

Preface

The title of this book and its double meaning might be a bit of a misnomer. The book is about “just” briefs in the sense that we intend it to remind you that your briefs to the court should work toward a just result; however, it is not a book just about briefs because it includes more than brief writing. *Just Briefs* is really a book about the larger topic of effective advocacy as it plays out in trial and appellate briefs, oral argument, and the thinking process that informs both.

“Effective advocacy” might not make a jazzy title, but we find the topic of effective advocacy tremendously engaging. Admittedly, the process of researching, analyzing, and writing a brief that is effective advocacy can be arduous and time-consuming. But it is also deeply rewarding. When lawyers write a persuasive brief or make a compelling argument, they make a difference. They protect the rights of their clients, they help enforce or change the law, and they make sure that the legal system works as it was intended to work. Thus, as you work through the chapters in this book, keep your eye on the larger goal of becoming an effective advocate. Instead of focusing primarily on getting an “A” on your brief or oral argument, focus on learning to be the best advocate that you can be. Learn how to develop a theory of the case that will appeal to both the judge’s head and heart, learn how to tell your client’s story, and learn how to construct persuasive arguments.

In addition, work on developing your writing skills. Learn how to make your points clearly, precisely, concisely, even eloquently. Finally, think about the role you need and want to play as an advocate. As you think through how zealous you want to be when representing your client, remember that your own reputation as an attorney affects your ability to persuade. Your reputation and your credibility might ultimately be your most effective tools as an advocate.