



## IMPROVING WRITING STYLE: An Annotated Bibliography

Compiled by Brian Keefe  
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**Armstrong, Stephen V. and Terell, Timothy P.** Thinking Like a Writer: A Lawyer's Guide to Effective Writing and Editing. Practising Law Institute, [KF250.A76 2003]. The writer's aim is to make lawyers who may already be adequate or good writers better so that they can meet the demands of writing for their profession. This fairly lengthy book has numerous techniques for making passable legal writers into more proficient ones.

**Barhrych, Lynn and Rombauer, Marjorie Dick.** Legal Writing in a Nutshell. Thomson West, [KF250.S68 2003 Reserve]. The book concentrates primarily on writing better—sentences, paragraphs, paragraph blocks, etc. So, unlike some books on this list, it is about how to write better generally, and not how to write any given legal document better. It discusses sentence design, language in the legal setting, punctuation and grammar. The book does talk some about how to write particular types of legal documents—memoranda, letters, etc. The advantage for these nutshell books is that they give a simple, but thorough overview of the subject. This makes it easier for the student to work his or her way through the entire book. It is recommended reading.

**Darmstadter, Howard.** Hereof, Thereof and Everywhereof: A Contrarian Guide to Legal Drafting. American Bar Association, [KF250.d37 2002]. Simple, easy to read and short, this book provides a good introduction to the idea that lawyers can write better, more understandable documents. Initially, Darmstadter talks about simplifying legal writing. He talks even about the look of the document. In the second half, Darmstadter talks about several things that will make particular documents, especially legal agreements better.

**Enquist, Anne and Oates, Laurel Currie.** Just Writing: Grammar, Punctuation and Style for the Legal Writer. Aspen Law & Business, [KF250.E57 2001]. This book more than almost any other concentrates solely on the technique of good writing. It does not discuss how to write specific legal documents. Rather, it addresses how to create effective words, sentences, and paragraphs. It discusses the grammar and punctuation needed for good writing. Finally, the book includes a chapter not seen in legal writing books before, one on legal writing for English-as-a-second-language writers. For a basic, thorough discussion of the rules of good writing, this is recommended.

**Garner, Bryan A.** The Elements of Legal Style. Oxford University Press, [KF250.G37 1991 Reserve]. The text gives many rules for good writing, more than the usual ones for grammar and punctuation only. It is a book devoted entirely to improving legal writing. It is a relatively short and yet comprehensive guide to good writing.

**Garner, Bryan A.** Legal Writing in Plain English: A Text With Exercises. University of Chicago Press, [KF250.G373 2001]. Garner has simply written a book emphasizing that legal writing should break with the past and become simpler and clearer. He states principles of better writing, but he also has principles directed towards specific types of legal document writing. All of Garner's books provide excellent advice on how to become a better legal writer.

**Garner, Bryan A.** The Redbook: A Manual on Legal Style. West Group, [KF250.G375]. Garner's books are organized in a rule-by-rule format. His Redbook, like the famed Bluebook, gives very detailed rules except that Garner's rules are directed towards writing and not citation. There are rules for punctuation, spelling, capitalization and grammar. Also, given at the end of the book are examples of common legal documents. Because the book is a collection of rules, it may be that this is really more of a reference book to which a student should refer as he or she writes rather than a treatise to read or study from beginning to end.

**Goldfarb, Ronald L. and Raymond, James C.** Clear Understandings: A Guide to Legal Writing. Random House, [KF250.G64 1982]. These authors believe that legal writing should not be different than any other kind of writing. Lawyers should behave as professional writers and shun "legalese." Chapters discuss legalisms, correctness, punctuation, organization, style and the commandments of legal writing. This relatively compact book is about legal writing generally, not about drafting specific documents.

**Goldstein, Tom and Lieberman, Jethro K.** The Lawyer's Guide to Writing Well. McGraw-Hill, [KF250.G65 2002]. Without the same detailed organization that characterizes other books on legal writing, the authors demonstrate the major obstacles to lawyer's writing well. Particular emphasis is given to organizing and editing. This book appears to be an easier read than others.

**Gopen, George D.** Writing from a Legal Perspective. West Publishing Co., [KF250.G66 1981]. This is one book that is devoted more to fostering good writing by lawyers than to instructing how to write particular legal documents. It takes a scholarly approach to writing instruction. Included in it are chapters giving word origins and historical bases for legalese. Chapter 5 covers different types of writing lawyers do like agreements, briefs, memos and letters to clients. Later chapters deal with things like the inferences of words and with the need to maintain consistency in writing.

**LeClerq, Terri.** Guide to Legal Writing Style. 3rd. Aspen Publishers, [KF250.I3913 2004]. This book is shorter than others and hence appears to be a more manageable read. Its goal is to take the reader from a substantive first draft to a final document. Five stages characterize this process: organizing, creating sentences, choosing words, punctuating, formatting.

**Ray, Mary Barnard and Ramsfield, Jill J.** Legal Writing: Getting It Right and Getting It Written. 3rd. West Group, [KF250.R39 2000]. This book has a very different organizational style than others. It is organized alphabetically by terms, and within this organizational framework, it discusses any number of concepts. It functions as an index to definitions for concepts of language, style, tone, usage, writing technique and writing paralysis. With this kind of organization, the book is a reference source, not a text to work through.

**Richmond, Jane N.** Legal Writing: Form & Function. National Institute for Trial Advocacy, [KF250.R53 2002]. This book's emphasis is to get students and practitioners to write better. The book focuses on what legal writers need to do to improve their writing generally. With that focus, the book is one of the better books directed at improving legal writing.

**Smith, Michael R.** Advanced Legal Writing: Theories and Strategies in Persuasive Writing. Aspen Law & Business, [KF250.S62 2002]. Smith's book is about writing per se and not about creating legal documents. It is advanced in that it presupposes skills in research and writing. It then demonstrates for the reader and the writer how different strategies can be used to build upon elementary legal writing skills. Smith's references to different strategies embodied in commercials and literature make for a book that should enhance the writing style of someone who has already done the initial work in learning how to write for the law. This is recommended to be used after using some introductory writing texts or in conjunction with them.

**Volokh, Eugene.** Academic Legal Writing: Law Review Articles, Student Notes, and Seminar Papers. Foundation Press, [KF250.V6 2003]. Volokh's emphasis is different than most, for he is counseling writers how to write long articles in academic environments either for seminar papers or for publication in law reviews. His book not only gives sound advice on how to start and structure your paper or article, but it gives further practical advice on how to make the process one that you complete smoothly. For example, he counsels that to avoid writer's block, keep writing, outlining those areas with which you are having trouble but keep writing. Volokh's book is recommended to those writing anything from a seminar paper to a case note in a law review. What you will not find in his book are rules for the beginning writer to follow to become a better writer.

**Weisberg, Richard H.** When Lawyers Write. Little, Brown and Co., [KF250.W43 1997]. Weisberg says that at the heart of this book is a simple concept, lawyers must be aware of audience for whom they are writing. The book emphasizes writing for law practice. The contents of the book are: Basic Skills for Busy Lawyers; Awareness of Audience, Organization and Writing in the Special Context of Legal Practice. The book appears very readable, and it is written with the intention of improving legal writing generally and with regard to any specific type of legal document. Despite now being 17 years since it was published, it is a

recommended reading.

**White, James B.** The Legal Imagination: Studies in the Nature of Legal Thought and Expression. Little Brown and Co., [KF250.W45]. The book makes reference to classical writing, poetry, essays, cases and statutes to illustrate the various ways a lawyer has to write. This is a 1973 book. Its literary allusions and particular legal reference points mean it is not a book for beginning a study of how to write better. It may serve more advanced legal writers by demonstrating for them the wealth of examples and allusions that can be used by lawyers.

**Wydick, Richard C.** Plain English for Lawyers. 4th. Carolina Academic Press, [KF250.W9 1998]. A book devoted completely to showing lawyers how to write better English. Its singleness of purpose makes it ideal for the student who is trying to become a better writer. No part of the book is devoted to other topics like drafting legal documents.