

# 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



2

## 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?

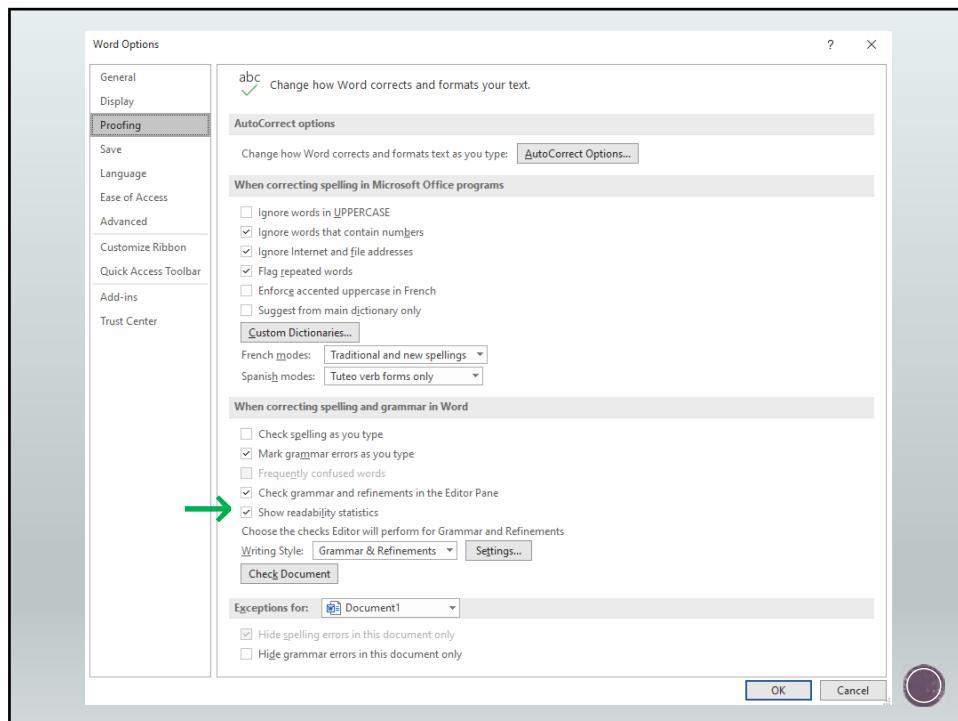
12 = completed high school

16 = completed college

19 = completed law school

42 = ?

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First appeared as part of the conference materials for the  
2024 Robert O. Dawson Conference on Criminal Appeals session  
"The Science of Readable Legal Writing"