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A Society Devoted to the Art of Legal Writing

Scribes is an American society whose goals include the creation of an interest in writing about the law, and above all, the promotion of a clear, succinct and forceful style in legal writing.

A few years ago some Bay St law firms subjected their associates to compulsory viewing of videos of interviews of US Supreme court Judges on the subject of persuasive writing. These interviews have now been transcribed and can be accessed in PDF form at [Scribes Journal of Legal Writing](#).

In what the New York Times described as a “trove” of interviews conducted in 2008, eight justices of the US Supreme Court describe how they write their opinions, what they are looking for in legal briefs and the art of legal writing generally. Only one judge, Justice David Souter, declined to participate.

A general comment made by the justices was that while the quality of the briefs was high, they were too long. Often lawyers use up their maximum of 15,000 words unnecessarily.

Such a message from so exalted a source must have ricocheted around the walls of the editorial offices of Scribes sending bells ringing and lights flashing like a winning fruit machine in Vegas.

Founded in 1953 Scribes seeks to “spread the growing scorn for legal writing that is archaic, turgid, obscure and needlessly dull”. It gives annual writing awards, publishes a newsletter – *The Scrivener* - and a journal (in Volume 13 of which the USSC interviews appear) – *The Scribes Journal of Legal Writing*.

The Scribes website is well worth a visit.

The Scribes Annual Luncheon this year will be held in Toronto on August 6.

John is a senior Bay St civil litigator with substantial trial experience. He is a passionate promoter of rules of civil procedure that allow litigants to get their matters in front of a judge for determination. He is a mandatory mediation sceptic. He questions the increasingly popular view that a lawyer has failed the client if settlement is not achieved, and they end up at the courtroom door.