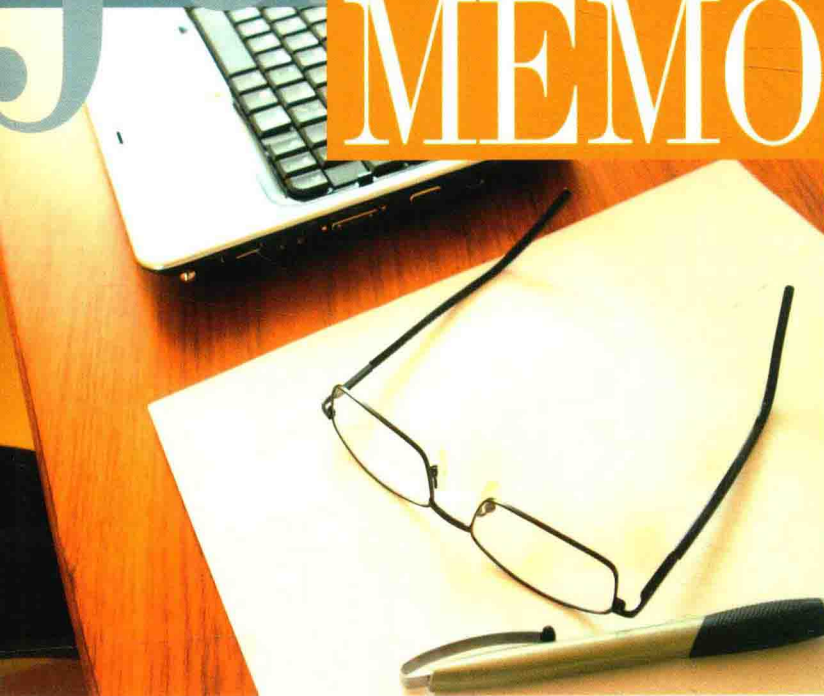


Aspen Coursebook Series

Laurel Currie Oates
Anne Enquist

FOURTH EDITION

MEMOS



Preparing for Practice



Wolters Kluwer
Law & Business

Aspen Coursebook Series

Just Memos

Preparing for Practice

Fourth Edition

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Professor of Law

Seattle University School of Law

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Professor of Lawyering Skills

Director, Legal Writing Program

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In memory of my mother, Lucille Currie,
who led a full life and taught me to do the same.

To my family, Steve, Matt, Mary, and Jeff Enquist, and Ilana Stern
for their love, support, and patience.

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Preface

This book, the fourth edition of *Just Memos*, sets out the materials that are in Books I and III of the sixth edition of *The Legal Writing Handbook*: It helps students make the transition from other types of writing to legal writing, it provides students with an introduction to the U.S. legal system and legal analysis and reading, and it walks students through the process of writing objective memoranda, opinion letters, e-memos, and email.

As you work through the materials in this book, keep in mind that writing a memo is a complex task. To do a good job, you must understand our legal system; you must know how to locate, select, and read the applicable statutes and cases; and you must be able to construct and evaluate each side's arguments. In addition, you must be a good writer. You must be able to use the conventional organizational schemes to present the law, the arguments, and your predictions clearly, precisely, and concisely. Finally, writing a good memo requires the exercise of judgment. You must exercise judgment in deciding when to stop researching, in determining which information the attorney needs, and in evaluating each side's arguments.

Instead of presenting each of these skills in isolation, *Just Memos* presents them in context. Chapter 6 shows five sample memos. Later chapters walk you through the process of writing a statement of facts, an issue statement and brief answer, a discussion section using different organizational schemes, and a conclusion. As you read through these chapters, keep your goal in mind. Instead of working to get an "A" on a particular assignment, use your assignments to learn how attorneys think and write about legal issues. By learning how to think and write as a lawyer, you will be a good student and you will develop the skills that you need to be a good attorney.

Acknowledgments

In writing this book, we have been fortunate to have had the critiques and counsel of numerous colleagues who have taught legal writing. A heartfelt thank you to our longtime colleagues Lori Bannai, Mary Bowman, Janet Dickson, Connie Krontz, Susan McClellan, Chris Rideout, and Mimi Samuel. We would also like to thank our newer colleagues, Merryn DeBenedetti, Kirsten Schimpff, and Denis Stearns for their help in drafting the chapters on e-memos. Merryn helped prepare the first draft of the chapter, Denis provided the problem that we have used as the primary example, and Kirsten shared her experiences from practice. In addition, we would like to thank our alum, Dan Brown, for giving us permission to use one of the e-memos that he drafted; Cheryl Kringle, Matthew Cram, and Peggy Graham for their insights about how e-memos are used in practice, and countless other attorneys for providing us with information about how they use e-memos. Thanks also go to Patrick Brown for his guidance on the section about the writing of philosophy majors, Eric Easton for his insights about journalism majors, and Theo Myhre for his invaluable help on the section about the writing of science majors and scientists.

Perhaps the most important collaborators in this project have been our students. Their writing appears throughout the book, and they were our first readers. So many made recommendations and allowed us to use their writing that we cannot mention them all, but we want them to know how much we appreciate their part in what we think of as “their book.”

Just Memos

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