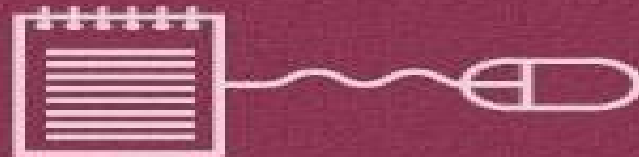


Modern Legal Drafting

A Guide to Using Clearer Language



Second Edition

Peter Butt & Richard Castle

Modern Legal Drafting A Guide To Using Clearer Language

**Brian Hunt (Barrister-at-law), Francis
Alan Roscoe Bennion**

Modern Legal Drafting A Guide To Using Clearer Language:

Modern Legal Drafting Peter Butt, Richard Castle, 2001-06-04 This clearly structured and well referenced book shows how and why traditional legal language has developed some of the peculiar characteristics that sometimes make legal documents inaccessible to the end users It examines recent reforms in the UK Australia New Zealand and North America and provides a critical examination of case law and the rules of interpretation Practical elements are also covered Detailed case studies illustrate how obtuse words and phrases can be reworked or removed Particularly useful is the step by step guide to drafting in the modern style using examples drawn from four types of legal documents leases company constitutions wills and conveyances Readers of this book will receive clear instructions on how to make their writing clearer and their legal documents more useful to clients and colleagues This book will benefit all law students and professionals

The Impact of Plain Language on Legal English in the United Kingdom Christopher Williams, 2022-08-23 This volume offers insights into the ways in which plain language has influenced the language of the law in the United Kingdom critically reflecting on its historical development and future directions The book opens with an overview of the theoretical frameworks underpinning plain language and a brief history of plain language initiatives as a foundation from which to outline ongoing debates on the opportunities and challenges of using plain language in the legal domain The volume details strands where plain language has had considerable impact thus far on legal English in the UK notably in legislative drafting but it also explores areas in which plain language has made fewer inroads such as the language of court judgments and that of online terms and conditions The book looks ahead to unpack highly topical areas within the plain language debate including the question of design and visualisation and the ramifications of digitalisation contributing to ongoing conversations on the importance of plain language both in the UK and beyond This book will be of particular interest to students and scholars interested in the intersection of language and the law as well as related disciplinary areas such as applied linguistics and English for Specific Purposes

Obscurity and Clarity in the Law Sophie Cacciaguidi-Fahy, 2016-12-05 This book explores the intricate and multi dimensional conception of clarity and obscurity in the law It presents and examines the most recent research and theories giving practical guidance on how to avoid obscurity in legal drafting and its impact on legal interpretation The book is aimed at a multidisciplinary audience and seeks to promote an interdisciplinary debate on clarity law and language calling for the moving of clarity beyond the study of plain language The aims of the book are thus two fold The first is to critically reach a nexus between the disciplines of law and language with respect to the debates on clarity in legal discourse The second is to achieve an international perspective on the issue drawing from a wide range of legal and political contexts

Handbook of Communication in the Legal Sphere Jacqueline Visconti, 2018-09-24 This volume explores communication and its implications on interpretation vagueness multilingualism and multiculturalism It investigates cross cultural perspectives with original methods models and arguments emphasizing national EU and international perspectives Both

traditional fields of investigations along with an emerging new field Legal Visual Studies are discussed Communication addresses the necessity of an ongoing interaction between jurilinguists and legal professionals This interaction requires persuasive convincing and acceptable reasons in justifying transparency visual analyses and dialogue with the relevant audience The book is divided into five complementary sections Professional Legal Communication Legal Language in a Multilingual and Multicultural Context Legal Communication in the Courtroom Laws on Language and Language Rights and Visualizing Legal Communication The book shows the diversity in the understanding and practicing of legal communication and paves the way to an interdisciplinary and cross cultural operation in our common understanding of legal communication This book is suitable for advanced students in Linguistics and Law and for academics and researchers working in the field of Language and Law and jurilinguists

Modern Statutory Interpretation Jeffrey Barnes, Jacinta Dharmananda, Eamonn Moran, 2023-01-10 *Modern Statutory Interpretation* is an original clear coherent and research based account of contemporary Australian statutory interpretation It provides a comprehensive coverage of statutory interpretation law legislative drafting the parliamentary process the modern history of interpretation sources of doubt and interpretation techniques

Legal Writing in Plain English Bryan A. Garner, 2013-08-26 This easy to follow guide is useful both as a general course of instruction and as a targeted aid in solving particular legal writing problems Harvard Law Review Clear concise down to earth and powerful all too often legal writing embodies none of these qualities Its reputation for obscurity and needless legalese is widespread For more than twenty years Bryan A Garner s *Legal Writing in Plain English* has helped address this problem by providing lawyers judges paralegals law students and legal scholars with sound advice and practical tools for improving their written work The leading guide to clear writing in the field this indispensable volume encourages legal writers to challenge conventions and offers valuable insights into the writing process that will appeal to other professionals how to organize ideas create and refine prose and improve editing skills Accessible and witty *Legal Writing in Plain English* draws on real life writing samples that Garner has gathered through decades of teaching Trenchant advice covers all types of legal materials from analytical and persuasive writing to legal drafting and the book s principles are reinforced by sets of basic intermediate and advanced exercises in each section In this new edition Garner preserves the successful structure of the original while adjusting the content to make it even more classroom friendly He includes case examples from the past decade and addresses the widespread use of legal documents in electronic formats His book remains the standard guide for producing the jargon free language that clients demand and courts reward Those who are willing to approach the book systematically and to complete the exercises will see dramatic improvements in their writing Law Library Journal

Legal Language and the Search for Clarity Anne Wagner, Sophie Cacciaguidi-Fahy, 2006 This interdisciplinary collection with contributions in English and French explores how the various disciplines of law and linguistics appreciate and work towards improving the nature of clarity and obscurity in legal language For the first time it brings together legal

academics and practitioners jurilinguists and linguists from the common law and civil law with the specific aim to understand the complex nature practice and tools of clarity and obscurity in legal drafting Topics addressed include how the Clarity framework has been put into practice through the use of plainer language better comprehensibility readability and access to legal or administrative texts Preparing Legal Documents Nonlawyers Can Read and Understand Wayne Schiess,2008 This text teaches lawyers how to adjust their writing to accommodate the nonlegal audience Improve legal writing for the lay audience as well as find examples of poor legal writing common errors why they should be fixed and how to fix them This book is ideal for practicing lawyers or law students who want their material to be understood and not ignored **Journal of the Association of Legal Writing Directors** ,2006 Writing for the Legal Audience Wayne Schiess,2003 This book teaches lawyers how to adjust their writing to accommodate twelve different legal audiences Each chapter addresses a different audience for legal writing including consumers supervisors and trial judges First each chapter defines the needs of a specific audience Next the chapter offers tips designed to improve legal writing for that audience Finally Schiess cites examples of poor legal writing and includes explanations of why the poor examples should be fixed and how to do it Readers will find sentence structure advice as well as advice on organization tone format and document design Using a short clear and easy to read format this book is ideal for practicing lawyers or law students who want to improve their writing Wayne Schiess knows his stuff and it shows in this superb book Any lawyer or paralegal who wants to write better and therefore succeed more of the time should keep this book close at hand Bryan A Garner President LawProse Inc A fine book filled with sound progressive advice about writing for many different legal audiences Schiess is squarely on the side of plain English bless him He will show you the way to better legal writing Joe Kimble Thomas Cooley Law School Wayne Schiess makes many superb suggestions for improving your writing by considering your audience s needs and sensibilities Richard K Neumann Jr Hofstra Law School The writing tips in this book work It is easy to read easy to use and especially considering the type of book it is surprisingly enjoyable TRIAL January 2004 *Southern University Law Review* Southern University and A & M College. School of Law,2009 *International Legal Materials* ,2002 **Current Publications in Legal and Related Fields** ,2001 **The New Law Journal** ,2003 *Diachronic Perspectives on Domain-specific English* Marina Dossena,Irma Taavitsainen,2006 The articles deal with developments from the late medieval period to the present day and the book encompasses studies in which the long established tradition of domain specific English is highlighted The fields of contributions range from scientific to legal to political and business discourse Special attention is given to argumentation in an attempt to assess the time depth of typical rhetorical strategies Some methodological innovations are introduced in corpus linguistics Numerous contributions bring new materials to scholarly discussion as recently released or in progress second generation corpora are used as data Recent changes in present day legal and scientific writing are also discussed as they witness fast adaptation to new requirements due to the advent and growing familiarity of new technologies international law

and changes in academia Peter Lang Practical Legal Skills Ross Hyams, Susan Campbell, Adrian Evans, 2004 This is a clear and concise guide to key practical legal skills interviewing advising negotiating letter writing and advocacy This revised and updated edition of Practical Legal Skills provides more detailed coverage of advocacy and negotiation skills and has a strong commercial emphasis with the addition of a number of commercially focused exercises and examples The expanded content maintains all the features of the original edition and meets the practice needs of lawyers in large commercial firms The broad ethical issues arising from commercial practice are described and discussed **Michigan Law Review** ,2002
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