

FROM THE LEGAL WRITING CLINIC
WRITING TIP OF THE WEEK

TOPIC OR THESIS SENTENCES IN A LEGAL MEMORANDUM



Topic or thesis sentences signal your reader that you are bringing up a new idea. Use topic sentences at the beginning of a paragraph not only to focus your reader on the paragraph's main premise but also to guide the reader through your overall organization.

Do not make the common mistake of simply naming the topic in your topic sentence. A good topic sentence also asserts your premise about the topic.

- *Incorrect:* One case considered the risk of the first pitch hitting a spectator at a baseball game. (merely names topic)
- *Better:* The risk of the first pitch hitting a spectator at a baseball game is not obvious. (names topic and asserts something about it)

A topic sentence for a rule explanation paragraph in an office memo usually states the rule of law for the factor or standard you are discussing, often using the same key words you used in your thesis paragraph. This repetition helps your reader connect that paragraph or section to the rest of your analysis. (Use a transitional expression or sentence to begin a new paragraph continuing the same rule explanation.)

- A worker is an employee when the company has the right to direct and control the performance of the work.

In a rule application section, the topic sentence illustrates your conclusion about the application of the rule for that factor or standard to your client's facts. Here, make sure your topic sentence is about your client, rather than simply restating the rule of law.

- Like the worker in Johnson, Ms. Smith was not an employee because the company did not direct and control the performance of her work.

For more information, see Robin Wellford Slocum, Legal Reasoning, Writing, and Persuasive Argument 220-25 (2d ed. 2006); Anne Enquist & Laurel Currie Oates, Just Writing 41-44 (3d ed. 2009); and Laurel Currie Oates & Anne Enquist, The Legal Writing Handbook 173-75, 206, 487-91 (5th ed. 2010).