

THE LAW STUDENTS' GUIDE TO
EFFECTIVE LEGAL WRITING

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TO
EFFECTIVE LEGAL WRITING

Edward H. Telfeyan

McGEORGE SCHOOL OF LAW



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*To Richard Neumann and in memory of Ralph Brill:
Legends, Mentors, Friends.*

Contents

Preface	xiii
Acknowledgments	xv
<i>Chapter One</i> The White-Glove Inspection in Legal Writing	3
A. Introduction	3
B. Preparing the Error-Free Document	5
C. The Piles on the Reader’s Desk	7
D. The White-Glove Inspection in Boot Camp	9
E. Making Sense of Proofreading	10
F. The Legal Writer’s White-Glove Inspection	12
Chapter Summary	14
<i>Chapter Two</i> Organization of a Legal Document	17
A. Introduction	17
B. The Jigsaw Puzzle of the Law—Sorting Out the Rules	19
C. The Hierarchy of Courts	26
D. Finding the Rules in Cases—The Case Brief	31
E. Organizing the Elements of a Legal Document	40
1. Issues	41
2. Facts	43
3. Analysis or Argument	44
Chapter Summary	45

Chapter Three	Effective Use of Paragraphs in a Legal Document	47
	A. Introduction	47
	B. Paragraph Length	49
	C. CREAC and C-RAC—The Predictive and Persuasive Paradigms	51
	1. CREAC	52
	a. The CREAC Rules	52
	b. Rule Explanation: The RA Paragraph	54
	c. Rule Application: The RA Paragraph	59
	d. The Methods of Legal Reasoning	64
	e. The CREAC Conclusions	73
	2. C-RAC	74
	Chapter Summary	79
Chapter Four	Avoiding Structural and Organizational Confusion in a Legal Document	83
	A. Introduction	83
	B. Headings	84
	C. Umbrella Paragraphs	95
	D. Organizational Devices	97
	1. Parentheticals	97
	2. Signals	101
	3. Transitions	103
	E. Organizational Impediments	106
	1. Non Sequiturs	106
	2. Irrelevancies	108
	3. Redundancies	109
	Chapter Summary	110
Chapter Five	The Perfectly Constructed Sentence in a Legal Document	113
	A. Introduction	113
	B. The Elements of a Sentence	115
	C. The Basic Structure of a Sentence	118
	D. Compound and Complex Sentences	120

1. Compound Sentences	121
2. Complex Sentences	122
E. Barriers to Good Sentence Structure	124
1. Passive Constructions	124
2. Mixed Constructions	126
3. Nominalizations	129
4. Misplaced Modifiers	130
5. The Nowhere “There” and the No Thing “It”	132
6. Misuse of “This” and “That”	132
7. Double Negatives	133
8. Double Possessives	134
9. Contractions	134
F. False Alarms—Alleged Barriers that Aren’t	135
1. Split Infinitives	135
2. Ending Sentences with Prepositions	135
3. Beginning Sentences with Conjunctions	136
G. Specific Parts of Legal Documents that Require Special Attention to Sentence Construction	136
1. Rule Statements	136
2. Headings	138
3. Conclusions	141
4. Lists	142
Chapter Summary	145
Chapter Six Correct Grammar and Punctuation in a Legal Document	149
A. Introduction	149
B. The Punctuation Marks	151
1. The Period	151
2. The Comma	152
3. The Semi-Colon	153
4. The Exclamation Point	155
5. The Question Mark	156
6. The Colon	156
7. The Dash	157
8. The Hyphen	158

9. Parentheses	158
10. Brackets	159
11. The Apostrophe	160
12. Quotation Marks	161
13. Ellipses	162
C. Putting Them All Together—Colon, Semi-Colon, or Comma	163
D. Results of Incorrect Usage	165
1. Run-On Sentences	166
2. Comma Splices	167
3. Fragments/Non-Sentences	167
E. Parts of Sentences	167
1. Clauses	168
2. Phrases	169
F. Potential Pitfalls	171
1. Length	171
2. Tails	172
3. Parentheticals and Parentheses	172
4. Quotations	173
5. Citations	173
6. Footnotes	174
G. Complex vs. Complicated	174
Chapter Summary	176

Chapter Seven Proper Citation to Authority in a Legal Document

	177
A. Introduction	177
B. The History of Citations	178
C. A Guide to Research	180
D. The Research Outline	182
E. The Citation Triggers	185
F. Signals	186
G. Citation Manuals	186
1. Cases	188
2. Constitutions	190
3. Statutes	190
4. Regulations	191

5. Rules	192
6. Secondary Sources	193
Chapter Summary	194
Chapter Eight The Ten Steps of the White-Glove Inspection	195
A. Introduction	195
B. Step One—Logical Consistency and Organizational Flow	196
1. The Format and the Delineation of Substantive Points	196
2. Headings and Umbrellas	197
3. Logical Flow and Leading with Your Best	199
C. Step Two—Paragraph Structure and Paragraph Length	200
D. Step Three—Logical Sentence Flow and Cohesiveness	203
E. Step Four—Sentence Accuracy, Simplicity, and Brevity	206
F. Step Five—Grammar and Punctuation	211
1. The Requisites of a Complete Sentence	211
2. Commas, Comma Splices, and Run-On Sentences	213
3. Colons and Semi-Colons	216
4. Parallelism in Series	219
5. Quotation Marks and Parentheses	220
6. Apostrophes	222
7. Misplaced Modifiers	223
8. Pronouns	224
G. Step Six—Case and Party Names and Citations	226
H. Step Seven—Typos	227
I. Step Eight—Spell and Grammar Check	229
J. Step Nine—The Pleasure Read and One-Voicing	230
K. Step Ten—The Printed Version	230
1. Pagination	231
2. Widows and Orphans	231
3. Skipped or Blank Lines	232
4. Italics and Underlines	232
5. Margins	232
6. Hard Copy for Mailing	233
L. A Final Point—The Value of Cleaning as You Go	233
Chapter Summary	234
Index	237

Preface

This textbook is the result of over two decades of teaching legal writing to students at the University of the Pacific's McGeorge School of Law. It draws heavily from the "white-glove inspection," which I developed a few years after beginning my work at McGeorge in 2000.

The writing and research topics I cover in the book are those that my colleagues and I teach in our Global Lawyering Skills classes at McGeorge. Over the years, however, I have added some of my own concepts to the material, which is largely why I chose to author this textbook. The book is intended to supplement the material presented by my colleagues in our "Legal Writing and Global Lawyering Skills" textbook, now in its third edition (West Publishing), and in any other of the fine basic legal writing textbooks that are currently in use. To the extent that what I offer in this textbook differs from anything presented in those publications, I only intend to provide other ways to consider and understand the basic principles of effective legal writing and analytic reasoning.

The book is structured in line with the ten steps of the white-glove inspection. Thus, after introducing the specific steps of the inspection in Chapter One, I explain the ways to organize legal documents in Chapter Two. In Chapter Three, I discuss the way paragraphs need to be crafted and how they can be understood within the basic paradigms for objective and persuasive legal writing.

In Chapter Four, I explain the purpose and value of headings and umbrella paragraphs in legal documents. In that chapter, I also describe the organizational devices that lawyers use in legal documents and how organizational impediments can appear in legal documents. In Chapter

Five, I explain the importance of well-written sentences in legal documents. In that chapter, I also review the ways in which sentences can be effectively constructed, the barriers to effective construction, and the value of perfectly constructed rule statements and headings.

In Chapter Six, I review all of the basic rules of grammar and punctuation that students need to know to avoid the kinds of errors in legal documents that can badly influence a reader's impression of a document's potential impact. In Chapter Seven, I provide a guide to effective legal research and explain the general citation methods that must be part of a completed legal document.

And, finally, in Chapter Eight, I explain how each of the ten steps of the white-glove inspection should be conducted, what possible errors can be found by conducting each step, and the value of "cleaning as you go" in drafting any legal document.

Throughout the book, I stress the importance of precision, clarity and brevity in all legal documents. My goal is to impress on students the dedication to professionalism that should be evident in all of their written communications as attorneys. That professionalism will then be evidenced by their reader-friendly, error-free legal documents.

Edward H. Telfeyan
McGeorge School of Law
Sacramento, California

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hope I was in putting it all together. Any remaining white-glove glitches are wholly mine and serve as proof that perfect error-free writing is always worth another inspection.