



THE Scrivener

Spring/Summer 2023

Scribes—The American Society of Legal Writers

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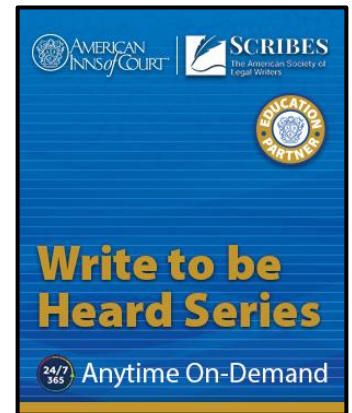
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Refine Your Skills Through Write to Be Heard Courses

Scribes and the [American Inns of Court](#) have worked together as education partners to develop a series of video courses on effective legal writing.

The series, called **Write to Be Heard**, consists of four courses:

- Creating Executive Summaries
- Effective Motion-Drafting in Trial and Appellate Courts
- Building Better Briefs in Trial and Appellate Courts
- Using Writing to Enhance Your Professional Profile



Each course takes one to two hours to complete and consists of video presentations and an assessment to test your knowledge. The courses are available on demand, meaning you can complete them at your convenience.

The series is designed to appeal to lawyers and judges of all ages and career stages throughout the United States. In the courses, the presenters unpack the key ingredients of effective legal writing and offer perspectives on how lawyers and judges can bring greater clarity and vigor to their written work. Presenters discuss strategies for enhancing readability and expression and also offer practical tips to help today's legal writers capture and hold readers' attention.

Scribes members can purchase individual courses for \$30 each or can purchase the four-course bundle for the discounted price of \$96. To learn more about and register for the courses, go to <https://www.pathlms.com/innsocofcourt/courses/49625>.

Scribes, Southwestern Law School
3050 Wilshire Blvd.
Los Angeles, CA 90010
213.738.6711

Submissions—Please send items for upcoming issues of *The Scrivener* to scribeslegalwriters@gmail.com.

In the Limelight

Recently, two Scribes members received awards for their writing and contributions to the profession.

John G. Browning

John G. Browning, a partner at Spencer Fane LLP, a law professor in Falkner University's Thomas Good Jones School of Law, and a former Texas appellate judge, received the Texas Bar Foundation's **2023**



Outstanding Law

Review Article Award for his article "[Judged by the \(Digital\) Company You Keep: Maintaining Judicial Ethics in an Age of Likes, Shares, and Follows](#)." The article was published in *St. Mary's Journal on Legal Malpractice and Ethics* in 2022.

Jillian L. Schumacher

Jillian L. Schumacher, a partner at Daniels & Tredennick, was the recipient of the Texas Bar College's **2023**

Steven G. Condos Award for Outstanding New Member.

Each year, the award is given to a first-year member of the Texas Bar College who has demonstrated exceptional conduct and work.



Annual CLE Webinar

Scribes and Attorney Protective are combining forces to host a live CLE webinar titled "**Seal the Deal: Effective Settlement Agreements to Resolve Your Case.**" This can't-miss moderated panel discussion will explain what to include in an effective settlement agreement in a civil litigation matter. Specifically, the expert panelists will address the following topics, among others:

- The essential provisions of a settlement agreement, including properly defined parties, the nature of the dispute, and material terms
- Effective preparation techniques, including the need to appropriately

incorporate insurance policies, consult tax counsel, and address relevant state and federal laws

- Techniques to ensure enforceability
- Drafting tips to avoid ambiguities and other pitfalls and to improve clarity

Participants will also be provided with a list of helpful resources and an essential drafting checklist. Lawyers of all ages, career stages, and practice areas are welcome to attend.

Date: May 17, 2023

Time: 1:00–2:00 EST

At the Microphone

On March 16, **Michele Jochner** of Schiller DuCanto & Fleck, moderated a panel discussion titled “**Writing to Win: Legal Writing Workshop**.” The panel featured the Honorable **Jean P. Rosenbluth**, magistrate judge in the U.S. District Court for the Central District of California, and the Honorable **Kem Thompson Frost**, former chief justice of the 14th Court of Appeals of Texas. The panel was part of the National Association of Women Lawyers 2023 Mid-Year Meeting.

Have you recently made a speech, presented in a CLE program, or taught at a symposium or conference? Or do you have a speaking engagement scheduled? If so, we'd like to share the news with our members.

Please send the details, a link if available, and a headshot to scribeslegalwriters@gmail.com.

Did You Know: Tips for Better Writing in Law Reviews

Professor **Joseph Kimble** and his colleagues in the Research and Writing Department at the Thomas M. Cooley Law School prepared a list of tips, including the following, for writing law reviews:



- Write a compelling introduction, one that's sure to grab the reader. Avoid platitudes (“torture is inconsistent with American values”) and banal generalities (“the Dobbs decision may cause a flurry of activity in state courts”). State your claim, your main thesis, in a forceful way. Or use a concrete example to illustrate the issue, and then state your claim. For good examples, see *Academic Legal Writing*, by Eugene Volokh, and *Scholarly Writing for Law Students*, by Elizabeth Fajans and Mary Falk.
- Avoid the sleep-inducing, but ubiquitous, front-end description of what you're going to cover in each part. Your headings

should provide the guidance that readers need.

- Raise and address counterarguments as you go, in their logical places. Don't save them all for a separate part at the end.
- Use topic sentences. Make sure that each one connects with the point you were just making and summarizes the point you're about to make in the new paragraph.
- Guide the reader with plenty of informative headings and subheadings. Not informative: “The Majority View.” Informative: “The Majority View: *Shall in Rule 56 Does Not Mean Must.*”
- Write your article so that any literate person can understand it. Too often, authors write law-review articles while thinking only about their academic colleagues. But the more useful and effective articles are those that are easily understood by academics, judges, lawyers, students, and laypeople alike.

For additional suggestions, check out the [complete list of writing tips](#).