

## SOME WRITING GUIDELINES

The legal "brief" is a well-known document that sets out "the legal contentions of a party in litigation, especially on appeal; a document prepared by counsel as the basis for arguing a case, consisting of legal and factual arguments and the authorities in support of them" (p.186, Black Law Dictionary, 7th Edition). "The goal of a brief is to convince the Court that one's position is correct, logical and reasonable. To be compelling, a brief must also be understandable and concise. The Court will read many briefs throughout the session, so it is important to write in a clear and interesting manner" (Montana YMCA Model Supreme Court). Another way to think of the brief is as an analytical summary of some court opinion. We will write two short briefs on some topic or case to be decided at a later date. These papers are designed to force you to analyze legal problems or some specific case very concisely. Keep in mind that your briefs must always focus on some economic aspect of the problem at hand.

- Briefs require you to apply a particular area of economic thought to the assigned problem or case study.
- There is a very strict size limit (five typed pages not counting cover, references, etc.).
- For overall formatting, including citations and references, see the Jakee-Sun paper. Formatting details include:
  - papers must be typed
  - space-and-a-half (or even double spaced)
  - standard 12 point font
  - one inch margins (at least)
  - page numbers
  - must include a proper cover page with title, your name, date, class details and date; do not include fancy fonts, colors, drawings (on cover page), plastic covers, etc.
  - use embedded citations and reference page at end (absent or unclear referencing/documentation will lead to lower grades)
- Paper should be absolutely no more than five (5) pages (really!). The five pages do not include title page, references, etc. This is not an exercise in verbosity, but short, to-the-point economic reasoning. The paper therefore does not have to be the full three pages if you do not find it necessary.
- You will need to do some basic research on the problem, including looking at other court cases that might serve as support (or "precedent") for your argument.
- In terms of what you should assume about your reader(s), imagine that you are communicating to someone with a similar understanding of economics as you have, which is to say that you don't have to define things like "demand", but you might need to explain certain facets of demand, if your argument hinges on a more complex arguments.
- This is largely an exercise in applying some law-and-economics logic to the very real issue at hand. I therefore want you to focus on making clear law-and-economic arguments, including logical and empirical support.
- Papers will be judged on quality of composition, content, and form (does it look good/adhere to discipline norms).
- In completing these assignments, you are responsible for understanding and adhering to the [Honors College Academic Honor Code](#). Relying solely on the internet as a source of information is the first big mistake by college students. As my old colleague William Lando put it, "Any idiot can put something on the internet, and countless numbers have done so." You can pretty well figure out what this means if you don't have—or cannot develop—the proper "filters" through which to interpret this mountain of sleaze, innuendo, and half-baked argumentation. Keep in mind that anything you can find on the net, I can also find—and you'd probably be surprised to know the things that I have found over my years of teaching. Furthermore, I reserve the right to check your paper using TurnItIn®. Punishment for plagiarism can range from a zero for the assignment to failure of the course and the report of an Honors Code violation.

### Writing:

- Sub-Verb agreement
- Sentence/paragraph construction
- Make each sentence count (extraneous info ... words)
- Wordiness (choose words/phrases carefully: get lots of misused words); for now, you're best off with simple and grammatically correct sentences ... that are clear to the reader.
- "Awkward" = A
- "Redundant" = R
- "choppy"
- comma splice, run ons
- page numbers
- "we" versus "I"
- possessive (i.e., apostrophes ... "its" ... etc.)

- ; and :
- i.e., e.g.,
- "flow" , "logic" = FL or LOG
- 
- spell check!
- Blah, blah, blah.<sup>Footnote</sup> Don't use footnotes for references (use embedded citation style).
- Various variables

### Referencing:

- "ibid", "op cit", etc. ... don't use them
- footnotes v. endnotes
- embedded citation (don't use footnotes for references)
- reference section and indenting

### Substance/argument...