

# Research on Legal Writing

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## Does persuasion matter?

I gave a talk about persuasive legal writing at a meeting of appellate lawyers. When I finished, a lawyer asked me,

“Is there any empirical evidence that the techniques you presented will help win the case?”

Yes



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## Socrative.com

Later ...

An anonymous online quiz.



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Some concepts:

## Readability

The Flesch Reading Ease Scale

|                |    |           |                  |               |             |      |           |
|----------------|----|-----------|------------------|---------------|-------------|------|-----------|
| 0              | 15 | 30        | 45               | 60            | 75          | 90   | 100       |
| Very difficult |    | Difficult | Fairly difficult | Plain English | Fairly easy | Easy | Very easy |

Rudolf Flesch,  
*How to Write Plain  
English* 25 (1979)



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## Grade level

### Flesch Kincaid Grade Level

Assigns a score corresponding to a grade level:

- How many years of formal education are required for a person to understand the text?

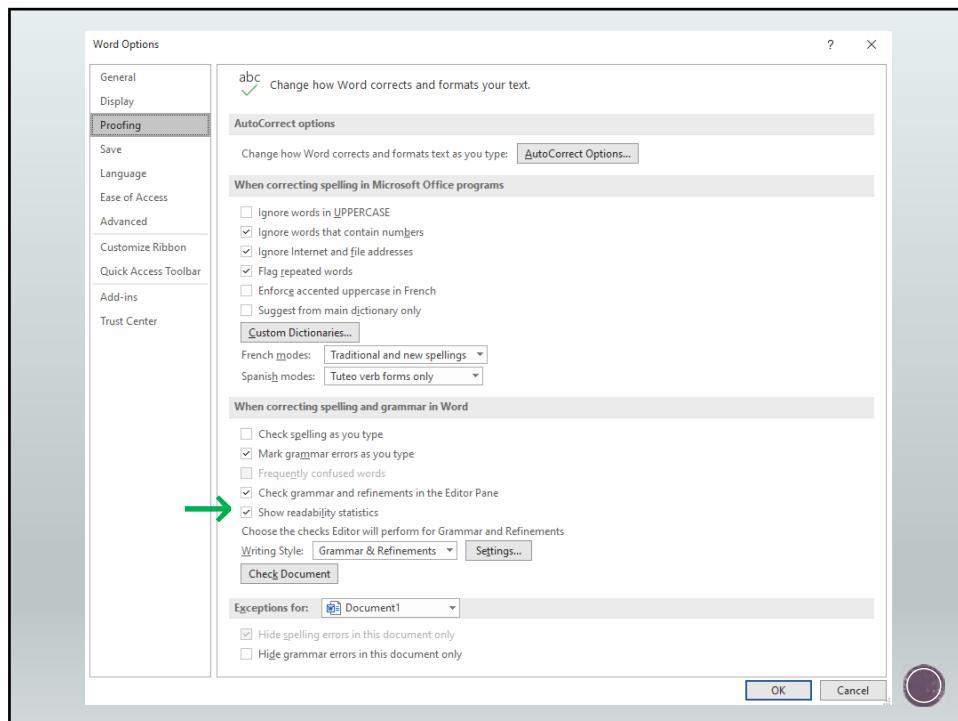
12 = completed high school

16 = completed college

19 = completed law school

42 = ?

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"The Science of Readable Legal Writing"