

THE LITERATE LAWYER

*Legal Writing and
Oral Advocacy*

THIRD EDITION

ROBERT B. SMITH

Literate Lawyer Legal Writing And Oral Advocacy

Michael H. Frost



Literate Lawyer Legal Writing And Oral Advocacy:

The Literate Lawyer Robert Barr Smith,1991 **Introduction to Classical Legal Rhetoric** Michael H.

Frost,2017-03-02 Lawyers law students and their teachers all too frequently overlook the most comprehensive adaptable and practical analysis of legal discourse ever devised the classical art of rhetoric Classical analysis of legal reasoning methods and strategy is the foundation and source for most modern theories on the topic Beginning with Aristotle s Rhetoric and culminating with Cicero s De Oratore and Quintilian s Institutio Oratoria Greek and Roman rhetoricians created a clear experience based theoretical framework for analyzing legal discourse This book is the first to systematically examine the connections between classical rhetoric and modern legal discourse It traces the history of legal rhetoric from the classical period to the present day and shows how modern theorists have unknowingly benefited from the classical works It also applies classical rhetorical principles to modern appellate briefs and judicial opinions to demonstrate how a greater familiarity with the classical sources can deepen our understanding of legal reasoning **The Literate Lawyer** Robert Barr Smith,2009 Not long ago an appellate court fined a lawyer for filing an incomprehensible brief That negligence hurt the lawyer s wallet and reputation but his carelessness hurt his client s case even more Today most of our law depends on the written word A single error can tarnish the writer s image in the eyes of the court and make his or her writing less persuasive In the end the client suffers Even the simplest error reduces the effectiveness of any brief or pleading Spellcheck won t cure every ill neither will a loyal and efficient secretary This little book is dedicated to real legal writing terse persuasive and accurate It not only teaches brevity clarity and power in writing but lists the common pitfalls that infest so much legal writing and destroy the lawyer s meaning and the client s life It includes tables of commonly misspelled and misused words and commonly confused prepositions It lays out guidelines for persuasive brief writing deals with the letters lawyers regularly write and some they shouldn t with office memoranda and with the basic rules of punchy persuasive oral argument It addresses the rules of grammar the violations of those rules that instantly mark the writer as illiterate at best and can destroy any amount of clever reasoning and knowledge of the law It gives examples of how to write effectively and some horrors that good lawyers must avoid Most important The Literate Lawyer shows the road to simple common sense persuasion powerful solid writing that makes the lawyer s point with strength and clarity And wins cases About the author Robert Barr Smith is a Professor at the University of Oklahoma Law Center He earned a BA in History and a Doctor of Laws from Stanford and is a member of both the Oklahoma and California Bars He came to the Law Center in 1982 after retiring from the United States Army as a Colonel He designed the Law Center s writing oral advocacy and research class taught and directed it for fifteen years served six years as Associate Dean for Academics and taught trial and appellate advocacy advanced brief writing and paralegal writing courses **Plain Language Legal Writing** Cheryl Stephens,2008-07 A complete guide to clean precise and understandable legal writing So many books give you advice that turns out to be hollow

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