

# Legal Argument: The Structure and Language of Effective Advocacy

## DESCRIPTION

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<https://maulkilasjia.blogspot.com/?read=1531017274> | [READ DOWNLOAD] Legal Argument: The Structure and Language of Effective Advocacy | Legal Argument: The Structure and Language of Effective Advocacy is a full-featured guide designed primarily for law students in research, writing, analysis, and trial advocacy classes and moot court programs. Inside you'll find detailed explanations of how lawyers construct legal arguments and practical guidelines to the process of molding the raw materials of litigation—cases, statutes, testimony, documents, common sense—into instruments of persuasive advocacy. You'll also find writing guidelines that show you how to present a well-constructed legal argument in writing in a way that legal decision makers will find persuasive. The centerpiece of this indispensable work is its syllogism-based step-by-step method, designed to walk the advocate through the process of crafting a winning argument. Intuitive organization presents the material in five parts: Part I sets out a general methodology for constructing legal arguments. Part II focuses more closely on the construction of persuasive, well-grounded legal premises, and covers the effective integration of legal doctrine and evidence into the argument's structure. Part III shows how to put the method to work by giving two detailed examples of the construction of complete legal arguments from scratch. Part IV provides a detailed protocol for reducing well-constructed legal arguments to written form, along with a concrete illustration of that process. It also provides concrete advice on how to recognize and avoid a host of common mistakes in the written presentation of legal arguments. Part V moves from the basics into more advanced techniques of persuasive legal argument, including rhetorical tactics like framing and emphasis, how to respond to arguments, maintaining professionalism in advocacy, and the ethical limits of argument.

# Legal Argument The Structure And Language Of Effective Advocacy

**James E. Szalados**



## **Legal Argument The Structure And Language Of Effective Advocacy:**

*Legal Argument* James A. Gardner, 1993      Legal Argument James A. Gardner, Christine P. Bartholomew, 2020 This book is a full featured guide designed primarily for law students in research writing analysis and trial advocacy classes and moot court programs Inside you ll find detailed explanations of how lawyers construct legal arguments and practical guidelines to the process of molding the raw materials of litigation cases statutes testimony documents common sense into instruments of persuasive advocacy You ll also find writing guidelines that show you how to present a well constructed legal argument in writing in a way that legal decision makers will find persuasive The centerpiece of this indispensable work is its syllogism based step by step method designed to walk the advocate through the process of crafting a winning argument      *Arguments and Arguing* Thomas A. Hollihan, Kevin T. Baaske, 2015-11-17 The latest edition of *Arguments and Arguing* contains the same balance of theory and practice breadth of coverage current and relevant examples and accessible writing style that made previous editions so popular in hundreds of classrooms The authors draw from classic and recent argumentation theory and research contextualized with well chosen examples to showcase a narrative style of argumentation and the values and attitudes of audiences Readers learn how to employ both formal and informal argumentative strategies in an array of communication forums from interpersonal interactions to academic debate to politics to business A newly added chapter on visual argumentation and a striking color photo insert demonstrate the value and power of visual elements in the construction of arguments The ability to argue is necessary if people are to solve problems resolve conflicts and evaluate alternative courses of action While many are taught that arguing is counterproductive and arguments should be avoided Hollihan and Baaske illustrate that arguing is an essential and fundamental human activity Learning the art of effective argumentation entails a grasp of not only the strategies and principles of analysis and logical reasoning but also the importance of arguing in a positive and socially constructive fashion      **From Truth to Technique at Trial** Philip Gaines, 2016-04-01 *From Truth to Technique* addresses key questions raised by the burgeoning literature in what Philip Gaines calls advocacy advice texts manuals handbooks and other how to guides written by lawyers for lawyers both practicing and aspiring to help them be as effective as possible in trial advocacy In these texts advice authors share principles strategies and techniques for persuading juries and winning cases Some manuals even form the basis for required advocacy courses in law schools Unlike training manuals in other professional domains sales leadership management fundraising coaching etc advocacy advice texts offer guidance for effectiveness in a realm of activity where the stakes may be the very highest for the parties and where society has an abiding interest in the truth being discovered and justice being done Helping advocates learn how to win cases may be the ultimate purpose of advice texts but to what extent are ideas about the values of truth and justice what Gaines calls metavalues incorporated into discussions about winning tactics and techniques To explore this question Gaines takes the reader through a discursive history of the relation between technique

and metavalues as presented in advocacy advice beginning with a thematic analysis of the first texts published in the Anglo American tradition in the early 17th century through treatises written during seasons of radical change in the profession in the 18th and 19th centuries and up to the present day with a look at the more than 200 trial manuals currently in print This diachronic study reveals dramatic changes in the place authors give to the metavalues of truth and justice when lawyers advise other lawyers about how to be effective in the courtroom      **Brief-Writing Master Plan** Chinua Asuzu,2022-08-23

As much a sword as a shield Brief Writing Master Plan offers an unparalleled and unprecedented curriculum of written advocacy It s a sparkling alchemical blend of doctrine ethics and skills It recruits linguistics logic psychology rhetoric and semantics into the arsenal of learned advocacy It contains the rhetorical wisdom of ages pages and sages An advocate files a brief to persuade the judge to decide the lawsuit in favor of the advocate s client The keyword is persuade Too often advocates forget this and write to please themselves They address themselves instead of the court They write in chest thumping prose and style Advocates will do well to keep in mind that in advocacy all that counts is persuading the judiciary Hence Brief Writing Master Plan responds to the judicial wish list for advocates writing style and substance This book is a transformative resource with the potential to accelerate court proceedings by easing judicial burdens and caseloads A sober reflection on the advocate s duty to the court Brief Writing Master Plan encourages professional candor decency and honesty Writing as taught in this book will surely propel you to the top 1% of the global legal profession and secure your legacy      **A**

**Handbook of Legal Education in Nigeria** Emiri, Oghenemaro Festus,2018-05-22 This book is on the nature and practice of legal education in Nigeria with comparative material sometimes deployed to shed light on current local situation The primary goal of legal education is to prepare students for the profession To do this a faculty will need to pay attention to a theory of learning to guide it in implementing a programme that will serve the mission It is hoped that the basic information here provided on the basic structure and content of legal education and ensuing challenges should point in more fruitful directions to all in the legal profession in Nigeria      **Critical and Comparative Rhetoric** Elizabeth Berenguer, Lucy

Jewel, Teri A. McMurtry-Chubb,2023-06-30 Through the lenses of comparative and critical rhetoric this book theorizes how alternative approaches to communication can transform legal meanings and legal outcomes infusing them with more inclusive participation equity and justice Viewing legal language through a radical lens the book sets aside longstanding norms that derive from White and Euro centric approaches in order to re situate legal methods as products of new rhetorical models that come from diasporic and non Western cultures The book urges readers to re consider how they think about logic and rhetoric and to consider other ways of building knowledge that can heal the law s current structures that often perpetuate and reinforce systems of privilege and power      **The Rhetoric of Judging Well** David A. Frank, Francis J. Mootz III,2023-03-12 Known as the swing justice Justice Anthony M Kennedy provided the key vote determining which way the Supreme Court would decide on some of the most controversial cases in US history Though criticized for his unpredictable

rulings Kennedy also gained a reputation for his opinion writing and more so for his legal rhetoric This book examines Justice Kennedy s legacy through the lenses of rhetoric linguistics and constitutional law Essays analyze Kennedy s opinion writing in landmark cases such as *Romer v Evans* *Obergefell v Hodges* and *Planned Parenthood v Casey* Using the Justice s rhetoric as an entry point into his legal philosophy this volume reveals Kennedy as a justice with contradictions and blind spots especially on race women s rights and immigration but also as a man of empathy deeply committed to American citizenship A sophisticated assessment of Justice Kennedy s jurisprudence this book provides new insight into Kennedy s legacy on the Court and into the role that rhetoric plays in judging and in communicating judgment In addition to the editors the contributors to this volume are Ashutosh Bhagwat Elizabeth C Britt Martin Camper Michael Gagarin James A Gardner Eugene Garver Leslie Gielow Jacobs Sean Patrick O Rourke Susan E Provenzano Clarke Rountree Leticia M Saucedo Darien Shanske Kathryn Stanchi and Rebecca E Zietlow

**Searching the Law, 3d Edition** Frank Bae,Edward Bander,Francis Doyle,Joel Fishman,Paul Richert,2021-12-13

*The Medical-Legal Aspects of Acute Care Medicine* James E. Szalados,2021-04-02

The Medical Legal Aspects of Acute Care Medicine A Resource for Clinicians Administrators and Risk Managers is a comprehensive resource intended to provide a state of the art overview of complex ethical regulatory and legal issues of importance to clinical healthcare professionals in the area of acute care medicine including for example physicians advanced practice providers nurses pharmacists social workers and care managers In addition this book also covers key legal and regulatory issues relevant to non clinicians such as hospital and practice administrators department heads educators and risk managers This text reviews traditional and emerging areas of ethical and legal controversies in healthcare such as resuscitation mass casualty event response and triage patient autonomy and shared decision making medical research and teaching ethical and legal issues in the care of the mental health patient and medical record documentation and confidentiality Furthermore this volume includes chapters dedicated to critically important topics such as team leadership the team model of clinical care drug and device regulation professional negligence clinical education the law of corporations tele medicine and e health medical errors and the culture of safety regulatory compliance the regulation of clinical laboratories the law of insurance and a practical overview of claims management and billing Authored by experts in the field

The Medical Legal Aspects of Acute Care Medicine A Resource for Clinicians Administrators and Risk Managers is a valuable resource for all clinical and non clinical healthcare professionals

Journal of the Association of Legal Writing Directors ,2006

**Essentials of Lawyering Skills in Africa** Festus Emiri,Ernest Owusu-Dapaa,2020-07-01

In twenty two chapters divided into six parts for convenience the authors not only lay bare the art of lawyering but also provide invaluable nuggets of perfecting and excelling as a solicitor and advocate There is little doubt that the contents of this book dramatically make a lawyer especially the lawyer in Africa to be more effective more skilful and a proper lawyer useful to the client and society

Lewis & Clark Law Review ,2005

Rutgers Computer & Technology Law Journal ,1998

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,2005     **The Noter Up** Donald J. Dunn,1990     Una mirada a la argumentación jurídica Renata Amaya González,Nicolás Parra Herrera,2019-04-01

Luego de concluir la lectura de los artículos que conforman este libro en el orden en que me fueron enviados para la elaboración de este prólogo la primera pregunta que me hice fue cuáles podrían ser las mejores rutas para leerlos Me hice esa pregunta debido a la creencia que tengo acerca de que una de las responsabilidades que debe cumplir razonablemente un prólogo consiste en proponer al futuro lector algunas ideas para emprender la tarea de descubrir lo que las palabras intentan decir Sin embargo antes de tratar de dar una respuesta sobre ese orden considero necesario reflexionar por una parte acerca de las razones que pueden justificar la publicación de este libro y por otra sobre la idea que permite conectar cada uno de los artículos Con ese punto de partida a continuación intento presentar primero las buenas razones para iniciar la lectura segundo la premisa que hace posible agrupar los diferentes trabajos en un único libro y tercero los caminos que podrían elegir quienes emprendan su revisión

1 Las buenas razones de un libro pueden identificarse definiendo las personas que son sus principales destinatarios Podrían ser los estudiantes En efecto en su tarea de identificar y ordenar en las clases el denso conjunto de símbolos que constituyen el derecho se encuentran una y otra vez con profesores libros y sentencias que argumentan en favor de una tesis o de una decisión En ese sentido este libro podría considerarse un manual para aprender a leer esos materiales Sin embargo allí no se detiene su utilidad dado que los estudiantes también encontrarán importantes pistas acerca de la forma en que el derecho en tanto práctica argumentativa les exige consciencia sobre la escritura o la presentación oral de las razones Por ello puede tratarse también de un manual para aprender a comunicar

*Visualizing Argumentation* Paul A. Kirschner,Simon J. Buckingham Shum,Chad S. Carr,2012-12-06 Computer Supported Argument Visualization is attracting attention across education science public policy and business More than ever we need sense making tools to help negotiate understanding in the face of multi stakeholder ill structured problems In order to be effective these tools must support human cognitive and discursive processes and provide suitable representations services and user interfaces Visualizing Argumentation is written by practitioners and researchers for colleagues working in collaborative knowledge media educational technology and organizational sense making It will also be of interest to theorists interested in software tools which embody different argumentation models Particular emphasis is placed on the usability and effectiveness of tools in different contexts Among the key features are Case studies covering educational public policy business and scientific argumentation Expanded regularly updated resources on the companion website [www.VisualizingArgumentation.info](http://www.VisualizingArgumentation.info)

The old leadership idea of vision has been transformed in the face of wicked problems in the new organizational landscape In this excellent book we find a comprehensive yet practical guide for using visual methods to collaborate in the construction of shared knowledge This book is essential for managers and leaders seeking new ways of navigating complexity and chaos in the workplace Charles J Palus Ph D Center for Creative Leadership Greensboro North Carolina USA     Sourcebook on Legal Writing Programs Ralph L. Brill,1997     **The Moot Court Book** John T.

Gaubatz, Taylor Mattis, 1994 This book is designed to structure the process of writing a first brief and organizing a first oral argument on appeal The book assumes that its typical user is a student addressing an appellate moot court problem during the student's first or second year of law school The book further assumes a basic understanding of legal research and writing including an understanding of citation form A Teacher's Manual is available to professors

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