

Persuasion Through Organization

THE FINAL INSTALLMENT



Transitions

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If you've been following this series, you know that roadmap paragraphs and thesis sentences are key links in the organizational "chain" that can help you make your writing more persuasive. The final link in that chain is made up of transitions, which, if used artfully, enable your reader to easily understand how ideas relate together within paragraphs and sentences. In this article, we examine how transitions work to connect ideas and enhance the persuasive power of your writing.

Let's start with an everyday example of why transitions (or connections) are important to comprehension.

Imagine you are driving from the airport in an unfamiliar city looking for the local courthouse where you will soon have a pretrial hearing. The car you've rented has a global positioning system; you provide it with the address and wait for quick and easy navigation to the courthouse. Then, the following text—but no visual map—scrolls onto the screen:

I-70; Third Street; Neil Avenue

Scratching your head and looking at your watch, you pull over at the next gas station, hoping the attendant will tell you more than your defective GPS unit did. You get out of the car and go inside. In response to your question, the attendant says:

Head North on I-70 about three miles. You'll see the Third Street exit; get off there and turn right. At the third stoplight, turn left onto Neil Avenue. Just

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past the Kmart, the courthouse is on the right.

Sometimes, a legal brief or motion is like a defective GPS system: The document has the basics, but there is little information to show the reader how to navigate from one idea to the next.

On the other hand, an excellent motion or brief is more like the gas station attendant who provides clear directions—transitions—that guide the reader along the path and map the way to the final destination.

Like the roadmap paragraphs and thesis sentences already discussed in this series, transitions map the relations between ideas and guide the reader in thinking through the law and facts.

Most writers are familiar with generic transitions such as “thus,” “in addition” and “for example.” But more sophisticated transitions combine placement and content to enhance the writing’s persuasiveness.

When used at the beginning of sentences, for example, these more sophisticated transitions add instructive signposts for readers, helping them contextualize the information that follows and persuading them to adopt a particular perspective on the subsequent information.¹ In the metaphor of giving directions, these transitions might be likened to phrases such as “head north,” “just past the Kmart” or “after the third stoplight.”

Due to the service station attendant’s detailed directions, you’ve made it to court. How do you apply the transitions in a similarly effective way to your legal writing?

In a motion to the court, you are

arguing that a public notice regarding a government entity’s budget was ineffective. Your motion must include the following information about the law on published notices.

1. Advising the public of proposed budget changes allows interested persons to attend the hearing and object to those changes.
2. The published notice is the vehicle for communicating the proposed changes to the public.
3. The published notice must be unambiguous and not misleading.

The relevant legal information is contained in these sentences—but presented in a manner that is no more useful than your car’s maddening GPS system. There is nothing that describes to the reader how to think about this information or to understand the relationships between the sentences.

Taking our lead from the service station attendant, we recast the sentences using persuasive transitional phrases:

Advising the public of proposed budget changes allows interested persons to attend the hearing and object to those changes. In nearly all situations, the published notice is the vehicle for communicating the proposed changes to the public. Because of the notice’s importance, it must be unambiguous and not misleading.


In this paragraph, the lawyer accurately conveys the law on the topic. But she also focuses the reader on the importance of the published notice and its effectiveness by using transitional phrases.

First, the phrase “in nearly all situations” contextualizes the information that follows, elevating the notice’s status and drawing the reader’s attention to the central role the notice plays in advising the public of changes.

Second, the phrase “because of the notice’s importance” provides a perspective that the reader wants the writer to adopt—that the notice is important.

The key here is the transition’s placement. How does the lawyer—subtly—encourage the reader to adopt the viewpoint that the standards that follow should be applied stringently? She does so by placing this transition at the beginning of the sentence. There they sit, assertively but not obtrusively: the standards for evaluating the notice (unambiguous and not misleading).

With two transitional phrases, the writer has transformed a simple statement of the applicable law. It has become an argument that can persuade the reader to treat the notice in question as particularly significant and to examine it with a critical eye—even before the writer begins to apply the law to the facts.

Certainly, not every sentence needs this kind of transition. But using transitional phrases to contextualize information and provide perspective can be a useful tool in persuasive legal writing. Along with roadmap paragraphs and thesis sentences, transitions help you control the way a reader navigates your writing. 

endnotes

1. For an excellent discussion of transitions in legal writing, *see* ANNE ENQUIST & LAUREL CURRIE OATES, *JUST WRITING: GRAMMAR, PUNCTUATION AND STYLE FOR THE LEGAL WRITER* (2d ed. 2005).