

General Legal and Opinion Writing Skills: Issues and Explanations

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Abstract. A discourse on legal and opinion writing is a complex exercise. This is so because it is difficult to recommend a particular style of legal writing and almost impossible to attain a flawless piece of writing. Regardless of the challenge, the art of clear communication, speaking and writing form the fulcrum of the fundamental activities of a legal practitioner, paralegal, corporate or academic lawyer. The importance of good communication skills in the practice of law cannot be over emphasized and this has influenced the inclusion in the curriculum of many law schools modules on opinion writing, drafting of legal documents and advocacy. Beyond the inclusion in the curriculum of law schools, legal professional bodies and bar associations also recognised the importance of the acquisition of legal writing skills by practitioners. This paper presents a general overview of qualities of good legal and opinion writing. This is achieved through the exploration of the basic aspects of written word skills. The primary objective of this paper therefore is to raise awareness among law students, barristers, and paralegals, the importance of developing skills in legal and opinion writing skills to improve their efficiency and effectiveness in the administration of justice.

1. Introduction

The primary objective of promoting good legal writing/drafting and opinion writing skills is to improve lawyers' efficiency and effectiveness in the administration of justice. It is against this backdrop that this paper examines the imperativeness of good legal writing and opinion writing skills, attempts to provide an

ideal opportunity to model professionalism in the act of legal writing, drafting and opinion writing. The methodology employed here to achieve these set out goals is through the use of experiential pedagogy and meta-cognitive techniques where by lessons from the "real world" practice of law in relation to the use of good legal writing and opinion writing skills, is brought into bare. The paper also provides some practical tips on how to develop good legal writing skills.

Since opinion writing is a distinct genre of legal writing which combines the requirements of good general legal writing skills and specific analysis of complex practical legal issues, it shall be given special attention in this paper. The paper concludes with checklist of steps to be adhering to in the development of good legal writing, drafting and opinion writing skills. It is important to create a caveat here that an exercise of this nature is primarily aimed to sensitise the target readers (law students, barristers, and paralegals) of the need to develop good legal and opinion writing skills.

This paper is by no means provides exhaustive formulae for the development necessary skills for good legal and opinion writing. The first part of this paper introduces the subject of legal and opinion writing which serves as the basis for the general discussion in the remaining parts of this paper. Although each part of this paper stands on its own, the subject of legal writing is broad in such that each of the parts are related and interconnected. At the end of the whole exercise, each and every parts of this paper are designed to help legal practitioners, especially legal officers in legal units of various

institutions, to build confidence in their legal writing skills. The paper is also designed to reinforce the key points in each part and give the reader the opportunity to practice what is being emphasized.

2. Research and Legal Writing Skills

As was rightly observed by Celia C.E. and Robert, B.S., good legal writing is much like other good writings: simple, direct, and concise. Contrary to common perception among legal practitioners, a good legal writing does not require the use of long sentences, obscure words, or lots of Latin phrases (legalese). In the early stage of legal profession the excessive or sometime inappropriate use of Latin phrases (sometimes legal jargons) was fashionable and adorable even by non-lawyers as it tends to mystify the bastion of knowledge acquired by a lawyer. In the contemporary times however, a good legal writing is that which is intelligible and with the use of lucid language for the purpose of clarity and effective communication. Modern employers of lawyers expect legal writing to be streamlined, accurate, and concise as possible.

To produce a good legal writing is a difficult task because to write a legal opinion or prepare pleadings, or draft a conveyance requires some amount of research. Thus, research skills are necessary to produce a good legal writing. In other words research and legal writing skills are interwoven. This succinctly put by Suzanna thus; “Instead of memorizing cases that would solve easy problems, I learned that researching, analyzing, and writing about the law occurs as a complex, interwoven process. Through that process, lawyers learn of the law that exists and then fashion arguments, documents, and transactions to solve clients’ problems; novel approaches are steeped in the cases, statutes, and rules that the lawyer has located through thorough research”. Although the focus of this paper is not on the subject of conducting research, essential research skills will introduce a lawyer to the most common sources of legal authority and the result can be used in legal writings.

Traditionally, an average legal practitioner learn how to write by carefully reading the works of others and using the old drafts of veteran legal professionals whose works are acknowledged to be good. However, it is instructive to note that copying other’s legal documents or adopting a writer’s style without due caution may be counterproductive. By all means, we learn from other top-flight legal practitioners and get engrossed in the use of precedents. This practice may not be wrong but then statistic has shown that many people in the legal profession today and Nigeria in particular, writes poorly and carelessly. This creates an additional burden of scrutinizing what precedent to use and who is a model to copy in legal drafting and opinion writings. It is unfortunate to note that the product of bad legal writings are often mindlessly used and repeated through custom or habit and by extension bad advocate are often imitated all in the name of how the senior members conduct cases and express themselves before the court of law. It instructive to reiterate that slavish copying of other’s legal documents as precedents, even the apparently good ones, is not good enough. Each legal document must be viewed in the light of what it set out to achieve.

A comprehensive revelation of concerns for lack of good writing skills by lawyers was presented by Makr Osbeck as follows:

“Judge Edwards faulted law schools for not providing their graduates sufficient training in the skills they would need to practice law, and raised his —serious concern‖ concerning the —lack of good training in legal writing. —In my twelve years on the bench,‖ he wrote, —I have seen much written work by lawyers that is quite appalling. Many lawyers appear not to understand even the most elementary matters pertaining to style of presentation in legal writing . . . ‖. Judge Edwards is not alone among members of the judiciary in his assessment of the poor writing skills of lawyers. One of the most prominent and prolific federal judges, Richard Posner, has observed that the communication skills of the advocates he sees —are often quite bad, sometimes awful. Like Judge Edwards, he believes that may be all this is the result of the growing gap between practice

and the academy. Other judges agree. One empirical study found that approximately 94% of both federal and state judges surveyed reported that basic writing problems routinely marred the briefs they read, and that a clear majority of respondents thought that new members of the profession did not write well. Voices from outside the bench and bar have also pressured law schools to put a greater emphasis on legal writing and other practice-oriented skills so that their students will be better prepared to practice law when they graduate”.

Before we examine the nuts and bolts of the basis of legal and opinion writing skills, it is important to state that language/words are the tools of the trade of legal profession. No other profession relied on language/words as the dominant tool of the trade than the legal profession. A barrister can do nothing of consequence without reliance on the use of words. Contrariwise, surgeons, police officers, soldiers, accountants, laboratory technologists, architects, surveyors, etc. can function effectively in their professions with little reliance on use of language/words. The work of a lawyer predominantly involves writing words, reading words, and speaking words. After all a lawyer is paid for the words he wrote, spoke, and read. If that is the case, a lawyer must write well, reads well, and communicate well.

Nnaemeka Agu emphasized the importance of language for legal profession and submits that to acquire the requisite skills for good legal writing especially brief writing, it involves a lot more than the ability to write well. Agu submitted further that “...to write well only calls for ability to express oneself on paper; but to write a good brief entails not only good expression on paper but also ability to communicate one’s thought in very clear language to follow easily”.

To write a good legal opinion, the writer must study the case thoroughly, must endeavour to cast some bright beams of light on some of the dark corners and not too obvious crevices of the case. Thus, to write well involves not only a mastery of the language but also the ability to choose the correct words and sentences and also arrange them in such a way as to bring out the

logic and the conviction in the writer’s reasoning. The importance of words/language to legal and opinion writing was well captioned by Birkett in the following poetic lines, “words in their proper order are the raw materials of the law, and words have a magic of their own; they have colour and sound and meaning and associations. But choice words in their right order have a move magical power still”.

3. Qualities of Good Legal Writing

3.1 The Basics

Except for the acclaimed purists in legal writing, no task is as hard as attempting to teach the basics of good legal writing either to students or fellow professional colleagues. One of the burdens one is likely to face is the fact that good and flawless writing is generally difficult to attain. Would it not therefore be hypocritical to expect almost the impossible in this paper? It may turn out to be hypothetical as well since some of the qualities of a good legal writing to be discussed below may be lacking in this paper. If similar shortcomings are found in this writings then readers should not be disappointed as it tends to show that good writing skills are to be developed over time. In view of the above, below are qualities of good legal and opinion writing skills.

3.2 Making Choices

Before a final draft of a legal writing is dispatched, every detail in the draft must be intended. In other words, everything that appears in the final version of a draft must reflect the exact thought and intendment of the writer. Thus, nothing that is never intended should by accident, negligent or oversight crept into the final version of the legal document or opinion writing. In the same vein, nothing that is important should be left out of the final draft by oversight or by negligent. Every word, terminology and phrases carefully used in the final draft are chosen because they are the most suitable as against other available alternatives. The words, paragraphs and sentences should appear in the order you have decided upon.

When we speak extempore, there is the tendency to say things we do not mean to say or we do not

say them in the best desire manner or form. It is equally possible for one to left out some important points or details when we speak extempore. In fact this is common in many of lawyers' instantaneous response to legal questions or issues in the course of legal proceedings or trial. At any rate, legal practitioners, especially the advocates, must be careful in committing "accident" or being "negligent" when speaking extempore. This problem which is common with extemporising can be completely eliminated when a lawyer is writing or preparing a legal opinion. At the completion of every written legal document the author has the opportunity to scrutinise the thought that has been reduced into writing, consider its choices of thought, words and professional or expert advice. Writing exercise by its nature creates a window period for the author to improve on the worth of his product of thought. Thus, the choice is yours and as well as the burden of the embarrassment where the right thing is not done!

3.3 Use of Language

As earlier reiterated, language is both a lawyer's resource and vehicle for the trade of legal profession. Use of language in legal writing and opinion writing must be clear and simple. So keep it simple. To acquire the proper use of language for legal writing is very essential but most difficult. Again, to acquire requisite skills for legal writings involves a lot more than the ability to write well. A lawyer must understand the language and the way it works. You should understand the use of vocabulary, so that language can be used as a veritable vehicle to communicate clearly. Poor mastery of language may hinder the production of a good legal writing.

Thus, it is advisable to write in plain English wherever possible. This means "avoiding inappropriate jargon, archaic language, unnecessary verbiage, pedantic superfluities and antiquated sentences structures". Note "legalese" gives lawyers a bad name, creates barriers between you and your client. Plain English involves using the simplest and clearest language possible in the circumstances, not the simplest and clearest available. It is instructive

to note that a lawyer cannot sacrifice precision for simplicity, or clarity for the sake of shorter words. What is important is that your writing should fulfil its function.

3.4 Clarity

Good writing according to manuals of Inns of Court School of Law (1993), has total clarity. The meaning must springs instantly from the words, which do not need to be pondered, reread or analysed. If you ever feel that a sentence you are writing is not expressing the idea behind it clearly, stop, and star writing it again. Remember, the whole purpose of what a barrister, legal adviser inclusive, writes is to achieve clarity in the express of a view or opinion. An opinion may try to explain a complex situation so that it can be understood. Thus, "A pleading tries to define issues and bring them into the open. It follows that there is a great need for clarity in what a barrister writes. If it cannot be understood by those reading it, or if it is open to different interpretations, not only is it poorly written, but it has failed to serve the very purpose for which it was written".

In order to achieve clarity of expression it is imperative that the thought as conceived on an idea must as well be cleared. It is opined that if one is not clear in his mind about what he or she thinks or what to say, then it will be difficult achieve clarity of such thought in writing. Therefore it is advisable for lawyers to ensure that if there is the need to write at all their thought on an issue must be well articulated before being reduced into writing. Writing is an art so to write means to plan what to write and how to write it (a synergy between research and legal writing). Clarity will best be achieved through correct grammar, punctuation, precision, non-ambiguity, conciseness, completeness and elegance.

3.5 Grammar

A good legal writing must as much as possible be free from any grammatical error. Thus, "if a verb is in the wrong tense, and adverb in the wrong place, or sentence improperly composed, the only possible result is obscurity of meaning. You cannot write clearly if your writing is not grammatical." The importance of grammar

cannot therefore be overemphasised particularly where the author chooses to use long sentences. Clarity of the message in the sentence will only be achieved if the author has a good mastery of grammar. The opposite may be the result where the sentence is too long and the author lacks a good mastery of the rudiments of grammar. Any grammatical inconsistency noticeable in any writing, legal writing inclusive is likely to destroy the value of the long sentence.

Thus; “Good grammar is the grammar of clear usage, rather the grammar of pedants. Beware of absolute rules of grammar, such as “Never split an infinite”, “Never put a common before “and”. In the end the best grammar is the grammar that makes the meaning clearest”.

3.6 Punctuation

Punctuation plays an important role in achieving clarity in writing, legal writing inclusive. It is expected therefore that a good writing is that which is well punctuated. This is often essential for clarity in all forms of writing. A poorly punctuated writing will affect the conveyance of the actual intendment of the author. Care must be taken in the use commas, semicolons and colons as to properly place them in the right places. The message in a sentence can be lost by a comma in the wrong place or the lack of a comma where one is needed. The wrong use of comma instead of a semicolon could change the structure of a sentence and in some extreme case make the sentence unclear. No wonder it was observed elsewhere that “punctuation can be either your friend or your enemy. A typical reader will seldom notice good punctuation (though some readers do appreciate truly excellent punctuation). However, problematic punctuation will stand out to your reader and ultimately damage your credibility as a writer”.

While writing involves a creation of or the building of a complex grammatical structures, a wrong use of any of the punctuation marks could be fatal. In other words, a wrong use of any or the combination of the punctuation marks may destroy the between various part of a sentence.

3.7 Precision

Precision is required when a lawyer writes. A good piece of legal writing is that that conveys exactly what the author primarily intended. This is also “an essential part of clarity and is inevitably something you have always attempted to achieve whenever you have written anything”. But there are degrees of precision. As a lawyer you will need to write with a greater degree of precision than you would probably use in everyday life. This is true generally, particularly true of opinion writing and quite fundamental in legal drafting. In pleadings for example, there can be no room for anything than absolute precision. Lack of precision will at best result in a degree of confusion and ambiguity.

3.8 Conciseness

Good writing cannot be achieved by lengthy or too details of information being provided. A good writing is that which is concise. In other words it should be succinct and to the point. You should try to avoid repetition, waffle, long windedness or digression in writing. Whatever is not likely to provide necessary information should be left out.

3.9 Read and Read Over

At the completion of every writing, it is imperative to ensure that the whole piece is read over and read over again to ensure that mistakes are corrected. The essence of this is captured in the following words, “usually anything you write will come back to you in printed form. Never be satisfied with what you are written until you have read over and checked the printed version. In the case of electronic copy, never send or submit without you have read over and checked the e-copy. If you care as you should about the quality of your writing, you will care enough to correct typographical errors and to give yourself final opportunity to improve in any small way you can on what you have written”.

3.10 Use Short Sentences

There is no hard and fast rule on the use of sentence. One has the prerogative to decide whether to use short or long sentence in expressing an idea within text of his or her writing. However, expert usually advice that it is better to use short sentence most often in order to achieve clarity and to avoid ambiguity. The

idea behind this suggestion hinges on the premise that one can usually achieve clarity by using short sentence whereby you do not try to express more than a single thought in each sentence. This does not totally rule out the use of long sentence where necessary. Good and elegant writing as opined requires that sentences should vary in length rather than all have the same number of words. For variety in the use of short and long sentences maintains the reader's interest.

3.11 Use Simple Structures

Writing involves putting an idea together in a systematic way and within a structure. The kind of structure design for a legal writing will greatly determines its clarity and simplicity. Some lawyers deliberately or are in constant habit of writing in a more complex structure as to impress their colleagues, the courts or even their clients. The question is; "of what relevant is a piece of legal writing that is so complicated to be understood or comprehended?" It is therefore of no use to perpetually using compound structures to express a simple idea or legal principle or concept. Also try to use active voice rather passive voice in legal writing.

The above rule is not an absolute rule. It is meant to guide in legal writing. There may be the need to use compound structure and the passive rather than active voice in legal writing. The important thing is that one should be able to determine when and how to employed any of the above structures and style. A writer is the master of his or her writing but must always be mindful of attaining clarity at all times.

3.12 Use the First and Second Person Pronoun

It is advisable to be mindful at all time that the use of first and second person pronoun may be effective if it is important to be personal. Thus, why should one be impersonal when the context of a legal writing requires one to be personal? Contrariwise, "there are certain formalities in opinion writing and drafting that must be observed and do not allow for the use of "I" and "You", but these apart, never be impersonal when you can be personal. It is clearer, shorter and more honest".

3.13 Use a Good Layout

A good layout will assist in ensuring that a piece of legal writing is well arranged to be easily read. There is no particular pattern of layout to be recommended for all legal writings. The choice of layout will be determine by the nature of a legal writing. For example, if the writing is about contractual terms then numbered paragraphs, clauses, and sub-clauses will be more suitable.

4. Opinion Writing Skills

Opinion writing is a special skill learned by practice and experience. There are numerous sub-skills involved in opinion writing. However, at the end of this part of the paper we should be able achieve the followings:

- The understanding of the context of an opinion in a barrister's work;
- The purpose of an opinion in different contexts;
- Appreciation of the qualities of a good opinion;
- Know and able to make use of the basic principles of opinion writing;
- Understand how to plan an opinion;
- Be able to write a clear structured opinion; and
- Have developed some skills at giving reasons for your opinion.

4.1 The Importance of Opinion Writing

Opinion writing takes the centre stage of the majority of works done by lawyers generally. When we appear before the court or offer professional advice we are engaging in giving opinion. The common misconception in relation to work of a lawyer is that primary professional responsibility of a lawyer is to appear in courts and give advice to client. To be effective in the courts of law through advocacy; a lawyer needs to develop an expressive and persuasive skills and to give sound advice to client; listening, questioning, and negotiating skills are required.

However, in reality, "neither a barrister's work nor a barrister's skills can be divided so neatly into two categories. Giving advice to a client in conference, that is, in a face-to-face situation,

may happen either in court or in chambers. Communication skills form an important part of opinion writing; thinking skills, fact-management skills, even drafting skills are an important part of advocacy. In learning opinion writing, you are actually learning skills, aptitudes and a way of thinking that prepares you for all aspects of a barrister's work."

4.2 What is Opinion writing?

Opinion writing states a claim and gives the writer's views on a topic. It persuades readers to think or feel a certain way or calls them to take some action. In the context of legal opinion, opinion writing can be perceived as an aspect of a lawyer's professional duties in form of a paper work. Paperwork consists of an aspect of a barrister's work. Paperwork arises in response to a written set of instructions by clients. To give effect to the instruction the instructions, a lawyer is expected to offer advice in writing and sometimes orally. It may include preparation of pleadings, e.t.c.

From the above process opinion writing has been defined as; "written response to instruction to advice. A request for advice may be as a result of the need for a second opinion; it may be that the case is in an area in which you can give specialist advice; it may be that the case is bound to result in court proceedings and they consider it best to bring in counsel at the earliest possible moment. It may be that a favourable counsel's opinion is required in order to take a crucial decision".

4.3 Contents of Instructions for Legal Opinion

Instructions relating to the preparation of legal opinion normally come from the clients in form of narration or supporting documents which needs to be scrutinised and opinion offered on the position of the law. A typical instruction will normally include the following as comprehensively identified elsewhere by the Council of Legal Education, Inns of Court School of Law thus:

- (a) A document from your instructing authority/H.O.Ds/VC/DVCs/Directors, setting out what you are asked to do, the

background of the case, possibly a description and analysis of the issues, may be authority's interim proposed answer or planed line of action;

- (b) All other documents, plans, photographs etc. these are likely to include copies of any writ which has been issued, pleadings which have been served, documents which have been drafted, copies of any contract or proposed contract or MOU, lease, conveyance, or other instrument out of which the disputes arises; copies of all correspondences which has passed between the parties, medical reports, expert reports, etc.

The nature of instructions is meant to be subject to analyses. When analysed, it usually raises questions expected to be answered. Responses offered to these problems or answers provided to these questions are your opinions. In an institution like university, probably the most common questions asked by instructing authority in instructions are:

"Do the students, contractors, suppliers, insurance or bank employee(s), trade union have a good case against the University? If so what remedies are available to them? How much would they recover in damages? What should the University do in the circumstance", or "Is there a good defence to this action? If not, can liability be minimised?"

4.4 Advisory Nature of Opinions

An opinion, which is your response to instruction to advice, is nothing but advising your client based on your sound understanding of the law. It is a case of an expert giving a professional advice and nothing more. Thus; "advising is inextricably bound up with and is part of the mental attitude with which you approach opinion writing, with the thinking process that precedes the actual writing of the legal opinion, and with the writing processes itself. We shall now consider opinion writing within these three aspects: the mental attitude, the thinking process and the writing process".

4.5 The Right Mental Attitude

The right mental attitude required to write a good opinion is that of a practitioner, i.e. practical approach.

The right practical mental attitudes required as opposed to academic approach are provided below:

- (a) You are dealing with a real situation.
 - The client has not come to you so that you show off your knowledge of the law
 - He has a problem and wants help in finding the right solution/answer
 - He wants to know the his legal right/liability
- (b) The facts are more fundamental than the law.
 - Factual question first, (i.e. what is the problem? What happened? What does my client want and what should be done?), before legal question (where does the fit in?)
- (c) The law is a means to an end.
 - The law is what you consult and use where appropriate to help produce a solution to the problem
 - The golden rule is : use the law to help you form an opinion of the facts, not the facts as an excuse to form an opinion on the law
 - The law provides a framework which enables you to shed light on the facts, analyse the facts and interpret the facts, and form an opinion on the facts and answer questions of fact.

5. The Thinking Process

Once the opinion is finally mentally articulated the next is to adopt thinking process. Seven stages are conservatively identified as thinking process stages by the Council of Legal Education, Inns of Court School of Law which are going to be adopted in this paper and the seven stages are summarised below:

Stage 1: Read and Digest Your Instructions

- This does not necessary mean at this stage to read every word of them (the document may run to hundreds of pages)

- The essence here is to find out exactly what your instructions are, what are the basic facts, and what your instructing authority want to know.
- When reading instructions, you are likely to be referring back and forth through your instructions all the time.

Stage 2: Answer the Primary Question: What Does My Client/Instructing Authority Actually Want to Know?

- Have a clear idea of what your instructing authority wants to know if you are to address your mind to the right issues and give proper advice.
- Your objective is to tell the instructing authority what it wants to know
- Don't answer instructions with purely legal illustration but with practical solution supported with legal position.

Stage 3: Absorb and Organise the Facts

- This is a process of fact management, i.e. a skill which is central to any lawyer's work (logical and incisive mind)
- Every important or relevant facts must be at your fingertips (you must have a comprehensive grasp and understanding of all the material facts)
- Irrelevant facts should be discarded in your thoughts and consideration

Stage 4: Construct a Legal Framework

- At this point the law comes into your thinking but what you are doing is constructing a framework for the case and for your opinion in the case
- The law should be apply here to help organise the facts and to discover the questions that need to be answered, identify the issue of fact and law involved in the case and put them into a proper order.
- The framework consists of a sequence of issues, each issue basically encapsulating a single question.
- The issue arises, the question needs to be posed, because, from your knowledge of the law or your research, you have identified it as an essential ingredient in the chain of questions of law and fact all of which have to be answered to

determine the answer to the question your instructing authority is asking.

- At this stage you will need to research the law, e.g. reading law reports, legal texts, legislations, e.t.c. having in your mind the sequence of issues you are trying to construct and the search for an answer to them.

Note: You cannot consider your client's case without considering the likely opposing case, i.e. possible defences that may be raised and evidences likely to be produced. This gives you additional issues to be addressed.

Stage 5: Look at the Case as a Whole

- See how everything hangs together and where each question leads.
- This gives you hints of where your reasoning will lead.
- Try to see if there is any gap in the information and evidence available to you. If there is the need, make request for additional material if required.

Stage 6: Answer All the Questions

- Every question in your sequence of issues must now be answered.
- The answer may not yet be clear, it may be determined by a court, but nevertheless you can give your answer (You do this by forming opinion)
- Make sure that your answer is clear that there can be no real doubt and only one answer in law.
- Most of the issues will not be able to be answered in a definite way. There are can be no conclusion of certainty on question of fact. Rather, you will have to reach a conclusion of uncertainty, where you exercise your *judgement* to form an *opinion*.
- You may have to exercise your judgement to form an opinion of law or fact, questions of mixed law and fact, or all three.
- Your research into the law may have provided a clear legal answer to and question of law.
- More likely you will have to form an opinion on the law itself, or its applicability to the facts of the case.

- Here use your power of inference to assess here again the likely case for the other side because the mere fact that you instructing authority have a good does not mean it will succeed.

Stage 7: Consider your Advice

- Present the instructing authority/client with the practical steps that you advise your client to take
- Are your advices logical, practicable and reasonable?

The necessary guidelines given in the first part of this discourse will be relevant in writing the final opinion.

6. Conclusion

This paper has provided an overview of the basic skills required in the general legal and opinion writing. The primary objective of the paper is to sensitise legal and opinion writers of the need to adhere to the basic or fundamental qualities of great legal and opinion writing; clarity, conciseness, elegance, and completeness. This paper has also examined the basic skills of good legal and opinion writing skills and emphasised why these skills are essential and to be incorporated in the preparation of legal documents and opinion writing.

An additional concern addressed in this paper is the need for legal and opinion writers to take into consideration appropriate choice of words or language, uses of tenses or tenses structure, punctuation marks, and proof reading of drafts. In conclusion, acquiring the basic skills in general legal and opinion writing is imperative towards achieving the objective of legal and opinion writing; i.e. effective communication of ideas, advice, and legal position.

References

- Mark K. Osbeck, "What is "Good Legal Writing" and Why Does It Matter?" DREXEL LAW REVIEW (Vol. 4:417) 2012, p. 418.
- Celia G. Elweell, and Robert Barr Smith; Practical Legal Writing for Legal Assistants, Cengage Learning, 1996, p2.

- Carol M. Bast, "Lawyer Should Use Plain Language", Florida Bar Journal, 10/95.
- Cheryl, M. Stephens, "Plain Language Legal Writing: Part II – Writing to Be Understood", available at <https://www.cba.org/Publications-Resources/CBA-Practice-Link/Young-Lawyers/2014/Plain-Language-Legal-Writing-Part-II---Writing-to>. Accessed on 31st January, 2017.
- Suzanne E. Rowe, "Legal Research, Legal Writing, and Legal Analysis: Putting Law School into Practice", available at <http://www.stetson.edu/law/lawreview/media/legal-research-legal-writing-and-legal-analysis-putting-law-school-into-practice.pdf>. Accessed on 1st February, 2017.
- Carl McGowan, "Lawyers and the Uses of Language", American Bar Association Journal, vol.47, No.9, September, 1961, pp.897-901. Also available at http://www.jstor.org/stable/25721728?seq=1#page_scan_tab_contents. Accessed on 1st February, 2017.
- Nnaemeka P. Agu, Manual of Brief Writing in the Court of Appeal and the Supreme Court of Nigeria, Fourth Dimension Publishing Company, 1986.
- Linda H. Edwards, *Legal Writing: Process, Analysis, and Organization* 1–2 (4th ed., Aspen Law & Bus. 2006).
- J. Christopher Rideout & Jill J. Ramsfield, Legal Writing: A Revised View, 69 Wash. L. Rev. 35, 63 (1994)
- Ayo Adesanmi, "Honour for Olanipekun", The Nation Newspaper, November 14, 2004.
- Opinion Writing and Drafting: Inns of Court School of Law, (1993). The Council of Legal Education. Blackstone Press Limited, at p.5.
- Peter Tiersma, The Nature of Legal Language. Available at <http://www.languageandlaw.org/NATU-RE.HTM>]. Accessed on 3rd February, 2017.
- Opinion Writing and Drafting: Inns of Court School of Law, (1993). The Council of Legal Education. Blackstone Press Limited, at p.6.
- Alison Suthers and Michael Roberts, Tips for Effective Punctuation in Legal Writing, (2005), The Writing Center at Georgetown University Law Centre. P.1
- Opinion Writing: Strategies for Writers. Available at lancasterschools.org/cms/lib/NY19000266/Centricity/Domain/593/powerpoint.pptx. Accessed on 4th February, 2017.
- Opinion Writing and Drafting: Inns of Court School of Law, (1993). The Council of Legal Education. Blackstone Press Limited, at p.35