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# Habits of Effective Legal Writers

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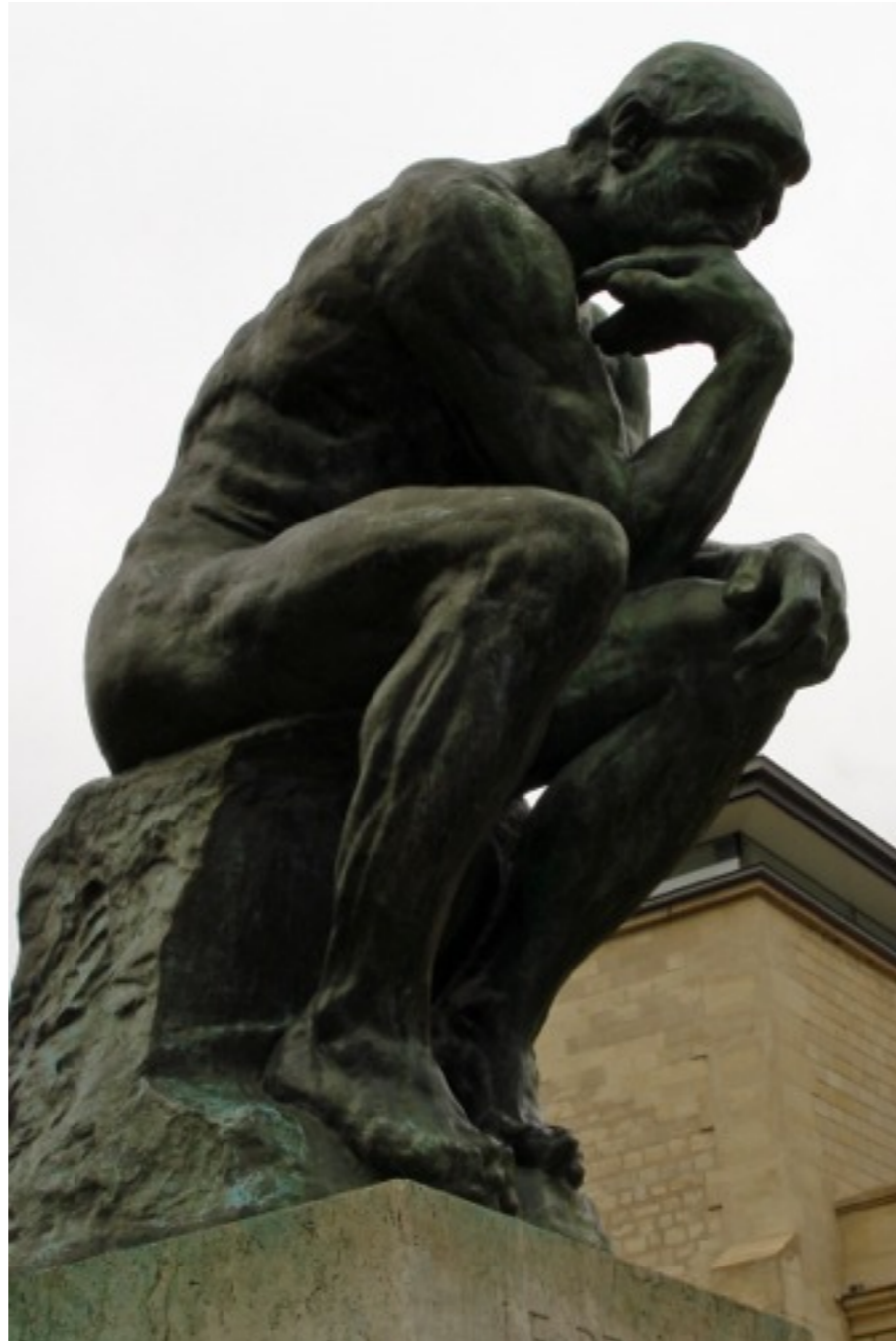
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# Habits of Effective Legal Writers



# Habits of Effective Legal Writers

Jay M. Nadlman has a Bachelor of Arts in Psychology from Washington University in St. Louis and a Juris Doctor from the University of Missouri-Kansas City, where he served as Comments Editor of the Law Review. He has over twenty-five years of legal experience in a wide variety of practice areas, including litigation and corporate transactions. He is currently an Associate Professor at Johnson County Community College in Overland Park, Kansas, teaching several courses within the Legal Studies Program, including Legal Analysis & Writing.

This guide is intended to introduce you to the habits that are followed by effective legal writers. As the word habit suggests, you should work to make these rules a part of your normal writing routine. These rules are a beginning. Follow them, and with practice, dedication, and experience you will become an effective legal writer.

# Write with purpose

## **Habits to follow:**

- (i) Always make sure that you understand the purpose or purposes of the document before you begin to draft;**
- (ii) Write to achieve the purpose or purposes that you have identified;**
- (iii) Review to make sure that every aspect of the document, including its format, organization, tone, and supporting authority, advances its purpose; and**
- (iii) Cut or revise any aspect of the document that makes it less likely the document will achieve its intended purpose.**

Before you begin to draft, make sure that you have a clear and complete understanding of the purpose of the document that you are preparing. In determining the purpose you must simultaneously consider the client's preferred outcome and the applicable law. You should research before you write, as you cannot meet the requirements of the law unless you fully understand those requirements. Even experienced drafters should research prior to drafting, as our memories are fallible and the law is always developing.

We write for a variety of reasons--including to inform, persuade, prepare, coordinate, and request. Within each of these general purposes, the document must be drafted by varying the content, tone, and structure to best meet the client's specific goals. Whether it is a contract, demand letter, complaint, or a transmittal letter, every document should be individually crafted to achieve your specific purpose or purposes. So, before you tap out the first word on your computer, you need to obtain from the client, the file, or your supervising attorney a clear understanding of the client's goals, and consider those goals in light of the requirements of the applicable law.

Anything in the document that does not serve its purpose must be revised or eliminated. Make it part of your routine to give each document a final review before release, measuring whether the document as a whole and each portion of the document, even word choice, make it more likely that your client's purpose will be achieved. And, if you find that the document does not serve a valid legal purpose or does not advance the client's objectives, then it should not be sent.

# Write for your audience

## Habits to follow:

- (i) Identify your audiences, including potential secondary audiences, such as judges and clients;**
- (ii) Vary your tone, vocabulary, and level of detail to fit your audiences; and**
- (iii) Think beyond the short term audience and immediate gratification, as once released the document may live forever.**

Effective legal documents are targeted to, and tailored for, each potential audience. Your initial goal may be to communicate a specific message to a specific person, normally for the purpose of providing information, requesting information, establishing the foundation for future legal actions, or to persuade the reader to act. To effectively carry out that initial pur-

pose, the document must use a vocabulary, tone, and message that is effective for that primary audience. For example, a letter written to a client to inform the client of the status of her case that relies on legalese or lengthy opinion quotations to communicate the content is not likely to be effective, unless the client also happens to be an attorney or has prior experience in the field.

One complication is that most legal documents are intended, directly or indirectly, for multiple audiences, and all of them must be considered when drafting. So, for example, a simple collection letter has the primary audience of the debtor, seeking payment. But it also must be written to satisfy the creditor (the client), the judge (so that it will satisfy the minimum requirements necessary to satisfy the notice and good faith requirements for collection), and the jury (the jury will more likely enforce the debt when the obligation has been clearly communicated to the debtor, and the debtor has been treated reasonably, fairly, and politely). Although it may be temporarily satisfying to write a harsh, overly aggressive, or bullying collection letter, it is likely to have negative long-term consequences for you and your client.

Depending on the audience, you may vary your tone, vocabulary, and detail. The more you know about the potential audiences for your writing, the more the more tailored your final document may be. The tone of legal writing should always be professional, but it should not be stilted (stiff, unnatural, or awkward; remember back to those first essays that you wrote with a dictionary in one hand and a thesaurus in the other),

verbose, or filled with unnecessary legalese. Tone is a skill developed over time. When writing to a client that you know well, you may write in a warmer, less formal manner, and adjust the level of explanation of underlying legal concepts to the known level of the client. When writing a demand letter on behalf of a client, your tone would be formal, direct, and not subject to more than one interpretation. When writing to someone with known legal expertise (a partner, a judge, in-house counsel, or opposition counsel), you may use legal terms and even legalese to the extent that it allows you to communicate more efficiently and more precisely.

## Keep it short

### Habits to follow:

- (i) As long as the meaning is clear, use one word, rather than a string of words to make your point;**
- (ii) Write using simple, direct sentences when you can;**
- (iii) Get to the point;**
- (iv) Use plain English, unless legalese is clearer or more efficient; and**
- (v) Take the time to review and cut unnecessary words, legalese, and repetition.**

An overriding goal of legal writing is to be clear and precise. To achieve this goal, attorneys have traditionally used synonym strings (“promise, agree, and covenant”, rather than “agree”) and legalese (“said agreement”, rather than “the agreement”). Rather than adding to precision, legalese, synonym strings, excessive length, and repetition often cause confusion and diminish the power of your document. Unless the synonym string or legalese are necessary for clarity or enforceability, the better practice is to write in plain, simple English. And, keep your words, sentences, paragraphs, and documents as short as possible consistent with clarity and achieving your purpose.

There are times when it is appropriate to write more, rather than less, but it should be the exception. For example, certain phrases in the law have been tested by the courts or used in statutes, and their meaning is clearly understood within the legal community.

In Kansas, for example, there is a strong presumption in the law that a grant of property to two people creates a tenancy in common (with a tenancy in common, upon the death of the tenant the property passes by will or under the state’s intestacy laws), rather than a joint tenancy (with a joint tenancy, the last surviving joint tenant inherits the property). If you wish in a deed to create a joint tenancy, rather than a tenancy in common, you should in Kansas use the phrase “to X and Y as joint tenants with rights of survivorship, and not as tenants in common” to create a joint tenancy, even though it is redundant.

There may be other occasions when writing concisely is not appropriate, such as when drafting an office memorandum or an appellate brief that needs to demonstrate that all of the relevant possibilities have been considered (even then, you would want to cover each potential issue as efficiently as possible). Sometimes a minimum length is required to convey to the court, opposing counsel, or the client the seriousness and weight of the matter. While you may be able in your reply brief to quickly dispatch the appellant's ill-founded arguments, a full analysis and explanation of why the appellant's arguments are ill-founded is required to provide the court with the support it needs to find in your client's favor, to anticipate the potential rebuttal by appellant's counsel, and to reassure the client that its interest are being vigorously defended.

Most of the time, the most effective approach is to write using short, clear sentences; standard English; and convey your point in as few pages as possible. When you review your work, you will almost always find words, sentences, and even paragraphs that do not serve your purpose and should be omitted.

One final note. Although thoughtless repetition should be avoided, it is effective to use repetition as signaling for the reader. Particularly in persuasive writing, your prose will be more effective if you introduce your topic, develop the argument, and then summarize your conclusions at the end.



# Master the facts

## **Habits to follow:**

- (i) Learn the facts before you begin to write;**
- (ii) Focus on the key facts, those facts that if changed would alter the outcome of the analysis; and**
- (iii) Acknowledge and deal with bad facts.**

Law without “facts” is not very useful. Learn the facts of your case or project as early as possible in your writing process. Read the file, discuss the case with your supervising attorney, and gather additional facts from the client, documents, and witnesses.

Mastering the facts is a process. You begin by developing a basic understanding of the case, which allows you to identify the areas of law to research. As your research deepens your knowl-

edge of the law, your evaluation of the relative importance of the facts is likely to change. Moreover, you are likely to find gaps in your understanding of the facts and alternative legal doctrines that may apply to your case depending on subtle differences in the characterization or presentation of the facts. Discovery of a gap in knowledge or a significant legal difference dependent on a small factual distinction should prompt you to deepen your understanding of the facts. For example, when considering the liability of a property owner, it is critical to have a complete understanding of the “status” of the injured person, as the duty owed by a property owner to the injured party will be driven in many states by the factual determination of whether the claimant was an invitee, a licensee, or a trespasser.

Facts can be divided into three categories. The most important facts are the key or critical facts--those are the facts that if changed would alter the outcome of your case. For example, in a case turning on whether notice of default was properly given to the tenant under a lease, facts proving that the notice was timely sent in a manner that satisfied the requirements of the lease would all potentially be key facts. The key facts are often also the disputed facts in the case. Pay particular attention in your preparation and drafting to key and disputed facts.

The background facts are those that are necessary to put the case in context, or provide color for a complete or compelling understanding of the key facts. Although not legally signifi-

cant, inclusion of background facts may help you to connect with and persuade the reader.

All of the facts should be considered when evaluating your clients claim. But, if they are neither key facts nor necessary background facts, then they normally should be excluded from or minimized in your written analysis of the claim.

Whether your understanding of the facts comes from your own interviews and investigation or a review of the file, consider the facts critically, identifying facts that are missing, misstated, or unclear. Once helpful facts or facts that need to be put into context are identified, work with the client or the supervising attorney to clarify and deepen your understanding of those facts.

You need to include all of the key facts in your analysis, including any bad facts (facts that undermine your client's case) and the disputed facts (the facts from the point of view of the other parties to the dispute). Take the time in your analysis of the legal issues to consider the likely legal conclusions if the bad facts or disputed facts are found to be true by the fact finder. Even if not key, consider and deal with bad or disputed facts that may undermine the credibility of your client or a key witness.

While bad facts need to be presented honestly and fairly in your analysis, you should put them in context and present them in a manner most favorable to your client. So, for example, if your client failed a field sobriety test, you should, if you honestly can, put that fact in the context, including the medica-

tions that your client was taking at the time, potential distractions, lack of proper calibration of the equipment, and any other mitigating factors.

Finally, a piece of information is only a legal fact if you have an admissible document or witness that will allow you to put it into evidence. As you learn and develop the facts of your case, keep track of the source of each bit of information. Good record keeping on the sources of information will save you time and headaches in the long run.

# Research and reflect before drafting

## **Habits to follow:**

**(i) Keep an open mind;**

**(ii) Exclude theories and arguments only after re-searching, identifying the elements, and applying the facts of your case to the elements; and**

**(iii) Give yourself time to think and reflect before you write.**

As noted in the section on mastering the facts, effective legal writers continually move between the facts and the applicable law, adjusting the organization and the content of the document. Research is impossible without a basic understanding of the facts of your case or problem. Legal questions cannot be accurately analyzed without context. As you research, your understanding of which facts are key facts will change. Re-

search and factual investigation should develop into an internal dialog, as your understanding of both the facts and the law mature.

Keep an open mind as you research. As your legal expertise develops over time, it is normal for legal professionals to quickly focus in on the “correct” legal theory, to the exclusion of other potential theories. While that experience leads to efficiency in most cases, it also may cause a legal writer to overlook novel and potentially beneficial legal theories. Discarding a theory before completing the analysis of that theory or before the facts have been properly developed may prejudice your client.

Although form, technique, and style will help you deliver your message, there is no substitute for content. It is beyond the scope of this text to teach you the habits of an effective legal researcher. But, as a writer, use the facts of your case to consider and investigate all of the potential legal theories and doctrines, identifying all of the necessary elements of each theory or potential cause of action. Before you begin drafting, begin your legal analysis of each potential legal issue by considering whether the facts would satisfy each element of the legal theory or cause of action. When possible to do so, rely upon mandatory, primary authority (constitutions, statutes, and case law from within the applicable jurisdiction or otherwise mandatory within the jurisdiction). When primary authority is scarce, use factually similar primary authority from outside the jurisdiction, analogous precedents from within the jurisdiction (for example, using as precedent in a case involving poten-

tial dental malpractice a prior decision establishing the duty of care for another medical specialty), and well respected secondary sources (such as the Restatement (second) of Torts).

As noted in the section on mastering the facts, you do not serve the client, your supervising attorney, or yourself by ignoring or trying to hide bad facts. Instead, if you can do so in good faith, find research or develop legal theories that allow you to put the potentially damaging facts in a legal context that does not undermine your analysis.

If your research identifies mandatory precedent that undermines your legal position, you must disclose it to the court. Not only would misleading the court or leaving out mandatory negative precedent violate your ethical obligations, it would lead to the loss of trust of the court. Once the court's trust is lost, so is your ability to effectively serve your client.

# Build supportable arguments

## Habits to follow:

**(i) Support your arguments with legal precedent;**

**(ii) Build logical arguments, leading your reader through the steps that lead to your conclusion; and**

**(iii) Anticipate and preempt anticipated counter-arguments.**

Anyone can make an argument. The habit of effective legal writers is to build an argument that can be defended--an argument based on existing law or a logical extension of existing law. The legal basis may be found in state and federal constitutions, laws, and regulations, case law, and respected secondary sources. Your argument may not prove in the end to be the winning argument (every case taken to verdict produces both winners and losers), but it should create in the mind of

the audience the impression that the argument is plausibly correct (or, using legalese, the argument must create a prima facie case for your position).

The support for legal arguments normally comes from existing legal authority. For issues governed by federal law, the highest authority in the United States is the federal constitution, followed by treaties, statutes, regulations and federal case law. Of course, in our system the courts have the authority to invalidate statutes and regulations that are unconstitutional.

For issues governed primarily by state law, the highest authority will be applicable federal law that preempts conflicting state law, the state constitution, and the laws, regulations and case law of that state. Case law serves an important role within our legal system, essentially filling in the details of enacted law (constitutions, statutes, and regulations) and clarifying and expanding the common law (the system of law developed in Great Britain prior to independence, and which has been adopted by many states). Case law is binding precedent when the prior case was decided by the same court or a superior court within the same jurisdiction. In such a situation, the superior court or prior court decision within the same jurisdiction is known as mandatory precedent. Case law that is not mandatory (not from that court or a superior court within its line of authority) is treated by courts as persuasive authority, and will be used by courts to decide cases when there is not any prior mandatory authority on the particular issue before the court.

The best legal arguments combine facts and law to lead the reader to your preferred legal conclusion. Make it easy for the reader, providing topic sentences, transitions, and signaling to carry the reader through the analysis. Anticipate and fairly answer the questions that are likely to arise in the mind of your reader.

One method of building a logical legal argument that is effective is to start with a topic sentence that summarizes the legal point, followed by the legal precedents, the application of the facts to the precedents, and end with the conclusion that naturally flows from the application of your facts to the discussed precedent. This is often referred to in legal writing as the IRAC method (Issue, Rule, Analysis, and Conclusion).

The IRAC analysis begins with the issue, written as a topic sentence. The topic sentence should be written in a fair manner, and when possible it should be a positive statement of the legal question. While written using fair language, an effective topic sentence often will state or imply the desired conclusion. For example, when considering a common law negligence claim involving a plaintiff that only suffered economic damage (in many states, including Kansas, a physical impact or injury is required under most circumstances to support a common law negligence claim), your topic sentence could be: The key question that must be answered in evaluating plaintiff's claim is whether he may recover alleged economic losses in the absence of any physical damage or injury.

In this format, normally you would follow the topic sentence with a concise statement of the applicable law, cited in a standard format (The Bluebook: A uniform System of Citation and the ALWD Citation Manual: A Professional System of Citation are the two most accepted citation systems) to its source. You may either summarize the legal precedent in your own words or use an appropriate quotation. Avoid lengthy quotations and those that do not state the law clearly, as it usually more effective to summarize the precedent. So, for example, a court may have held that “in the absence of the assumption of a specific duty to avoid causing the third party economic damage, a person who has not caused physical harm or impact has no duty to avoid causing economic loss to a third party.” The quote would be followed by the appropriate Bluebook or ALWD form citation.

The analysis, the key building block of your argument, is the application of the facts of your case to the legal precedent. So, continuing with the negligence example, you would explain that the defendant did not have any relationship with plaintiff, nor did he assume duty to avoid causing plaintiff economic loss. Moreover, plaintiff in this case only suffered economic loss, without any physical impact, damage or harm.

Finally, you would draw the conclusion that flows from the application of the facts to the applicable law. In our example, you could conclude that it is likely that the defendant would not be found not liable to plaintiff for his alleged negligence, as defendant did not breach any duty owed by defendant to plaintiff.

The best legal writers will also anticipate and diffuse anticipated counter-arguments. You need to explain to the court why the apparent problem identified by the other side does not undermine the strength of your argument, and why your analysis is the better approach for the court to follow.

## Build on the work of others

### **Habits to follow:**

- (i) Use forms, examples, and prior work from your firm or business;**
- (ii) Use forms from form books as checklists; and**
- (iii) Review forms and examples carefully, tailoring the documents to your specific situation.**

Effective legal writers use existing forms, documents, and prior research as a starting point. Using the work of others with permission, particularly when it is the work of your colleagues that have developed the document within the same legal environment and for a similar case, will save you time, save the client money, and help ensure that important points are not overlooked in the analysis or document.

Reasonable caution must be used when starting from an existing work, as the prior situation will almost always differ in some manner from yours. But, it is often more efficient to tailor the existing document to fit your facts and to review, update, and expand the prior legal research, then it is to start from scratch.

Greater caution must be used when working with form books and forms found on the internet. Forms are often written to the lowest common denominator, and they often include archaic language and legalese. Form books, as well as documents and examples pulled from the internet, can serve as a checklist or ideabox, helping you to ensure that all of the necessary elements have been included in your document.

In addition to being cautious of the quality of the original work when copying, you need to do so legally and ethically. It is embarrassing and damaging to your career to pass off the work of other writers without permission and without proper attribution. You should only use works that you have a license or permission to use, or works that are in the public domain. Even then, you should properly attribute work to its original author when quoting or paraphrasing the work of another.



# Know the rules and limitations

## **Habits to follow:**

**(i) Research and read the applicable rules of civil procedure and local rules before you begin to draft; and**

**(ii) Make sure that you understand what you are expected to deliver and the deadline for delivery.**

Effective legal writers research and read the applicable statutes, regulations, rules of civil procedure, and local rules before they begin drafting. It is much easier to plan and structure the document before you begin to draft, then fix it later. Or worse, have to explain the problem to your supervising attorney or client after the document you carefully prepared was rejected by the court or was found by the court not to have satisfied the minimum legal requirements.

The federal courts, and most state courts, have specific requirements concerning the format and length of documents. In addition, statutes impose limitations and requirements on documents. For example, the disclosure of the interest rate on a loan and any limitation of implied warranties must be made in a particular font size and set off from the rest of the document so that the disclosure is conspicuous.

Aside from any legally imposed requirements, it is important to have a clear understanding from your supervising attorney or client of the expected final product and the delivery deadline. You're wasting your time and resources, and potentially the client's money, unless you produce the desired final product (whether it is a research memo, trial brief, demand letter or contract) by the deadline.

# Outline

## **Habits to follow:**

- (i) Identify the key facts and applicable law;**
- (ii) Create a logical outline for the entire document, establishing the general flow and organization of the document; and**
- (iii) Outline the facts and arguments in sufficient detail to allow you to demonstrate supportable arguments.**

Unless the document is very short or largely based on an existing document, effective legal writers outline. I know that you have been asked to outline since at least the third grade, and you have often gotten by without doing so, but effective legal writing requires more preparation and organization than ordi-

nary writing if you are going to build effective legal arguments and represent your client's interests to the best of your ability.

Outlining forces you to think about the legal problem you are trying to solve prior to the deadline. With an outline you can plan the overall order of the document, plan out the application of legal authority and facts, and spot and cure any defects in your argument. Outlining forces you to think logically, and reduce your thoughts to paper. Although it takes time to create an outline, it will save you time in the long run.

We all have different strengths and different approaches to problem solving, so find the outlining method that works best for you. With modern word processors, one efficient alternative is to use topic sentence outlining. In this method, create your outline by writing the topic sentence of each paragraph of the document. You can then build your document or memo directly from the outline.

Another alternative, effective for those that prefer to work graphically, is to create a mindmap--a drawing that physically links each of the ideas that you want to include. In mind mapping, the subject of your document is represented by an image, the issues related to that subject are represented by main branches, and the details that develop the theme are entered as smaller branches. To see examples of mindmaps visit [www.mindmapping.com](http://www.mindmapping.com).

# Limit distractions

## Habits to follow:

**(i) Create a distraction free environment by turning off the phone, music, twitter, and other applications unnecessary for completion of your task;**

**(ii) Limit human interruptions by letting colleagues and gatekeepers know you are drafting; and**

**(iii) Build breaks into your drafting schedule.**

In our modern world we are never out of contact with the office, home, and the web. The greatest gift you can give yourself as a legal writer is a quiet space and uninterrupted time. You will be amazed by the improvement in both quality and quantity of your legal writing if you are able to turn off the phone, radio, Facebook, and “apps.” All of the studies have shown that we cannot effectively multitask. We think that we can multitask, but careful analysis shows that we switch rap-

idly between tasks, and that are performance on each task suffers. Moreover, every time you peek at an email or webpage, in addition to the time lost attending to the interruption, you lose time and your line of thought while your mind refocuses on the original task. It may not be possible to get away from all disruptions and interruptions, but the reward of creating a calm space and blocks of uninterrupted writing time will be more effective documents created more efficiently.

In addition to turning off unnecessary electronics, let co-workers, supervisors, and gatekeepers know that you are working on a complex drafting project during a particular period of time, and that you should not be interrupted unless absolutely necessary. If you are unable to create a quiet, uninterrupted workspace within your normal work area, look for another suitable workspace, such as a library, empty conference room, or empty office. In addition to creating a quiet working environment, creating a writing retreat outside of your normal work space can help you to focus on the task and promote your creativity.

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# Rest, review, and revise

## **Habits to follow:**

- (i) Plan a schedule that allows time for review and revision of the first draft;**
- (ii) Focus on content; revise or remove anything that does not advance your purpose;**
- (iii) Use standard US English and grammar;**
- (iv) Until you master the citation rules, check every citation in the ALWD Manual or Bluebook; and**
- (v) Proofread carefully for spelling, grammar, citation, and formatting errors before you release your final document.**

Effective legal writers know that their first draft will not be their best draft, so they plan into their schedule time to rest, review, and revise. The more you work on a project, the more your brain will subconsciously correct and overlook errors. So, if you can, build into your writing process enough time to allow you to put the project aside for a period of time. Although out of your conscious mind, your unconscious mind will continue to work on the problem. Most of you have probably enjoyed an insight that came to you following a good night's sleep or following a long shower. Allow time for those insights to occur. But, even if there are no big revelations following the break, when you come back to the document for final review you will find it easier to spot and correct any remaining structural, spelling, or citation errors.

When you revise your document you need to be ruthless. Every element of the document needs to support your goal. If it does not, revise it or cut it. Every line of research or argument will not work out. As discussed in the section on the goal, anything that does not advance the goal impedes the goal, and it needs to be revised or cut. It is hard to do, as we invest ourselves in our writing and want to show the results of our work, but the best writers make the difficult choice, ignore the “sunk cost” of wasted time, and cut it out.

In the final analysis, we want the reader to easily comprehend what we have written. Poor grammar, awkward syntax, and spelling errors distract the reader from the document and may cause the audience to discount the substance of your argument. Moreover, it reflects badly on you and your firm, and

gives the client and the court the impression that you did not care enough about your work to get it right. If you do not have a good understanding of grammar, invest the time and effort necessary to master it. You do not need to accept the spelling and grammar changes suggested by your word processor, but you should carefully review any potential problems identified by the program and make an informed decision.

# Read

## **Habits to follow:**

**(i) Read from a great variety of well written sources; and**

**(ii) Read actively and critically.**

One habit to follow to become a better writer quickly is to read. Read a wide variety authors and from the full spectrum of genres. Read contemporary fiction by authors like Phillip Roth, James Franzen, and Michael Lewis. Try a classic. Or, if you are like me, spend time with non-fiction and scientific works, such as *The Grand Design*, by Stephen Hawking and Leonard Mlodinow. Even regularly reading a news paper like *The New York Times* will help you improve the rhythm, structure, and flow of your writing.

Within our field there is a lot of bad writing, particularly in judicial opinions. For examples of good legal writing, pick up

any of the books by Bryan A. Garner, or a legal opinion by Judge Steven A. Posner.

Whatever you read, read it actively. Look for the structure and the transitions. And, when reading legal writing, take the time to notice the unnecessary legalese, convoluted sentence constructions, and excess verbiage. Work out in your own mind how it could have been written more clearly and concisely. The more you practice active reading the more quickly you will see your writing skills develop

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# Conclusion

These are the writing habits that I have found to be effective. It is not an exclusive or exhaustive list. Through your own experiences and observations you may identify additional habits that will help you become a more effective writer. Above all, keep in mind as you draft your audience and purpose. If you get that right, then the rest will normally fall into place.

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# Additional Resources

This book is intended to introduce you to the basic habits of legal writers. To improve your writing further, you should consult the following resources:

## WRITING GUIDES

Deborah E. Bouchoux, *Aspen Handbook for Legal Writers: A Practical Reference* (Wolters Kluwer 2009).

Bryan A. Garner, *The Elements of Legal Style* (Oxford University Press 2002).

Bryan A. Garner, *Legal Writing in Plain English: A Text with Exercises* (The University of Chicago Press 2001).

Bryan A. Garner, *The Redbook: A Manual on Legal Style* (West 2002).

## CITATION GUIDES

*ALWD Citation Manual: A Professional System of Citation* (Wolters Kluwer, 4th Ed.).

*The Bluebook: A Uniform System of Citation* (Harvard Law Review Association, 19th Ed.).