



Maguire Muldoon
Solicitors

PILA

Legal Writing Skills

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Why Write?



Documents such as:

- A Will
- A Diary entry
- Letter to Client advising of a Court date

Why are these documents in writing?

Writing allows us communicate accurately through time. What you write can be stored and read later either by you or others.

Writing enables you to communicate at a distance

Documents can be published and read by lots of people

Written documents may authenticate actions by being signed, witnessed, stamped eg. Will or Licence

Know your reader



Imagine you need to convey the same information about an injury at the workplace to three different people:

- 1.The Client
- 2.The other side, their solicitor or insurance company
- 3.The client's doctor

You need to be aware of their requirements, what they need to know.

Consider:

- How well do you know them, language, formalities
- How easy they will grasp the issue
- Their likely response to the issue
- Their attitude to you
- Their reading ability
- Their understanding of English, mother tongue
- What the outcome is likely to be for them

Exercise



- Exercise

Plan Write Revise



Problem solving requires a logical approach, so this helps you become more methodical in your approach.

There have been campaigns to promote plain English speaking in the US and England since the 1970s.

This is used as a method of attacking over complicated language used by governments and local authorities etc.

Well known examples are

- "Collateral damage" = Civilians killed in War.
- "Negative patient care outcome" = Death

Planning: Know what you mean to say



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Say it

- Clear
- Concise
- Correct

Avoid jargon and long complex sentences

Common Pitfalls:

<u>AVOID</u>	<u>USE INSTEAD</u>
Please find attached/enclosed	You will see that I have attached/enclosed
Below please find	Here is a copy of..
In respect of	About
Regarding	Change the sentence to avoid!
Re	Nothing
?Looking forward to meeting you	I look forward to meeting you
If you require further information please contact myself or my assistant	Please contact me if you would like any further information.

The heading



A good heading indicates the main point of the letter.

“Re” is old fashioned, however, lawyers use it all the time. The heading allows the reader identify immediately the matter:

Murphy v Black

A letter to a client can be less formal:

Re: Your party wall dispute. Headings can also help guide the reader through a long letter. Headings as questions can keep the readers attention: “What action should you take?”

Opening Sentences



Opening and closing paragraphs will give clarity

Opening: Why am I writing?

"Thank you for your letter of the 13th December 2011.
I would like to draw your attention to...."

"Thank you for your telephone call on ... I am now
writing to confirm our discussion."

Keep it short and simple, get to the point quickly.

Remember courtesy is crucial

Closing



Similar principles

Closing: What happens next?

"Please contact me if you have any questions."

"I look forward to meeting you on ..."

"Unless we hear from you within 14 days, we shall commence proceedings against you"

"Please let us have the report as soon as possible"

Middle

- List the points you need to cover.
- Categorise: collect points that belong together under a heading.
- Organise the material and review again!
- Finally ask yourself:
 1. Is it accurate?
 2. Is it clear why you are writing?
 3. Is it clear what you are saying?
 4. What happens next?

GENERAL INFORMATION



- **Rules for Writing Formal Letters in English**

In English there are a number of conventions that should be used when writing a formal or business letter. Furthermore, you try to write as simply and as clearly as possible, and not to make the letter longer than necessary. Remember not to use informal language like contractions.

GENERAL INFORMATION



Addresses:

1) Your Address

The return address should be written in the top right-hand corner of the letter.

2) The Address of the person you are writing to

The inside address should be written on the left, starting below your address.

Date:

Different people put the date on different sides of the page. You can write this on the right or the left on the line after the address you are writing to. Write the month as a word.

GENERAL INFORMATION



Salutation or greeting:

1) Dear Sir or Madam,

If you do not know the name of the person you are writing to, use this. It is always advisable to try to find out a name.

2) Dear Mr Jenkins,

If you know the name, use the title (Mr, Mrs, Miss or Ms, Dr, etc.) and the surname only. If you are writing to a woman and do not know if she uses Mrs or Miss, you can use Ms, which is for married and single women.

Ending a letter:

1) Yours faithfully

If you do not know the name of the person, end the letter this way.

2) Yours sincerely

If you know the name of the person, end the letter this way.

3) Your signature

Sign your name, then print it underneath the signature. If you think the person you are writing to might not know whether you are male or female, put your title in brackets after your name.

GENERAL INFORMATION



Content of a Formal Letter

First paragraph

The first paragraph should be short and state the purpose of the letter- to make an enquiry, complaint, request something, etc.

The paragraph or paragraphs in the middle of the letter should contain the relevant information behind the writing of the letter. Most letters in English are not very long, so keep the information to the essentials and concentrate on organising it in a clear and logical manner rather than expanding too much.

Last Paragraph

The last paragraph of a formal letter should state what action you expect the recipient to take- e.g. a refund, send you information, etc.



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- Questions