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RESEARCH ARTICLE

Discourse Markers in Courtroom Language

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ABSTRACT

The current study is conducted to investigate the discourse markers used in courtroom discourse. It aims to identify the discourse markers used in the data under scrutiny and state the functions of such discourse markers. It hypothesizes that interjections are mostly used in the two selected episodes, and discourse markers are utilized to help keep the segments of the discourse coherent. Data is taken from a well-known TV show entitled “Caught in Providence” Providence municipal courthouse in which episodes, under question, are posted on the official account of Facebook. The results of the current study arrive at a variety of conclusions: discourse markers used to relate fragmentations of the discourse, the discourse markers “and” and “so” are vastly used in the present study in comparison to other ones, most of the discourse markers used initially to prepare what to be said next by the speaker, and finally, They are used to give clues about the structures of the discourse.

Keywords: Discourse markers, Courtroom, Episode, Caught in providence

1. Introduction

The production of a well-connected discourse stems from the use of linguistic items that function in intellectual, social, and textual domains. Verbal communication is a way of delivering messages and intentions of conversationalists efficiently and successfully. Thus, to achieve such interactive goals, the speakers tend to use a variety of phrases to keep the segments of the discourse connected. Spoken discourse is characterized by being coherent and cooperative. Conversation Markers, or DMs for short, are terms used in spoken conversation that shows different attitudes of the speaker toward the hearer through interaction. Additionally, these DMs link the conversation fragments.

The ultimate goals of the current study are to identify the linguistic units that are employed as DMs and to show the functioning of such DMs. Regarding the research questions, the following are the ones that the study article aims to address: (i) Why are spoken discourses considered the primary contexts for these DMs? (ii) What purpose does each marker

serve? (iii) What essential characteristics do these markers have in common?

Following the nature of the study, the researcher puts the following two hypotheses: Interjections such as; oh, all right, okay, and well are densely used, and discourse-marking devices are used to relate upcoming and prior utterances to create discourse coherence. In regards to the significance of the study, it could be beneficial to pragmatists and discourse analysts. It could be useful to researchers who have an interest in applied linguistics, namely, interlanguage pragmatics and discourse analysis. The scope of the study is limited to reviewing the literature of discourse markers and analyzing spoken discourse situated in the courthouse. The study is also limited to analyzing two video clips taken from a famous TV show entitled *Caught in Providence*.

2. Discourse markers

Discourse markers are given a great number of designations owing to the difficulty of terminology. Fraser (2009, p. 2) and Brinton ([4], p. 29) together

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list nearly thirty terms, including: “*discourse connective, cue phrase, discourse-deictic item, discourse particle, marker of pragmatic structure, discourse operator, reaction signal, filler, phatic connective, semantic conjunct, ... etc.*”. Despite the plethora of other terms, however, discourse marker seems to be the most appropriate term as Schourup (1999, p. 288) notes “the discourse marker is the most popular of a host of competing items used with partially overlapping reference”.

As a result, definitions of discourse markers provided in the literature differ according to the theoretical perspective, much like with other significant terms. Discourse markers are defined by Schiffrin ([22], p. 31) as “sequentially dependent elements which bracket units of talk”. She (ibid, p. 326) adds “DMs can supply contextual coordinate for utterances: they (DMs) index utterances to the local contexts in which utterances are created and in which they are to be inferred”. For Fraser (1996, p. 68), “discourse markers are linguistically encoded clues which signal the speaker’s potential communicative intentions”. In his turn, Cruse (2006, p. 51) glosses DMs as “a class of phrases which includes such units as *well, oh, then, so, and but*”. He (ibid) demonstrates that such phrases are grammatically optional, and they state the boundaries between units of discourse.

Diewald as cited in (Degand, et al. p. 111) defines discourse markers as “indexical elements relating items of discourse to other items of discourse”. In Aijmer’s words, DMs seem to be expendable items functioning as signposts in the interactive activity to ease the hearer’s interpretation of the utterance based on several contextual clues (2006, p. 2). Redeker’s method of handling DMs is crucial. She continues by suggesting that a discourse marker is “...a word or phrase that is uttered with the primary function of drawing the listener’s attention to a specific type of linkage between the upcoming utterance and the immediate discourse context.” According to this definition, an utterance is a generally clausal unit that is intonationally and structurally limited (1991, p. 1168).

Salkie ([21], p. 75) states that DMs are words or phrases used to display certain relatedness between different parts of a text. Having looked at any written/spoken discourse, we will find it peppered with such discursal markers such as: *and, but, well, y’know, I mean nevertheless, in spite of, however, so, essentially...etc.* the following examples illustrate these discourse markers and the way they relate segments of the discourse ([21], p. 76): 1) “*It placed severe personal problems on me, but it was all worthwhile.*”

In example (1), the marker *but*, which is an opposition marker, states that what follows is in some sense opposed to or contrasted with, what has come before.

Renkema ([20], p. 169). indicates that “discourse markers are usually distinguished from connectives in that connectives assign all kinds of semantic and pragmatic functions to paragraphs, clauses, and subclasses, while discourse markers only state the speaker’s/writer’s attitude, mostly marking a turn or a topic” The following example illustrates the point:

2) “A: *I think I will stay home. I feel like I ran a half marathon.*”

“B: **And** yesterday you said you would come!”

In the above example sentence, *like*, as a discourse marker, indicates looseness. This may be interpreted as an attempt on the part of the addresser to increase the addressee’s perception of the turn’s importance by allowing or requiring them to contemplate a more typical kind of fatigue (ibid).

Blakemore (2006, p. 17) assures that DMs should be analyzed as linguistic constraints on contexts. Furthermore, she suggests four ways in which information delivered by an utterance can be relevant;

(a) It may allow the derivation of a contextual implication (e.g., *so, therefore, too, also*). Example (3) below indicates the point:

(b) It may strengthen an existing assumption, by providing better evidence for it (e.g., *after all, moreover, furthermore*). The following example displays the aforementioned two points: ([20], p. 169).

3) “A: *So, in the end you have decided to join us then.*”

“B: **After all**, I had to be here anyway.”

(c) It may contradict as existing assumption (e.g., *however, still, nevertheless, but*). Example (4) below clarifies the idea:

4) “A: **But** I told you to open the door, not for anybody!”

“B: *Well, I do have my own will, y’know*” (ibid).

(d) It may specify the role of the utterance in the discourse (e.g., *anyway, incidentally, by the way, finally*). An example is given below to figure out the point: ([9], p. 939)

5) “*This dinner looks delicious. **Incidentally**, where do you shop?*”

3. Properties and functions of DMs

This section is meant to list the properties to be of help in deciding what is and what is not a discourse marker, and to state the functions of discourse marking devices in verbal interaction.

3.1. Properties of discourse markers

Properties vary due to the approach. Thus, the researcher lists the general properties that are mentioned by prominent authors in their seminal works. So, features that have been suggested to characterize DMs can be summed up as follows:

a. “They do not contribute to the truth conditions of the sentence”. b. “They can normally be omitted without loss of grammaticality or propositional content or their use is optional”. c. “Their functions are restricted to the here and now of the situation of discourse in which they are used; accordingly, they have been classified as indexicals”. d. “They cannot be negated.” e. “They cannot become the focus of a cleft sentence”. f. “Their meaning is procedural rather than conceptual”. g. “They are unusually multifunctional”. h. “They are highly frequent”. i. “They are characteristic of oral or speech-based”. j. “They are positionally variable”. k. “They most commonly occur in clause-initial position or at the left periphery of an utterance”. l. “They are phonologically short”. For more details see (Fraser 1996; [3]; Brinton 2017; Schourup 1999; Aijmer, Foolen, and Simon-Van den berggen 2006).

3.2. Functions of discourse markers

According to Brinton, DMs if these markers are not used, the speech may be deemed natural, uncomfortable, disconnected, rude, unpleasant, or dogmatic, but the grammaticality is still sufficient (1996, p. 35–6). Accordingly, DMs have a variety of fundamental functions as follows:

1. To initiate discourse: including claiming the attention of the hearer, and close discourse.
2. To aid the speaker in acquiring or relinquishing the floor.
3. To mark a boundary in discourse, that is, to display a new topic, a partial shift in the topic, or to resumption of an earlier topic.
4. To serve as a deferring tactic used to sustain discourse or hold the floor.
5. To denote either new information or old information.
6. To repair one’s own or others’ discourse.
7. Subjectively, to express a response or reaction to the preceding discourse or attitude towards the

following discourse. (for further readings, see Frank-Job 2006; Erman 1987; Schourup 1985; [22]; Redeker 1991; Fraser 1991; Blakemore 1995; Fraser 1996).

4. Research methodology

4.1. Data collection and description

The data of the current study are spoken discourses allocated in the courthouse context. Discourse markers “are used densely in verbal interaction; hence, data is collected owing to the nature of the study. Data is taken from a well-known TV show entitled “Caught in Providence”, in which people have their cases heard in Providence Municipal Courthouse. Such episodes are selected from F-book Account. The case episodes, under question, include Traffic, and Parking Violations. Episodes are of middle length. The reason behind choosing such data, courtroom communication, is that DMs are mainly used in spoken discourse.

4.2. Model of the analysis

Fraser’s ([9], p. 70) model is used to analyze the data under examination. The principal point in Fraser’s model is that DMs can be signaled as “a pragmatic class, so defined because they add to the interpretation of an utterance rather than to its propositional content” (ibid). Accordingly, Fraser divides DMs into four types as follows:

1. Topic Change Markers: these markers, state that the utterance following constitutes, in the speaker’s opinion, a deviation from the present topic. such markers include: “*that reminds me, before I forget, incidentally, just to update you, back to my original point, and by the way, ..etc.*” An example is given below to state this type of DM:
 - 6) “*I think we can go next week. It’s our anniversary. Incidentally, when is yours?*”
2. Contrastive Markers: are these markers that demonstrate a contrast between an upcoming and a prior segment of discourse. *Contrastive markers include: “(al)though, nevertheless, but, contrary to this/that, conversely, however, in contrast, on the other hand,..etc.”* the following instance clarifies the point:
 - 7) “A: *Chris is a happy bachelor.*” “B: **But** *Chris is female.*”
3. Elaborative Markers: markers that indicate a connection in which the message of an upcoming segment parallels and possibly argues or

refines the message of a prior segment. Markers of such a type include: “*further (more), above all, besides, better yet, and, in addition, I mean, moreover, or, otherwise, well, too, . . .etc.*”. For example:

8) “*You should always be polite. **Above all**, you shouldn’t belch at the table*”.

4. Inferential Markers: the DMs state that an upcoming segment of the discourse is to be taken as a conclusion based on a prior segment of the discourse. These markers include: “*accordingly, all things considered, as a result, because of this/that, consequently, so, then, therefore, thus, . . .etc.*”. For instance:

9) “*The bank has been closed all day. **Thus**, we couldn’t make a withdrawal*”.

5. Data analysis and discussion

This section is designed to manipulate obtained data. Two episodes are selected deliberately because they are rich resources to serve the aim of the current study mentioned in (Section 1). In a courtroom context, there are at least two interlocutors, namely, the judge and the offender. And this is the reason behind targeting such a genera.

5.1. Episode (1)

The first episode to be analyzed was posted on 8th Feb. 2022 on the official Facebook account “Caught in Providence”. Marking devices are underlined (See Appendix 1).

Discourse markers used in the above transcript include **and**, **that is why**, **because**, **right**, **yes-yeah**, **or**, **you know**, **well**, **but**, **I mean**, **oh**, **I think**, **since**, **so**. Accordingly, the table below displays these discourse markers and their frequencies.

Table 1 shows that “and” as a discourse marker occurs frequently among other ones in the episode being analyzed. Elaborative marker “and” is used to declare a relationship whereby the message of segment 2 (upcoming segment of discourse) corresponds to and possibly arguments or enriches the message in segment 1 (prior segment of discourse). It is also used to add some pieces of information. Thus, “and” contributes to discourse coherence. The discourse marker “because” and “yes” come second in the frequent use of marking devices. The reason could be that “because” is one of the markers used to give a reason or an explanation as if the judge’s frequent uses of “because” in the aforementioned transcript. Because, then, indicates that two chunks of the discourse are related as a cause and effect. While yes, is used to

Table 1. Frequencies & percentages of DMs used in Episode 1.

Discourse Marker	Frequency	%
And	10	2.8
That’s why	1	2
Because	6	12.5
Yes	6	12.5
Right	5	10.4
Or	4	6.2
You know	3	6.2
Well	2	4.1
But	3	6.2
I mean	1	2
Oh	3	6.2
I think	2	4.1
Since	1	2
So	1	2
Total	48	

state that the hearer is listening and allow the speaker to keep talking.

Besides, yes indicates some sort of agreement therefore it is used by the offender. Discourse markers “or” and “right” are equally used in the analyzed episode as shown in Table 1. They come third in the frequent uses of markers. “or” is used to give alternatives as it is used by the judge. On the other hand, “right” is used as a response signal or to state agreement. Discourse marker “you know” is used as an opening to prepare what to say next by the speaker who holds the floor. As a contrastive marker, “but” is used to indicate that the following segment is in contrast with the prior one. Only very few cases are recorded in the episode (1) concerning discourse markers like, that’s why, I think. so, since. The reason stems from the fact that these markers are used to give reason or to conclude something. Hence, in a courtroom situation normally the judge holds the floor to show justice. The judge’s utility of (that’s why) is meant to verify why the offender is in the court. Furthermore, “so: is also used by the judge to let the offender reach a logical conclusion. All in all, DMs are used to keep the fragmentations of the discourse coherent and to initiate or put a boundary to the discourse. Moreover, DMs are used as an indication of a response or a reaction.

5.2. Episode (2)

The episode was posted on 3rd March 2022 on the official F-book account “Caught in Providence”. The transcript is available in Appendix (2).

The discourse markers used in the above conversation include: **and**, **so**, **yes**, **alright**, **I mean**, **then**, **you know**, **amm**, **okay**, **also**. Thus, Table 2 below states the frequencies and percentages of DMs:

Table 2. Frequencies & percentages of DMs used in Episode 2.

Discourse Marker	Frequency	%
And	28	50
So	10	17.8
Yes	8	14
Then	3	5.3
Also	2	3.5
You know	1	1.7
Alright	1	1.7
Amm	1	1.7
I mean	1	1.7
Okay	1	1.7
Total	56	

As shown by Table 2 above, discourse markers (and, so, yes) are more than the others. Discourse markers “and” and “so” are used by the judge because it is he who holds the floor most the time. Thus, the judge uses “and” densely because he wants to elaborate and add more pieces of information. Therefore “and” used (28) times out of (56). This demonstrate that, in spoken discourse, the discourse marker “and” has a function in claiming the listener’s heed. Moreover, “and” is utilized to give the idea that the speaker is still attempting to hold the floor and has more in his her disposal to say. In these terms, the discourse marker “so” comes second in frequencies of discourse markers uses in episode (2). This is because “so” is one of the inferential markers, in other words, it is used by the addresser to let the addressee infer what is coming and to make a line of linkage between latter and former segments of the discourse.

Table 2 also displays that the discourse marker “yes” comes third in the frequencies assigned in episode (2). It is noteworthy that “yes” mostly used by the offender (in courtroom verbal interaction) to accept decision or sense of agreement to what is said by the judge. Very few cases of DMs as (I mean, alright, okay, you know, also) are diagnosed. The reason could be that such markers have a variety of functions, which are not used vastly in courthouse situation.

Accordingly, In the episodes under question, Elaborative marker “and” is densely used in the data under inspecting. It is used (38) times out of (104), the total occurrences of DMs. Then, Inferential markers “so and because” in which “so” is used (11) times out of (104) whilst “because” is used (6) times. These markers can be shown in Table 3 below:

Table 3. Frequencies & percentages of mostly used DMs in the two episodes.

Marker	Frequency	%
And	38	36. 5
Yes	12	11. 5
So	11	10. 5
Because	6	5.7
Right	5	4.8
Total	104	

Data analysis and discussion, thus, illustrate that “and” as a discourse marker is used densely in the two episodes under study. This refutes the first hypothesis of the study set in (Section 1), which says interjections such as “as you know, “I mean” and “well” are used mostly. Besides, results state that discourse markers are used to keep the fragmentations of the discourse connected and coherent. This verifies the second hypothesis, which states that discourse markers are used to make the discourse coherent. Because of data analysis and findings, the study achieves the aims, and research questions set in Section 1.

6. Conclusions

In the light of data analysis and discussion, the study has reached to the following conclusions:

1. Discourse markers used to relate fragmentations of the discourse.
2. The discourse markers “and” and “so” are vastly used in the present study in comparison to other ones.
3. Most of discourse markers used initially to prepare what to be said next by the speaker.
4. Discourse markers are used by the speaker to give an indication that s/he is about to add another piece of information.
5. Such markers used by the listener to state that s/he is agreeing or giving an opportunity to the speaker to keep talking.
6. They are used to give clues about the structures of the discourse.
7. These markers are used mainly in spoken discourse rather in written discourse in which they can be left out without affecting text’s meaning.

Conflict of interest

No conflicts of interest exist to declare.

Author contribution

None.

Data availability

None.

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Appendix (1) Episode 1

Judge: Who is Mary Beth?

Mother: I am.

Judge: And this is your daughter?

Mother: Yes.

Judge: And you drive the car?

Daughter: Yes.

Judge: That is why, you are here.

Daughter: Yes.

Judge: Because the car's registered to your mom.

Daughter: Yes.

Judge: And I want to congratulate you, right, right? Because you get the summons in your name because she drives the car. And you said to her, "You're coming to the court". Because it is your violation.

Mother: Correct, exactly.

Judge: It drives me to distraction. A mother or a relative would come in, the grandma or the father, and say, "It wasn't me". "It was my son or my daughter" you know? And I said, "Well, where are they?". They say, "Oh, they are home". "They are sleeping, or something". You know, they are not here. But, "you're coming to the court".

Mother: Yeah.

Daughter: Right.

Judge: Did you two always get along this way? I mean, you seem to have a wonderful relationship.

Mother: Oh, middle school. High school, not so much. But, we have a **Daughter:** I think so.

Mother: No, since she went to college. It's a game-changer. It has been wonderful.

Judge: Oh, you know why?

Mother: No.

Judge: Because she, because she appreciates her mother now.

Mother: (. . .)

Judge: And all of a sudden. Life hit her in the face, right?

Mother: Absolutely, yeah. She is going to be a rising senior. I am very proud of her, but I was not proud of this, she was like, "I think, I panicked". "I got lost". I said, "Well, you support to slow down and maybe pull over. Not, you know, zoom around trying to find your way to 95.

Judge: (. . .). So she told you she was in a hurry, right? (. . .).

Judge: I am gonna give you the mother of the week award in the Providence Municipal Court.

Mother: Great. And what is that?

Judge: It may be the mother of the year, but at least it's the mother of this week. (. . .)".

Appendix (2) Episode 2

“Judge: Abigail Patty

Patty: Good morning

Judge: This also parking during an emergency at, the same time.

Judge: what do you do for a living?

Patty: I am also a nurse.

Judge: Surprise!

Judge: Was the car towed?

Patty: Yes.

Judge: 150 buckles.

Patty: Yes.

Judge: Alright, it has been my policy, I have dismissed these, so I am going to dismiss it. Hold on for a minute, so I have always held in such high esteem, we all do, people in the medical profession, because they do stuff that many of us would never do. So tell me a little bit about what you do.

Patty: About me?

Judge: Yeah.

Patty: I work at Rhode Island Hospital in the Neuro ICU. So like the Neuro critical care unit, so the brain, the spine, in the intensive care.

Judge: when I get a visual of people in the medical profession, I mean this seriously, there are always questions, who would do that? When people get sick, most of the time, people say I am sick, and everyone shies and they run away. And the story always relates to the story of Mother Teresa who had a clinic in India, and she had this foundation and so this very wealthy gentleman gave a lot of money to her foundation and she was showing him through a ward of every sick person so that he could see how his money was being spent. Finally,

as she was showing them, a gentleman was lying down with an open festering wound. That was full of pus and everything else. And she immediately knelt to him and called for some bandages and whatever, water. And she cleansed the wound, whatever was happening there, and then taped it up. And she then was walking away with this gentleman who was giving her money. And he looked at her and he said, “I wouldn’t do that for a million dollars”. And she said, “Neither would I”. That is a very interesting story. She did it out of the goodness of her heart. And when I view doctors and nurses, I look at them in that light, you know,

Patty: Yeah.

Judge: they can’t get paid enough money.

Patty: Yeah.

Judge: So, tell us the rewards of being a nurse.

Patty: Amm, especially in the neuro ICU we see patients that come in like car accidents, motorcycle accidents, big strokes, who are in really rough shape. And then, a lot of them will come back for follow-up appointments to patients’ clinics or something. And they will be walking again and talking again, and thank you, and so that makes it worth it.

Judge: Okay.

Patty: Yeah.

Judge: One more question, if you remember what’s the biggest miracle you saw in medicine while you were a nurse?

Patty: It would probably be a young person who had a terrible car accident who thought they gonna die, and then who ended up making a full recovery, so yeah, it is doing amazing stuff.

Judge: I can imagine the rewards that you feel about that when you retire at the end of the day if you can save somebody’s life or help them, alleviate their pain, comfort them, and make them feel better.

Patty: Yeah. That is what we try and do.

Judge: it is called God’s work. Case dismissed.

Patty: Thank you, Judge.

Judge: Good Luck”.