

ACADEMIC WRITING FOR LAWYERS – ISSUES ON LEGAL WRITING

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In this article we tried to touch to some issues on legal writing necessary for drafting legal documents. We also tried to represent samples of procedural documents for lawyers. Pure competitive process from prosecution and protection parties requires high culture of verbal speech and writing in a legal language. Academic writing partially differs from relationship between people's daily living forms. In spite of the above mentioned, parties of a process should follow the compulsory general rule system of a language, correct speech and writing. Essential sources of drafting legal documents are laws and other statutory documents passed by state legislative bodies, as well as court decisions and papers of scientist lawyers. Correspondingly, terminology of writing texts and lexical style formed by protection party is greatly conditioned by these sources. Any kind of writing document should have its structure, in which, according to the academic writing rules there are three basic components: (1) introduction; (2) main text; (3) conclusion. All procedural documents have summaries, formulated as a demand form in petition and complaint. In a petition it should be written at the beginning of a text, and in a complaint – at the end of a text. At the end of a document should be written text author's name and a date. A golden rule of academic writing is as follows: A designer knows he has achieved perfection not when there is nothing left to add, but when there is nothing left to take away. (Antoine de Saint-Exupery). In procedural documents of criminal law, including protection party petitions and complaints, during formation of a content four basic methods of norm interpretation should be used: (1) grammatical (literal); (2) systemic; (3) Historical, and (4) objective and teleological. In criminal litigation is used legal language, which is s specific kind of language. In legal language we differ following language types: (1) a language of a law; (2) a language of a sentence and other legal decisions; (3) a language of litigation parties, expressed in petitions and complaints; (4) scientific language. In legal texts common abbreviations can be used. Cardinal numbers, if the number does not exceed ten, can be written in letters (one, two, three, four, five, etc.), and numbers above ten can be written using digits (11, 12, 13, 14, 15, etc.). It is not recommended to use abbreviations which are not clear or hard to understand. A petition or complaint text should be typed on a single page, in accordance with font size, paragraph and field according to general standards. Thus, the basic measure of lawyer's high professionalism is oratorical talent, together with legal writing skills, which is not less important. He/she should be able to impress judge and jury not only with well-argument verbal speech culture but also with a writing document drafted in compliance with legal writing rules.