

Lawyering - a holistic concept


Peter Konwitschka



it's all about  schönherr
lawyering
be part of it and join now!

Legal writing – key skills

© and see also: <https://legalwriting.eu/resources/>
Chris Jensen, Legal Writing Coach, legalwritingcoach.com

-
- 
- Tone
 - Usage
 - Style

Skill 1: Appropriate tone



Goal: Disappear

Tip: Formality factors = tone devices

Formality factors



- What the reader wants
- Purpose
- Relationship: Length, nature, hierarchy, \$
- Culture
- Other readers

Example



[German instructions presented orally]

Tone devices



Dear Manuela

Thank you for your help with this matter to date. Can you please arrange to issue your invoice and I will include it with our invoice to the client this month.

If you could include the reference EL 0815/2024 on the invoice that would be helpful.

Many thanks

Kind regards

Tone devices



Hey Susie,

It was super chatting with you this morning😊. Like I said, the firm Christmas party is **one month** from tomorrow (hurray!). Send me the guest list some time today, OK?

Thanks!

Tanja

Tone devices



- Salutation, name, title, closing
- Cosmetics
- Vocabulary: Synonyms, politeness terms
- Grammar: Modality

Skill 2: Correct usage



Goal: Disappear



1.

Please call me until Thursday, 09.06.2014, at the latest.

1.

Please call me until Thursday, 09.06.2014, at the latest.

...by Thursday, 9 June 2014, at 11 am Vienna time.

...on or before Thursday. . .

...before Friday. . .

2.

Mr. Jones is an attorney with the firm already since 6 years.

2.

Mr. Jones is an attorney with the firm already since 6 years.

Mr. Jones has been an attorney with the firm for six years.

3.

The company adheres to national and international laws, including those aimed at combating corruption, fair competition, and the protection of human rights.

3.

The company adheres to national and international laws, including those aimed at combating corruption, fair competition, and the protection of human rights.

The company adheres to national and international laws, including those aimed at combating corruption, promoting fair competition, and protecting human rights.



Avoid unnatural phrases

Attached hereto please find...

Pursuant to your instructions...

Reference is made...

It would be highly appreciated if...

Please do not hesitate to contact me at any time should you have any further enquiries.

Avoid unnatural phrases

~~Attached hereto please find...~~

I attach...

~~Pursuant to your instructions...~~

As instructed, ...

As discussed, ...

~~Reference is made...~~

I refer to...

As to...

~~It would be highly appreciated if...~~

Please...

Could you...

~~Please do not hesitate to contact me at any time should you have any further enquiries.~~

Please call if you have any questions.

I would be happy to answer any questions. [or cut]

Skill 3: Concise style – Cut Words

First draft:

One cannot emphasize strongly enough the fact that, in a majority of the countries of the world, regulatory agencies can put companies that are thriving out of business.

(28 words / 47 syllables)

Edit:



~~One cannot emphasize strongly enough the fact that, in a majority of the countries of the world, regulatory agencies can put companies that are thriving out of business.~~

In most countries, regulators can put thriving companies out of business. (11 words / 19 syllables)

The provisions of Law 22 do not provide detailed regulations in regard to IT security.



Red flag: Nominalizations

~~The provisions of Law 22 do not provide detailed regulations in regard to IT security.~~

Law 22 does not regulate IT security in detail.

- Reach a decision =
- Make an suggestion =
- Take a course of action =

lawyering

lawyering.schoenherr.eu

Peter Konwitschka



DANKE!

schoenherr is one of the top corporate law firms in central and eastern europe. With our wide-ranging network of offices throughout CEE/SEE, we offer our clients unique coverage in the region. The firm has a long tradition of advising clients in all fields of commercial law, providing seamless service that transcends national and company borders. Our teams are tailor-made, assembled from our various practice groups and across our network of offices. Such sharing of resources, local knowledge and international expertise allows us to offer the client the best possible service. www.schoenherr.eu

schoenherr