

Wilbers' Continuing Legal Education (CLE) Programs: "Tips & Techniques for Persuasive Legal Writing"

1. Establishing a Baseline

Formulate a working definition of effective legal writing. Identify five stylistic techniques to write more clearly, concisely, and persuasively. Find out how your command of English (usage, grammar, and punctuation) compares to other legal writers in a three-minute 15-point writing assessment. Review a handful of basic grammatical concepts.

2. Writing Clearly

Use a five-part rubric to assess your overall strengths and weaknesses as a legal writer. Structure your paragraphs to increase coherence and use stress points to emphasize favorable information and non-stress points to de-emphasize damaging information. Learn to recognize vogue words and other legalistic terms and phrases.

3. Writing Correctly

Eliminate common errors in punctuation and word choice (*principal* vs. *principle* and *complementary* vs. *complimentary*). Learn a systematic approach to proofreading to ensure clean copy and protect your credibility.

4. Writing with Precision & Authority

Write with more precision and authority by avoiding fancy words and expanding your vocabulary (both comprehensive and expressive). Make every component of an appellate brief support your argument. Review seven techniques from Richard Wydick's *Plain English for Lawyers* to sharpen your style. Practice identifying the top 12 no-excuse punctuation errors.

5. Writing with Emphasis & Coherence

Apply five stylistic techniques to write more clearly, concisely, and persuasively. Learn to avoid the top 12 no-excuse punctuation errors. Know why first-rate work is first rate – and when to use hyphens (or omit them) in compound adjectives. When beginning your sentences with modifying clauses (like this one), dangling modifiers are a common error (as illustrated in this sentence). Apply your new editing skills to legal writing samples.

6. Refining Your Legal Writing Style

Avoid jargon and noun-heavy language that robs your writing of energy and undermines your emphasis. Use figurative language to make your arguments more vivid and memorable – but avoid clichés like the plague. Apply your new editing skills to more legal writing samples.

7. Applying Rhetorical Strategies

Use a five-step approach to write client relations letters in delicate situations. Know when and how to write get-tough letters. Use mixed rhetorical appeals (*logos*, *pathos*, and *ethos*, as Aristotle advised) to win your arguments. For ethical argumentation, respect five rules of evidence and avoid seven persuasive fallacies. Learn when to use a direct approach (conclusion first, evidence follows) and an indirect approach (evidence first, conclusion follows) in structuring your arguments. Rebut opposing arguments with five techniques: (1) personalizing your client, (2) characterizing facts favorably, (3) using the passive voice to remove your client from the scene, (4) using other parties as subjects, and (5) subordinating unfavorable information.

[Columns on legal writing](#)

