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Tips 1-100: 1. Plan. 2. Be creative. 3. Organize around issues. 4. Take copious notes. 5. Use nonlinear outlining. 6. Draft fast. 7. Proof fastidiously.

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In its first two editions, The Winning Brief explained the art of effective writing in 100 concise, practical, and easy-to-use tips, proving that the key to writing well is to understand the judicial readership. This third edition of Bryan A. Garner's modern classic delivers the same invaluable guidelines with even more supporting evidence. Covering everything from the rules for planning and organizing a brief to openers that can capture a judge's attention from the first few words, these tips add up to the most compelling, orderly, and visually appealing brief that an advocate can present. In Garner's view, good writing is good thinking put to paper. "Never write a

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© sentence that you couldn't easily speak," he warns - and demonstrates how to do just that. Every tip begins with a set of quotable quotes from experts, followed by Garner's masterly advice on building sound paragraphs, drafting crisp sentences, choosing the best words ("Strike pursuant to from your vocabulary."), quoting authority, citing sources, and designing a document that looks as impressive as it reads. Throughout, Garner shows how to edit for maximal impact, using vivid before-and-after examples that apply the basics of rhetoric to persuasive writing. In this much-expanded third edition, Garner has perfected the text with nine new tips, hundreds of new examples, and amplified explanations throughout-all in his trademark style. Among the new sections are tips on understanding judges' reading habits, answering opponents' arguments, writing effective reply briefs, using authorities persuasively, and organizing arguments based on statutes and contracts. Quotable quotes, which Garner carefully assembled after years of wide reading and close study, have been expanded and improved throughout the book. There is also a new appendix on a remarkable brief that some consider the best ever written ("a beautiful marriage of rhetorical skill, thorough research, and humane lawyering"). Perhaps the biggest change to this edition is that every tip now ends with a summary checklist that recaps and crystalizes the subpoints just covered, with

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Further ideas for improvement. Garner conceived these checklists in part as a way to help readers approach his book as a set of 100 tutorials. Reviewing and practicing each tip will offer brief-writers a degree of mastery that more cavalier colleagues will find difficult to equal. An invaluable resource for attorneys, law clerks, judges, paralegals, law students and their teachers, The Winning Brief has the qualities that make all of Garner's books so popular: authority, accessibility, and page after page of techniques that work. If you're writing to win a case, this book shouldn't merely be on your shelf--it should be open on your desk.

Good legal writing wins court cases. In its first edition, The Winning Brief proved that the key to writing well is understanding the judicial readership. Now, in a revised and updated version of this modern classic, Bryan A. Garner explains the art of effective writing in 100 concise, practical, and easy-to-use sections. Covering everything from the rules for planning and organizing a brief to openers that can capture a judge's attention from the first few words, these tips add up to the most compelling, orderly, and visually appealing brief that an advocate can present. In Garner's view, good writing is good thinking put to paper. "Never write a sentence that you couldn't easily speak," he warns--and demonstrates how to do just that. Beginning each tip with a set of quotable

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Quotes from experts, he then gives masterly advice on building sound paragraphs, drafting crisp sentences, choosing the best words ("Strike pursuant to from your vocabulary."), quoting authority, citing sources, and designing a document that looks as impressive as it reads. Throughout, he shows how to edit for maximal impact, using vivid before-and-after examples that apply the basics of rhetoric to persuasive writing. Filled with examples of good and bad writing from actual briefs filed in courts of all types, The Winning Brief also covers the new appellate rules for preparing federal briefs. Constantly collecting material from his seminars and polling judges for their preferences, the second edition delivers the same solid guidelines with even more supporting evidence. Including for the first time sections on the ever-changing rules of acceptable legal writing, Garner's new edition keeps even the most seasoned lawyers on their toes and writing briefs that win cases. An invaluable resource for attorneys, law clerks, judges, paralegals, law students and their teachers, The Winning Brief has the qualities that make all of Garner's books so popular: authority, accessibility, and page after page of techniques that work. If you're writing to win a case, this book shouldn't merely be on your shelf--it should be open on your desk.

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Great advocates as the basis of a valuable, step-by-step brief-writing and motion-writing strategy for practitioners. The author takes an empirical approach, drawing heavily on the writings of the nation's 50 most influential lawyers.

When the late Ruggero J. Aldisert wrote *Winning on Appeal* in 1992, it became an instant classic in law school classrooms and appellate law practices across the country. To celebrate the twenty-fifth anniversary of the book's release, Tessa L. Dysart and Leslie H. Southwick carry on the Aldisert tradition of revealing the "nuts and bolts" of how to prepare an effective brief with the nuanced art of a delivering a persuasive appeal to the court. Their meticulously rendered update is replete with dozens of interviews with leading appeals judges and practitioners—treasured guidance from a bona fide who's who of appellate advocacy in America—and escorts readers into the "wired" courtroom of the twenty-first century, where they explore the benefits and challenges of melding technology with appellate advocacy. With a Foreword penned by U.S. Supreme Court Associate Justice Samuel A. Alito, Jr., *Winning on Appeal* conveys the perfect blueprint for any lawyer who wants to win on appeal. Reviews "I argued before Judge Aldisert as a young attorney, and I learned from the experience of trying to hold my own in front of the former Marine. I will

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Certainly never forget those occasions.

Arguing before Judge Aldisert was the best (and therefore the most demanding) Socratic experience imaginable. Woe to the lawyer who was unprepared or, worse yet, tried to pull something on the court! But to paraphrase that famous Sinatra song, if you could make it arguing in front of Judge Aldisert, you could make it anywhere. I am very pleased that Rugi's teaching will live on after him in this new edition of *Winning on Appeal*. For new appellate advocates, this volume should be required reading. I wish that it had been available when I argued my first case. For more experienced attorneys, the book contains advanced tips and reminders that may serve as a corrective against the bad habits that are easy to acquire. For any attorney who wants to know how to win on appeal, this is where to look." — Samuel A. Alito, Jr., Associate Justice, U.S. Supreme Court

In this groundbreaking book, Scalia and Garner systematically explain all the most important principles of constitutional, statutory, and contractual interpretation in an engaging and informative style with hundreds of illustrations from actual cases. Is a burrito a sandwich? Is a corporation entitled to personal privacy? If you trade a gun for drugs, are you using a gun in a drug transaction? The authors grapple with these and dozens of equally curious questions while explaining the most principled, lucid, and

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Reliable techniques for deriving meaning from authoritative texts. Meanwhile, the book takes up some of the most controversial issues in modern jurisprudence. What, exactly, is "textualism?" Why is "strict construction" a bad thing? What is the true doctrine of "originalism?" And which is more important: the spirit of the law, or the letter? The authors write with a well-argued point of view that is definitive yet nuanced, straightforward yet sophisticated.

Presents the basics of writing legal briefs and giving oral arguments, with discussions on the essentials of building a case through legal reasoning and the key elements of persuasive and successful oral pleading in the courtroom.

Admirably 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. Since 2001 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. Now 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

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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 experience. 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.

With more teenagers applying to college today than ever before, the competition has never been stiffer, and the stress can become unbearable not just for teens, but for the entire family. In *Don't Worry, You'll Get In*, one of the country's top college admissions counselors Michele Hernandez and leading parenting expert Mimi Doe join forces to bring teens the first college admissions guide of its kind: an easy and accessible book full of 100 specific tips to navigate

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the admissions process successfully and calmly. For each step, Hernandez explains to teens in simple terms exactly what they need to do, while Mimi Doe empowers them to tackle that step with confidence and in the least stressful way. Covering everything from standardized testing to summer plans to writing a great essay, *Don't Worry, You'll Get In* is the perfect guide for high schoolers who want to be accepted at the school of their choice without burning out for the sake of getting in.

In *Point Taken*, Ross Guberman delves into the work of the best judicial opinion-writers and offers a step-by-step method based on practical and provocative examples. Featuring numerous cases and opinions from 34 esteemed judges - from Learned Hand to Antonin Scalia - *Point Taken*, explores what it takes to turn "great judicial writing" into "great writing". Guberman provides a system for crafting effective and efficient openings to set the stage, covering the pros and cons of whether to resolve legal issues up front and whether to sacrifice taut syllogistic openings in the name of richness and nuance. Guberman offers strategies for pruning clutter, adding background, emphasizing key points, adopting a narrative voice, and guiding the reader through visual cues. The structure and flow of the legal analysis is targeted through a host of techniques for organizing the discussion at the macro level,

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Using headings, marshaling authorities, including or avoiding footnotes, and finessing transitions. Guberman shares his style "Must Haves", a bounty of edits at the word and sentence level that add punch and interest, and that make opinions more vivid, varied, confident, and enjoyable. He also outlines his style "Nice to Haves", metaphors, similes, examples, analogies, allusions, and rhetorical figures. Finally, he addresses the thorny problem of dissents, extracting the best practices for dissents based on facts, doctrine, or policy. The appendix provides a helpful checklist of practice pointers along with biographies of the 34 featured judges.

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