

## Five Do's and Don'ts

### Do's

1. Analyze your writing retrospectively
  - How has it changed over time?
  - What particular strengths and, more importantly, weaknesses do you see that emerge frequently in your writing
  - Work strategically on those weaknesses
  
2. Write in stages
  - Create an outline and return to it frequently
  - Sit down and spew out a first draft, just to get something on paper to work with
    - Don't worry about the rules
    - Don't stop to look up details or make sure your facts are accurate or a word is spelled correctly – come back to it later
  - Revise in stages
    - Content, organization, individual components, design, and mechanics (grammar, punctuation, spelling)
  - Be brutal
    - If a word or phrase is just “extra”, if it isn't clear, if it doesn't contribute, take it out
  
3. Strive for reader-oriented writing
  - Trial Courts will look for different things than Appellate Courts – are the issues clear?
  - Other lawyers have their own clients to account to
  - Your clients need meaningful advice and information
  
4. Read
  - You will learn from both legal and non-legal writing; just recognize the different purposes of each
  - Reading improves your vocabulary and your writing
  - Read your own writing out loud; you will often pick-up different habits or mistakes than you will by reading silently
  - Have a respected colleague read your work when you think it is close to finished
  
5. Get a good dictionary, thesaurus, grammar and punctuation guide
  - Keep them by your desk, and use them
  - Turn off your spell checker at times

### Don'ts

1. Don't over explain or overstate in an attempt to make sure the court “gets it”
  - If your facts are fairly stated, your language is clear and your argument logical, the court will get it (although it may not agree with you)

2. Don't get too comfortable with one form of organization in your writing
  - Different stories read better using different patterns of organization
  - Use examples for illustration, use chronological or spatial descriptions, compare and contrast scenarios, use analogy, similes, metaphors
3. The big picture is important but don't forget the details
  - Chosen for impact, organized clearly and presented in a readable style, they enhance the persuasive value of your writing
  - Readers want to know the details as long as they are not tedious
4. Don't get caught up in trying to fill up your page limit with words
  - Getting as much content as possible down on paper isn't likely to help
  - The look "or design" of the document is important for readability
  - Font, spacing, case, line length and justification, headings, white space and highlighting are all aides to easy reading
5. Don't fall back automatically on familiar old language habits
  - Get rid of verbiage
  - Use direct language
  - Use active voice most of the time
  - Keep your sentences reasonably short, but vary the length to avoid sounding robotic or juvenile

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November 26, 2009