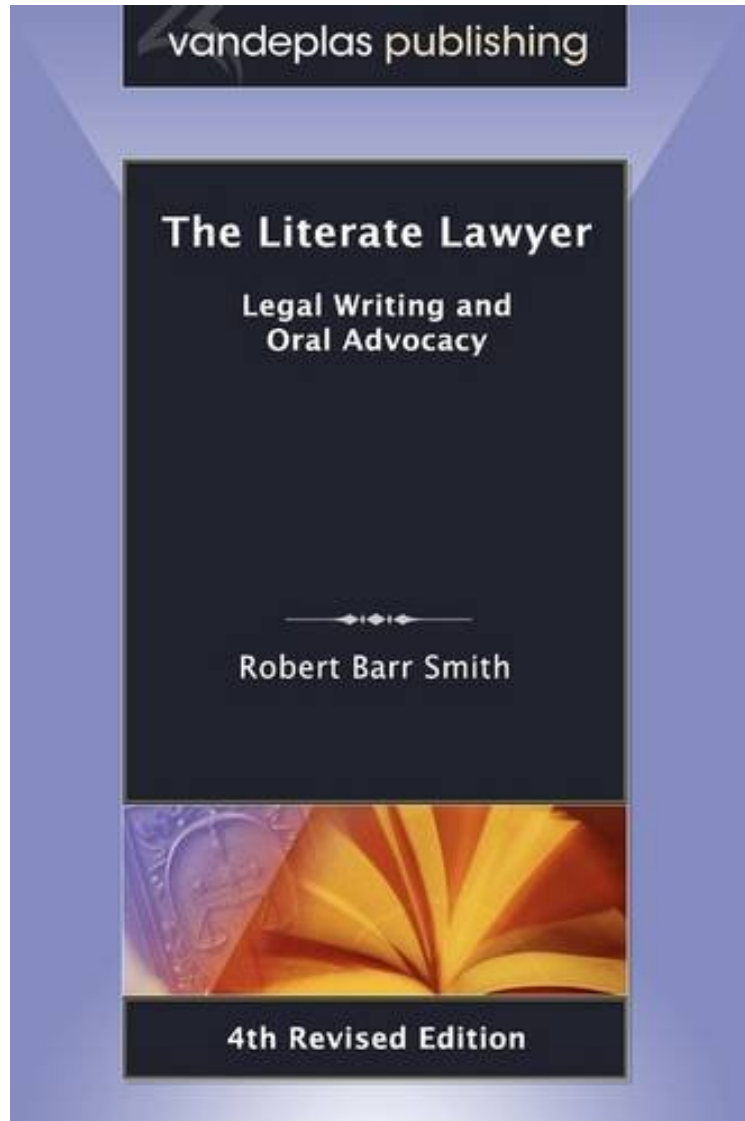


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The Literate Lawyer: Legal Writing and Oral Advocacy, 4th Revised Edition

Robert Barr Smith

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Not long ago, an appellate court fined a lawyer for filing an "incomprehensible brief." That negligence hurt the lawyer's wallet and reputation, but his carelessness hurt his client's case even more. Today, most of our law depends on the written word. A single error can tarnish the writer's image in the eyes of the court and make his or her writing less persuasive. In the end, the client suffers. Even the simplest error reduces the effectiveness of any brief or pleading. Spellcheck won't cure every ill; neither will a loyal and efficient secretary. This little book is dedicated to real legal writing, terse, persuasive, and accurate. It not only teaches brevity, clarity and power in writing, but lists the common pitfalls that infest so much legal writing and destroy the lawyer's meaning and the client's life. It includes tables of commonly misspelled and misused words and commonly confused prepositions. It lays out guidelines for persuasive brief-writing, deals with the letters lawyers regularly write - and some they shouldn't - with office memoranda, and with the basic rules of punchy, persuasive oral argument. It addresses the rules of grammar; the violations of those rules that instantly mark the writer as illiterate at best, and can destroy any amount of clever reasoning and knowledge of the law. It gives examples of how to write effectively . . . and some horrors that good lawyers must avoid. Most important, *The Literate Lawyer* shows the road to simple, common-sense persuasion, powerful, solid writing that makes the lawyer's point with strength and clarity. And wins cases. About the author: Robert Barr Smith is a Professor at the University of Oklahoma Law Center. He earned a BA in History and a Doctor of Laws from Stanford, and is a member of both the Oklahoma and California Bars. He came to the Law Center in 1982, after retiring from the United States Army as a Colonel. He designed the Law Center's writing, oral advocacy and research class, taught and directed it for fifteen years, served six years as Associate Dean for Academics, and taught trial and appellate advocacy, advanced brief writing, and paralegal writing courses.