

PROCEEDINGS

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THE BUILDING BLOCKS OF LEGAL CORRESPONDENCE¹

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Often, the hardest part of a writing project is getting started. This is true for a new lawyer writing a letter to a client or another attorney, or a law student writing a letter to a potential employer.

To help new lawyers get started writing letters, the attached chart identifies the basic “building blocks” for any letter. The chart connects these blocks to several specific types of letters that lawyers write, showing how to use the blocks to quickly “construct” a letter. There are four separate blocks – the Formalities (which can be found on the Purdue Owl website³); the Introduction; the Main Message, which delivers the primary content; and the Closing, which invites follow-up. The visual display of this block-by-block construction demonstrates the commonalities and the differences between the various types of letters. Professors can share this chart with students as a quick reference to get started writing any letter.⁴

Below are explanations of when and why lawyers write the five types of letters outlined in the chart, along with some additional ways to use the information in the chart. It may be helpful to refer to the chart descriptions⁵ for each type of letter as you read the illustrations below.

¹ The chart accompanying this essay was accepted as a poster presentation for the Legal Writing Institute’s Nineteenth Biennial Conference at Georgetown Law Center (Summer 2020), and this essay’s introduction is drawn from the poster’s explanation. Poster presentations from that virtual conference are archived on the LWI website at <https://www.lwionline.org/2020-lwi-biennial-conference-poster-presentations>.

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³ www.bit.ly/legalformalities (This link is also in the chart.)

⁴ The chart complements many legal writing texts that address client letters.

⁵ See the chart on 5.

1. Transmittal Letters

Transmittal letters are a very common form of correspondence. Many students have already written transmittal letters to send resumes to potential employers, but students need to know there are many other kinds of transmittal letters as well. Lawyers use transmittal letters to send documents to clients, for example, copies of leases or drafts of wills. They also send documents to opposing counsel, like responses to discovery requests or drafts of contracts.

2. Letters Requesting or Sending Information

Letters requesting information can go to many different people, including clients, but others as well. Lawyers working in criminal justice could be writing to police officers or laboratory personnel, seeking evidence or results of forensic testing. In any kind of litigation, whether civil or criminal, lawyers may write to witnesses. For corporate clients, a lawyer may be requesting information about some aspect of a deal they are doing or some aspect of the client's business that is relevant to the current matter.

The flip side of a letter requesting information is a letter sending information. This is not one of the example letters on the chart, but the letter requesting information provides a good model to follow because it is similar. Lawyers begin a letter sending information in the same way as a letter requesting information, by identifying themselves if necessary and then clearly stating the information being sent. It might be something as simple as sending a client a court date or something more complex, like explaining the next steps in a court proceeding or a negotiation.

The format for a letter requesting information also can be used for any kind of letter that involves making a request. Litigators regularly correspond with opposing counsel and various courts regarding scheduling, extension requests, and exhibit and discovery requests. Those requests and any kind of request letter follows the

same basic pattern of the letter requesting information. Instead of identifying the reason for asking for information, the writer identifies the reason for the specific request and adapts the rest of the letter along those lines.

3. Advice Letters

Advice letters are sent only to clients. In advice letters, the lawyer is giving a client advice about the client's problem. This advice may involve telling the client how the law applies in the client's circumstances. Or the client may have a decision to make, in which case the advice may take the form of outlining the client's options and explaining the pros and cons of each option.

4. Demand Letters

Lawyers write demand letters to get someone to do something. For example, a demand letter might tell a debtor to pay a certain amount of money or insist that someone stop infringing on a copyright. Demand letters include the same parts as any other correspondence but also have some additional requirements. They must include the specific demand being made, the consequences for refusal, and a deadline to comply.

5. Instruction Letters

Letters giving instructions are just what they sound like. These letters often go to clients. Perhaps the client needs instructions about an upcoming court date or deposition. In this type of letter, the lawyer must give clear instructions about each step the client must take.

6. Combination Letters

Sometimes these different types of letters combine. For example, a transmittal letter might include instructions, such as sending the client something that needs to be signed and returned,

so it is both a transmittal letter and a letter giving instructions. It is easy to combine the different components of both types of letters by using all the relevant blocks.

Lawyers also write other kinds of letters that are not specifically listed on the chart, but all letters include the same building blocks of following appropriate formalities and including an intro, the main message, and a closing.

The Building Blocks for Legal Correspondence

Use these building blocks to construct any type of letter

