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Inside:

5

Katie White on Building Relationships

9

Gaye Mara on a Competency Model for PD Professionals

14

Learning Lab: Learning Without Training

16

Professional Developments: Events, Certificate & Degree Programs, News, Resources

19

MCLE Watch: NJ

20

Articles Index, 2003-2009

29

PDQ Subscription Form

Teaching Writing So It Sticks

Steve Armstrong

If you teach writing to sophisticated professionals, at some point you've had a tough conversation with your conscience. The exchange goes like this:

Me: I want my audiences to be happy. Laughing at the jokes is also good.

My conscience: So what's the issue? Even the most puritanical conscience, much less yours, can't object to happiness.

Me: Here's the problem: People are happiest when you're teaching something that's easy to learn. In writing, that means nifty editing games with sentences and paragraphs. But that's not what is most important, at least not for lawyers in sophisticated practices. For them, the crucial challenge is a tougher one: learning to organize a dense mass of material so it's easy for readers to navigate.

My conscience: In that case, the answer is obvious: They have to slog through the important stuff for their own good. End of story.

Me: But slogging isn't much of a learning technique, especially for millennials. Besides, it's painful to watch.

My conscience: No pain, no gain.

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At this point, the conversation becomes unfit for print. So let's abandon it and go at the problem more conventionally.

With any skills program, the challenge is to produce some lasting improvement in the participants' performance, even if the change is incremental – as it almost always is – rather than transformational. The more complex the skill, the more difficult the challenge. And, of all the core skills that directly affect the quality of someone's lawyering, writing poses the greatest challenge. That's the case primarily for two reasons:

First, writing consists of several skills that have a common purpose – in legal writing, communicating clearly and persuasively – but don't have much else in common. Writing a longer sentence that remains crisp and clear requires one kind of skill. Organizing a dense, multi-page analysis requires another. Crafting an introduction so it grabs an impatient client demands yet another.

Second, among these skills, the most important ones are also the most difficult. Although your associates may not be perfect

at the sentence level, writing clear sentences is no longer the most important skill they have to master. The critical skill is organizational: How can they structure complex documents so they are not only logically organized but also easy to read? Another skill is a close second in importance and, for some lawyers, equally difficult: connecting with a reader quickly at a document's beginning.

Sentence-level skills are relatively easy to teach; organizational and rhetorical skills are more difficult, especially if you want the learning to stick after the audience walks out of the room.

Why the difficulty? Let's focus on the organizational skills.

- It takes more time and effort to dissect examples of organizational issues. Some examples have to be pages long, too long to put up on a screen, and the audience will have to work harder to absorb them. They have to be chosen carefully, so it won't take too long to see their point. Exercises have to be designed even more carefully; otherwise, they will consume too much time and energy. And, because the participants have to work longer and harder with both the examples and the exercises, it's more difficult to give them the quick sense of mastery we all crave.
- The issues are often harder to spot, not only harder to tackle. Lawyers are trained to "think like a lawyer" about organization: that is, to think in terms of logic and rigorous analysis. They're not trained to "think like a writer" about what else they need to do to organize complicated material so it's easy to understand.
- Most of us emerge from our educations able to talk about sentences with at least a semblance of incisiveness and coherence. But we don't have the same head start when it comes to talking about

organization, especially about the organizational issues that remain once the logic is in place. There's something about topic sentences, something about introductions, something about sub-headings, and then most of us (including partners who edit associates' writing) are reduced to semi-articulate mutterings not much above the level of the comments we saw in the margins of our college essays: "This doesn't flow" or "I can't follow this."

Can these difficulties be overcome? Of course – but only with a lot of attention to a program's content and structure.

Here are the steps for building a program that teaches the writing skills that really matter, and teaches them so they stick. The list below is not as long in practice as it may look on paper, because some of the steps take place simultaneously.

1. Show the participants what you're talking about. They won't necessarily see it for themselves. Often, I'll show a group a longish extract from a brief or a memo and ask them to talk about how it could be improved. They will zero in on the issues with which they're most comfortable: the substance and, when they focus on the writing, the sentences. I'll then ask if they have any comments about the organization. If the passage is organized logically and they don't have to jump across chasms between paragraphs, they usually don't have much to say. Then I'll show them the revision. The differences are too dramatic and too effective to argue about – even though no one initially saw much of a problem with the original.

2. Give the participants concepts and a vocabulary for talking about what they've seen. The concepts should be simple and easy to remember. I usually start by distinguishing between substantive or logical clarity (do you have the right material in the right sequence?) and "cognitive" clarity (have you made it easy for readers to absorb,

process, and remember the material?). I then go on to describe the steps that will move documents from the first kind of clarity to the second. The list of steps is short, and the concept behind each is easy to grasp. For example: At the start of sections and longer passages, make sure there's a "focus" that tells readers what they should look for and think about as they go forward. Then give them a "map" of the terrain ahead and follow up with "road signs" along the way. The concepts are simple because the effort should go into applying them, not struggling to understand them.

3. With each step, show the audience what it's like to take the step, through a series of quick before-and-after examples. The key is to demonstrate what the step looks like at all levels of a document. For example, everyone gets the importance of "mapping" a document's structure near its beginning. But they're less likely to realize that they need to make their structure explicit on the smaller scale, all the way through a document's interior and, sometimes, even in a paragraph.

4. Show them the red flags – the surface signs of underlying organizational problems – that they should learn to spot in a draft and the diagnostic tests they should apply. For example, if they read the opening paragraphs of a document's sections, do they come away with a coherent overview of its content? As they read, are they ever surprised by a new topic that pops up unexpectedly?

5. With each step, give them an editing exercise so they can take the step themselves. The exercises are critical because the simplicity of the editorial concepts can fool people into thinking the concepts will be easy to apply. Sometimes they will be, but often they will not.

How should these exercises be designed?

- If an exercise is to help participants internalize the specific skill the step embodies, it should focus solely on that

skill. They shouldn't be distracted by worrying about other kinds of edits.

- The document they're editing has to appear realistic, the kind of document an associate might draft.
- Usually, the participants should pair up for the exercise. That's useful not only for the most obvious reason – it generates some noise and energy – but also because each associate will see things that the other will not and suggest organizational tactics the other won't have contemplated.
- The debrief has to discuss the judgment calls that expert editors think about when they edit. As often as time allows, it should also show alternative edits.

6. Put all of the steps into a simple, coherent checklist that the participants can bring to bear when they edit drafts. Building this checklist begins when the program begins and runs throughout it. By its end, the



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checklist becomes the take-away that will enable the participants to apply what they have learned systematically and consistently. The checklist is important because it addresses a problem that bedevils mid-level and senior associates who have been told they write pretty well, but not yet well enough. They go to writing programs and work diligently and anxiously to improve; sometimes, in desperation, they even read books about writing. But there's not much change, even though they clearly have the intelligence and linguistic skill to do better.

What's the obstacle? Often, it's a flaw in how they edit. They read through a draft again and again, each time trying to make it better in all possible ways – but in no specific way. This approach almost guarantees that they won't spot the organizational and stylistic problems they need to fix. That's especially true of the problems they have trouble recognizing because, over all the years during which their writing was judged by less rigorous standards, no one complained. The checklist forces them to take separate passes through a draft, each time focusing on a separate set of organizational or stylistic issues.

As a result, they learn to approach a draft as a doctor approaches a physical exam. If doctors were to conduct physicals the same way most lawyers conduct edits, they would begin at our scalp and wander down to our toenails, simply looking for whatever happens to catch their eyes along the way. Instead, they are trained to focus on a series of diagnostic steps, one by one. To be effective, editors have to learn the same technique.

All the steps listed above take place within a single program. Ideally, however, there would be two follow-up steps:

7. Individual coaching based on each person's writing.

8. An editing workshop for senior lawyers, so their edits will reinforce the advice their associates hear in the training program.

Nothing above is meant to denigrate the importance of working at the paragraph and sentence level. That topic could be covered in the second half of a longer program or, of course, in a separate workshop. For most of the associates in your firms, however, especially those who write longer, more complex documents, the most difficult and most important work takes place at the organizational level.

A program with a full agenda would cover one other topic that I've mentioned only in passing. Novice legal writers are often quite bad at writing introductions that establish the writer's credibility from the start. Creating this connection with a reader is yet another distinct skill, one that's especially important when lawyers write to judges or clients. It's even trickier to teach than organizational skills. But that's a topic for another article.

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