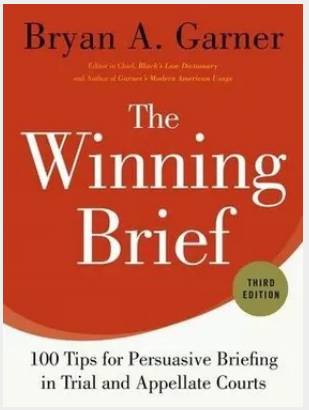
Garner

The Winning Brief

100 Tips for Persuasive Briefing in Trial and Appellate Courts



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It its first two editions The Winning Brief explained the art of effective writing in 100 concise, practical, and easy-to-use tips, proving that the key to writing well is to understand the judicial readership. This third edition of Bryan A. Garner's modern classic delivers the same invaluable guidelines with even more supporting evidence. Covering everything from the rules for planning and organizing a brief to openers that can capture a judge's attention from the first few words, these tips add up to the most compelling, orderly, and visually appealing brief that an advocate can present. In Garner's view, good writing is good thinking put to paper. "Never write a sentence that you couldn't easily speak," he warns - and demonstrates how to do just that. Every tip begins with a set of quotable quotes from experts, followed by Garner's masterly advice on building sound paragraphs, drafting crisp sentences, choosing the best words ("Strike pursuant to from your vocabulary."), quoting authority, citing sources, and designing a document that looks as impressive as it reads. Throughout, Garner shows how to edit for maximal impact, using vivid before-and-after examples that apply the basics of rhetoric to persuasive writing. In this much-expanded third edition, Garner has perfected the text with nine new tips, hundreds of new examples, and amplified explanations throughout-all in his trademark style. Among the new sections are tips on understanding judges' reading habits, answering opponents' arguments, writing effective reply briefs, using authorities persuasively, and organizing arguments based on statutes and contracts. Quotable quotes, which Garner carefully assembled after years of wide reading and close study, have been expanded and improved throughout the book. There is also a new appendix on a remarkable brief that some consider the best ever written ("a beautiful marriage of rhetorical skill, thorough research, and humane lawyering"). Perhaps the biggest change to this edition is that every tip now ends with a summary checklist that recaps and crystalizes the subpoints just covered, with further ideas for improvement. Garner conceived these checklists in part as a way to help readers approach his book as a set of 100 tutorials. Reviewing and practicing each tip will offer brief-writers a degree of mastery that more cavalier colleagues will find difficult to equal. An invaluable resource for attorneys, law clerks, judges, paralegals, law students and their teachers, The Winning Brief has the qualities that make all of Garner's books so popular: authority, accessibility, and page after page of techniques that work. If you're writing to win a case, this book shouldn't merely be on your shelf--it should be open on your desk.

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