

ASPEN COURSEBOOK SERIES

*Fourth Edition*

# *PERSUASIVE LEGAL WRITING*

*Louis J. Sirico, Jr.      Nancy L. Schultz*



# Persuasive Legal Writing Aspen Coursebook

**Mary Beth Beazley, Monte Smith**



## **Persuasive Legal Writing Aspen Coursebook:**

**Briefs and Beyond** Mary Beth Beazley, Monte Smith, 2021-01-31 This book hits the sweet spot between books that focus only on briefs and books that try to do too much Expertly written and constructed by Mary Beth Beazley and Monte Smith Briefs and Beyond Persuasive Legal Writing gives law professors options to supplement a persuasive writing course with complaints demand letters and other persuasive documents while not overwhelming their students Professors and student will benefit from A behavioral approach to legal writing A focus on how documents look as well as what they say Sidebars that answer students common questions as they go along Effective formulas for legal writing that ease the writing process Many examples of both good and bad writing throughout that illustrate concepts covered in the text **Persuasive Legal Writing** Louis J. Sirico (Jr.), Nancy L. Schultz, 2015 Now in its Fourth Edition Persuasive Legal Writing offers complete instruction exercises and examples to teach students how to frame and assert arguments Starting with an introduction to classical rhetorical devices and the psychology of persuasion authors Sirico and Schultz unpack every aspect of persuasive writing from structuring sentences and paragraphs to writing style tone storytelling audience analysis the ethics of argument and citation It s all here in one remarkably concise volume Persuasive Legal Writing features Consistent emphasis on key elements of persuasive writing 1 writing simply and clearly 2 arguing ethically 3 writing for your audience Structuring your writing to focus attention on the argument How to achieve an appropriately assertive tone When and how to cite authorities to support your argument How to make equity and policy arguments A helpful summary of common pitfalls in persuasive writing Generous use of examples throughout Integrated writing exercises for developing advocacy skills A capstone exercise at the end of the book An attractive new cover and interior design Enhanced and streamlined examples that are even more student friendly Examples from briefs and court opinions A chapter on narrative and storytelling in persuasive writing New to the Fourth Edition Two new chapters devoted to applying storytelling principles to legal argument and using visuals in support of persuasive arguments Recent empirical studies with analyses to elucidate important concepts Additional examples of use of language and writing style in persuasive rhetoric Unedited summary from book cover *Your Client's Story* Ruth Anne Robbins, Steve Johansen, Ken Chestek, 2013 Bridging the gap between basic and advanced legal writing Your Client s Story Persuasive Legal Writing offers a fresh approach that is client centered and mirrors the process of resolving your client s issue You will learn how to investigate the facts see the story of the case and choose an appropriate strategy for writing a compelling brief both at trial and appellate court levels Putting theory to practice this luminary team of authors weaves insights from classical rhetoric and contemporary persuasive theory as well as from neuroscience and cognitive psychology into a fascinating conversation that reveals how others may be swayed in favor of your client through powerful legal writing Unedited summary from book cover **Advanced Legal Writing** Michael R. Smith, 2002 Advanced Legal Writing Theories and Strategies in Persuasive Writing is exceptionally well suited for use in upper level Legal Writing courses that focus on

strategy The author's distinctive approach emphasizes persuasive writing strategies and explores specific techniques for legal writers combines theory with practicality by taking an interdisciplinary approach avoids a documents based approach going beyond the trial or appellate brief to identify effective strategies for a broad range of documents and settings follows a consistent format offering for each writing strategy an explanation of its nature and characteristics an account of the theoretical principles that explain their effectiveness detailed how to guidelines for students to use in their own writing numerous examples of proper use of the strategy and exercises consideration of ethical implications a thorough Teacher's Manual The book is divided into five main parts that cover literary references and their value in persuasive writing the three basic processes of persuasion logic and rational argument emotional argument and establishing credibility rhetorical style persuasive writing strategies based on psychology theory the ethics and morality of persuasion Be sure to review *Advanced Legal Writing Theories and Strategies in Persuasive Writing* before you make an adoption decision for your course

Persuasive Legal Writing Camille Lamar Campbell, Olympia R. Duhart, 2024-02-01 Buy a new version of this textbook and receive access to the Connected eBook with Study Center on Casebook Connect including lifetime access to the online ebook with highlight annotation and search capabilities Access also includes practice questions an outline tool and other helpful resources Connected eBooks provide what you need most to be successful in your law school classes Storytelling is recognized as a powerful tool in legal advocacy With outstanding visual aids examples and sample documents *Persuasive Legal Writing A Storytelling Approach Second Edition* shows students how to use the techniques of storytelling to shape a legal argument into a cogent and compelling narrative Authors Camille Lamar Campbell and Olympia R Duhart have designed every chapter and page to make narrative storytelling techniques the basis for any type of persuasive legal document Students learn to create arguments that elevate their client's dilemma demonstrating that the facts demand a decision in their client's favor Detailed guidance to editing revising time management and learning skills constitute a complete set of tools for budding legal writers And within a narrative framework that highlights the intuitive nature of storytelling familiar literary and cultural references build on students own fund of knowledge Featured in the Second Edition Thoughtful discussion of AI language models in tech assisted legal writing Cognitive Corner exercises encouraging students to make important connections among topics and ideas Testimonials from students lawyers and judges about applying specific legal writing skills New and updated illustrations and examples that teach by showing Updated sample documents throughout the text Professors and students will benefit from An intuitive three stage framework for processing packaging and revising legal writing Integrated coverage of storytelling for every type of persuasive writing Insights from real students practicing lawyers and judges about how they apply specific writing skills A teach by showing approach Practical advice for new legal writers

*The Mindful Legal Writer* Heidi Kristin Brown, 2015 *The Mindful Legal Writer Mastering Predictive Writing* by Professor Heidi K Brown who has 15 years of experience in the law firm world and 7 years of teaching legal writing focuses on

predictive legal analysis It offers law students and junior lawyers a step by step approach to learning the scientific framework of written predictive legal analysis while at the same time encouraging them to consider the artistic nature of communicating through the written word This book also proposes that students consider the basics of the concept of mindfulness in the legal writing context a recent movement in legal education to encourage law students to be fully conscious and aware of one's actions and surroundings and pay attention on purpose in the present moment according to mindfulness advocate Jon Kabat Zinn in order to be a better legal counselor to clients     Persuasive Legal Writing Camille Lamar Campbell, Olympia R. Duhart, 2017-02-02 Persuasive Writing A Storytelling Approach teaches students how to write effective motion briefs and other types of non adversarial persuasive writing by threading a narrative or storytelling theme throughout the entire text This text endorses a three stage framework processing packaging and revising for integrating storytelling into any type of persuasive writing and is premised on the theory that Legal Storytelling is the most effective backdrop for effective advocacy Organized to make the material accessible and highlight the intuitive nature of legal storytelling this text will give the novice legal writer several resources to engage with the legal storytelling process     **Mindful Legal Writer** Heidi K. Brown, 2016-09-16 Combining two groundbreaking texts for predictive and persuasive writing in one volume The Mindful Legal Writer Mastering Predictive and Persuasive Writing raises awareness of important elements in the legal writing process such as pacing purpose context analysis logic and clarity Progressing from a mastery of the basics to a professional level of legal communication in client representation and advocacy Heidi K Brown's classroom tested pedagogy illustrates the pivotal role of written communication for lawyers     The Handbook for the New Legal Writer Jill Barton (Professor of Legal writing), Rachel H. Smith, 2019 The Handbook for the New Legal Writer teaches the concepts and skills covered in the first year legal writing and research course in a way that meets the needs of today's law students The coursebook's focus is on showing not telling students how to write effective legal documents using numerous examples and step by step instruction The authors provide practical lessons on the basic writing and research tasks attorneys perform daily and include annotated samples written by judges practitioners and the authors The text covers objective writing persuasive writing legal research and citation using a handbook format allowing easy access to key information It also provides the option of using the book as a reference tool later in law practice New to the Second Edition Updated and expanded approaches to writing Questions Presented Expanded instruction on how to write shorter and less formal legal memos to reflect an increasingly modern approach Dozens of new examples from recently decided cases and additional examples of commonly prepared legal documents including objective memos emails letters and motions A new short chapter on the IRAC organizational structure guiding students on how to write law school exam answers and bar exam essays Updated guidance on writing style and grammar to reflect an increasingly modern approach in legal writing For example most Supreme Court justices now use contractions regularly and use since interchangeably with because even though the vast majority of legal

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key to being successful in your law school classes The Outline Tool automatically populates your notes and highlights from the e book into an editable format to accelerate your outline creation and increase study time later in the semester **The Handbook for the New Legal Writer** Jill Barton,Rachel H. Smith,2014-04-22 The Handbook for the New Legal Writer teaches the concepts and skills covered in the two semester 1L legal writing and research course in a way that meets the needs of today s millennial law students The focus of this new coursebook is on showing not telling students how to write effective legal documents The authors provide practical instruction on the basic writing and research tasks an attorney does daily The text covers objective writing persuasive writing and legal research and citation using a handbook format which allows easy access to key information It also provide the option of using the book as a reference tool later in law practice

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Legal Writing in Plain English, Third Edition Bryan A. Garner, 2023-09-06 The leading guide to clear writing StartFragment and clear thinking StartFragment in the legal profession for more than two decades now newly updated Admirably clear concise down to earth and powerful all too often legal writing embodies none of these qualities Its reputation for obscurity and needless legalese is widespread Since 2001 Bryan A Garner s Legal Writing in Plain English has helped address this problem by providing lawyers judges paralegals law students and legal scholars with sound advice and practical tools for improving their written work Now the leading guide to clear writing in the field this indispensable volume encourages legal writers to challenge conventions and offers valuable insights into the writing process how to organize ideas create and refine prose and improve editing skills Accessible and witty Legal Writing in Plain English draws on real life writing samples that Garner has gathered through decades of teaching experience Trenchant advice covers all types of legal materials from analytical and persuasive writing to legal drafting and the book s principles are reinforced by sets of basic intermediate and advanced exercises in each section For this third edition Garner has retained the structure of the previous versions with updates and new material throughout There are new sections on making your writing vivid and concrete and on using graphics to enhance your argument The coverage and examples of key topics such as achieving parallelism avoiding legalese writing effective openers and summaries and weaving quotations into your text have also been expanded And the



sample legal documents and exercises have been updated while newly added checklists provide quick summaries of each section Altogether this new edition will be the most useful yet for legal professionals and students seeking to improve their prose

*Legal Writing* Richard K. Neumann, Jr., Sheila Simon, Suzianne D. Painter-Thorne, 2023-01-31 Engaging text for legal writing written with today's student in mind Written in a style that engages students Legal Writing Fifth Edition includes outstanding coverage on organizing analysis according to the CREAC formula the writing process storytelling techniques rule analysis statutory interpretation and professionalism In addition the book has dynamic student resources including classroom and independent exercises self assessment checklists and other learning tools Buy a new version of this textbook and receive access to the Connected eBook with Study Center on CasebookConnect including lifetime access to the online ebook with highlight annotation and search capabilities practice questions from your favorite study aids an outline tool and other helpful resources Connected eBooks provide what you need most to be successful in your law school classes New to the Fifth Edition Chapters are carefully edited and streamlined providing focused coverage of the entire writing process New Sample Appellate Brief in Appendix D Clearer presentation of statutory interpretation and rule analysis in legal writing Professors and students will benefit from The compact conversational tone Short accessible assignments and exercises Checklists that help students assess their own writing An engaging mix of theory and reality Coverage featuring Storytelling techniques in persuasive argument The CREAC formula for organizing analysis The role of persuasive point headings in constructing an argument Elements of professionalism that must be considered

Legal Writing Linda H. Edwards, 2022-01-31 Legal Writing Process Analysis and Organization Eighth Edition

**The Legal Writing Handbook** Laurel Currie Oates, Anne Enquist, Kelly Kunsch, 1993

*Legal Education in the Digital Age* Edward Rubin, 2012-04-16

During the coming decades the digital revolution that has transformed so much of our world will transform legal education as well The digital production and distribution of course materials will powerfully affect both the content and the way materials are used in the classroom and library This collection of essays by leading legal scholars in various fields explores three aspects of this coming transformation The first set of essays discusses the way digital materials will be created and how they will change concepts of authorship as well as methods of production and distribution The second set explores the impact of digital materials on law school classrooms and law libraries and the third set considers the potential transformation of the curriculum that the materials are likely to produce Taken together these essays provide a guide to momentous changes that every legal teacher and scholar needs to understand

Legal Reasoning and Legal Writing Richard K. Neumann, 1998 A revision of Neumann's very successful basic legal writing text this edition continues to give a strong foundation in legal analysis and to writing while refining and further improving the text based on user's responses The text focuses on constructing a proof of a conclusion of law and teaches format style and grammar alongside the reasoning skills Chapter 9 How to Organize Proof of a Conclusion of Law Is widely regarded as the best explanation of this topic in any legal writing text

The goal is to help students learn how to make writing decisions based on the need to prove analysis Of special interest are chapters on client interviewing and client letters sample client letters An updated citation quotation chapter to reflect changes in the 16th Edition of the Blue Book sections that show students how to convert their raw materials into an organized first draft and explanations on the process of writing in detail and in many contexts Combining clear readable text with effective sample documents and exercises Neumann has succeeded in creating a sophisticated yet accessible text carefully crafted for beginning legal writers Table of Contents Preface Acknowledgments PART I INTRODUCTION TO LAW AND ITS STUDY 1 An Introduction to American Law 1 1 the Origin of Common Law 1 2 How American Courts Are Organized 1 3 an Overview of the Litigation Process 1 4 the Importance of Understanding Procedure 1 5 the Adversary System 2 Rule Based Reasoning 2 1 the Inner Structure of a Rule 2 2 Organizing the Application of a Rule 2 3 Some Things to Be Careful About with Rules 2 4 Causes of Action and Affirmative Defenses 2 5 Where Rules Come From Sources of Law 3 An Introduction to Judicial Opinions 3 1 the Anatomy of an Opinion 3 2 the Interdependence Among Facts Issues and Rules 4 Briefing Cases 4 1 Introduction 4 2 How to Brief a Case PART II INTRODUCTION TO LEGAL WRITING 5 The Art of Legal Writing 5 1 the Language as a Professional Tool 5 2 Your Writing and Your Career 5 3 Predictive Writing and Persuasive Writing 5 4 the Art Forms of Legal Writing 6 The Process of Writing 6 1 Writing in Four Stages 6 2 Analyzing 6 3 Organizing 6 4 the First Draft 6 5 Rewriting 6 6 Some General Advice about Writing PART III OFFICE MEMORANDA 7 Office Memoranda 7 1 Office Memorandum Format 7 2 Writing an Office Memorandum 8 Initially Obtaining the Facts Client Interviewing 8 1 Introduction 8 2 Lawyers and Clients 8 3 How to Interview 9 Predictive Writing 9 1 How to Predict 9 2 How to Test Your Writing for Predictiveness 10 How to Organize Proof of a Conclusion of Law 10 1 A Paradigm for Structuring Proof 10 2 Why Readers Prefer This Type of Organization 10 3 How to Vary the Paradigm to Suit Your Needs 10 4 How to Start Working with the Paradigm 10 5 How to Test Your Writing for Effective Organization 11 Selecting Authority 11 1 Introduction 11 2 the Hierarchy of Authority 11 3 How Courts Use Dicta 11 4 How Courts React to Foreign Precedent 11 5 How to Use Foreign Precedent and Other Nonmandatory Authority to Fill a Gap in Local Law 11 6 How to Select Nonmandatory Precedent 11 7 How to Work Effectively in the Library 12 Working with Precedent 12 1 Eight Skills for Working with Precedent 12 2 Formulating a Variety of Rules from the Same Precedent 12 3 Analogizing and Distinguishing 12 4 Eliciting Policy from Precedent 12 5 Synthesis and Reconciliation 12 6 Testing for Realism and Marketability 12 7 Pulling it All Together 13 Working with Statutes 13 1 Ten Tools of Statutory Interpretation 13 2 How to Pull Together Statutory Analysis Before Legal Reasoning and Legal Writing Richard K. Neumann Jr.,Ellie Margolis,Kathryn M. Stanchi,2021-01-31 Legal Reasoning and Legal Writing teaches students how to organize and incorporate a legal argument into strong and cogent writing for a variety of applications in legal practice This clear and coherent text has been updated to address the new skills required for modern law practice While the Ninth Edition still includes the fundamental tools that has

made it one of the best selling legal writing texts it has been updated to incorporate current and more sophisticated material for students wishing to take their advocacy skills to the next level Designed for utility in a wide range of legal writing courses the book covers multiple types of legal writing including office memos appellate and motion briefs client letters and email correspondence as well as all aspects of legal reasoning from rule based analysis to strategies of persuasion It also covers other key skills such as oral reports to supervisors appellate and motion argument tips about the realities of online law practice and modern changes in language and style The Ninth Edition reflects the collective wisdom of three leaders in the legal writing discipline who together have over 90 years of experience teaching writing and speaking about legal writing

New to the Ninth Edition

New chapters 23 33 The Shift to Persuasion The new chapters are thoroughly modernized and to incorporate the best ideas of the legal scholarship on persuasion in an accessible and clear fashion The newly organized chapters reflect that legal writing courses might teach appellate briefs or motion briefs or some combination and make the assigning of chapters easier for all approaches New content about theory of the case motions procedural posture and the client's story Professors and student will benefit from Clear coverage of the nuts and bolts of writing an office memo a motion memo and an appellate brief organized to make assigning chapters easier for all different course approaches The authors paradigm for Organizing a Proof of a Conclusion of Law which provides the best explanation available of the reasoning underlying the proof of a conclusion of law Immersive pedagogy where students learn both to think like lawyers and to think like writers A thoughtful look at all aspects of legal reasoning from rule based analysis to the strategy of persuasion An accessible approach that focuses on the process of writing timely examples and exercises from legal practice A full complement of sample documents in the Appendices Teaching materials Include Teacher's Manual Additional resources included with Connected Coursebook

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