

# Legal Writing Basics: Three Key Skills

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Skill 1: Appropriate tone

Skill 2: Correct usage

Skill 3: Concise style

## The Golden Rule of Legal Writing

Help the reader get the content **quickly** and **easily**

## Skill 1: Appropriate tone

Goal – Disappear: Use correct tone so the reader can **focus on the content**

Tip: Formality factors = tone devices

## Formality factors

- How they write to you
- The relationship: Type, length, relative positions, \$
- Your purpose
- Cultural factors
- Other readers (cc, forward, litigation)

Tip: Too formal is better than too informal

## Tone devices

Hey Susie,

It was super chatting with you this morning😊. Like I said, it's only **one month** till the firm Christmas party (hurray!). Send me the guest list some time today, OK?

Thanks!

Tanja

## Tone devices

- Salutation, title, name, closing
- Vocabulary
  - Politeness terms (please, thank you, kindly)
  - More/less formal synonyms (super, nice, a pleasure)
  - Contractions (let's, can't, it'd)
- Grammar: Modality (could, would, might)
- Punctuation and cosmetics
- Not “legal style”

## Can you spot the legal style?

Dear Mr. Jensen,

Reference is made to our telephone conversation of this morning. Please be advised that, with regard to the said contractual provisions (hereinafter “Provisions”), in light of the fact that the date for signing the contract shall be one week from today, it would be highly appreciated if you could kindly provide us with your comments to said Provisions no later than tomorrow COB.

Please do not hesitate to contact me should you have any further enquiries.

Kind regards,  
Bob Roberts

- Tip: Have your cake and eat it too



## Typical unnatural phrases

Enclosed herewith please find...

I attach/enclose...

Pursuant to your instructions...

As instructed, ...

As discussed, ...

Reference is made...

I refer to...

As to...

It would be highly appreciated if...

Please...

Could you...

Please do not hesitate to contact me at any time should you have any further enquiries.

Please call if you have any questions.

I would be happy to answer any questions. [or cut]

Skill 2: Correct usage (grammar, punctuation, vocabulary)

Goal – Disappear: Follow correct usage so the reader can **focus on the content**

1. Please call me until Thursday, 09.06.2014, at the latest.

...by Thursday, 9 June 2014, at 11 am your time.

...on or before Thursday...

...before Friday...

2. The company adheres to national and international laws, including those aimed at combating corruption, fair competition, and the protection of human rights.

The company adheres to national and international laws, including those aimed at combating corruption, promoting fair competition, and protecting human rights.

..., including those that combat corruption, promote fair competition, and protect human rights.

3. Mr. Jones is an attorney with the firm already since 6 years.

Mr. Jones has been an attorney with the firm for six years.

# Sample edit sheet

<b>ABCD</b>  am/pm Annex A (the) Defendant	<b>EFGH</b>  e.g., email
<b>IJKL</b>  i.e., land book	<b>MNOP</b>  percent (the) Project
<b>QRST</b>  Table 1 trademark	<b>UVWXYZ</b>  v (=versus)
<b>DATES, NUMBERS, ABBREVIATIONS</b>  15 July 1963 (i), (ii), (iii) EU (=European Union)	<b>MISCELLANEOUS</b>  US English Font: Calibri 11 <b>Bold</b> (for emphasis)

## Skill 3: Concise style - Cut words/syllables

First draft: One cannot emphasize strongly enough the fact that, in a majority of the countries of the world, regulatory agencies can put companies that are thriving out of business. (28 words / 47 syllables)

Edit: ~~One cannot emphasize strongly enough the fact that, in a majority of the countries of the world, regulatory agencies~~ can put companies that are thriving out of business.

In most countries, regulators can put thriving companies out of business.  
(11 words / 19 syllables)

The provisions of Law 22 do not provide detailed regulations in regard to IT security.

Replace nominalizations with verbs

~~The provisions of Law 22 do not provide detailed regulations in regard to IT security.~~

Law 22 does not regulate IT security in detail.

- *Give assistance =*
- *Find a solution =*
- *Take a course of action =*
- *Have knowledge of =*



# Thank You!

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Please do not hesitate to contact me should you have any further enquiries. 😊