

The Ba Theory of Persuasive Writing

by **Miriam Kass**

Persuasion is making someone feel your idea is right.
Feel.

Know from the gut and the heart, not just the brain. The idea should feel like an old shoe, a threadbare teddy, the shredded satin edging of a cherished baby blanket — the Ba you used to curl up with, to rub on your cheek, to clutch as you sucked your tender puckered thumb. Persuasion is making someone feel your idea is fundamentally, yea, primordially, right.

This is the Ba Theory of persuasive writing, based on the observation that we spend our lives trying to feel good (winning trials, drinking Scotch, running to keep fit, and so forth), that we experienced some of our best feelings in the nursery, and that most of us would like to recapture that early contentment if we could do it without feeling foolish. (If you are the macho type, pretend you are reading this for a friend.) The Ba Theory says, make the reader curl up contentedly with your ideas by getting rid of bad writing habits that make the reader grouchy, then enrich your writing to make your idea feel good.

The big bad habit is writing so your idea is hard to follow. Struggle is distracting, frustrating, and tiring. It makes the reader want to run away and hide. Your ideas, through your words, should flow into the reader's mind without resistance or self-consciousness.

Think of the reader's mind as a small container. Do not fill it with dead words, bloated sentences, or other garbage that makes reading feel like eating boney fish or fat meat. Garbage hogs the space and wastes the mind's energies cleaning house. Adopt the marketing strategy of Mark Twain:

I never write 'metropolis' for seven cents when I can get the same price for 'city.'

Do not use a long word when a short one will do. Short words are not only easier to read, they are also more likely to be of Anglo-Saxon, rather than Latin, origin and to have a dependable salt-of-the-earth quality.

We will use this sample sentence to illustrate several points:

Through the utilization of budgetary manipulations, a conspiracy with regard to the lease transaction was

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implemented by Defendants whereby expenses received treatment as capital investments.

Here is one way to trim it:

Defendants conspired to budget the lease expenses as capital investments.

Most of the big words cut out of the sample sentence are of Latin origin, sometimes through French. Is the idea to revert to the English language before the Norman conquest? No, English is rich because it is so inclusive. There is no denying the beauty of English used to its fullest. If you are Shakespeare or Faulkner, stop reading this, and go for it in your own style. But if you are an ordinary person trying to persuade ordinary people, read on, and be prepared, not for memorizing rules, but for developing a sense of what writing feels good and why.

Imagine yourself surveying a battlefield. Bodies are everywhere, some alive, some dead, some salvageable with proper treatment. Your job is triage. You must bypass the corpses, get them out of the picture, and devote yourself to life. Every word is a body. Ask yourself about each, "Is it alive?" If it is barely alive, ask if it is worth saving.

Dead Words

Does the "very" in "It was a very hot day" make the day feel hotter? Hmmm. How about those high-falutin' transitions:

It may be recalled that . . .

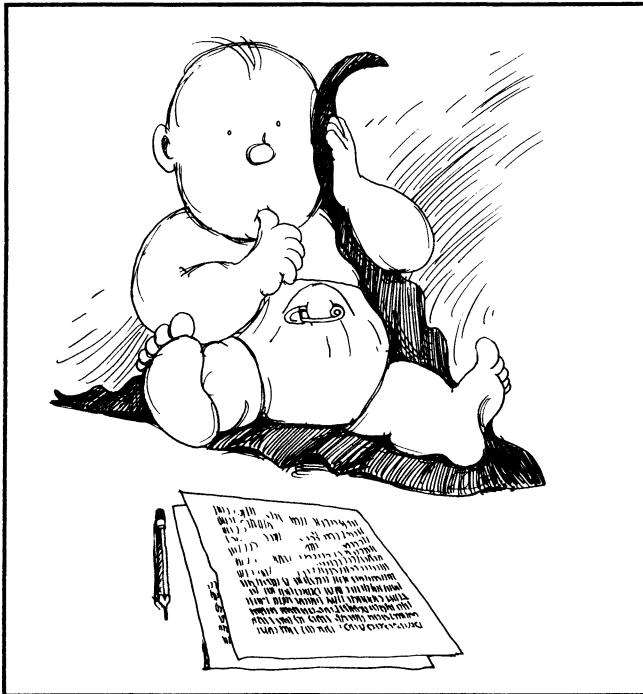
In this regard, it is interesting to point out the fact that . . .

To Michaelangelo, every piece of marble had a form hidden in it. He had only to chisel through to reveal a Pieta or a Moses. So it is with verbs hidden in and weighted down by noun forms like these:

negotiation
administration
documentation
utilization
transmittal

"Mr. Jones had the company's authorization" is correct, but "The company authorized Mr. Jones" is better. "They made a determination of" is correct, but "They determined" is better. Notice how many such words are in the sample sentence.

Whether a word is dead depends mainly on what it is doing



in a sentence. Some words are dead because they are redundant. If every word cost you a dollar, which ones would you use? Surely not the italicized words in these phrases:

ask *the question whether*
advance planning
consensus *of opinion*

Some dead words are prepositions leading other dead words or phrases. Look at the sample sentence and see how many nouns with good verbs hidden in them are used as objects of prepositions. Prepositions should alert you to search for corpses, which also abound in these kinds of fancy phrases lawyers use when they could use one word:

in the event of (if)
in order to (to)
for the purpose of (for)
for the reason that (because)
at this point in time (now)
with regard to (about)

Have you ever noticed what new awareness does for you on any subject? Say you decide to have your yard landscaped. Suddenly you "see" colors and shapes of leaves, heights of bushes, effects of monkey grass along the sidewalk. Awareness works the same for everything from cars to gender roles. Something must first make you notice. Then you will see more and more refinements. So it is for writing.

How many times have you been told to avoid passive construction? Passive construction bloats sentences with dead words, especially those marbled verbs and excess prepositions. See how much garbage the sample sentence's passivity creates.

Passive construction backs ideas timidly into the reader's mind. Passivity is not merely a writing problem. It is a responsibility problem. Will the real subject of the sample sentence please stand up? The word "by" in a passive sentence often precedes and announces the real subject. "Defendants," not the "conspiracy," were the bad actors in the sample sentence. Put them where they belong and see how fast editing goes.

A sentence often feels passive when its verb is a form of "to

be." Being is a passive thing to do. Being is nice for philosophers to speculate about, but it does not exactly sit up and sing. "The day was hot and humid" is not as active as "The day steamed." Instead of telling what, make the reader feel how. The following sentence combines a passive verb ("exists") in the main clause with another weak form, a conditional verb ("would preclude"), in a dependent clause:

There exists no issue of material fact which would preclude the granting of this summary judgment.

Make the same point actively in fewer than half the words:

No material fact issue prevents summary judgment.

Do not use conditional forms like "would" and "could" unless you really mean to speak conditionally, as in, "Mr. Jones would pay his debts, but he has no money."

Sometimes you will purposely weaken a point. "Intentionally untruthful testimony" is a lie. If there is a reason not to come out and say "lie," fine. Otherwise, be courageous and say what you mean. And when you do use a strong word, do not take the wind out of it with a timid modifier:

somewhat terrified
a bit malicious
rather dishonest

The result is absurd, like being slightly pregnant.

Think about what it is like to start watching a movie that is half over. You may get the general idea, but you have to guess what happened before you came in. Then you can hang around and see the first part to find out if you guessed right. Trying to figure out what you should already know wastes mental energy, which should be spent understanding an idea.

There is an order that ordinarily makes sense for storytelling:

Once upon a time, there was a boy. He was a mean boy.
He played a dirty trick on his brother. He told their mother his brother had a ride home from school when he didn't.
So his brother waited outside the school for his mother, who never came.

The story is easy to follow because each sentence supplies the information necessary to understand the next. The sample sentence does it backwards. It starts describing the conspiracy before it tells that there is a conspiracy and tells that there is a conspiracy before it tells who is responsible. The reader's mind wastes energy holding unrelated facts until it gets the basic who and what that make it all fit. That is fine if the purpose is to hide the ball, to create tension or suspense, but not if the purpose is to make the reader relax and curl up with your idea.

Short Sentences

Although it is easier to keep your ideas straight with short sentences than with long ones, logical unfolding is not necessarily related to the length of a sentence. The first four sentences in the mean boy story also unfold logically as one sentence:

The mean boy played a dirty trick on his brother by telling their mother the brother had a ride home from school when he did not.

It is easier to write short sentences and turn them into a longer one than to write a long, convoluted sentence and break it into short ones in logical sequence. Whenever you write a long sentence, however, be sure you have not so separated the subject and the verb that the reader forgets who before learning what.

Although construction, not length, determines whether a sen-

tence is easy to read, a good rule of thumb is to average about 20 words to a sentence. Some long sentences, well constructed, are interesting. Some very short ones are powerful as karate chops.

Varying sentence length purposely for effect goes beyond avoiding bad habits. It goes to stage two of the Ba Theory. Having assured that your reader will not develop a tummy ache or be seized with an impulse to run and hide, you can concentrate on rockabye good feelings to make the reader want to snuggle closer to your idea.

Serve with Spice

Legal writing tends to be bland. You have an edge if you can serve your idea with spice. Remember the old metaphors and similes from freshman English? They not only surprise, they clarify, by casting ideas in concrete and familiar forms. They tell little stories that are fun.

See how a simile conveys the impact of a transaction that dictated the parties' positions in a future plan of reorganization:

In short, the parties to the PSA transaction were like actors given their lines to be recited on cue. When faced with a formal reorganization plan, they were bound to perform the roles assigned to them in the PSA transaction.

And notice how you can ridicule the attempt to stretch a case too far: Compare the parties to "Cinderella's stepsisters, pinching and straining to claim a glass slipper that does not fit." The stepsister simile evokes all the connotations of the Cinderella story — not only that the slipper did not fit the stepsisters but that they knew it was not theirs. Besides being ugly and clumsy, they were cynical, deceptive, and comical.

An analogy is sometimes a most powerful argument:

The Union's argument that the [stock purchase program] equals a plan of reorganization not only lacks support, it lacks logic: They say restructuring of debtor's equity is an essential element of a plan; therefore, all restructuring of equity must signify a plan. The fallacy: All apple pies contain apples; therefore, all apples must be in apple pies.

In addition to the apple pie analogy, the paragraph makes its point by parallelism. Parallelism may also be used within sentences or paragraphs and often provides rhythm and repetition like this:

The DC 10-30 lease transaction has nothing in common with the PSA transaction and the *Braniff* decision. It conditions nothing on a plan of reorganization. It dictates no voting for a future plan. It requires no release of claims against any party. It alters no priority. It evades no disclosures. It leaves inviolate those "hurdles erected in Chapter 11" to be scaled in a future reorganization plan.

Parallelism makes a sentence or paragraph easier to understand by exploiting the mind's natural comfort in order and predictability. It emphasizes similar relationships.

The DC 10-30 paragraph combines parallelism with contrast by negation. By saying what the proposed transaction does not do, it highlights what the transaction does do. It outlines the picture, clarifying what is in and what is out.

In another example of parallel construction, Bill Pannill of Houston, Texas (former Editor-in-Chief of *LITIGATION*), com-

bined simile, parallelism, and negation by contrast to emphasize the hypertechnicality of the court's decision in a will case:

Making a will is not playing a game or assembling a puzzle. It is not running an obstacle course. It is the final solemn act of a lifetime. It is an act of supreme importance to the dying.

The paragraph also persuades by shifting from the abstract to the human. The following sentence humanizes still further by painting a picture:

The decision of the Court in this case is wrong. It is wrong as a matter of statutory interpretation and application. It is wrong as a matter of justice. It is also wrong because the respondent has been deprived of her right to an appellate ruling on her Point No. 3 in the Court of Appeals. If a woman can walk into a bank carrying a will prepared by a lawyer, sign the will in a ceremony attended by her lawyer and two other witnesses, have two witnesses subscribe under her signature and yet fail to make a will, the law does not make sense.

Nothing feels better than to be on the side of justice and morality. But justice and morality have meaning only for people. Humanize your position to dramatize its significance.

Saying point blank that something is right or wrong can be persuasive, but the statement must be well supported or it will ring dogmatic.

Irony, another powerful technique, must be used with care or it will sound sophomoric. When it is directed toward the opponent rather than the argument, it may appear mean or petty. The analogy is to cross-examination in trial, where you must damage a witness's credibility before you go in for the kill, or the jury may identify with the witness instead of you.

To be persuasive, you must establish your own credibility. Trial lawyers know that once a witness's credibility is undermined, it is hard to salvage. The same rule applies to writers.

They are like "Cinderella's stepsisters, pinching and straining to claim a glass slipper that does not fit."

Cite cases incorrectly, and you will deprive yourself, not only of case support, but of credibility. Grammar or spelling errors may also undermine your credibility.

If a cited case is helpful to you, but its language is not well focused for your purposes, paraphrase with more helpful words. But stretch the point beyond reasonable recognition, and you impeach your credibility for all other cases you discuss or cite.

Admitting or giving away a point you have probably lost anyway may enhance credibility, as you know from this kind of jury argument:

Yes, Mr. Brimble did drink too much before he drove that night. He knows he has a drinking problem. He is not proud of it, and he is not asking you to excuse it. But the fact that he passed out at the stop sign did not give Beulah Bistro the right to ram the back of his pickup.

'Fessing up also works in writing:

True, Dr. Pangloss did not introduce evidence that Mr.

Rambo intended to waive his right to notice. Dr. Pangloss does not rely on the waiver defense. He does rely on estoppel.

To find a good giveaway, make a list starting with your strongest points and graduating to your weakest. Then consider whether you have a point so weak you may gain more by giving it away than by asserting it.

Your strongest-to-weakest list should also dictate the order in which you present your ideas. Use your strongest shots to bias the reader's evaluation of successively weaker points.

Journalists call writing from most to least important the "inverted pyramid." Editors, who may have to cut the story under deadline pressure, can begin at the end and cut paragraph after paragraph, yet leave a story that stands on its own. Especially in a long writing, where the reader's lapsing attention may in effect cut your story, get your best licks in at the beginning.

Now take that principle a step further. You remember your first day of school, first boss, first teacher, first trial. Because your reader is likely to remember best what you say first, begin your writing by summarizing your position in its most compelling light. Transcend technicalities and say exactly what you want your reader to conclude.

The language quoted below is from a response to an appeal challenging Continental Airlines' authority to expand its operation by leasing two aircraft. In a preliminary statement, counsel touted Continental's success under Chapter 11 and stressed that the airline industry is extremely competitive and that Continental has obtained its financial results, not by shrinking from

the competition, but by challenging it vigorously in the marketplace.

The Institutional Creditors... want to treat Continental's bankruptcy like the liquidation of the corner grocery store. Their constricted approach misses the point of Chapter 11 not merely to keep the debtor from dying, but to restore it to health and vigor.

Do Not Appear Defensive

The preliminary statement sets the mood for an offensive argument. The challenge of responding to a writing — to an appellant's brief, for example — is not to appear defensive. To avoid sounding defensive, do not repeat your opponent's position followed by your response. Repetition reinforces. Assert your idea positively, negating your opponent's by implication.

Do not be controlled by your opponent's overall organization. A logical order for your opponent may make sense for you, too, or it may put you on the defensive when you need not be. It may be better to stress a different order of importance, so that you need not respond dutifully to each point raised against you. Better yet, develop an argument that will subsume several of your opponent's points and cast them in a light favorable to you.

Headings and subheadings also help to focus the issues on your terms. Depending on the nature, complexity, and length of your writing, use them to assert your points in positive words. Headings should be short and easy to read. Like newspaper headlines, they oversimplify. Use that fact to your advantage. In a brief, headings and subheadings together form an assertive outline and table of contents. Repeating an idea in a table of contents, headings, and text creates familiarity and comfort. It reinforces.

Headings and subheadings do double duty. In addition to pointing the reader in the right direction, they require white space, and white space is restful. Reading is, after all, a visually aesthetic experience. The eyes see patterns on paper before the brain recognizes meaning.

A gray page is deadly. Paragraph indentations on a page promise a breath of air after submersion in an idea. White space lets you relax your focus as though you were gazing at the horizon. Leave good size margins and extra space between sections of your writing. Center quotes or lists.

The eye seeks variety, though not busy-ness. Underlinings, italics, and all capital letters vary the appearance of writing. They are refreshing in small doses but tiring in many single-spaced lines.

Change the scenery and rest the mind with pictures, plats, graphs, flowcharts, lists, or diagrams. Consider not only what already is, but what could be, in visual form. For example, a complex real estate transaction is clarified by a picture showing the flow of deeds and lien documents.

Footnotes interrupt the flow of argument, especially in the middle of a sentence or paragraph. Use them only if they are worth the interruption, and try to put them where there is a natural break or at the end of your writing.

The end of this writing has come, though there is no end of guidelines for persuasive writing, each with its elaborations and exceptions. Do not try to memorize rules. Instead, recall that the reader is a human being who wants first not to have an unpleasant reading experience and second to have a pleasant one. Writing your way into the nursery is hard labor, but better hard writing than hard reading.



PRACTICE ADVISORY¹

10 Tips for Writing Better Immigration Briefs

October 30, 2013

By Trina Realmuto

A Well-Written Brief May Make or Break A Case

Every year, immigration lawyers and accredited representatives file thousands of briefs with the nation's 59 immigration courts, the Board of Immigration Appeals (BIA or Board), and the federal courts. In many instances, these briefs represent the noncitizen's best or only chance of convincing the decision maker to rule in their favor. The Board and circuit courts adjudicating a petition for review allow oral argument only in select cases. Although immigration courts and some federal courts entertain oral advocacy more regularly, oral arguments generally are more useful and successful if the court already understands the basis for the noncitizen's position because of counsel's briefing.

The stakes in immigration cases are incredibly high. In bond matters, judges regularly decide between liberty and detention. In merits cases, they decide between allowing a person to remain in the United States with her family and deportation to a potentially unsafe or unknown country. Federal courts review these life-altering decisions. Accordingly, immigration litigators must make the most of any and all opportunities to advocate on behalf of their client through a well-written brief. This article sets forth ten suggestions to keep in mind when writing immigration briefs.

10 Tips

1. Take the Active Voice Challenge!

Write an entire brief in the active voice, compare it to any other previously written brief, and then select the better brief. Without a doubt, the active voice brief is the better brief. The active voice makes statements and arguments stronger by identifying the actor, assigning responsibility for the action and eliminating excess verbiage (which is helpful when there is a word limit for the brief).

2. Record Citations.

When writing an appeal brief, start by reading the record, and then outline it or create a timeline with citations to the record. Tab important documents in the record.

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Anything and everything written in the statement of the facts or the statement of the case requires a citation to the record. If there is nothing to cite and record development is ongoing, attach an exhibit and cite to the exhibit, even if that exhibit is a declaration. If there is nothing to cite and record development is closed, either file a motion to supplement the record or do not make the statement.

3. Name Calling.

Why conjure up images of space creatures or the surgical removal of a foreign object by writing briefs that refer to the client as an “alien”? Sure, it is a term of art, but it also is a word often associated with space invaders or attacking UFOs. So, while the term *always* is appropriate to use when quoting language from the Immigration and Nationality Act or a regulation, it *never* is appropriate (in this author’s opinion) when referring to one’s client. Instead, consider using more *humanizing words* like person, individual, noncitizen, Petitioner/ Respondent, litigant, U.S. citizen claimant, or simply by the person’s actual name.

Conversely, it is not an attorney’s job to tout the authority of immigration entities or actors, yet some naming choices potentially have this effect. Is the entire U.S. Government (with a capital “G”) *really* trying to deport or detain the client? No, it is not. The actual entity seeking to deport or detain the client is U.S. Immigration and Customs Enforcement (well-described by the cold and frozen associations conveyed by use of the acronym “ICE”). ICE is *not* the entire government; it is *but one* of several subcomponent agencies within the Department of Homeland Security (DHS), which itself is *but one* of several executive agencies. Similarly, members of the Board of Immigration Appeals issue decisions, not the entire U.S. government. Individuals making unfavorable and life-altering immigration determinations are human beings just like the immigrants they judge. References to these decision makers as “the Government” incorrectly suggest that the *entire* U.S. government somehow supports their decisions and actions.

4. Statement of the Case v. Statement of Facts.

The statement of the case is the *procedural history* of the case; i.e., the events leading to the client’s current situation in court, including actions and determinations of an agency or court. In immigration court cases, the statement of the case might start with the affirmative filing of an immigration application or ICE’s issuance of a Notice to Appear. In circuit court cases, the statement of the case generally ends with a brief recitation of the Board’s decision or DHS’ issuance of a reinstatement order.

The statement of facts obviously should include only what is *admitted, documented and/or indisputably true*. Common facts in immigration cases include the person’s age, number of U.S. citizen or lawful permanent relatives, place of residence, employment history, and documented medical conditions. If the person is contesting alienage, then where he or she was born is not a fact. (Rather, one might include DHS’ *allegation* of the person’s birth country in the statement of the case.) If the person is contesting ICE’s evidence of a criminal conviction, the existence of a conviction is not a fact. Relatedly, however, if the person admits the existence of the conviction, but argues it does not render her removable, then only the existence of the conviction is a fact.

Sometimes procedural and factual information may overlap. In this situation, consider combining the contents into one section entitled “Statement of the Case and Statement of Facts” *provided the governing court rules do not require briefs to contain separate statements*.

5. Maps, Apps, GPS and Alternative Routes.

Maps, apps and Global Positioning Systems (GPS) help drivers know where they are going before, or while, they are on the road. Many also suggest alternative routes when traffic conditions warrant it. Headings and headings that set forth arguments in the alternative are the maps, apps and GPS's of brief writing. They provide judges with a way to reach a desired conclusion. Moreover, headings help keep the brief organized. In short, a brief's table of contents is basically the court's driving directions to vacating or remanding a removal or detention order. If a brief has well-written headings, its table of contents alone conveys the issue, analysis, and relief sought.

6. Analyze It.

Thinking analytically, aka "like a lawyer," comes easier for some than to others. Yet, it is a crucial skill for effective lawyering, especially brief writing. Here is one approach to analytical thinking and writing an immigration appeal brief. Start by asking two basic questions: (1) what is/are the main agency/court holding/s?; and (2) on what reasons did the agency/court rely to reach this conclusion? Then, take the identified holding and turn it into an argument heading that describes the erroneous conclusion. Next, take the main reasons for the identified holding and turn those into subheadings that describe the flaws in those rationales. Continue to identify and then address the key reasons for the Board's decision. If the flaw in the rationale of the decision is not apparent, do not assume the decision is correct. Show the decision to a colleague and brainstorm ways to challenge it.

In addition, think through the logical order of presentation of arguments, which will vary depending on the issues in the case. Many immigration appeals raise both statutory and constitutional issues. However, courts try to avoid ruling on constitutional issues if there is a statutory or regulatory basis for deciding the case. Thus, as a general rule, statutory and regulatory arguments should precede constitutional arguments. Similarly, arguments adopted by other circuits often should precede untested arguments. Finally, arguments seeking to vacate or reverse a decision usually should precede alternative arguments seeking remand.

8. Block the Block Quotes!

Relying on lengthy or numerous block quotes in a brief is a bad idea. In addition to portraying the attorney as lazy, undermining the purpose behind page limits (if the quote is single spaced), and looking ugly, block quotes are not an effective tool for making an argument. If a language from a case is particularly helpful, provide some background information about the case or paraphrase the court's rationale and quote only the language that makes the key point.

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7. Signal Words. Use them. Here are a few of the most common ones:

No signal (just the case cite)	Use after a direct quotation; or if the sentence references the case.
<i>Accord</i>	Use if the case supports the same proposition as the particular case or cases referenced in the sentence; or to show that circuit’s law is in agreement.
<i>See</i>	Use where the sentence contains a proposition and the case directly states or stands for that proposition.
<i>See also</i>	Use if the cited case is <i>additional to</i> another case(s) warranting a “ <i>see</i> ” cite; it constitutes further authority for the proposition. A “ <i>see also</i> ” signal always follows a “ <i>see</i> ” signal. The blue book recommends parenthetical explanations.
<i>Cf.</i>	Use if the cited case supports a proposition that is different, but analogous, to the main proposition. The blue book recommends parenthetical explanations.
<i>Compare [X] with [Y] or compare [A] and [B] with [C] and [D]</i>	Use to illustrate a useful comparison. For example, to illustrate a circuit split, how the BIA’s view differs from other circuit decisions, or inconsistent litigation positions of the opposing party.
<i>But see</i>	Use whenever there is a case that directly states or clearly supports a proposition contrary to the main proposition; i.e., case law that hurts the main argument.
<i>See generally</i>	Use when citing a case or authority that provides helpful background related to the main proposition.
<i>E.g., See, e.g., But see, e.g., etc.</i>	<i>E.g.</i> is short for the Latin phrase <i>exempli gratia</i> , meaning for example. This signal requires placement of a comma after “ <i>e.g.</i> ” and also after any additional signal word.

9. Have Some R-E-S-P-E-C-T.

Do most lawyers show up in court in jeans, a T-shirt, and wearing different shoes? No! Filing a brief with more than a few grammatical errors, typos, run-on sentences, incomplete sentences, missing record citations, and incorrect or omitted legal cites is no different than showing up in inappropriate clothing. Have some respect for the court, court staff, the client, opposing counsel, and, perhaps most importantly, have some self-respect, and edit and proof the brief. And then edit and proof it again. And then have someone else edit and proof it. And then edit and proof it again. Then consider how much is at stake for the client, and then edit and proof the brief yet again.

10. Reply Briefs are NOT Optional in Immigration Cases!

Unless the court order or rule expressly prohibits a reply brief (most do not), never, ever, ever let opposing counsel have the last word! Foregoing a reply brief because of other commitments or the client’s inability to pay leaves the court’s questions unanswered with no guarantee the court will schedule oral argument; dramatically decreases the client’s chances of success; and hinges on malpractice. Moreover, failure to file a reply brief may violate the attorney’s ethical duty to zealously represent the client. The failure to notify the court of appeals about “pertinent and significant” authority after the close of briefing is equally indefensible. *See* Federal Rule of Appellate Procedure 28(j).

Briefs Often Are the Best or Only Chance to Win the Case

Researching and writing a brief take a lot of time. Lawyers and accredited representatives are busy and often do not allot enough time to brief writing and the product suffers as a result. Underestimating or dismissing the value of a well-written brief can have dire consequences on the client's life and the lives of his or her parents, siblings, spouse and children.

A lot of lawyers know the law, but far fewer lawyers know how to write a compelling legal brief. There are organizational resources, courses, and colleagues available to help lawyers improve their brief writing skills. Since briefs often are the client's best or only chance to win the case, immigrants will fare better in the courts if immigration lawyers and accredited representatives take advantage of these resources and start writing better briefs.