

Legal Writing and Drafting Skills

Overview

There is a common misconception that writing and legal drafting are the same thing. However, there is a fundamental difference between them; While legal writing typically deals with persuasive documents such as court memorandums and legal letters, legal drafting involves creating documents such as contracts, both of which are equally important in legal practice.

Legal writing is an extremely important skill in all areas of legal practice, as words are used to advocate, inform, persuade, and direct. Do you give the right impression? Are your customers receiving the right message?

This course focuses on clear legal writing skills for a variety of global target audiences. Effective communication with English-speaking lawyers goes beyond words; it requires an understanding of the unique way these speakers think and act in the world of law, politics and business.

Did you know that most international trade agreements are drawn up in English, regardless of the nationality of the contracting parties? Therefore, contract drafting skills are an essential skill for lawyers who deal with English as a foreign language and who need to draft, explain or interpret contract clauses written in English. During the course, participants will consider a wide range of commercial agreements through practical sessions focusing on drafting skills. This course also helps participants draft confidently and effectively in English regardless of the governing law.

This practical training course includes many exercises and examples that seek to achieve an interactive and motivating result, and through which several model legal documents are created.

Methodology

This course uses a variety of group discussions as well as individual and group exercises. A number of written exercises will also be used throughout the course.

Course objectives

At the end of the course, participants will be able to:

Use simple English writing in all legal documents

Recognize the need for legal clarity in various types of legal documents, such as: legal letters, emails, memos, and opinions

Apply effective practices in legal writing

Proof of legal writing record

Correcting common errors in legal writing

Avoid and deal with errors and problems related to the use of legal terminology

Effective proofreading

Target competencies

Drafting letters
Proofreading
Writing English in a simplified style
Understand legal terminology
Legal writing practices

Legal Drafting

Characteristics of a well-drafted contract: simple rules!
Language of the wording: Will v shall v Must
Determine the legal procedures for a binding contract
Structure and formation of commercial contracts: Follow the formula and you will not go wrong
Importance of Boilerplate Clauses: Ignoring them can cost a business billions in cash
Primary Documents - Use introductions to legal clauses effectively
Ambiguous words and phrases in commercial contracts - learn the mistakes to avoid!
Overview of cross-border contracts: distribution/joint venture/agency agreements
Stock Purchase Agreements: Allocation of risks between buyer and seller
Troubleshooting: Monitor and correct errors in your contract

Plain English in legal correspondence

Practice good legal writing
Transition from legal writing to plain English
Old, useless and meaningless phrases
Collocations
Errors and problems related to the use of legal terms in legal writing
Writing short emails
Writing long emails
Writing formal emails

Writing legal letters

The general form of the speech
Text of the speech
Create the letter
Record letter writing
Example sentences in legal letters
Tackling letter writing: Consider the ten most common problems
Rewriting letters
Rewrite informal sentences and replace them with modern sentences
Correcting common errors in writing letters

Troubleshooting legal writing mistakes

The problem of idioms in English

Paraphrasing English idioms

Similar words that can be easily confused

Exclude unnecessary words

Use consistent terminology

Ambiguity: How to avoid it

Ambiguous meanings: how to avoid them

Misuse of prepositions in dates

Words that may cause problems

Constantly contested words

Personal pronouns

Choose the correct words

Rewrite the sentences to remove the differences between the male/female forms