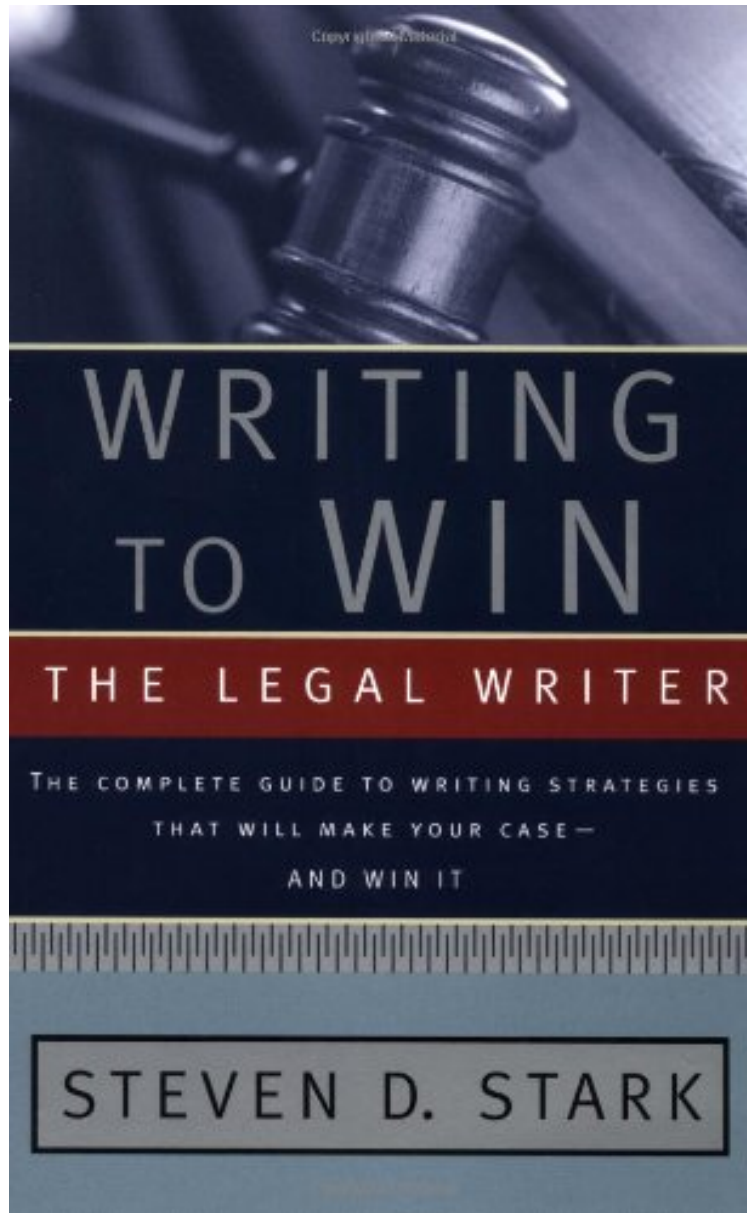


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## Writing to Win: The Legal Writer: The Complete Guide to Writing Strategies That Will Make Your Case.. and Win It!

*Steven D. Stark*

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**Steven D. Stark : Writing to Win: The Legal Writer: The Complete Guide to Writing Strategies That Will Make Your Case.. and Win It!** before purchasing it in order to gauge whether or not it would be worth my time, and

all praised *Writing to Win: The Legal Writer: The Complete Guide to Writing Strategies That Will Make Your Case.. and Win It!*:

6 of 6 people found the following review helpful. Not for lawyers only--If you write for your living this is very much worth considering. By Epictetus (Hong Kong) "Remember that most writing difficulties are organizational difficulties." This is one of the opening statements in the main text of the book, and how true that is! Many of the suggestions in this book are well known to professional writers, whether lawyers, planners, analysts or military staff officers, such as to start by writing your conclusions. However, the author puts them all together in a concise and fresh package. It is useful even if one has learnt these things to be reminded of them. Some of the text is specific to lawyers, such as "Six elements to remember when composing affidavits". You do not have to know what an affidavit is to find this useful if you ever have to take notes in a meeting. Some of the advice may be a matter of opinion, such as to write in always in the second person rather than the third, because this "makes prose easier for a reader to absorb." But whether or not you agree with this postmodern style, such sweeping statements don't affect the value of this book to you. (Of course there are other readers who find that being told how they think and feel makes prose harder to absorb, but there you go. And we shall not put too much effort into pointing out that the author did not write "makes prose easier for you to absorb.") In short, money well spent, and it's already helped me improve my writing today of a training film script. "EPICTETUS" 1 of 1 people found the following review helpful. Loved it; very helpful, informative and funny. By Mr. Mario I am a newly minted attorney and I loved this book. Just the right amount of humor and examples to keep me interested. He also includes a good amount of information that could be applied relatively quickly to my writing. Definitely a good read, and short enough to breeze through quickly. 5 stars. 4 of 4 people found the following review helpful. Excellent advice for all writers, not just lawyers. By Jerry Saperstein Steven Stark's intended audience is lawyers and he attempts to lead them away from the pompous, bloated and overstuffed writing habits inculcated in the legal profession for centuries. Not being a lawyer, I can't authoritatively state whether Stark's book is helpful or not to lawyers who write poorly - but I can state with assurance that any attorney who misses Stark's point is dense, if not stupid. Stark's advice is not news to any technical, business or copy writer whose job is to evoke a specific and immediate response from their audience. Mail order copywriters (today called "direct response") have known for more than a century that they had but one fleeting chance to capture the attention of their intended audience and then had to keep it through the sheer power and - yes - artistry of their writing. If you compare the points Stark makes with those of the great ad copywriters Caples, Kennedy and Schwab, you'll see they are almost identical. Stark's adaptation of these points of effective writing is often amusing and to the layperson and definitely instructive. In fact, I would suggest this book to businesspeople who retain lawyers as a way to judge their effectiveness. After all, if your lawyer can't write a document you can understand, how do you expect them to write one that will convince a judge? One example of Stark's approach is his instruction that "[b]efore you begin writing, ask yourself "What's the big idea?". This is no different than advertising great Rosser Reeves's pushing marketers to find the USP - the Unique Selling Proposition. And, in fact, I had to laugh because that thought struck me as soon as I read Stark's line quoted above - and in the following line, Stark cites Rosser Reeves and the USP. I could go on for a long time praising this book. It is an insight into legal thinking, good and bad. It is a book on effective argumentation in any area. It is a book about writing well and convincingly. Laywer or layperson, if you'd like to make your writing more effective in terms of persuading people to adopt your ideas, this is an excellent book and a thoroughly enjoyable read. Jerry

From a master teacher, a results-oriented approach to powerful legal writing that communicates, that persuades--and that wins. Of all the professions, the law has the most deserved reputation for opaque, jargon-clogged writing. Legal education, which focuses on judicial opinions, not instruments of persuasion, is partly to blame. Yet forceful writing is one of the most potent weapons of legal advocacy. In *Writing to Win*, Steve Stark, a former teacher of writing at Harvard Law, who has taught thousands of aspiring and practicing lawyers, has written the only book on the market that applies the universal principles of vigorous prose to the job of making a case--and winning it. *Writing to Win* focuses on the writing of lawyers, not judges, and includes dozens of examples of effective (and ineffective) real-life writing--as well as models drawn from advertising, journalism, and fiction. It deals with the problems lawyers face in writing, from organization to strengthening and editing prose; teaches ways of improving arguments; addresses litigation and technical writing in all its forms; and covers the writing attorneys must perform in their practice, from memos and letters to briefs and contracts. Each chapter opens with a succinct set of rules for easy reference. No other legal writing book on the market is as practical, as focused on results, as well written as *Writing to Win*.

.com In the case of *Steven D. Stark v. members of the American Bar Association*, we'd all come out winners, if Stark prevailed. For 12 years Stark taught legal writing to Harvard Law School students; now, he's out to teach the rest of us. "You don't need a literary critic," says Stark, "to know how badly most lawyers write." He offers as evidence most briefs, memos, and law review articles. Using legal jargon helps lawyers confuse the court, which in some cases is the best defense they've got, and it also helps convince impressed clients that exorbitant fees are well earned. But Stark

argues that good legal writing should pass what he calls the McDonald's test. "If you were to read the document you're drafting aloud in McDonald's," Stark asks, "would people understand what you're saying?" He also insists that, like fiction writers and journalists, lawyers need to be good storytellers. "On one level," he says, "a lawsuit is simply a clash of competing stories. If you tell your story better than the lawyer for the other side ... you will have a far better chance of prevailing." *Writing to Win* is an excellent resource for guidance on organization and research, litigation writing, oral argument, and even writing memos and letters. Stark illustrates his lessons with examples written by lawyers--whereas most law schools rely more heavily on the writing of judges. Among his many salient points are his recommendations that you should lead with your conclusions ("legal arguments or explanations," he says, "should not be like an O. Henry short story") and that you should deal with the arguments against your case. The latter is not only best heard from you rather than from your adversary, but it "actually enhances your credibility." --Jane Steinberg

From the Inside Flap

From a master teacher, a results-oriented approach to powerful legal writing that communicates, that persuades--and that wins. Of all the professions, the law has the most deserved reputation for opaque, jargon-clogged writing. Legal education, which focuses on judicial opinions, not instruments of persuasion, is partly to blame. Yet forceful writing is one of the most potent weapons of legal advocacy. In *Writing to Win*, Steve Stark, a former teacher of writing at Harvard Law, who has taught thousands of aspiring and practicing lawyers, has written the only book on the market that applies the universal principles of vigorous prose to the job of making a case--and winning it. *Writing to Win* focuses on the writing of lawyers, not judges, and includes dozens of examples of effective (and ineffective) real-life writing--as well as models drawn from advertising, journalism, and fiction. It deals with the problems lawyers face in writing, from organization to strengthening and editing prose; teaches ways of improving arguments; addresses litigation and technical writing in all its forms; and covers the writing attorneys must perform in their practice, from memos and letters to briefs and contracts. Each chapter opens with a succinct set of rules for easy reference. No other legal writing book on the market is as practical, as focused on results, as well written as *Writing to Win*.

About the Author

Steven D. Stark is a former cultural commentator for CNN, National Public Radio, and the Voice of America. He has written frequently for the New York Times, the Los Angeles Times, the Atlantic Monthly, and both the Boston Globe where he was an op-ed columnist and the Montreal Gazette where he was a world sports columnist. A former Lecturer on Law at Harvard Law School, he is a graduate of Harvard College and Yale Law School. His website is at [www.starkwriting.com](http://www.starkwriting.com)