



THE PROCESS OF EFFECTIVE WRITING - PART 2

+

LINDA ALUVALE

LINDAALUVALE@KSL.CO.KE

DRAFTING THE DOCUMENT

- + As part of legal practice, advocates are required to draft a wide range of documents. The documents to be drafted are to be based upon facts, general principles and legal authority in a structured, concise and, when appropriate, persuasive manner.
- + Legal writing falls into several categories however most legal writing is intended to inform, persuade or both.

DRAFTING

Documents should:

- + • Meet the client's goals. This is achieved by carrying out client's instructions and address the client's concerns. Accurately address all the relevant legal and factual issues;
- + • Where appropriate, identify relevant options, including the costs, benefits and risks of those options;
- + • Where appropriate, demonstrate a critical use of precedents;
- + • Be logically organized;
- + • Form a consistent and coherent whole;
- + • Follow the rules of grammar;
- + • Demonstrate appropriate use of language;
- + • Be succinct and precise;
- + • Meet any formal legal or other requirement.

HOW DOES ONE PRODUCE A GOOD DRAFT?

1. Prepare to draft
2. Draft
 - + Appearance
 - + Content
 - + Style
 - + Use of grammar and language

REVISING

- + Revising is the process of reviewing your completed draft from a different point of view. The process involves identifying areas in the document that could be clearer, more interesting, more informative and more convincing.
- + Revision gives you a chance to look critically at what you have written to see
 - + • If it's really worth saying,
 - + • If it says what you want to say, and
 - + • If the audience will understand what you're saying.

REVISING

- + There are generally three methods of revising. These are:
- + 1) A.R.R.R:
- + Adding: - what else does the reader need to know?
- + Rearranging: - is the information in the most logical and most effective order?
- + Removing: - what extra details or unnecessary bits of information are in this piece of writing?
- + Replacing: - what words or details could be replaced by clearer or stronger expressions?

REVISING

- + (2) R.A.G. – Read Around Group.
- + General rules for read around groups include:
 - + a. In each group, everyone reads each paper once. Nothing is written on the papers.
 - + b. During the first read, on a separate piece of paper, each member of the group ranks the draft on a scale
 - + c. The members of the group discuss why they assigned the scores.
 - + d. Staying in the same group, you then revise the document.
- + (3) A.R.M.S. Add, Remove, Move Around, Substitute. This is similar to A.R.R.R.

EDITING

- + Every great legal writer knows that the magic of writing happens in the editing stage. During this process, you prune away all the unnecessary information to reveal the critical information/winning arguments within your draft.
- + To edit better, train yourself to be a phase editor. The principle behind phase editing is that our minds are easily distracted and editing is no different. If you try to edit too much, too quickly, you will inevitably miss some good improvements.

EDITING

1. With phase editing, you break up the editing process into manageable chunks. Some of the editing phases include:

+ Phase 1 – Content/Fact Section

Have you done everything the assignment requires? Are the claims you make accurate? Are your arguments complete? Are all of your claims consistent?

+ Phase 2 – Overall structure

Does your paper or writing have an appropriate introduction and conclusion? Is the issue clearly stated in your introduction? Is it clear how each paragraph in the body of your paper is related to the issue? Are the paragraphs arranged in a logical sequence? Have you made transitions between paragraphs?

EDITING

+Phase 3 – Structure within paragraphs

Does each paragraph have a clear topic sentence? Does each paragraph stick to one main idea? Are there any extraneous or missing sentences in any of your paragraphs?

+Phase 4 – Clarity

Have you defined any important terms that might be unclear to your reader? Is the meaning of each sentence clear? Is it clear what each pronoun refers to? Have you chosen the proper words to express your ideas?

EDITING

+Phase 5 – Style

Have you used an appropriate tone? Have you applied the use of gendered language? Have you varied the length and structure of your sentences? Do you tend to use passive voice too often?

+Phase 6 - Citations

Have you appropriately cited quotes, paraphrases and ideas?

PROOF READING

- + Proofreading involves checking over your text in fine detail. It is the process of reviewing a completed written document for 'surface errors' such as inconsistencies; spelling, grammar, and punctuation errors; formatting mistakes; and typos. It's the last task you should perform.

PROOF READING

- +• Familiarize yourself with the errors you commonly make and check your writing for each of them.
- +• Carefully and slowly read your writing out loud. Often your ear will hear what your eye did not see.
- +• Read your writing, sentence by sentence, from the first sentence to the last sentence.
- +• Use your dictionary to check for the meaning of words that you are unsure about.

