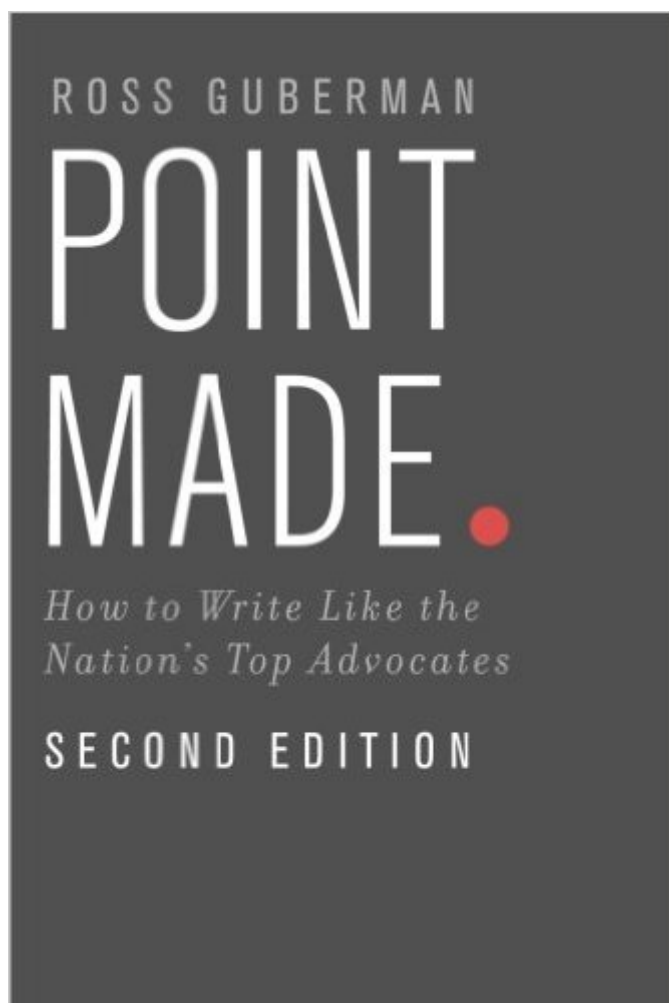


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# Point Made: How To Write Like The Nation's Top Advocates



## Synopsis

With *Point Made*, legal writing expert, Ross Guberman, throws a life preserver to attorneys, who are under more pressure than ever to produce compelling prose. What is the strongest opening for a motion or brief? How to draft winning headings? How to tell a persuasive story when the record is dry and dense? The answers are "more science than art," says Guberman, who has analyzed stellar arguments by distinguished attorneys to develop step-by-step instructions for achieving the results you want. The author takes an empirical approach, drawing heavily on the writings of the nation's 50 most influential lawyers, including Barack Obama, John Roberts, Elena Kagan, Ted Olson, and David Boies. Their strategies, demystified and broken down into specific, learnable techniques, become a detailed writing guide full of practical models. In *FCC v. Fox*, for example, Kathleen Sullivan conjures the potentially dangerous, unintended consequences of finding for the other side (the "Why Should I Care?" technique). Arguing against allowing the FCC to continue fining broadcasters that let the "F-word" slip out, she highlights the chilling effect these fines have on America's radio and TV stations, "discouraging live programming altogether, with attendant loss to valuable and vibrant programming that has long been part of American culture." Each chapter of *Point Made* focuses on a typically tough challenge, providing a strategic roadmap and practical tips along with annotated examples of how prominent attorneys have resolved that challenge in varied trial and appellate briefs. Short examples and explanations with engaging titles--"Brass Tacks," "Talk to Yourself," "Russian Doll"--deliver weighty materials with a light tone, making the guidelines easy to remember and apply. In addition to all-new examples from the original 50 advocates, this Second Edition introduces eight new superstar lawyers from Solicitor General Don Verrilli, Deanne Maynard, Larry Robbins, and Lisa Blatt to Joshua Rosencranz, Texas Senator Ted Cruz, Judy Clarke, and Sri Srinivasan, now a D.C. Circuit Judge. Ross Guberman also provides provocative new examples from the Affordable Care Act wars, the same-sex marriage fight, and many other recent high-profile cases. Considerably more commentary on the examples is included, along with dozens of style and grammar tips interspersed throughout. Also, for those who seek to improve their advocacy skills and for those who simply need a step-by-step guide to making a good brief better, the book concludes with an all-new set of 50 writing challenges corresponding to the 50 techniques.

## Book Information

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## Customer Reviews

"The only way to teach students how to be effective legal writers is to immerse them in as much outstanding legal writing as possible. By concentrating so much great written advocacy so compactly--and by focusing readers' attention so precisely on the qualities that make the selected texts so compelling--this book supplies an indispensable tool to those engaged in the craft of making excellent lawyers." --Dan Kahan, Elizabeth K. Dollard Professor of Law, Yale Law School

"Effective advocacy consists of a skillful blend of clear language and a sense of dramatic structure. Guberman's exemplars demonstrate again and again how to transform an otherwise ordinary case into a morality tale with a happy ending." --Judge Thomas Penfield Jackson

"I love this book and recommend it for everyone. Ross Guberman's bag of tricks will spiff up your writing. He shares 50 techniques, and then-the fun part-he offers choice nuggets to show you how the hot shots pull it off." --Ronald Marmer, Chair-Elect, ABA Section on Litigation; Partner, Jenner & Block

"Point Made is writing-nerd nirvana...It instantly won a place on my short list of favorite legal-writing books." --Jay O'Keeffe, DeNovo: A Virginia Appellate Law Blog

"Entertaining and informative...a smart approach to writing persuasive legal briefs. Rather than lecturing the reader about what to do, Point Made shows you how the headline lawyers do it." --Steven R. Merican, Illinois Appellate Lawyer Blog

"[Guberman] doesn't just tell you what to do: he shows you...I learned a lot from reading Ross's book; I think you will too." --Raymond Ward, The (new) legal writer

"I've seen no other book so clearly provide concrete and diverse examples of 'what this stuff' should look and sound like when it's done right... [my] revision radically improved...incredibly helpful." --Wendy McGuire Coats, The Ninth

"I am loathe to come across so effusive in my praise of the book, as to appear biased. But I can't help but highly recommend the book, it's that good. If you want to improve your legal writing, pick up a copy of Point Made." --Keith Lee, An Associate's Mind

"Just by reading the book, lawyers and legal writers at all stages of their careers can cull from Guberman's advice valuable lessons that are easy to remember and simple to apply. For these reasons, Point Made would make an excellent

addition to any law school, law firm, court, or academic library collection." -- Julie Graves Krishnaswami, Law Library Journal "Both novel and helpful...Point Made provides much food for thought for the experienced advocate...Guberman provides sound advice supported by the practice of the best in the business." -- ABA "Guberman has assembled example after example of creative, clever, clear, common-sense legal writing. He's compiled in one book the great writing that will cause a legal writer to sigh, 'I wish I'd written that.' But he did not stop there. Guberman has written a useable handbook that will aid the writer in crafting similar envy worthy moments of argument...Guberman's techniques provide immediate ways to improve, tighten, and enliven the language and persuasive force of your prose." --Wendy McGuire Coats, Appellate Issues Spring 2012, ABA

Ross Guberman is president of Legal Writing Pro, an advanced legal-writing training and consulting firm. He has worked with thousands of attorneys at more than 100 of the world's largest and most prestigious law firms and for dozens of state and federal agencies and bar associations. Guberman is also a Professorial Lecturer in Law at The George Washington University Law School, and he holds degrees from Yale, the Sorbonne, and The University of Chicago Law School. Before founding Legal Writing Pro, Guberman worked as a musician, lawyer, translator, editor, and journalist. He has also commented on law, business, and lawyer development for major newspapers, radio stations, trade publications, and television networks, and he has addressed several major international conferences as well.

This is the second edition of Guberman's book. He has also written a companion book called *Point Taken*, which is about writing good judgments. The basic points about good writing overlap in the two books. The difference, which justifies the two different books, is that persuasion is more important in a lawyer's writing than a judge's judgment for several reasons. The main one being that the lawyer is concerned mainly with one point of view. The judge has to balance both views. Rhetoric sounds acceptable and often useful in a lawyer's argument, but less so in a judgment. Guberman not only teaches good writing styles, but also gives useful tips on citations and footnotes in the lawyer's submissions (or briefs). If all lawyers read and practise what this book advises, archaic and often dull and unintelligible legal writing will disappear.

I very much enjoyed the structure of this text. It was very approachable and informative. I

recommend this for all writers, not just those in the legal realm. I used it to help smooth out the bumps in a capstone research paper for my undergraduate degree. I passed on many tips from Guberman to my classmates.

Without a doubt, this is essential reading for any legal writer seeking to produce creative, persuasive writing. Mr. Guberman's crack advice, sharp prose, and examples from the nation's top advocates make this a must have for law students and attorneys.

Outstanding book for an advocacy writer at any level. The best examples I have seen in 40 years of teaching brief writing. I am using it now to teach, but it can be used effectively by writers to provide guidance and examples at every stage of the process. I wish I had found this book earlier.

Very useful and concise tips on writing. Not nearly as boring as the other books required for my legal writing classes.

This book is a great supplement for any law student working on legal writing. It offers some great examples, and is a nice change from my assigned readings.

My go-to book when I'm stuck in a writing rut or need help organizing a brief. A must for lawyers who want to improve their writing.

Useful book, better than most of the ones 1Ls' use.

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