

Garden State CLE Presents:



So you want to write a law book!

Instructors:

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Lesson Plan

Introduction

All around the United States, hundreds of practicing attorneys share a deep desire to write and publish a law book. However, as a practical matter, most of these works are never written. The reason for this is based upon the realities of what is involved in writing law books. Apart from an in-depth knowledge of the subject-matter, successful authorship in this field requires an enormous time commitment as well as character traits that include persistence, perseverance, and attention to detail. Without all of these elements, you will not be able to complete your law book on a timely basis or at all!

The process is also collaborative and will require frequent communication with your publisher's attorney editor and the company's marketing department. On the other hand, the pride and sense of accomplishment you will feel when the book has been published is indescribable. Certainly, the publication of your book will rank among your finest professional achievements. The following rules and tips will help you successfully navigate the process.

Part I. Strategic Goals

1.) **Add value** – With every chapter and update, the author’s strategic goal should be to add value for the reader. This includes including packing within the book relevant information that will be of perceived utility to the reader. The reader should be able to take advantage of your expertise and practical experience by use of the following:

- i.) Latest case law with commentary
- ii.) Latest statutes with commentary
- iii.) Latest Court Rules with commentary
- iv.) Author commentary and explanations
- v.) Expansion and discussion of new topics and controversies
 - vi.) Making the complex understandable
 - vii.) Advice on practical application of the law

Part II. The writing process

- 1) **Topic selection** – The topic of your book should relate to a field in the practice of law in which you have developed a level of experience and expertise over a period of years. This will permit you to impart a combination of insight, context and wisdom in your book.
- 2) **Discipline** – You simply must write for some period of time ***EVERYDAY***. You should select a time period where your concentration and focus will be strong, such as first thing in the morning or after an afternoon nap.
- 3) **Random access approach** – There is no need to approaching the writing of a law book on an analog basis. Rather, you should address the sections and sub-topics randomly and combine everything into a unified, logical sequence at the end.
- 4) **Working TOC** – A preliminary table of contents is helpful in maintaining focus and assuring that no important information will be left out. The TOC should follow some type of logical sequence, often related to how a case proceeds through the justice system in a temporal manner. Above all, additions and deletions from the TOC should be made as needed as the book progresses.
- 5) **Manuscript delivery deadline** – At the beginning of the process, you and your attorney editor will establish a delivery date for the manuscript. This deadline is often difficult to precisely establish with a first law book, given the author's lack of experience and the natural learning curve associated with any new project. Accordingly, you and your attorney editor should establish a realistic time goal that takes account of the effort necessary to research and write the book with the context of your other professional, family and personal commitments. Possible delays in the delivery of the manuscript due to illness or other unforeseen events should be reported to your attorney editor immediately. This will allow for adjustments in the publisher's production schedule.

Part III. Tactical decisions

1.) The following tactical decisions apply to every sentence in the book. Follow these rules:

a.) Is the sentence grammatically correct?

- i.) Spelling
- ii.) Syntax
- iii.) Use of Standard English ONLY

b.) Style – In writing a law book, follow these guidelines:

- i.) Text should remain gender neutral
- ii.) Avoid Latin and other foreign words unless necessary – then italicize
- iii.) No slang – ever!
- iv.) No use of the first person pronoun
- v.) Avoid unnecessary words such as “very” and “quite”
- vi.) Italicize the names of cases used without a citation

c.) Is the statement set forth in the sentence legally correct?

d.) Does the statement need support of published legal authority or reference to a statute, Rule of regulation in a footnote?

e.) Will the reader be able to readily understand the sentence?

f.) Will a reader who is researching this discrete issue be able to locate the information within the book?

1.) Small, dedicated sections and subsections within a larger subject are a critical tools in adding value and facilitating research.

ii.) Consider placing explanatory text in its own section or sub-section that will be picked up in the book's index

g.) Is the sentence or section necessary in that it will add value to the book as a whole?

h.) Attribution – It is vital that every sentence that does not emanate from the mind of the author be attributed. For this reason, pinpoint citations with quotations in footnotes or with the text must be included. Pinpoint citations should also be used when commenting upon legal issues that are set forth within the body of an opinion but are not being quoted directly. An author may properly utilize text that he has written for use in a different publication from the same publisher without attribution.

i.) Editing – An author has a limited capacity to edit his own copy. Prior to submitting a manuscript for review and publication, the text should be edited and proofed by a third person who has an intimate working knowledge of the subject matter of the book.