easy to spot, since heroes often end up on book covers and in movie titles. As the title character of the *Harry Potter* series, Harry is indeed the hero of the story. The hero is the audience's guide, and in visual mediums such as television and film, viewers literally see the story through the hero's eyes. No matter what the genre, setting, or challenge our hero faces, a familiar pattern will most likely unfold.⁴³ As the journey progresses, the hero steps out of a familiar world and into a strange new one, where old tricks no longer work. The hero must learn how this new world operates, overcome its challenges, and rise to save the day.

Not a *Harry Potter* fan? How about *Star Wars*, then? Luke Skywalker is arguably one of the most iconic and definitive examples of a hero protagonist in modern cinema. His journey from a humble farm boy to a Jedi Master follows Vogler's structure beat by beat,⁴⁴ as screenwriters would say.

But wait! The hero archetype is not exclusively reserved for saints and first responders. The hero is not even necessarily a good person or a person we agree with — it's just what fiction writers call the POV (point of view) of the story. In recent years, antiheroes have become more universal in popular culture; we root for these

⁴³ See Campbell, *The Hero with a Thousand Faces*.

⁴⁴ See Vogler, *The Writer's Journey*.

protagonists even though they are bad guys doing bad things. Think Walter White from *Breaking Bad*. White starts out as a subdued high-school chemistry teacher who, after a cancer diagnosis, decides to sell methamphetamine to secure his family's financial future. As the series progresses, greed and power corrupt him to the point that he becomes a ruthless drug kingpin. He's still fulfilling the hero archetype. Or Don Draper in *Mad Men*, a brilliant and charismatic advertising executive who is also a serial liar, a womanizer, and a lousy parent. While his actions are not illegal like those of a drug lord, the absence of a moral compass makes Draper a classic antihero.

So how do you spot, or craft, a hero archetype? Here are some hero traits:⁴⁵

- The hero is the audience's tour guide to the story.
- The hero is the character who travels the farthest or changes the most.
- The hero has compelling needs/wants that the audience intuitively connects with.
- To get what they want, the hero enters a new world and must adapt to new rules.
- The hero is not necessarily good — it's just the character informing our point of view.

The Herald

Near the beginning of the first *Harry Potter* movie, Hagrid (a half-giant) delivers the news to Harry that he's been accepted to Hogwarts School of Witchcraft and Wizardry. Hagrid then reveals that Harry's parents were murdered by a wizard named Voldemort and that Harry survived the attack (but not without his famous lightning-bolt scar). Hagrid is the first character to reveal the truth about both Harry's parents' death and Harry's

⁴⁵ *Id.* at 30–41.

place in the magical world, which places Hagrid squarely in the herald archetype.

The herald shows up early in the story, usually to shake things up and signal that change is coming. Sometimes a herald brings news of danger from faraway lands; other times, heralds just offer a glimpse of a better life that pushes the hero toward adventure. A herald might even choose the hero directly, pulling an unsuspecting protagonist into a journey that they never planned to take.

So how do you spot, or craft, a herald archetype? Here are some herald traits:⁴⁶

- The herald appears early in the story.
- The herald brings news that will drive the protagonist out of stasis.
- The message could be delivered in many ways. It could be as ordinary as a phone call or as cryptic as a celestial sign.

The Shadow

In *Harry Potter*, the shadow archetype is played by Voldemort, who killed Harry's parents and is threatening to destroy Hogwarts. Shadows are the bad guys of the story, insofar as they create danger and conflict and give the hero something to fight against. But shadows are not even necessarily people — they can be forces, fears, or temptations. And they don't have to be "bad" on a moral level. A character can be an upstanding person but play the role of the shadow by standing between the hero and the hero's desire.

So how do you spot, or craft, a shadow archetype? Here are some shadow traits:⁴⁷

- The shadow is often the "bad guy" or villain.

⁴⁶ *Id.* at 61–64.

⁴⁷ *Id.* at 75–79.

- But the shadow does not have to be “bad” on a moral level.
- The shadow just needs to pose a threat to the hero and the hero’s goal or desire.
- A shadow does not need to be human. It could be a societal or environmental force or an internal fear or temptation.

The Guardian

In *Harry Potter*, a three-headed dog named Fluffy fulfills the guardian archetype. Fluffy literally guards a trapdoor leading to the underground chambers that protect the Philosopher’s Stone. (Luckily for our hero, Fluffy could be lulled to sleep by music, which is how Harry, Ron, and Hermione outmaneuver him.)

An archetypal guardian stands at a doorway or border or turning point, often urging the hero not to enter. The journey is going to be perilous. But the hero must break through into the new world by force or smarts or some other means.

So how do you spot, or craft, a guardian archetype? Here are some guardian traits:⁴⁸

- The guardian tests the hero before a big challenge.
- The guardian stands at a border or doorway or turning point (physical or intangible) to the new world.
- The hero must overcome the barrier posed by the guardian, whether it’s a fight or a test of intelligence or resolve.

The Mentor

Harry Potter’s mentor is Dumbledore, the headmaster of Hogwarts, who teaches him about the new world of wizardry. Mentor archetypes typically play a supporting role in stories fol-

⁴⁸ *Id.* at 55–58.

lowing the Hero's Journey blueprint. They prepare and equip for the dangerous new world, and the hero must adapt quickly. That's when the mentor appears — to help the hero survive.

The mentor teaches the hero how things work and sometimes unearths the hero's hidden talents. They often give the hero a special gift, such as a weapon or tool, since beginners rarely have what is needed to face what's coming.

Building on Campbell, Vogler emphasized that mentors are not always benevolent — sometimes they test or challenge the hero, and sometimes their help is short-lived.⁴⁹ Vogler highlights the dramatic function of a mentor's departure or death as signaling to the hero that it is time to stand independently.

So how do you spot, or craft, a mentor archetype? Here are some mentor traits:⁵⁰

- The mentor typically appears early in the story and often provides the hero with a special gift, which could be a tool or some kind of expertise.
- The mentor typically understands the new world and serves as a guide, teaching the rules to survive and giving the hero confidence to navigate the new world.
- The mentor may test or challenge the hero, and sometimes their help is withdrawn, forcing the hero to grow.

The Ally

Both Hermione Granger and Ron Weasley fill the role of ally in the *Harry Potter* series — they're Harry's loyal pals. While these characters may see a lot of screen time, they typically don't grow as much as the hero. Instead, they're along for the ride because the hero's problems are too big to handle alone. Drawing heavily on Campbell's idea that the hero never succeeds inde-

⁴⁹ See *id.* at 43–53, 139–48.

⁵⁰ *Id.*

pendently, Vogler treats allies as key archetypes that support the hero on the journey.⁵¹ They give the hero someone to talk to and serve minor roles, such as helping to devise a plan or offering moral support.

So how do you spot, or craft, an ally archetype? Here are some ally traits:⁵²

- The ally typically appears as a best friend or group of friends who accompany the hero on the journey.
- The ally often gives the audience someone beyond the hero to identify with, and they often remind the hero of their values and goals, which will help when the going gets tough.
- The ally often brings talents or knowledge that the hero lacks. For example, while Harry often relies on luck or instincts, his ally Hermione excels at academics and is a master of spells, potions, and magical theory.

The Trickster

Fred and George Weasley are classic tricksters in *Harry Potter*. Some think of tricksters as comic relief, lightening dark moments and providing a counterpoint to more serious plotlines. For example, Fred and George are rule-breakers who joke about Voldemort and pull pranks at Hogwarts. In Vogler's framework, tricksters are designed to disrupt the world, expose hypocrisy, and push the hero (and the story) forward in unexpected ways.⁵³

So how do you spot, or craft, a trickster archetype? Here are some trickster traits:⁵⁴

⁵¹ *Id.* at 81.

⁵² *Id.* at 81–86.

⁵³ *Id.* at 89.

⁵⁴ *Id.* at 89–92.

- The trickster breaks the tension with humor, often by challenging the status quo.
- The trickster can be a catalyst for change. While they are sometimes merely a prankster, they often create a disruptive force that creates possibilities for change for both the hero and the hero's world.
- The trickster is not always technically on the hero's side but typically helps the hero see the world in a new light.

The Shapeshifter

Severus Snape plays the shapeshifter in Harry Potter's world — you're never quite sure whether he's *really* on Harry's side. Shapeshifters add tension to the story, especially when they're surrounded by supposed allies, and they make every relationship more unpredictable. In his book, Vogler notes that the shapeshifter archetype injects doubt and suspense into a story.⁵⁵ And Snape certainly does that, keeping the audience off kilter and ultimately showing that people are not always what they seem. Shapeshifters also remind us that a person can be more complicated than a category such as "hero" or "villain."

The shapeshifter keeps the hero — and the audience — guessing. They might start out as a friend, and then turn traitor when it matters most. Or they might flip sides more than once, so the audience never believes that they are fully trustworthy. Shapeshifters are exciting because they mix charm with danger.

So how do you spot, or craft, a shapeshifter archetype? Here are some shapeshifter traits:⁵⁶

- The shapeshifter displays shifting allegiances that keep the hero guessing and add tension.

⁵⁵ *Id.* at 70.

⁵⁶ *Id.* at 67–73.

- A shapeshifter might start as a friend and then turn traitor, or vice versa. The hero often projects fear, doubt, or suspicion onto the shapeshifter.
- The shapeshifter forces the hero to confront uncertainty.

Rowling deployed the classic archetypes as storytelling tools because readers subconsciously relate to the classic patterns.⁵⁷ In the next section, I will explain why lawyers should consider this approach in their own writing.

Applied-Legal-Storytelling Scholarship

I am certainly not the first person to suggest that legal writers should consider tapping into techniques typically used by writers in other genres.⁵⁸ This piece fits into an area of legal scholarship known as applied legal storytelling, a topic that is so popular that it now boasts a biennial conference with hundreds of law faculty participating.⁵⁹ Applied legal storytelling might be viewed as a sort of extension of the law-and-literature movement.⁶⁰ As

⁵⁷ Rowling discussed her interest in characters that appear across cultural myths in a 2005 BBC interview. While the interview is no longer available on the BBC website, fans have posted it on forums. *J.K. Rowling and Stephen Fry Interview Transcript*, India Forums (Dec. 15, 2005), <https://www.indiaforums.com/forum/harry-potter/153448/bbc-radio-4-interview-audio-transcript> [<https://perma.cc/QFG3-ABKW>].

⁵⁸ See, e.g., J. Christopher Rideout, *Applied Legal Storytelling: A Bibliography*, 12 Legal Commc'n & Rhetoric: JALWD 247 (2015).

⁵⁹ To get a sense of the variety of topics presented at the 2025 Applied Legal Storytelling conference, peruse the conference program. Legal Writing Inst., *Program for the Tenth Biennial Conference on Applied Legal Storytelling* (May 10, 2025), <https://www.lwionline.org/sites/default/files/202505/Program%20for%20the%20Tenth%20Biennial%20Conference%20on%20Applied%20Legal%20Storytelling%20%282%29.pdf> [<https://perma.cc/6H5L-UZAC>].

⁶⁰ See Rideout, 12 Legal Commc'n & Rhetoric: JALWD at 248. A newer version, updated in 2021, is available. J. Christopher Rideout, *Applied Legal Storytelling: An Updated Bibliography*, 18 Legal Commc'n & Rhetoric: JALWD 221 (2021).

Professor J. Christopher Rideout, a prominent voice in the field, explains it, scholars in the field “examine the use of stories — and of storytelling or narrative elements — in law practice, in law school pedagogy, and within the law generally.”⁶¹ Bibliographies detailing recent contributions to the field include articles examining application of fiction-writing techniques to storytelling in law practice, articles about storytelling generally in legal advocacy, and legal scholarship about narrative theory.⁶² Rideout has highlighted the work of scholars across applied-legal-storytelling topics in regular bibliographies in *Legal Communication & Rhetoric: JALWD*.⁶³

Robbins is a leader in the applied-legal-storytelling world, having coauthored the first legal-writing textbook focused on utilizing narrative techniques to represent clients more effectively.⁶⁴ She has also written numerous law-review articles and given many speeches on these topics.⁶⁵ In *Fiction 101: A Primer for Lawyers on How to Use Fiction Writing Techniques to Write Persuasive Facts Sections*, Robbins teamed up with Professor Brian Foley to demonstrate how legal writers could apply techniques borrowed from fiction writers to draft a compelling facts section.⁶⁶

Later, in *Fiction 102: Create a Portal for Story Immersion*, Robbins elaborated on the reasoning behind her assertion that

⁶¹ Rideout, 12 *Legal Comm’n & Rhetoric: JALWD* at 248.

⁶² *Id.* at 251–54.

⁶³ *Id.*

⁶⁴ See generally Robbins, Johansen & Chestek, *Your Client’s Story* (exploring how narrative theory, brain science, and classical rhetoric make legal thinking and writing effective).

⁶⁵ You can find links to applied-storytelling books and articles by Robbins on the Rutgers Law website: *Ruth Anne Robbins*, <https://law.rutgers.edu/bio/ruthanne> [<https://perma.cc/WJ7V-Q5AB>].

⁶⁶ Brian J. Foley & Ruth Anne Robbins, *Fiction 101: A Primer for Lawyers on How to Use Fiction Writing Techniques to Write Persuasive Facts Sections*, 32 *Rutgers L.J.* 459 (2001).

lawyers can persuade with story.⁶⁷ In that piece, Robbins argued that effective legal storytelling hinges on creating a form of narrative transportation experience in which the audience becomes fully absorbed or “lost” in the story.⁶⁸ She calls this entry point a “portal for story immersion,” meaning that readers mentally step into the story in the way that readers of fiction become absorbed in propulsive books.⁶⁹ Robbins suggests that rather than simply presenting arguments, lawyers can craft scenes combining setting and action, inviting empathy and engagement.⁷⁰ She also explains that scenes are especially powerful in creating persuasive legal narratives, allowing the audience to connect more deeply than they otherwise would have with a more standard rendering of the facts of the case.⁷¹

Robbins’s work, however, has been criticized as going too far. Professor Jeanne Kaiser critiqued Robbins’s suggestion that because readers respond instinctively to certain story patterns and character archetypes, lawyers should deliberately portray their clients as heroes as means to “influence the judge at the unconscious level.”⁷² Kaiser has taken particular issue with Robbins’s suggestion “that the legal writer can and should intentionally affect the subconscious desires of the decision maker.”⁷³ Kaiser also suggests that telling clients’ stories via myth and archetype may not always be effective because “sometimes the demands of truth

⁶⁷ Ruth Anne Robbins, *Fiction 102: Create a Portal for Story Immersion*, 18 Legal Comm’n & Rhetoric: JALWD 27 *passim* (2021).

⁶⁸ *Id.* at 35, 39.

⁶⁹ *Id.* at 37–38.

⁷⁰ *Id.* at 41–42.

⁷¹ *Id.* at 43–45.

⁷² Jeanne Kaiser, *When the Truth and the Story Collide: What Legal Writers Can Learn from the Experience of Non-Fiction Writers About the Limits of Legal Storytelling*, 16 Legal Writing 169, 173 (2010).

⁷³ *Id.*

and demands of story can collide.”⁷⁴ She points out that legal writers are constrained by the law and facts, which can make it difficult to apply some of these techniques.⁷⁵

While Kaiser is correct that the techniques may not work in every factual scenario that a lawyer encounters, the applied-storytelling movement continues to build momentum, with new scholars adding to the canon each year by exploring how narrative techniques typically seen in other genres can be unconventionally incorporated into legal writing.⁷⁶ To give a sense of the scope and breadth, I offer just a few representative examples. Professors Linda Berger and Julie Oseid have analyzed the persuasive value of metaphor as it relates to legal writing and persuasion in separate law-review pieces.⁷⁷ Professor Ken Chestek has discussed how narrative techniques can be used to draft more persuasive appellate briefs, while Professors Susan Chesler and Karen Sneddon have discussed how narrative can be persuasively used in transactional documents.⁷⁸ Other articles have explored the use of narrative techniques as applied to specific legal standards, such as Professor

⁷⁴ *Id.* at 170.

⁷⁵ *Id.* at 177–78; see also Mary Ann Becker, *What Is Your Favorite Book? Using Narrative to Teach Theme Development in Persuasive Writing*, 46 *Gonz. L. Rev.* 575, 582 (2011).

⁷⁶ See, e.g., Kenneth D. Chestek, *The Plot Thickens: The Appellate Brief as Story*, 14 *Legal Writing* 127 (2008); J. Christopher Rideout, *Storytelling, Narrative Rationality, and Legal Persuasion*, 14 *Legal Writing* 53 (2008); Shaun B. Spencer, *Dr. King, Bull Connor, and Persuasive Narratives*, 2 *J. ALWD* 209 (2004).

⁷⁷ Linda L. Berger, *How Embedded Knowledge Structures Affect Judicial Decision Making: An Analysis of Metaphor, Narrative, and Imagination in Child Custody Disputes*, 18 *S. Cal. Interdisc. L.J.* 259 (2009); Julie A. Oseid, *The Power of Metaphor: Thomas Jefferson’s “Wall of Separation Between Church and State,”* 7 *J. ALWD* 123 (2010).

⁷⁸ Chestek, 14 *Legal Writing* at 127; Susan M. Chesler & Karen J. Sneddon, *From Clause A to Clause Z: Narrative Transportation and the Transactional Reader*, 71 *S.C. L. Rev.* 247 (2019).

Anne Ralph's piece on using narrative theory to overcome the civil plausibility pleading standard.⁷⁹

A quick perusal of the topics presented at the most recent Applied Legal Storytelling conference shows how creative scholars have become in seeing crossover possibilities with writing techniques from other genres.⁸⁰ A few of the topics: Professor Kim Holst on "When the Contract Becomes the Story"; Professor Stefan Krieger on "The Storytelling of Evidentiary Foundations"; and Professors Daniel Schwartz and John F. Baughman on "The Science and Art of Visual Storytelling."⁸¹ Other conference presentations have explored the storytelling of evidentiary foundations, the persuasive power of "legislative short titles," and even "curriculum as story."⁸² All of this is to say that while the possibilities are not infinite, there is much left to explore in the world of applied storytelling — writers in this movement, I argue, may still be in their "first act."

This Article's Contribution: Legal Writers Should Consider How Character Archetypes Can Enhance Their Storytelling

My perspective is that lawyers should consider deploying character archetypes beyond the hero when telling their clients' stories. Because archetypes tap into universal human connections and beliefs, stories that feature archetypal relationships are instinctively more credible and relatable. In his book, Vogler states

⁷⁹ Anne E. Ralph, *Not the Same Old Story: Using Narrative Theory to Understand and Overcome the Plausibility Pleading Standard*, 26 Yale J.L. & Humans. 1 (2015).

⁸⁰ Legal Writing Inst., <https://www.lwionline.org/sites/default/files/202505/Program%20for%20the%20Tenth%20Biennial%20Conference%20on%20Applied%20Legal%20Storytelling%20%282%29.pdf> [https://perma.cc/6H5L-UZAC].

⁸¹ *Id.*

⁸² *Id.*

that Jung believed archetypes are “constantly repeating characters . . . which occur in the dreams of all people and the myths of all cultures.”⁸³ Berger elaborates as follows:

To explain its persuasive power, some scholars theorize that narrative is inherent in the nature of our minds or language. Others claim that narrative persuades because it structures the characteristic plights of humans, providing mental models of the ordinary course of events. By doing so, narrative makes experiences understandable and allows the observer to roughly predict the result.⁸⁴

Further, by situating a client in relation to classic archetypes, legal writers (just like screenwriters) will naturally create empathy and make the client/protagonist more relatable.⁸⁵

Before I explain how my writing partner and I used archetypes to our storytelling advantage in crafting the screenplay for *Up in Arms*, a sprawling story at the heart of two federal lawsuits, I want to acknowledge adjacent scholarship that delves into why and how narrative techniques can benefit legal writers. While a deep dive into “why this works” is beyond the scope of this piece, a summary of some of the leading findings will set the stage.

In her foundational piece, *Once Upon a Time in Law: Myth, Metaphor, and Authority*, Professor Linda Edwards explains the basics of why we are, essentially, programmed to understand mythological plots and characters that lead us to subconsciously organize events and ideas.⁸⁶ Berger adds to the canon in *How Embedded Knowledge Structures Affect Judicial Decision Making: An Analysis of Metaphor, Narrative, and Imagination in Child Custody Disputes*, where she discusses how narratives shape and

⁸³ Vogler, *The Writer's Journey* at 4–5.

⁸⁴ Berger, 18 S. Cal. Interdisc. L.J. at 268.

⁸⁵ See Vogler, *The Writer's Journey* at 107.

⁸⁶ Linda H. Edwards, *Once Upon a Time in Law: Myth, Metaphor, and Authority*, 77 Tenn. L. Rev. 883 (2010).

often limit judicial decision-making.⁸⁷ Successful legal storytelling, according to Berger's analysis, requires attorneys to understand these ingrained scripts and to advocate with imagination so that they can "overcome constraining stereotypes and enable lawyers and judges to more closely examine actual experience."⁸⁸

Professor Jennifer Sheppard, also a leader in this branch of applied-storytelling scholarship, has written several influential pieces exploring the impact of narrative technique on legal decision-makers.⁸⁹ In her recent *Marquette Law Review* piece, "All We Have to Decide Is What to Do with the Time Given to Us": *Using Concepts of Narrative Time to Draft More Persuasive Legal Arguments*, she explains that human comprehension is inherently predisposed toward narrative.⁹⁰ As a result, Sheppard argues, concepts presented in narrative form are better understood than abstract principles, making narrative reasoning an essential and powerful tool for lawyers.⁹¹ In *Once Upon a Time, Happily Ever After, and in a Galaxy Far, Far Away: Using Narrative to Fill the Cognitive Gap Left by Overreliance on Pure Logic in Appellate Briefs and Motion Memoranda*, she artfully summarizes some of the relevant cognitive research and explains why the use of "stock stories" works to create empathy.⁹² There, she makes the case that

⁸⁷ Berger, 18 S. Cal. Interdisc. L.J. at 283–86.

⁸⁸ *Id.* at 305.

⁸⁹ Jennifer Sheppard, *Once Upon a Time, Happily Ever After, and in a Galaxy Far, Far Away: Using Narrative to Fill the Cognitive Gap Left by Overreliance on Pure Logic in Appellate Briefs and Motion Memoranda*, 46 Willamette L. Rev. 255 (2009). I relied on several of Sheppard's articles, some of which will be discussed in the next few pages.

⁹⁰ See Jennifer Sheppard, "All We Have to Decide Is What to Do with the Time Given to Us": *Using Concepts of Narrative Time to Draft More Persuasive Legal Arguments*, 106 Marq. L. Rev. 831, 836 (2023).

⁹¹ *Id.* at 836–37.

⁹² Sheppard, 46 Willamette L. Rev. at 261–68. Rideout has also discussed the impact of stock stories. See Rideout, 12 Legal Commc'n & Rhetoric: JALWD at 262.

by using stock stories, which share commonalities with character archetypes, lawyers can naturally create empathy.⁹³ The term “stock stories” has been used interchangeably with both “master stories” and “myths.”⁹⁴ Stock stories function as a story template of sorts through which readers will employ preconceived cultural norms to quickly interpret their experiences and predict outcomes.⁹⁵

Sheppard views character archetypes as an essential element of the stock story, specifically mentioning recurring roles such as “champions, children, tricksters, mentors, kings, mothers, demons, and sages.”⁹⁶ Sheppard argues that lawyers who employ stock stories and archetypes foster empathy for a few reasons. First, she explains that because people are already familiar with archetypes and stock roles, readers won’t need to expend as much mental energy understanding the “who’s who” of a story.⁹⁷ Relying on these ingrained relationships saves a reader’s cognitive load and lets the audience lean more quickly into the feelings and stakes.⁹⁸

Further, when characters or institutions are put into such roles, readers can map their expectations and feelings onto them.⁹⁹ Because we naturally relate to stock stories and archetypes, we are triggered when we encounter them, experiencing feelings ranging from sympathy to concern to outrage, to name a few. Sheppard and others have argued that appellate briefs and motion memoranda often lean heavily on logic, rules, and abstraction, leaving an emotional gap that can be filled by narrative technique.¹⁰⁰ If a legal

⁹³ Sheppard, 46 Willamette L. Rev. at 261–68.

⁹⁴ *Id.* at 261.

⁹⁵ *Id.*

⁹⁶ *Id.* at 275.

⁹⁷ *Id.* at 261–62.

⁹⁸ *Id.* at 264.

⁹⁹ *Id.* at 276–78.

¹⁰⁰ *Id.* at 258.

writer can offer a human dimension to an otherwise dry set of facts, legal readers are more likely to connect with the concrete, moral, or emotional stakes.¹⁰¹ Therefore, a lawyer's narrative should be structured to generate the audience's emotional investment, effectively moving the reader from detached observer to committed supporter of the client.¹⁰²

Finally, stock stories and archetypes tap into universal patterns of human experience, making the narrative more relatable and engaging the reader while instinctively engendering empathy.¹⁰³

Sheppard asks and answers the critical question directly: "So how does a lawyer get a judge to empathize with and cheer on a client?" Her answer: "By enabling the judge to sympathize with the client as a real person."¹⁰⁴

A Real-Life Application from a True Legal Thriller

My writing partner and I have used character archetypes to make our stories feel more innately relatable in the genres of nonfiction books and screenplays (primarily adaptations of nonfiction stories into screenplay form).¹⁰⁵ We often choose nontraditional points of view to play the protagonists, and then set the protagonists within the world of archetypes, striving to create stories that are both propulsive and cinematic.¹⁰⁶ For example, my writing partner and I adapted one of the first books about the opioid epidemic, *American Pain*, into a feature-length screenplay, and as in the nonfiction

¹⁰¹ *Id.* at 276–78.

¹⁰² *Id.*

¹⁰³ *Id.* at 276.

¹⁰⁴ *Id.*

¹⁰⁵ See John Temple, *Up in Arms: How the Bundy Family Hijacked Public Lands, Outfoxed the Federal Government, and Ignited America's Patriot Militia Movement* (2019); John Temple, *American Pain: How a Young Felon and His Ring of Doctors Unleashed America's Deadliest Drug Epidemic* (2015).

¹⁰⁶ See Temple, *Up in Arms*.

book, we invoked character archetypes to assist in defining our antihero protagonist.

But still, you may be wondering, do these character archetypes regularly appear in true stories? Is it realistic to find a cast of character archetypes to surround a protagonist (and thereby engender empathy) when you are confined by the facts of a true story? I believe it is, and I'll show you how we did it.

Imagine that we are representing Ammon Bundy, who became famous in 2014 during a standoff with federal agents at his father's cattle ranch in rural Nevada.¹⁰⁷ The details contained in the ensuing summary can be found in my writing partner's non-fiction book, the most definitive work to date covering these events. I chose this example because I edited the book about the Bundy family and later cowrote both a screenplay and television treatment. So I am very familiar with these "characters."

The Bundy family is a sprawling clan of Mormon ranchers who have lived for generations in Bunkerville, Nevada.¹⁰⁸ Since the 1990s, patriarch Cliven Bundy has grazed his cattle illegally on federal lands, erroneously believing that the U.S. Constitution bars the federal government from owning land.¹⁰⁹ Finally, in 2014, hundreds of federal officers began rounding up Cliven's unauthorized herd.¹¹⁰ The family put out a call to arms via social media and right-wing news sites, and thousands of anti-government militiamen from across the country flocked to Nevada.¹¹¹ At gunpoint, the militia forced the federal agents to release the cattle.¹¹²

The standoff thrust the family into the national spotlight and made them heroes in the anti-government movement.¹¹³ In 2015,

¹⁰⁷ See *id.*

¹⁰⁸ *Id.* at 1.

¹⁰⁹ *Id.* at 3, 7.

¹¹⁰ *Id.* at 13–19.

¹¹¹ *Id.* at 18–24, 36.

¹¹² *Id.* at 123–47.

¹¹³ *Id.* at 95–122.

Ammon became concerned with a different dispute between an Oregon rancher and the federal government.¹¹⁴ He and a group of armed followers seized the Malheur National Wildlife Refuge in rural Oregon.¹¹⁵ The occupation ended with the arrest of Ammon and many of his followers.¹¹⁶

As a result, Ammon was most often portrayed in mainstream media as a violent fringe activist, which makes him an unlikely candidate to play the hero of any story. Yet in the cast of characters that formed the backbone of this epic tale, Ammon changed the most — he went from a somewhat conventional Phoenix business owner to the de facto leader of the anti-government movement.¹¹⁷ And that is why it made sense to cast Ammon as the protagonist in our retelling of these events.

A rooting interest is key to propulsion across genres because readers will continue reading/watching to uncover how the protagonist's story ends. So how could we get an audience with more mainstream views to get behind a person who took such extreme actions? By deploying character archetypes. While a militant who takes over a federal wildlife preserve might seem to be outside the scope of most people's typical frame of reference, the story changes if you can see Ammon as a person who has relationships, just like you and me. Most of us have had mentors, or allies, or shadows in our own lives. Without even realizing it, readers begin to imagine how they would react under similar duress, if someone threatened their own family's way of life.

While I was not involved in any way in litigation relating to these events, my writing partner and I created a nonfiction retelling of the story for a limited television-series pitch by introducing a set of real people in Ammon's orbit and casting each of them in

¹¹⁴ *Id.* at 200–05.

¹¹⁵ *Id.* at 230–34.

¹¹⁶ *Id.* at 277–79.

¹¹⁷ *Id.* at 126–27, 233.

one of the traditional character archetypes. This allowed our readers to more easily keep track of the growing list of minor characters while racing toward the book's end to see how things would work out for the protagonist. Here is a short summary of our characters and how they fell into the typical archetype descriptions:

Archetype #1: Hero — Ammon Bundy

Ammon's story follows the primary beats of the Hero's Journey.¹¹⁸ He grew up on Bundy Ranch but as an adult broke away from his father and built a successful business and suburban family in Phoenix, Arizona. This mainstream life was his ordinary world, until a series of events thrust him into a dramatic new world: becoming the leader of the anti-government movement in America. The story is told from Ammon's point of view, so Ammon is the protagonist/hero.

Archetype #2: Herald — Cliven Bundy

Ammon's father, Cliven, plays the herald who announces the need for change in Ammon's life. When federal agents finally began rounding up his cattle, Cliven summoned Ammon away from his comfortable life in Phoenix and into the dangerous and unpredictable standoff at Bundy Ranch. Cast in the role of herald, Cliven is the catalyst who sets Ammon's journey in motion.

Archetype #3: Shadow — the Federal Government

The federal government is the entity standing in the way of Ammon's goals of freeing public lands from federal control and allowing Bundy Ranch to continue operating without paying grazing fees. So we cast an institution in the role of shadow. In this case, the federal government was also personified by an individual,

¹¹⁸ See Vogler, *The Writer's Journey* at 31–41.

Special Agent Dan Love, the Bureau of Land Management agent who led the roundup operation of the Bundy cattle in Nevada.

Archetype #4: Threshold Guardian — Federal Agents

Ammon arrived at Bundy Ranch and began helping his father by organizing protests near the roundup. But he did not become famous himself until the day when he confronted a group of federal agents near the roundup site. They repeatedly shot him with tasers, but he refused to back down, and the agents eventually left. A video of the altercation went viral in anti-government circles, bringing many more Bundy supporters to the ranch. In this way, the federal agents are threshold guardians to Ammon's new world.

Archetype #5: Mentor — Ryan Payne

A former long-range surveillance specialist in the Army, Payne saw combat in Afghanistan. After his discharge, he moved to the Montana mountains and founded a national militia network. He was one of the first militia members to make it to Bundy Ranch, and his connections and expertise in that world helped the Bundys overcome the federal government in the first standoff. He taught Ammon about the ways of this new world, serving in the mentor archetype role.

Archetype #6: Ally — Ryan Bundy

Ryan is Ammon's older brother, a rancher who never left Bunkerville. He's tough and committed to anti-government beliefs. He followed Ammon's lead and remained by his side even when others in the movement begin to criticize Ammon's decision to occupy the Oregon wildlife refuge in 2016. Ryan was even shot in that standoff. His presence allows Ammon to stay the course; he is a classic ally.

Archetype #7: Trickster — Brand Nu Thornton

A militant Bundy follower, Thornton was in his 60s during the standoffs, and his white flowing hair and beard led to prominent media coverage of his role in the protests. He trafficked in obscure conspiracy theories via his YouTube channel and was a Mormon mystic who carried both a rifle and a shofar, a polished ram's horn that he blew to summon the Lord's protection for his compatriots. Thus, Thornton naturally fulfills the trickster archetype.

Archetype #8: Shapeshifter — Terri Linnell

Finally, Linnell was a Tea Party diehard from rural southern California who joined a militia in the wake of the 2008 election. She befriended the Bundys during the 2014 standoff and acted as a connector and social-media influencer for the movement. But Ammon and the rest of the movement were stunned to learn that Linnell was also working for the federal government, feeding agents information about militia plans in exchange for payment. From Ammon's perspective, she blurred the lines between ally and enemy, representing the shapeshifter archetype.

A future article could explore the detailed build-out of each of these archetypal characters, but my goal here is more modest: to convince readers that even in the real world, and even though not every role may be cast, it is possible to find character archetypes to surround the protagonist within a nonfiction context (thereby increasing relatability and empathy). *Up in Arms* did just that.¹¹⁹ Our goal certainly was not to convince our audience that Ammon Bundy was right to violently oppose the federal government based on conspiracy theories and faulty legal interpretations. But we believed that framing his character within a network of relatable relationships would allow mainstream audiences to

¹¹⁹ Temple, *Up in Arms*.

better understand how and why Ammon may have gone down such a disastrous path.¹²⁰

How This Can Help You

To parlay the archetype idea into the world of legal work product, I suggest that lawyers analyze their clients' relationships with everyone involved in the litigation and consider whether there is an archetypal relationship to be leveraged. Of course, they need not force someone into every role, but lawyers should consider whether players in the litigation can carry out archetypal functions. This will create a more relatable narrative ecosystem because the client doesn't operate alone but functions as part of a familiar cast, which will make the story feel believable.

I recognize that the facts of any specific case might eliminate many of the possibilities listed below. Even by framing a single relationship in archetypal terms, however, the legal writer may increase persuasiveness. Here are just a few ideas about how people might be cast in archetypal roles to tell the client's story more persuasively:

- **The Mentor:** Perhaps someone can provide credibility or validation for the hero/client's version of the story (for example, an expert witness or coworker). An audience is more likely to believe the client's story if it is backed up by a mentor archetype.
- **The Ally:** Maybe someone can fulfill the role of ally, both reinforcing the hero's perspective and providing corroboration of the hero's telling of the events. Jury members often identify with allies, so providing an ally's version of the facts will enhance the client's relatability. For example, in an employment-discrimination

¹²⁰ *See id.*

case, coworkers who experienced the same treatment as the hero might be portrayed as allies. This archetype might also prove useful in a case in which the lawyer has reasons to keep the client from testifying but an ally could provide a relatable, alternative perspective.

- **The Shadow:** Audiences will naturally relate to a hero who has someone standing in the way — and a shadow does just that. While a person can certainly be a shadow, a force representing injustice can also be leveraged. This obviously depends on the facts of the case, but players that might be suited to the shadow role include corporations and bureaucracies.
- **The Shapeshifter:** Decision-makers will admire a client who persists in the face of betrayal. Perhaps a litigant in a civil matter can tell the story of a former friend who made promises but then changed his mind. That shapeshifter will make the client more relatable.
- **The Guardian:** Perhaps someone in the litigation presented an obstacle early on but the client persisted. Audiences relate to systemic barriers, so casting someone as a guardian that the hero overcomes may engender admiration for the client's determination.
- **The Herald:** Did someone warn the hero about the danger or injustice ahead? If someone can be cast in the role of the herald, the client's actions may seem less rash, particularly if the action taken was unconventional or illegal.
- **The Trickster:** Perhaps an unscrupulous lawyer masks facts or the opposing party is unnecessarily dragging out the litigation. Casting opposing counsel as a trickster could undermine that lawyer's credibility and shift juror sympathy toward a hero/client.

These ideas are just the beginning, intended as food for thought for legal writers considering the value and power of deploying character archetypes.

Conclusion

By incorporating these archetypes into legal storytelling, lawyers can tap into universal human experiences, which will make the world of litigation feel more authentic and relatable. I concede that in certain scenarios this technique could backfire, particularly if the connections feel forced and therefore the audience feels that they are being coerced or played. As I mentioned in the introduction, screenwriters often develop stories with parentless protagonists because the setup instinctively creates empathy and rooting interests. But the archetypes discussed in this article do too. Surrounding a protagonist with instantly recognizable relationships will make an audience see the hero as a relatable person, someone not so different from themselves.

Therefore, I suggest that legal storytellers look for these patterns in their clients' stories and then, if appropriate, leverage them to maximum persuasive effect.

And scene.

Note on Contributor

Hollee Temple is a professor of law and director of legal writing at the University of Hawai'i Richardson School of Law. A graduate of Northwestern University's Medill School of Journalism and Duke Law School, she is an experienced professional writer with credits in a variety of genres, from newspapers to academic texts to narrative non-fiction books. Most recently, she gained membership in the Dramatists Guild after *Star Machine*, a musical that she wrote with her husband and sons, premiered at Playhouse Square in Cleveland. Hollee is interested in storytelling across genres.