

**LEGAL ANALYSIS, WRITING & RESEARCH 2**  
**Professor Greipp**  
**Spring 2013**

**Essay on Persuasion**

What gets a judge to agree with one side over the other? What causes a person to want to buy a product? These are intriguing questions for any attorney to consider carefully, as the answers provide guidance on the tools of persuasion.

I would like you to write a two page essay on persuasive writing. Please review something that you find persuasive and explain how the author has used the persuasive techniques Neumann describes in chapter 25. Begin by describing what you are reviewing, including a cite if you are referring to a legal document, or a URL if you are looking at a source online. You only need to cite to the URL once, and you may put it in a footnote. You do not need to cite to the Neumann text for this assignment, even if you are referring to it as part of the assignment. Then discuss the persuasive techniques used, including the effectiveness of the techniques. Please use your critical thinking skills to assess the strengths and weaknesses of the persuasive techniques. Ultimately, is the persuasion successful?

Please begin with a summary description of the material you are reviewing in the first paragraph. Follow with one or more paragraphs about what persuasive techniques the author or creator used. Please connect your thoughts to the techniques described in Neumann. Finally, end with a paragraph on how these techniques fit in with legal writing. If possible, cite to the source once in the document. I will go over in class how to cite to electronic sources. You may also ask me specifics about how to cite to your source.

You may choose any source that you find persuasive to write about. Some ideas: an opinion that you are reading in class or have read, a brief that you find online, Dr. Martin Luther King, Jr.'s Letter from a Birmingham Jail, an advertisement from a magazine or billboard, a television commercial. Be creative. Most of the tips in chapter 25 of Neumann are worded to relate to a legal argument, but you may broaden those concepts if you are looking at a non-legal source.

The tips stated in Neumann, § 25.3 are as follows:

1. Design a compelling theory and back it up with compelling arguments.
2. Include both motivating arguments and justifying arguments.
3. Limit your contentions to those that have a reasonable chance of persuading the court.
4. Organize to emphasize the ideas that are most likely to persuade.
5. Make your organization obvious.
6. Give the court a clear statement of the rule or rules on which the case turns.

7. Rely on an appropriate amount of authority with appropriate amounts of explanation.
8. Explain exactly and in detail how the law governs the facts.
9. To the extent they advance the theory, make the facts and people involved come alive on the written page.
10. "Tell the judge exactly what will happen in the real world if he decides for you or for your opponent." (quoting Hollis T. Hurd, *Writing for Lawyers* 61 (Journal Broad. & Commun. 1982)).

I have several goals in having you write this essay. First, I would like you to think deeply about the shift from predictive writing to persuasive writing, for that is a radical shift. I also want you to have fun thinking creatively about persuasion and what motivates you as a reader or observer of a persuasive piece. This assignment is also designed to limber up your analytical skills and your writing skills after the break. Finally, I will be assessing your writing skills and offering feedback early in the semester to aid you in writing your longer assignments. Please use appropriate thesis sentences, paragraph form, sentence structure, grammar, punctuation, etc.