

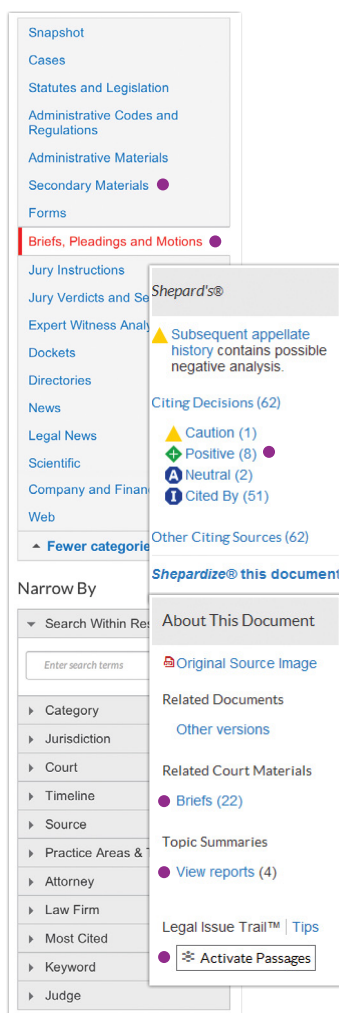
Write Your Best Brief



These tips will help you create a polished, straightforward brief that will contribute to a successful grade and serve as an excellent writing sample for job applications.

Follow the steps below to conduct your research and use the tips on the back to craft your best brief.

Lexis Advance Options



Research Steps for Your Brief

Your brief will present the facts, the law and precedent to build a persuasive argument. The vast Lexis Advance® content options provide the most effective sources to research your brief. These steps will keep you organized from the start:

- ① Create a **Folder** and begin your research, saving documents to the folder as you go.
- ② Using natural language or terms and connectors, compose a search based on the keywords and issues from the hypothetical. For terms and connectors, select **Filters** in the search bar, then **Advanced Search** to choose your connectors.
- ③ Start with **Secondary Materials** to learn the issues and find primary law and seminal cases others have cited.
- ④ Review **Briefs, Pleadings and Motions** to locate expert sample briefs with a similar fact pattern for structure, content and style.
- ⑤ **Shepardize®** all your cases to make sure the holdings you're using to make your argument are still good law.

Exclusive efficiency tools in Lexis Advance save time as you research

- Statutes: **Case Notes** show how cases have interpreted a statute.
- Cases: LexisNexis® **Case Summaries** and **headnotes** help you quickly understand the facts and issues in a case.
- **Legal Issue Trail™** results reveal seminal cases that shaped the law for your issue.
- **Topic Summaries** help you understand legal topics.
- Only **Shepard's®** Citations Service shows the strongest precedential authority, with **Followed by** analysis, and helps ensure you don't miss important points of law.

Craft Your Argument

Once you've gathered and organized your research, it's time to step up and clearly present the facts, legal issues, quotes and precedents that build a powerful argument, able to persuade your audience, using the style tips below.

Watch Out for These in Your Brief

Prevent citation errors.

Copy and paste directly from Lexis Advance to ensure your citation format is correct:

- Highlight relevant text and select **Copy**
- Select a citation format from the drop down (available for 21 states, Standard and ALWD).
- **Copy** the contents in the box and **paste** it into your document.

Avoid alphabet soup.

The alphabetical short forms for the names of the parties, statutes and agencies become meaningless. Use the persuasive force of words.

Use the parties' names.

Don't refer to the parties by their status (e.g., "the defendant"), unless court rules require it.

Rarely use block quotations.

Try to find pertinent quotations of fewer than 50 words.

Use argumentative headings.

For example, instead of "The Relevant Provisions of the FFDCA," state "This Court Should Grant Summary Judgment because There Is No Private Right of Action under the Federal Food, Drug and Cosmetic Act."

Keep the brief as short as possible.

Ask your professor for the ideal length for your brief.

Be a perfectionist.

Proofread your entire paper several times to guarantee there are no grammar, punctuation or spelling errors.

Hermann's Rules of Style

- 1 Write in short sentences.
- 2 Place only two or three paragraphs on a typed page.
- 3 Use the active voice.
- 4 Always use an action verb rather than a "to be" verb and an adjective.
- 5 Start each paragraph with a topic sentence.
- 6 Use headings and sub-headings to break up the brief or memo.
- 7 Given a choice, use the word "that" instead of the word "which."
- 8 Do not start a sentence with the word "However."
- 9 Do not use the phrase "in order to." Instead, use "to."

Information extracted from "How to Write: A Memorandum from a Curmudgeon" from *The Curmudgeon's Guide to Practicing Law* by Mark Hermann, © 1997, American Bar Association Litigation Fall, 1997

Get detailed tips with *Art of Advocacy – Appeals*

The *Art of Advocacy – Appeals* is a helpful guide in the brief writing process. It provides step-by-step instructions complete with helpful tips and checklists. It's also a great resource for your oral arguments.

- 1 In Lexis Advance, **Browse** (top left); select **Sources**
- 2 Use **Search for a Source** and enter *Art of Advocacy*
- 3 Select: ***Art of Advocacy – Appeals*** and the Table of Contents
- 4 Click the arrow next to **2 The Written Argument**



Get more research tips at
[YouTube.com/LexisNexisLawSchools](https://www.youtube.com/LexisNexisLawSchools)

