

Effective contract drafting and legal writing in English

Example outline from our two-day public course (face-to-face)

We tailor content and course length for in-house groups and one-to-ones

Currently all training online

This highly practical workshop will help you to draft and write confidently and effectively in English. You will develop your skills and revise some grammar and language so you can draft clearly, simply and accurately in English, whatever the governing law. You will improve your ability to modify precedent clauses and to draft from scratch, and you will take with you a set of guidelines for reference in the office.

Participants often tell us this course helps them draft better in their own language.

Course length

Two days face-to-face (12 training hours)

Can vary for face-to-face and for online training.

Who should attend

Lawyers from private practice, industry and government

Minimum level of general English

At least a B2 (European Council reference for language levels.) (We will assess your level.)

Group size

Maximum 8 but please discuss greater number with us.

Trainers

Stella Styllis and Alan Simmons

Method for online training

Split into sessions of up to two hours at a time

Zoom preferred but can use similar platforms.

Trainer monitoring and input throughout for maximum individual attention and benefit.

Work in ones, twos and threes in breakout rooms. Screen-sharing and joint document annotating.

Homework: brief work between sessions

Continued ...

Effective contract drafting and legal writing in English, continued

Objectives

- Become familiar with and practise using guidelines for clear, precise drafting and writing
- Increase your awareness of your own and common issues on drafting, writing and language
- Improve your ability to assess and use precedent clauses
- Gain a basis for drafting clauses simply from scratch
- Revise and improve some grammar and legal English

Content:

Day one: contract drafting

1. Objectives and general ways of achieving clarity and precision in English: meeting your purpose and the expectations of readers of English
2. Brief review of problems that arise (a) when English is not the first language; and (b) Common Law does not apply
3. Guidelines, including relating to the following:
 - structuring the document, a clause, a paragraph and a sentence
 - getting to the point and positioning information, including signposting, “if” clauses, and emphasis
 - ensuring completeness of content and language
 - keeping it short and simple, including addressing archaisms, verbal clutter, word order, active voice and passive voice, and abstract writing with nouns
 - dealing simply with provisos and exceptions, and minimising cross-referencing; the related language (*provided that, subject to, notwithstanding*)
 - choosing, and using, language of obligation and discretion: *shall, will, must, and may*
 - avoiding ambiguity

Day one continued ...

... Day one continued

4. Exercises on analysing style, and redrafting poorly drafted precedent clauses. Group and trainer feedback, including remedial grammar and language
5. Exercises on drafting from scratch. Group and trainer feedback, including remedial grammar and language.
6. Exercises on grammar in a legal context (as a break from intensive drafting), eg on prepositions, and on collocations (words commonly used together)
7. Some comparisons between US and English terminology

Homework: up to an hour

Day two: legal writing and more contract drafting

1. Legal Writing
 - Planning and ordering information in the whole document, the paragraph and the sentence, for flow, impact and to meet reader expectations
 - Adjusting formality; avoiding clichés
 - Keeping it short and simple reviewing objectives: writing for the reader and achieving the purpose
 - Comparing the English approach with the approach of law firms in participants' jurisdictions
 - Applying and adding to guidelines learnt on day one
2. Exercises, including analysing and redrafting poorly drafted letters or extracts from reports
3. Exercises on relevant grammar in a legal context, including to address issues arising from feedback and pre-course assessment, and others on punctuation, proofreading and spelling
4. Exercises on writing or drafting from scratch: letter, report extract or contract; delegates work individually, with trainer feedback on style, grammar and language
5. Course round-up, and review of written guidelines with summary checklist for use in the office.

You will take with you a set of best practice guidelines for use in the office.