

Legal Writing Workshop 2019

The Virginia State Bar Section on the Education of Lawyers, the Virginia Bar Association Law Practice Management Division, Virginia CLE, and the American University Washington College of Law Legal Rhetoric Program are pleased to cosponsor this day long workshop. Space is limited to 50 attendees so register early. While not an advanced writing course, this workshop is designed to make you a better and more confident legal writer. This intensive legal writing course, facilitated by judges, legal rhetoric professors, and experienced attorneys, will provide classroom instruction as well as effective legal writing techniques.

6 hours of MCLE credit (including 1.0 hour of Ethics)

Friday, May 17, 2019
Kaufman and Canoles – Norfolk
150 West Main Street, 21st Floor,
Norfolk, Virginia 23514

COURSE OVERVIEW

Are the legal writing classes you took back in law school the last writing training you experienced? Would you like an opportunity to study and improve your basic legal writing skills?

This workshop is an intensive legal writing course, facilitated by judges, legal rhetoric professors, and experienced attorneys. While not an advanced writing course, this workshop will serve as a basic refresher and is designed to make you a better and more confident legal writer.

The workshop will provide classroom instruction and interactive writing and editing opportunities to all participants.

The workshop will focus on the following:

- Basic grammar and writing strategies
- Understanding, and implementing, roadmaps and transitions
- Tailoring your legal writing to your recipients and purpose
- Ethical considerations and professionalism in legal writing
- Effectively writing a discussion or argument section of a memo
- The importance of persuasive characterization and fact emphasis
- The differences between oral and written advocacy, and how to effectively engage in each

Plus, attendees will have the option to attend a breakout session focused on either litigation or transactional practice.

FOR MORE INFORMATION AND TO REGISTER

- **ONLINE** at www.vacle.org Click [here](#) or go to:
<https://www.vacle.org/product.aspx?zpid=6542&zskuid=25961>
- **CALL** 800-979-VCLE (979-8253)

Note that this program is discountable.

COURSE SCHEDULE

8:00 Registration

8:30 **Effective Writing Strategies**
David H. Spratt and Heather E. Ridenour

This interactive opening session will cover basic grammar and writing strategies and act as the foundation for the entire workshop. Topics discussed will include the following: the language of the law; noun-pronoun agreement; avoiding misplaced modifiers; avoiding ambiguity; proper use of commas, colons, and semicolons; and sentence and paragraph construction.

10:15 Break

10:30 **Tailoring Your Writing to Your Recipients and Purpose**
David H. Spratt and Heather E. Ridenour

This session will discuss the importance and necessity of thinking through a document before beginning to write it. It will cover planning strategies that allow legal writers to write any type of legal document and will help them as they convert one type of legal document to another, e.g., turning an internal office memo into a client letter and/or a trial court brief. This session will also cover specialized documents like e-mails.

11:30 Lunch (provided at the seminar)

11:45 **Panel Discussion: Ethical Considerations and Professionalism in Legal Writing**
John M. Bredehoft and L. Steven Emmert

This lunch session will address the ethics implications of legal writing content and style. It will first focus on lawyers' possible duty to disclose bad facts and bad law, and then cover the ethics rules prohibiting false statements to the court and others. The session will then turn to legal writing style, including the difference between ethics and professionalism and the rules governing lawyers' criticism of judges.

12:45 Break

1:00 **Organization and Rule Synthesis (CREAC)**
David H. Spratt and Heather E. Ridenour

This session will teach attendees how to effectively write a discussion or argument section of a memo using an organizational strategy called CREAC (Conclusion/Context, Rules of law, rule Explanation, rule Application, and Conclusion), which is a variation on the IRAC (Issue, Rule, Application, Conclusion) formula most lawyers learned in law school.

1:45 **Small World**
David H. Spratt and Heather E. Ridenour

This humorous and helpful session will reinforce organizational writing strategies, such as roadmaps and transitions. Concepts covered include the following: context paragraphs, headings and subheadings, roadmaps, umbrella sections, conclusion sections, and thesis sentences.

2:00 Break

2:10 **Small-Group Sessions on Litigation or Transactional Practice** (*Attendees will choose which session to attend*)
Program Faculty

In these sessions, held in different rooms and led by judges, practicing attorneys, and/or professors, attendees will receive practice tips and pointers from the group leaders and have the opportunity to ask specific questions concerning legal writing topics relevant to litigation or transactional practice, respectively.

3:25 Break

3:40 **Oral and Written Advocacy Roundtable**
Program Faculty

Program faculty will discuss the differences between oral and written advocacy and offer advice on how to effectively engage in each.

4:20 Break

4:30 **Persuasive Writing Exercise (Jack and the Beanstalk)**
David H. Spratt and Heather E. Ridenour

This highly interactive group exercise will teach attendees the importance of persuasive characterization and fact emphasis. Participants will be given a fact pattern, which they will need to read, and then will be broken into groups representing either Jack or the Giant. Groups will need to select facts that can be persuasively characterized and emphasized. A full group discussion of how each side could have characterized and used the same facts persuasively will conclude the exercise.

5:00 **Closing Remarks: Promoting a Culture of Legal Writing Excellence in Virginia**
Judge David W. Lannetti, Judge Mary Grace O'Brien

5:15 Adjourn

FACULTY

John M. Bredehoft, Kaufman & Canoles / *Norfolk*

Andrea L. Bridgeman, Freddie Mac / *McLean*

L. Steven Emmert, Sykes, Bourdon, Ahern & Levy, P.C. / *Virginia Beach*

Hon. David W. Lannetti, Norfolk Circuit Court / *Norfolk*

Hon. Mary Grace O'Brien, Court of Appeals of Virginia / *Manassas*

Heather E. Ridenour, American University Washington College of Law / *Washington, DC*

***David Spratt**, American University Washington College of Law / *Washington, DC*

** Course Planner*