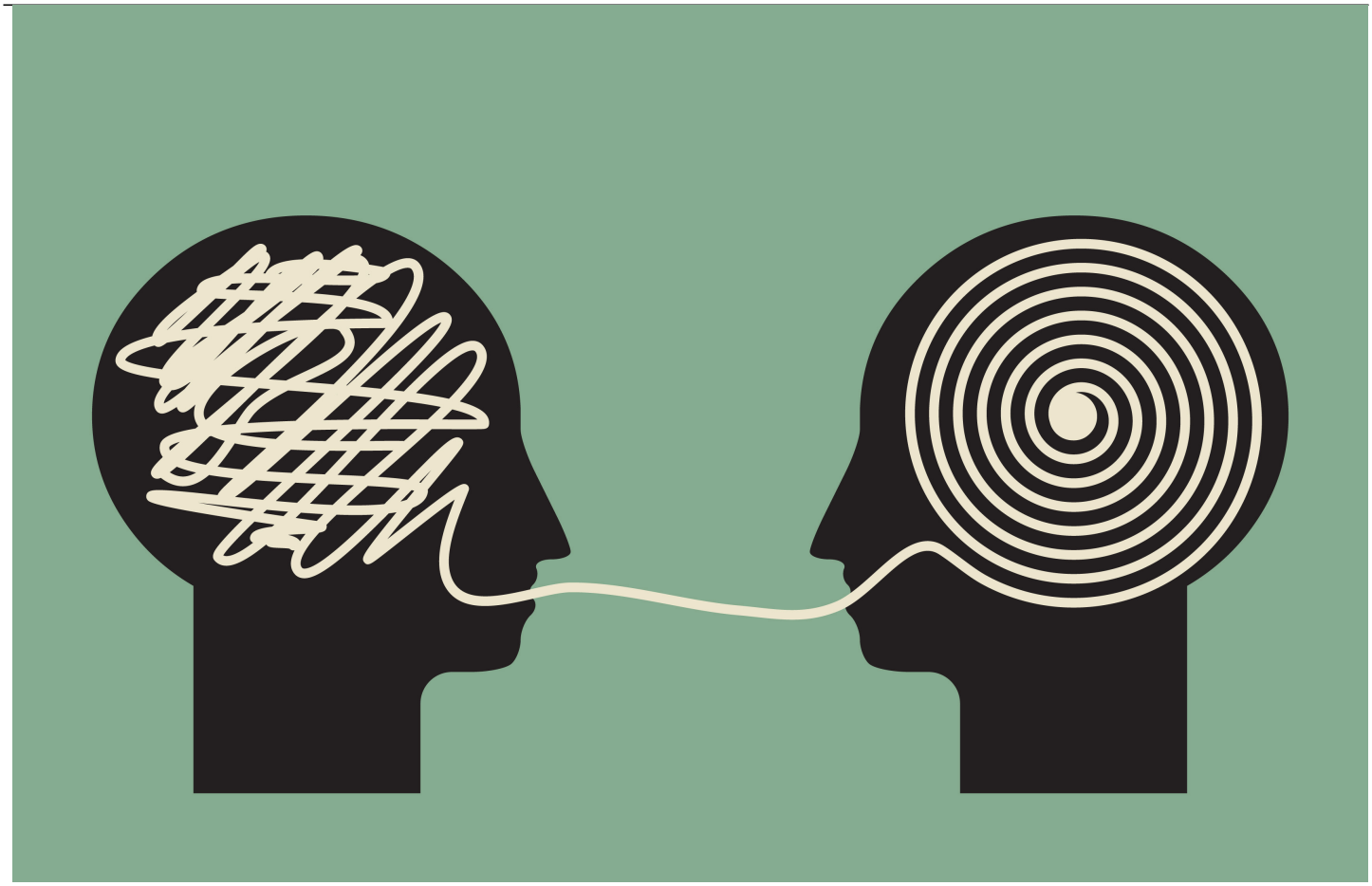


Career Path: The Day You Became Smarter

Career Development

Corporate, Securities, and Governance



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I wasted a decade or more sharpening my skills as a lawyer until I realized the secret had nothing to do with legal ability. And it wasn't even hard to learn.

I'd like to spare you that lost time and share the secret. This and five other articles are part of my **Master Skills to be Effective In-house Counsel**.

Master Skills to be Effective In-house Counsel

- Why It's So Hard Being a Good In-house Lawyer (the challenge);
- Writing plainly and clearly (this article);
- Write Better Emails Today (taming the email monster);
- Maybe Don't Go to that Meeting (avoiding time-wasting meetings);
- Persuade Like Aristotle (influencing others); and
- Listen Up Already! (engaging with others).

If you want your colleagues to be amazed at how much smarter you've become overnight, **write everything in plain language** that everyone can understand.

Lawyers are notoriously bad communicators

Although this advice applies to any manager, it is particularly helpful for lawyers. Why is that? Because our non-lawyer colleagues expect us to be confusing, poor communicators. We're famous for our impenetrable legalese. When you show up with your simple and clear messages, you will stun people. They will understand what you're saying. Because of this, they will think you're brilliant, far out of proportion to your actual legal chops.

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Do you know how a layperson determines which of two people is the better lawyer? One or more of these factors typically comes into play:

- A better-looking suit;
- Billing at a higher hourly rate than competitors;
- Lets slip that they graduated from Harvard or Yale;
- Returns calls; and
- Can string together a comprehensible sentence.

For years, I thought the secret was returning calls. Colleagues so appreciate responsiveness that it really seemed like a genius way to generate goodwill. And it is. But it's not enough if you also want people to think you're smart.

You probably know this, but in-house lawyers must never rely on the first three factors because they all serve as barriers to our business colleagues liking us. Although Machiavelli assured us in The Prince it is better to be feared than loved, being liked is a good middle ground. This means your path to legal stardom lies in being a great communicator.

For our purposes, let me modify Machiavelli with the following five rules for clear writing:

1. It is better to be understood than complete.

You spent a long time becoming a legal expert. Don't show off all that you know. Don't go down every hypothetical pathway for the sake of completeness. Start with the most likely scenario and describe it simply.

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Being understood also means you use simple words and omit extra words. I love words and I know

lots of fancy ones. But simple words get your point across better. Short sentences work better than longer ones. Same for short paragraphs.

2. It is better to be kind than precise.

This means knowing your audience and giving them just what they need. How much detail must you give for a reader to understand the point? Sure, you had to look up all sorts of laws and regulations to answer the question, but does it help your reader when you list them chapter and verse? Normally not. If you think some readers may want more detail, offer it in later sections or even an appendix. The reader who is interested in the detail can continue, while the ones who trust your answer can stop.

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3. It is better to be first than last.

What I mean is this: Make your last sentence into your first sentence. Nothing demonstrates a stellar communicator so much as starting with the answer or conclusion.

I know that's not how lawyers' minds work. We start with the facts, determine the relevant law, perform an analysis, and only then come to our conclusion. Keep right on doing that. But once you've reached the end of your analysis, simply move your concluding sentence up to the top, and you'll go from average lawyer to superstar in one easy stroke.

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4. It is better to be active than passive.

You should give every sentence a subject. Don't hide behind ambiguity. I know sometimes we don't know who the actor is. But we lawyers have let the passive voice take over all our writings. And the passive voice does more than make our sentences dull. People don't understand passive sentences as well.

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Our bad habit is deeply engrained. I encourage you to root it out, sentence by sentence. Good news for everyone who can't stop from writing in the passive voice right away: You can more easily spot passive sentences upon a second reading. That leads us to our final point.

5. It is better to edit than write perfectly.

I told you up front the secret to good communication wasn't hard to learn. Knowing the secret doesn't mean you will write perfectly all the time. Despite years of practice, I catch myself reverting

to old habits often. The solution is to read and edit what you write, which thankfully is much easier than writing perfectly.

Simply check your next document against these five rules and you'll be a better writer than almost all your colleagues. And you can bask in their amazement at how much smarter you've suddenly become.

Be well.

PS – I was inspired to write this by two brilliant sources on clear writing: the US Security and Exchange Commission's Plain English Handbook, which contains numerous tips that are useful no matter what language you use, including the preface by Warren Buffet, and Scott Adam's blog, The Day You Became A Better Writer. I hope you go on to inspire your colleagues by your example.

Connect with Career Path's James Bellerjeau.

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Bellerjeau shares thoughts on how to live a good life at Klugne. You can also follow him on LinkedIn.