

LOST IN TRANSLATION:
EFFECTIVE LEGAL
WRITING FOR THE
INTERNATIONAL LEGAL
COMMUNITY

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LOST IN TRANSLATION: EFFECTIVE LEGAL WRITING FOR THE INTERNATIONAL LEGAL COMMUNITY

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MATTHEW  BENDER

Dedication

For my wife, Monica, who understands and supports my dreams, no matter how high in the clouds I go. And for my daughter, Isabella, who fills my heart with happiness and peace with every smile. Thank you both for your patience and love.

Acknowledgment

I owe a special thanks to Amy McQuade for her keen eye and diligent work as an editor for this text. Amy was essential in making this book a useful tool for legal practitioners everywhere. Effective legal writing is never achieved alone.

About the Author

Dr. Kevin J. Fandl is a legal writing scholar with extensive publishing and teaching experience. He served as a managing editor for the *Foreign Policy Bulletin* for three years and as a senior editor on the *American University International Law Review* for two years. He has published ten law review articles, several editorials and book reviews, and recently published a text on Legal English for foreign legal practitioners (ABA, 2012). He is the director of the Global Legal Education Institute, which develops and delivers on-site professional development training and legal writing consulting around the world on numerous U.S. law topics. Dr. Fandl earned his Master's degree in International Relations and his Juris Doctor degree in Law from American University and his Doctorate in Public Policy from George Mason University. He lectures frequently at Georgetown University Law Center and the American University Washington College of Law, and consults occasionally for the World Bank and the Organization of American States.

Introduction

A globalized law market necessarily implies cross-border legal communications. Whether it is a non-U.S. attorney providing legal guidance to a U.S. firm, or a U.S. client located overseas receiving that advice directly, there is a rapidly growing need for foreign legal practitioners to communicate their legal ideas in English. It is essential that their advice be communicated effectively in English so as to maintain the meaning of the words and to properly counsel their partner or client. Mistakes in translation, grammar, style, and form may not only misconstrue the advice — it can lead to unwanted actions and even frustration of the guidance. This book was developed with foreign legal practitioners and law students in mind, and focuses on providing clear solutions to common errors present in their legal writing. It is designed in an accessible format with samples of legal correspondence, contracts, academic abstracts, and citations to allow the reader to obtain quick answers to their drafting questions.

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