

TRANSLATING CONTRACTS/DRAFTS INTO CLIENT-
FRIENDLY EXPLANATIONS.

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DRAFTING LEGAL DOCUMENTS: HOW TO KEEP IT SIMPLE?

ANY LEGAL DOCUMENTATION IS INTEGRAL TO A LAW FIRM. THESE LEGAL DOCUMENTS ARE, ESSENTIALLY, THE BACKBONE OF THE BUSINESS AND WHERE IMPORTANT CASE DETAILS CAN BE FOUND.

HOW TO DRAFT CLIENT FRIENDLY CONTRACTS AND DRAFTS

- **PLAN OUT THE DOCUMENT BEFORE YOU BEGIN**
- **WRITE WITH CLEAR AND CONCISE LANGUAGE**
- **MAKE INFORMATION ACCESSIBLE**
- **ENSURE ALL NECESSARY INFORMATION IS INCLUDED**
- **PAY ATTENTION TO IMPERATIVES**
- **USE DIRECT LANGUAGE**

USE OF LANGUAGE

KEEP YOUR LANGUAGE IN A DRAFT AND A CONTRACT SIMPLE AND CLEAR. HERE ARE SOME TIPS:

- AVOID UNNECESSARY WORDS.
- USE EVERYDAY LANGUAGE UNLESS THERE'S A NEED FOR LEGAL TERMS, IN EVERY CLAUSE AND AVERMENT YOU MAKE IN A CONTRACT AND A DRAFT
- REDUCE THE USE OF 'GLUE WORDS' THAT DON'T ADD MEANING. FOR EXAMPLE, INSTEAD OF "A TRIAL BY JURY WAS REQUESTED BY THE DEFENDANT," SAY, "THE DEFENDANT REQUESTED A JURY TRIAL."
- DON'T USE COMPOUND CONSTRUCTIONS WHEN A SIMPLE WORD WILL DO. FOR EXAMPLE, INSTEAD OF "AT THE POINT IN TIME," JUST SAY "THEN."
- FOCUS ON THE ACTOR, ACTION, AND OBJECT. FOR EXAMPLE, INSTEAD OF "THE COURT CAN MODIFY THE JUDGMENT," SAY, "THE COURT CAN MODIFY THE JUDGMENT."
- AVOID REDUNDANT LEGAL PHRASES LIKE "NULL AND VOID" OR "LAST WILL AND TESTAMENT." USE "VOID" AND "WILL" INSTEAD.



PRECISE AND ACCURATE LANGUAGE

- ACCURACY IS KEY IN LEGAL DRAFTING. EVERY WORD MATTERS AND CAN INFLUENCE THE MEANING OF A CLAUSE OR AN ENTIRE DOCUMENT. BE PRECISE WITH YOUR WORDS AND PHRASES.
- *FOR INSTANCE, INSTEAD OF SAYING, "THE PERSON MUST NOT PERFORM ACTIONS THAT COULD BE CONSIDERED HARMFUL," IT'S BETTER TO SPECIFY WHAT ACTIONS ARE CONSIDERED HARMFUL.*

TIPS FOR MAKING DRAFTS CLIENT FRIENDLY

- CONSISTENCY IS ESSENTIAL
- AVOID LEGALESE
- STRUCTURE AND ORGANIZATION
- FLEXIBILITY AND ADAPTABILITY

HOW TO OVERCOME CHALLENGES IN CONVEYING THE DRAFTS TO CLIENTS?

- LIKE ANY SKILL, LEGAL DRAFTING COMES WITH ITS OWN SET OF CHALLENGES. *FOR EXAMPLE, LEGAL CONCEPTS CAN BE COMPLEX, AND TRANSLATING THESE INTO CLEAR, PLAIN LANGUAGE ISN'T ALWAYS EASY.*
- ACCURACY IS ANOTHER COMMON CHALLENGE. ONE MISPLACED WORD OR PUNCTUATION MARK CAN DRAMATICALLY CHANGE A CLAUSE'S MEANING.

HOW LANGUAGE PLAYS IMPORTANT PART IN DRAFTING

- *FOR EXAMPLE, "THE SUPPLIER MAY NOT, WITHOUT THE BUYER'S PRIOR WRITTEN CONSENT, ASSIGN THIS AGREEMENT" MEANS SOMETHING ENTIRELY DIFFERENT FROM "THE SUPPLIER MAY NOT ASSIGN THIS AGREEMENT, WITHOUT THE BUYER'S PRIOR WRITTEN CONSENT."*
- THE FIRST SENTENCE RESTRICTS THE SUPPLIER FROM ASSIGNING THE AGREEMENT WITHOUT CONSENT. IN CONTRAST, THE SECOND SENTENCE MIGHT BE INTERPRETED AS THE SUPPLIER NOT BEING ALLOWED TO ASSIGN THE AGREEMENT, WITH THE CONSENT PART BEING AN AFTERTHOUGHT.

CONCLUSION

- IN SUMMARY, LEGAL DRAFTING IS CRUCIAL IN THE LEGAL PROFESSION AND BEYOND. IT'S ABOUT MORE THAN JUST PUTTING WORDS ON PAPER; IT'S ABOUT ENSURING THEY CARRY THE RIGHT WEIGHT AND MEANING.
- REMEMBER, PRACTICE MAKES PERFECT. SO, DRAFT, REVIEW, REVISE, AND REPEAT. YOU'RE LEARNING A LANGUAGE, THE LANGUAGE OF THE LAW, AND LIKE ANY LANGUAGE, IT TAKES TIME AND PRACTICE TO BECOME FLUENT.

THANK YOU