

Making Your Case The Art Of Persuading Judges Antonin Scalia

Making Your Case Brief-Writing Masterclass Rhetoric, Persuasion, and Modern Legal Writing Legal Writing in Plain English, Third Edition May it Please the Court Journal of the Association of Legal Writing Directors The Green Bag Almanac of Useful and Entertaining Tidbits for Lawyers & Reader of Good Legal Writing from the Past Year Selected by the Luminaries and Sages on Our Board of Advisors Antonin Scalia's Jurisprudence West Virginia Law Review Garner on Language and Writing Judicial Clerkships The Winning Oral Argument Judicial Process and Judicial Policymaking Advanced Legal Writing and Oral Advocacy Land Use Institute, Planning, Regulation, Litigation, Eminent Domain, and Compensation Seeking Justices Poverty Law Courts, Politics, and the Judicial Process The Docket John Paul Stevens Antonin Scalia Chinua Asuzu Brian L. Porto Bryan A. Garner Antonin Scalia Ralph A. Rossum Bryan A. Garner Mary L. Dunnewold Bryan A. Garner George Alan Tarr Michael D. Murray Michael Comiskey Christopher E. Smith Bill Barnhart

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in their professional lives courtroom lawyers must do these two things well speak persuasively and write persuasively in this noteworthy book two noted legal writers systematically present every important idea about judicial persuasion in a fresh entertaining way the book covers the essentials of sound legal reasoning including how to develop the syllogism that

underlies any argument from there the authors explain the art of brief writing especially what to include and what to omit so that you can induce the judge to focus closely on your arguments finally they show what it takes to succeed in oral argument

an advocate submits a brief to a court or tribunal to persuade it to decide the cause or matter in favor of the advocates client or position the key word is persuade too often advocates forget this and write to please themselves they write to themselves instead of to the court they write in chest thumping prose and style advocates will do well to keep in mind that in advocacy persuasion is all that matters this book teaches persuasive written advocacy it shows advocates of all ranks in all jurisdictions in all proceedings before all courts or tribunals how to prepare and present winning and winsome arguments because of its emphasis on winning the books pedagogy blends law linguistics logic psychology rhetoric and semantics

classical rhetorical techniques can enhance the persuasiveness of supreme court opinions by making their language clear lively and memorable this book focuses on three techniques invention creation of arguments arrangement organization and style word choice in the work of oliver wendell holmes jr robert jackson hugo black william brennan and antonin scalia respectively the justices featured here contributed to the court s rhetorical legacy in different ways but all five rejected the magisterial opinion style of the eighteenth and nineteenth centuries in favor of a more personal and conversational format as a result their opinions have endured and even modern readers who cannot recall the justices names understand and embrace the ideas expressed in their legal writings and apply those ideas to current debates practicing lawyers professors and students can use this book to study legal writing techniques and make their own writing more persuasive

the leading guide to clear writing startfragment and clear thinking startfragment in the legal profession for more than two decades now newly updated 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 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 for this third edition garner has retained the structure of

the previous versions with updates and new material throughout there are new sections on making your writing vivid and concrete and on using graphics to enhance your argument the coverage and examples of key topics such as achieving parallelism avoiding legalese writing effective openers and summaries and weaving quotations into your text have also been expanded and the sample legal documents and exercises have been updated while newly added checklists provide quick summaries of each section altogether this new edition will be the most useful yet for legal professionals and students seeking to improve their prose

this book is the first comprehensive reasoned and sympathetic analysis of how scalia has decided cases during his entire nineteen year supreme court tenure ralph rossum focuses on scalia s more than 600 supreme court opinions and dissents carefully wrought passionately argued and filled with well turned phrases which portray him as an eloquent defender of an original meaning jurisprudence he also includes analyses of scalia s court of appeals opinions for the d c circuit his major law review articles as a law professor and judge and his provocative book a matter of interpretation jacket

this compilation of brian a garner s essays shows the breadth of his scholarship covering subjects as wide ranging as learning to write style persuasion contractual and legislative drafting grammar lexicography writing in law school writing in law practice judicial writing and all the literature relating to these diverse subjects anyone with a lively interest in language writing and law will find this book of interest book jacket

judicial clerkships a practical guide is a comprehensive guide to working as a judicial clerk the book explains 1 the role and duties of judicial clerks 2 how to adapt the writing style used in law school classes and journals for use in the judicial clerkship setting and 3 the form and content of specific documents written by judicial clerks the book discusses how to write bench memoranda opinion drafts orders findings of fact and conclusions of law jury instructions and letters and other professional correspondence in addition to explaining how to write specific documents the book reviews the fundamentals of good writing research and citation it also features chapters on how to apply for clerkships the different kinds of clerkships and the ethical responsibilities of clerks the document specific chapters all include document review checklists and sample documents the book is a great resource for law students taking a judicial internship or externship class law school graduates considering judicial clerkships and current judicial clerks

in this eminently browsable book bryan a garner has collected and arranged the most important interesting and penetrating

statements from judges and lawyers about how to conduct an oral argument each didactic principle is stated briefly explained and then illustrated with quotations from a dazzling array of sources ancient and modern novices and veterans alike will find helpful advice in these pages which systematically explain the subtleties of the art more lucidly than any previous work has done

the author presents a policy focus in his discussion of judicial process rather than limit the text to coverage of the u s supreme court he examines the judiciary as the third branch of government he also asks students to evaluate the organization function and impact of the courts on and within government

the murray and desanctis titles are designed for the current generation of law students whose familiarity and comfort with on line and computer based learning create a demand for teaching resources that take advantage of that familiarity and comfort level advanced legal writing and advocacy trials appeals and moot court is designed for second semester and upper division advanced writing courses involving advocacy and oral argument at the trial and appellate levels and in moot court competitions this book employs the treat paradigm and doctrine of explanatory synthesis to maximize the persuasive potential of appellate level legal writing for actual practice and for moot court competitions it is well suited for use as a primary text in an upper division appellate advocacy or advanced writing course or moot court program or as a primary or supplemental text for first year legal writing courses that focus on appellate advocacy as the pedagogical model to teach legal writing skills paired with the book is an electronic computer based version of the text that adds links to on line databases and internet based resources and supplements the text with pop up definitions from black s law dictionary the electronic version of the text is searchable and highly portable with internal and external navigation links making them more valuable for use in class and out the interactive text employs a layout that departs from the traditional all text casebook format through use of callout text boxes diagrams and color border segregated feature sections for hypotheticals references to scholarly debates or other useful information for law students

in the long shadows cast by the robert bork and clarence thomas nominations supreme court confirmations remain highly contentious and controversial this is due in part to the senate s increasing reliance upon a much lengthier much more public and occasionally raucous confirmation process in an effort to curb the potential excesses of executive power created by presidents seeking greater control over the court s ideological composition michael comiskey offers the most comprehensive systematic and optimistic analysis of that process to date arguing that the process works well and therefore should not be

significantly altered comiskey convincingly counters those critics who view highly contentious confirmation proceedings as the norm senators have every right and a real obligation he contends to scrutinize the nominees constitutional philosophies he further argues that the media coverage of the senate s deliberations has worked to improve the level of such scrutiny and that recent presidents have neither exerted excessive influence on the appointment process nor created a politically extreme court he also examines the ongoing concern over presidential efforts to pack the court concluding that stacking the ideological deck is unlikely as an exception to the rule comiskey analyzes in depth the thomas confirmation to explain why it was an aberration offering the most detailed account yet of thomas s pre judicial professional and political activities he argues that the senate judiciary committee abdicated its responsibilities out of deference to thomas s race another of the book s unique features is comiskey s reassessment of the reputations of twentieth century supreme court justices based on a survey of nearly 300 scholars in constitutional law and politics it shows that the modern confirmation process continues to fill court vacancies with jurists as capable as those of earlier eras we have now seen the longest period without a turnover on the court since the early nineteenth century making inevitable the appointment of several new justices following the 2004 presidential election thus the timing of the publication of seeking justices could not be more propitious

this reorganized and updated text provides a comprehensive examination of the american judicial system by describing and analyzing political influences on courts structure procedures decision making processes and consequences for society professor smith focuses on courts rather than on law because of the recognition that the content of law often depends on the composition of the judiciary citizens access to the judicial process and judicial decision making procedures this revealing study of the courts challenges the myths and popular perceptions about law and justice in american society and covers unique topics such as court bureaucracy subordinates influences on judges decisions and social science approaches to decision making

this volume is a biography of john paul stevens b 1920 stevens served as an associate justice of the supreme court of the united states from 1975 until his retirement in 2010 he was nominated by president gerald ford through family history and a look at his work on the bench the authors profile the second longest serving supreme court justice of the modern era one who has proudly earned the title of the court s most prolific dissenter they interviewed stevens and an extraordinary number of stevens s friends and family members former clerks current colleagues politicians and court watchers they trace his early years as a chicago lawyer his appointment to the federal appeals bench in chicago and his ultimate nomination to the supreme court they examine his best known opinions including his emotional dissents in texas v johnson and bush v gore

also tracing his growth as a mold of court decisions

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