

PREFACE

All lawyers are writers. Even when lawyers use generative artificial intelligence (GenAI) tools to support their work, those lawyers need strong legal method and writing skills. Indeed, GenAI tools may amplify the importance of core lawyering skills. As the cover of this edition suggests, those lawyering skills form the foundation on which students build their legal careers. The same skills are essential for all students: those who hope to advocate for vulnerable individuals, to represent powerful companies, or to persuade courts and legislatures to change the law. And in a rapidly changing field shaped by technological innovation, these skills are more essential than ever.

Students arrive at law school with varying degrees of writing and analysis skills and experience. In the tenth edition, we emphasize a return to basics—providing students with the foundational tools they need to excel in the legal writing classroom; in their casebook courses; in their clinics, externships, and summer jobs; and throughout their legal careers. At the same time, the tenth edition helps students recognize that legal writing requires them to exercise judgment and make choices, and that no single approach to writing is the “correct” one.

Some aspects of legal method are seemingly timeless. We can return to the textbooks on analysis and writing that we used as students long ago and find sound guidance and useful examples. But all textbooks benefit from a periodic fresh look—an opportunity to update the facts and law used to illustrate best practices so that they resonate with contemporary students. In preparing this edition, we considered generational trends and worked to reshape the text so that it reaches our readers.

In addition, technological advancements give rise to new tools that can be helpful—or harmful—to students and lawyers who are working to synthesize information, build compelling arguments, and effectively communicate their ideas. Readily available GenAI is one of those advancements. It is changing how students and legal professionals approach many aspects of their work, from the brainstorming stage to the polishing stage. This rapid evolution requires professors and students to consider the benefits and risks associated with the use of GenAI. The tenth edition tackles this new challenge by candidly discussing GenAI, balancing caution with enthusiasm for the ways in which this technology can support skill development.

We have also aimed at making the tenth edition consistent with new developments in teaching, learning, and the practice of law. For example, this edition includes new material on email memos, explanatory

parentheticals, scholarly and business-development writing, drafting trends, and, of course, GenAI.

Finally, the tenth edition has been reorganized to reflect the standard trajectory of today's legal writing courses. Part I explains sources of law and hierarchy of authority, with added emphasis on different forms of legal reasoning. Part II breaks down the components and organization of legal analysis in detail, while Parts III and IV focus on objective and persuasive writing, respectively. Part V introduces other legal writing genres, and Part VI discusses the legal writing and revision process with emphasis on legal writing style and citation etiquette.

Lawyers spend their entire careers honing their legal writing skills. This book is designed to jump-start that journey.