



Welcome to the reintroduction of a favorite feature on good legal writing. If there are writing topics you'd like to see covered, write to [arizona.attorney@azbar.org](mailto:arizona.attorney@azbar.org)

## The Legal Writer's Bookshelf

Sometimes consulting a good reference book can improve your writing. Whether you are a proud relative shopping for the perfect gift for someone recently admitted to the bar, a new graduate stocking your law-office bookshelf, or a supervising attorney seeking books to recommend to junior colleagues, here is a short list of some of the resources I have found particularly useful.

Seeking a reference book for you or a friend? Here's a short list.

**Bryan Garner** deserves his own shelf, and any of his books makes a worthy addition to your collection. (However, he needs to abandon the notion that citations belong in footnotes. All these years later, that's still not happening.) If you want a single book that covers everything from brainstorming and outlining to writing effective issue statements to the nuts-and-bolts of writing and editing, I'd recommend his *The Winning Brief*. Organized around 100 tips, the book guides you from the beginning of your writing project to the

final revisions. Not sure whether "that" or "which" is appropriate in a given sentence? *The Winning Brief* addresses that too.

The text I use most, though, is *The Redbook*, Garner's legal-style guide. It sits at my elbow every time I write, edit or provide feedback on writing. If I question a comma, I flip to sections 1.2 through 1.13. When a student makes a particular style, grammar or punctuation error, I cite the relevant Redbook section in my comment. (As a result, I have mem-

orized several section numbers, including those for passive voice and the dreaded comma splice.) Clear organization, a word index and a general index make the text easy to navigate, but I guarantee that you'll tab key sections for frequent reference. Chapter 12 on "troublesome words" and the editing guide in chapter 13 are full of worthy additions to your revision checklist. Like every Garner text, *The Redbook* is written in accessible prose, and you won't find any antiquated maxims or grammar urban legends, just rules and advice you can use.

I don't agree with everything Steven Stark says in his *Writing to Win*—his interpretation of the "CRAC" organizational paradigm is unusual, for example—but almost every page provides invaluable advice. Stark begins by outlining the fundamentals of effective prose and then applies those fundamentals to specific legal-writing contexts, from motions and briefs to pleadings and contracts. He illustrates that advice with examples

drawn not just from cases and legal documents but also from advertising, journalism and even fiction. Some may find certain tips controversial; for example, Stark urges on page 133 that "You do not have to answer every allegation and charge raised by the other side. Your job is to address the principal allegations the other side raises, and only in a way that supports arguments you have already made." Whether you agree or not, Stark provokes you to reflect on your own

philosophy of effective persuasion. Drop the paperback in your carry-on bag; Stark's brisk prose and keen observations will make that transcontinental flight almost painless, and you may be a better legal writer when you land.

Ross Guberman's *Point Made* is the flashier, pithier version of the Stark text. Guberman uses samples from real briefs written by famous contemporary lawyers to illustrate 50 techniques for persuasive legal writing. Guberman's tips are insightful, and he explains them efficiently, but a big part of the fun is reading excerpts from briefs written by the rock stars of the appellate-attorney world.

One of my favorite books about writing, though, is Stephen King's *On Writing*. King tells a vivid story, and he tells several in reflecting on what makes effective prose. He also just loves writing, and that passion can be contagious.

Would you rather listen to a podcast, maybe in the car or on the treadmill? **Grammar Girl** (aka Mignon Fogarty) has podcasts available at [www.quickanddirtytips.com/grammar-girl](http://www.quickanddirtytips.com/grammar-girl) that provide helpful explanations and memorable examples to help cure common grammar, style, punctuation and usage woes.

Happy reading (or listening)!



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