

THE OFFICE MEMORANDUM AND THE CLIENT LETTER



Week 7



Focus on the **reader** of the office memo.

Keep in mind

- The intended audience
- The unintended audience

BRIEF ANSWER(S) or CONCLUSION(S)

These should include:

- a brief statement or **summary of the rule** that applies to the issue
- the **most important (legally significant) facts** upon which the issue will turn
- **your conclusion** on the issue



❧ **Do not quote** the entire borrowed or applied rule that the reader will find in the Discussion section

STATEMENT OF FACTS

- Tells the uninformed reader the background of the case and the facts that led to your conclusions.

STATEMENT OF FACTS

- Shows an informed reader what you, the author, knew at the time you wrote the memo

STATEMENT OF FACTS

- Should reveal what you, the author, thought were the most important facts in the case.

DISCUSSION



- The Discussion section is where you apply the TREAT paradigm to each issue and sub-issue raised by the rule and its elements and sub-rules.

DISCUSSION



- It is important to use your theses as headings in the Discussion section.

DISCUSSION



- Order your analysis in the same order that you listed the issues in the Questions Presented or Issues sections, and discuss elements of rules in the order that they are presented in the Rule section.

DISCUSSION



- Use “roadmaps” whenever you think the reader will benefit from a little direction.

Roadmaps are the writer’s articulation at the outset of a discussion of what he or she intends to cover, and in what order, in the ensuing discussion.

DISCUSSION



- Draft the Discussion at an appropriate level of detail and information for your known audience.

DISCUSSION



- Discuss collateral issues that have the potential to impact your main issues.

CLIENT LETTERS



Lawyers share a certain vocabulary that is not immediately transferable to a layperson and should not be presumed as a baseline when communicating with non-lawyer clients.