

My Top 10 List of Legal Writing Lessons Learned

1. The purpose of legal writing is to provide the point, not to meet the word/page limit
2. Legal writing does not work without knowing the context, audience, and purpose
3. Headings are not just labels
4. White space is powerful
5. Legal writing requires point first writing
6. Legal writers have many choices
7. Choose to use “zinger” verbs
8. Think in colour when editing work
9. Listen to your tone
10. Frame feedback as open-ended questions

**THE
PURPOSE IS
NOT TO PAD
THE PAGE.**

**THE
PURPOSE IS
TO PROVIDE
THE POINT.**

“Provide the Point”

I learned to focus on making my point instead of meeting the maximum word/page limit

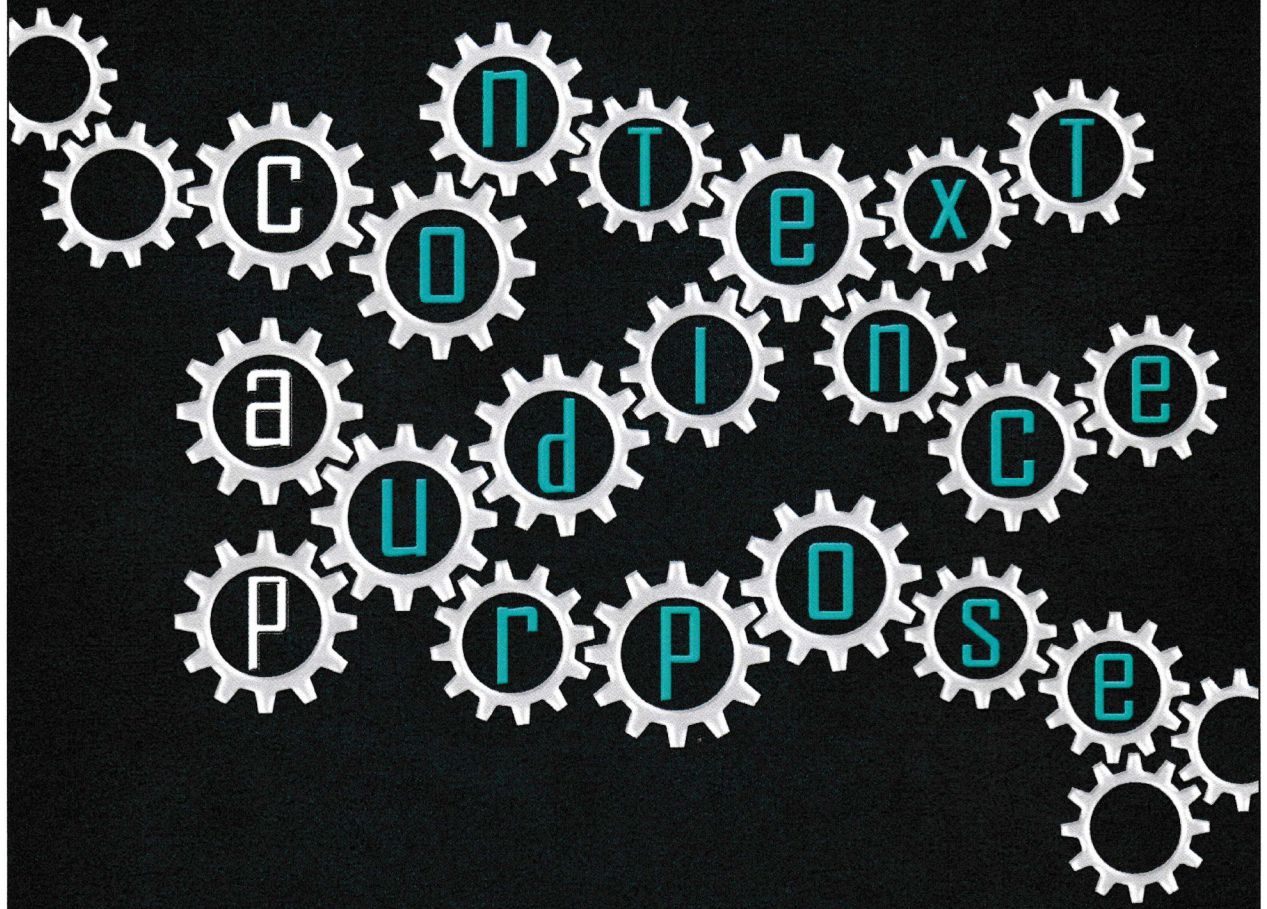
This course taught me that the purpose of legal writing is not to reach a certain number of pages or a certain number of words, but rather, to provide my reader with what she or he needs to know. I learned that in order to do this effectively, I must write concisely. Furthermore, I learned that after law school, my reader will care more about how succinct my work is, and less about whether or not I have met an artificial word count or page limit.

I applied this lesson by changing what I asked myself when I received a new assignment

When I started the Case Analysis assignment, the first question I asked myself was, “How many words can I spend writing about each section of my analysis?” and based on my answer to that question, I wrote for the purpose of reaching the maximum word limit. I later realized that a more effective initial question would have been, “What does my reader need to know?” I applied this new question to my Memo and Client Advice Letter assignments, which helped me to write more concisely. I plan to ask myself this new question when I work on future assignments.

This print symbolizes the shift in my approach to legal writing

I used similar sentence structure and alliterations to illustrate the similarity between the two sentences: both sentences address a purpose for writing. I changed the alignment of the two sentences and I inverted the colour of the text and background in order to emphasize the difference between the two thoughts.



Legal writing does not
work without C-A-P.

“CAP”

I learned that writers must know the context, their audience, and the purpose of their text

Knowing the context, audience, and purpose of my assignment will help me to stay focused on my task and ensure that I produce exactly what the reader wants to see. I plan to think about “CAP” when I work on assignments in the future.

I applied this lesson during the revision process of my client advice letter

In the first version of my client advice letter, I had included a paragraph in my recommendations section where I told the client that he should integrate confidentiality training on an annual basis, and impose a confidentiality agreement on each of the clinic’s employees. One of my peer reviewers asked me to think about who my reader was (audience), what my reader asked for (purpose), and what the reader needed to know (context). I realized that my recommendations in that paragraph were more managerial in nature and that as a writer, I had probably overstepped the bounds of my purpose for writing this letter. I learned that as a legal writer, I need to know- and remember-the context, audience, and purpose of my text.

This print symbolizes how interrelated context, audience, and purpose are to each other.

I wanted to illustrate an analogy between the cogs in a machine and the parts of “CAP”: if one element of CAP is missing, then a piece of legal writing will not work well. Similarly, if a cog in a machine is missing, then a machine will not work well either. I chose to use “work” in my print to emphasize the working parts of CAP and the working parts of a machine.

headings are

not just

labels

“Not Just Labels”

I learned that headings describe sections of a text

This course taught me the following three things about headings:

- 1) Headings are clearer if phrased as full sentences;
- 2) Headings describe the main point of each paragraph or paragraphs within a section; and
- 3) Headings guide the reader through the writer’s logic

Prior to this course, I had used headings only to label each section of my text without providing my point to the reader. This course taught me that descriptive headings are more useful than structural headings.

I applied this lesson by writing more concrete, descriptive headings

During the in-class mentoring exercise, I realized how much this course has helped me improve my use of headings. For that class, I had brought in a memo that I had written during the Fall 2014 semester. My memo provided advice to three clients about how they should incorporate their business. One of my paragraphs told the clients to incorporate under the *Canada Business Corporations Act* instead of the *Ontario Business Corporations Act*. My original heading was “Incorporation and the Canada Business Corporations Act.” During the peer mentoring exercise, however, I rephrased my heading to: “The clients should incorporate under the *Canada Business Corporations Act*.” My revised heading was more concrete and descriptive than before, and it provided the reader with a clear idea of my point.

This print is designed to mimic labels

I chose to present the text for this print as though a label-maker had created it.

white space
is powerful

“White Space”

I learned to incorporate more white space into my documents

This course taught me that white space enhances the readability of a document. I learned that white space acts as breathing room for the reader, which can make a document appear less intimidating and easier to understand. Prior to this course, I did not know that the reader forms impressions of a document based on the appearance of the text. First impressions are important on paper as they are in person.

I applied this lesson by using bulleted lists

I learned that bulleted lists create white space. In my client advice letter, for example, I presented my client with a numbered list of questions that I needed him to answer. I decided to present my questions in a numbered list because I knew I had many questions for him, and I knew that if I wrote each question in one large paragraph, my request would appear daunting. The list created white space for my reader, and made my request easy to follow.

The white space in this print forces the reader’s eye to the text in the middle of the page

I wanted to illustrate how white space can guide the reader’s eye by placing my main idea in the centre of the page, and surrounding my text with nothing but white space. I chose not to capitalize or punctuate my sentence for style; I wanted the words to look symmetrical on the page.

X
Pinpoint
the treasure
first, then
explain
how to get
there.

“PinPOINT FIRST”

I learned that in legal writing, the main point must be presented first

This course taught me that legal writing is not supposed to be like a mystery novel: the reader will have an easier time understanding a complex legal analysis when the main point is presented at the beginning of each paragraph instead of at the end of each paragraph.

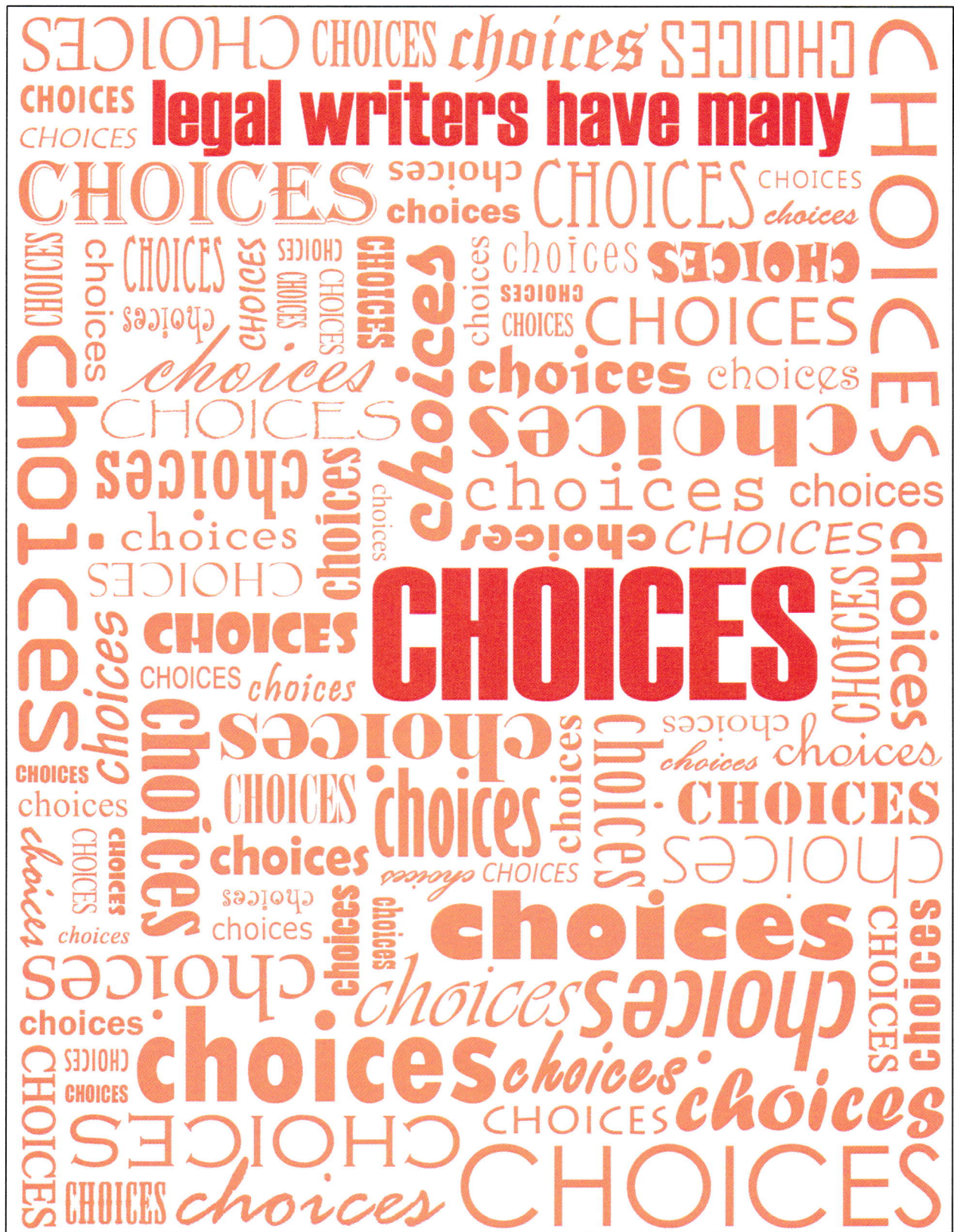
I applied this lesson in my client advice letter

When I wrote my client advice letter, I focused on presenting my main point first, and then explaining my analysis. For example, in my client advice letter, one of my headings says “1) Erica is likely legally responsible for breaching Peter’s privacy.” This heading tells the reader right away what I think of Peter’s incident, and what my paragraph will ultimately discuss. The rest of my paragraph details the legal analysis that I considered to arrive at my main point.

This print illustrates how point first writing is analogous to a treasure hunt

I analogized point first writing to a treasure hunt. A treasure hunter will typically want to know where the treasure is first, and then will figure out how to arrive at the treasure. Similarly, a reader will want to know what the main point is first, and then will figure out how the writer arrived at that main point.

I deliberately chose the words “pinpoint” and “first” to emphasize “point first” writing. I designed the print so that it resembled a treasure map.



“Choices Choices Choices”

I learned that legal writers have many choices

Choices can provide legal writers with more freedom, but choices can also make the writing process more difficult because of all the options available to the writer. The choices that a legal writer makes must be guided by the context, audience, and purpose of the text.

I applied this lesson when I wrote the client advice letter

I faced many choices when I wrote my client advice letter. A few of my choices included:

- whether to exclude some of the factors that are assessed for vicarious liability;
- whether to describe “subsidiary factors” as “subsidiary factors” or just as “factors”; and
- how to explain “vicarious liability” without saying “vicarious liability.”

I decided to include only the factors that I thought were most important to the clinic’s situation, and I chose not to complicate my explanation by distinguishing between “subsidiary” factors and other factors. I decided to explain vicarious liability as “legal responsibility” for an employee.

This print symbolizes the array of choices that legal writers have to make when they write

I surrounded my main point with the word “choices” in different font faces, font sizes, and orientations to draw an analogy between the choices that legal writers face at every stage of the writing process. Not all choices will look the same, and some choices may be more significant to a writer than others. Ultimately, the writer must decide which choices to make. Similarly, in this print, the word “choices” appears in different font faces, sizes, and orientations; some of the words are more prominent than others. As a designer, I made a choice to emphasize the largest “CHOICES” in the document.



“Choose Zinger Verbs”

I learned that zinger verbs make a text more engaging for the reader

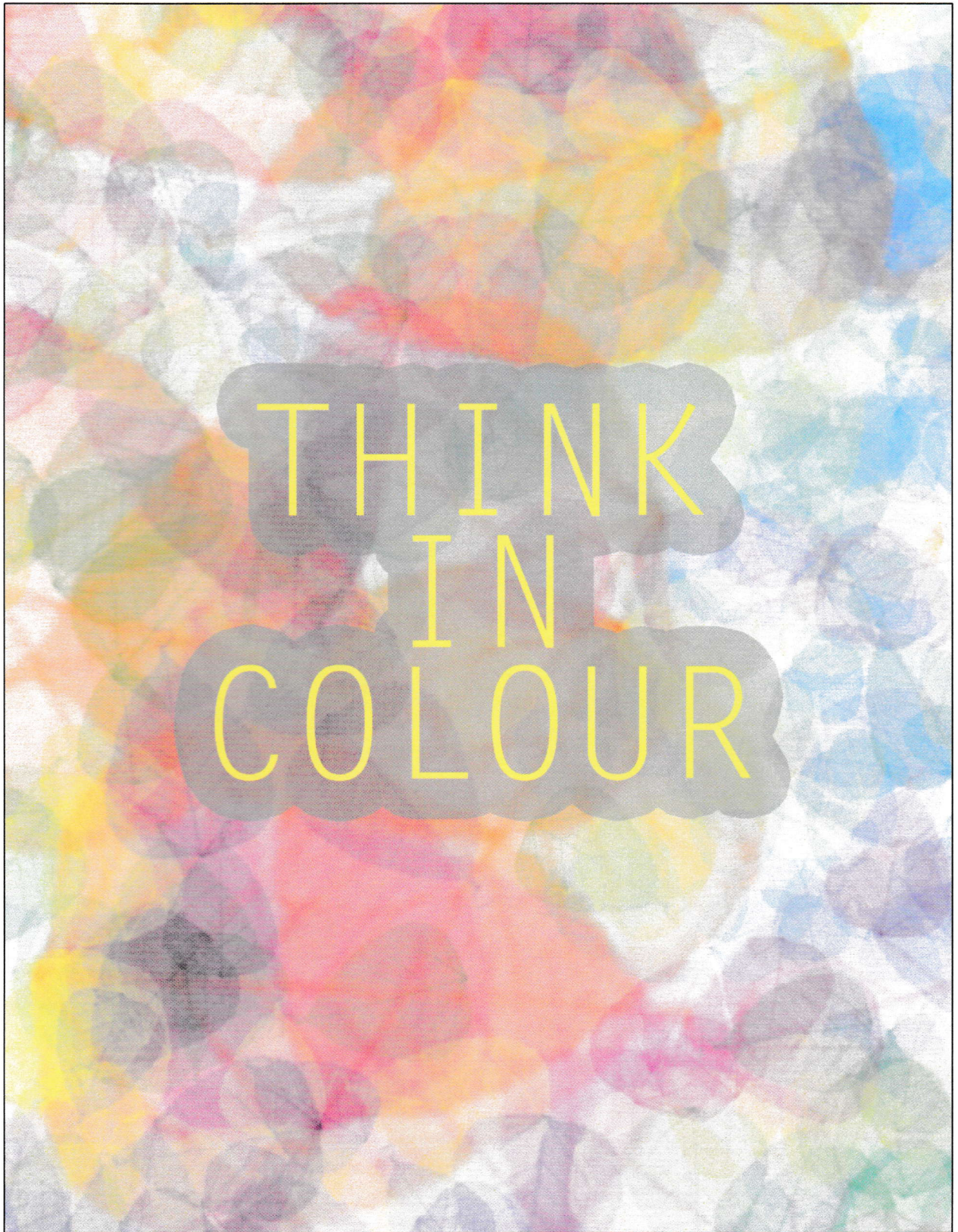
On the topic of choices, one of the choices that legal writers face is their choice of words. I learned that I can improve my writing by choosing verbs that more accurately describe the action. Moreover, I learned that the editing process involves not just a search for errors and inconsistencies, but also a search for ways to enhance my writing.

I applied this lesson when I described Erica’s conduct with Peter and his file

When I wrote my client advice letter, I tried to vary the verbs that described Erica’s actions. For example, instead of writing “Erica said to Peter...” or “Erica told Peter...,” I wrote “Erica informed Peter...” I chose “informed” to signal to the reader that Erica used her authority and knowledge to tell Peter something that he did not know. I plan to use “zinger” verbs in the future in all of my assignments, and in particular, when I have to write persuasively.

This print illustrates the vibrancy and action that are characteristic of “zinger” verb

I chose to design this print similar to how artists illustrate action words in comic books. In comic books, action words are vibrant, appear to jump off the page, and engage the reader. Similarly, zinger words are supposed to catch the reader’s attention and engage the reader in the text. I wanted my design to appear full of energy like the illustrations in comic books. I wanted my words to catch the viewer’s eye and engage the viewer with the print, similar to how zinger verbs engage the reader. I decided to use “choose” in this print to emphasize the choice that writers must make when picking appropriate language.



“Think in Colour”

I learned how coloured highlighters help me edit my work

As a visual learner, the in-class self-editing exercise was one of my favourite activities in the course because it taught me three things:

- 1) As a writer, I am more engaged in my editing process when I use colours;
- 2) Sorting through my revisions is easier when I use colours to identify different parts of my writing (e.g. headings, topic sentences, transitions, “to be” verbs);
- 3) I can use colours effectively in my legal writing process.

I applied this lesson by highlighting my topic sentences

When I edited my client advice letter, I used coloured highlighters to identify my topic sentences. After I identified a topic sentence, I assessed whether that topic sentence appeared at the beginning of that paragraph. This exercise showed me that I had topic sentences at the end of my paragraphs and sometimes in the middle of my paragraphs. This technique also helped me identify the most important point in each of my paragraphs, which was a useful strategy for making my writing more concise. I plan to use coloured markers and highlighters to edit all of my assignments in the future.

This print represents the different colours I used during the in-class self-editing exercise

I chose to overlap the colours in this print because the colours on my polished draft overlapped each other after the in-class self-editing exercise. I chose the phrase “think in colour” because the self-editing exercise taught me to approach the editing process with colours.



YOUR TONE

“Listen to Your Tone”

I learned that tone influences how a reader will respond to a writer’s text

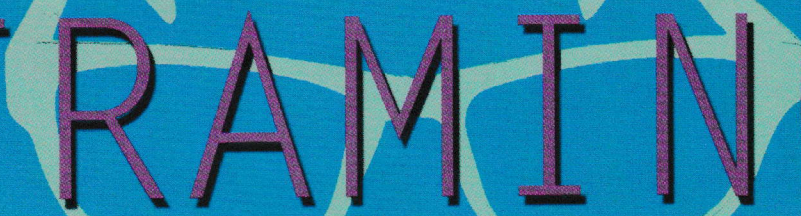
Tone expresses the attitude of the writer, and the tone must be consistent throughout the text.

I applied this lesson to the ‘next steps’ section of my client advice letter


During the peer review process, one of my peers helped me realize that the tone of my second last paragraph was inconsistent with my concluding paragraph. My peer pointed out that my last paragraph was very supportive of my client, but the paragraph before my conclusion was so business formal that I came off as cold and detached from my client. I realized that my tone was inconsistent after I had read aloud my second last paragraph and compared it to my last paragraph. After I had heard how my words sound, I realized that I needed to add inclusive words such as “we,” “us,” and “together” so that my client would believe I was on his side. Originally, my topic sentence said: *“I need you to...”* My revised sentence said: *“Before we can do anything else, I need you to...”* I changed my tone by adding “we” to tell the client that my intention is to work with him.

This print is a play on the meaning of “tone”

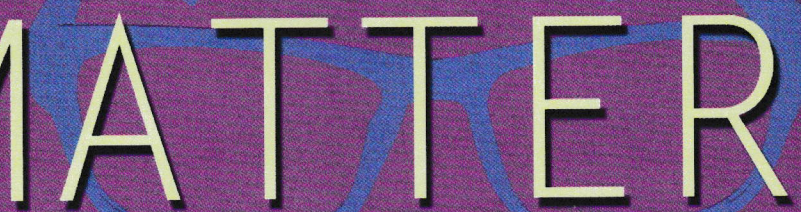
I designed this print so that it would look like sheet music since “tone” is a common term in music theory. I chose to use “listen” in my print because I learned that in legal writing, assessing tone requires the writer to hear how their words sound. The writer could ask, for example: “Do I sound too formal or casual?” “Do I sound condescending?” or “Do I sound unsure of my point?”

A light green, stylized graphic of a pair of glasses is centered behind the text 'FRAMING'.

FRAMING

A light purple, stylized graphic of a pair of glasses is centered behind the text 'FEEDBACK'.

FEEDBACK

A blue, stylized graphic of a pair of glasses is centered behind the text 'MATTERS'.

MATTERS

“Framing Feedback Matters”

I learned that asking open-ended questions is an effective way to provide feedback

Open-ended questions encourage a conversation. I realized that open-ended questions empower the writer to engage with their work and actively think about how to apply new ideas and strategies to improve her or his writing.

I applied this lesson during the peer review processes in class

During the peer mentoring class, my peer wanted to focus on his transitions. I asked my peer what he thought was the context and purpose of his memo, and then I asked him how he thinks his paragraphs relate to each other. My questions encouraged my peer to think about how he could improve the flow of his writing. I also received effective feedback during the peer review process for the client advice letter. One of my peers asked me who my reader was and what my reader wants. Her questions helped me to regain the focus of my paper. I plan to ask open-ended questions when I mentor other students, and I plan to ask myself open-ended questions when I work on future assignments (e.g. Who is my reader? What does my reader want?).

This print is a play on the word “frame” and illustrative of the ‘three’ tip I learned in class

I chose the word “framing” so that I could create a play on words with a pair of eyeglass frames. Aside from the play on words, the eyeglasses symbolize the importance of viewing the peer review process through an inquisitive lens. Mentors should ask questions that allow the writer to see areas of improvement. I chose to repeat the eyeglasses three times and in three different colours to highlight another lesson I learned in this course: presenting ideas in threes is effective.