

**Wednesday, November 18, 2020** (Intro class 23 of 30!)

**Today:** Legal writing continued!

- Demand letter assignment!
- Legal correspondence!
- Other forms of legal writing!

**Fri. Nov. 20** (Civ Pro):

- Full draft summons & verified cmplt. due by email 10am.
- Read C&W ch. 10 (Service of Papers), email thoughtful Q/response by 1pm.

**Mon. Nov. 23** (Intro):

- Draft demand letter due by email 10am.
- FYLC Collaborative Assignment #3 due on OL end of day.

**Wed. Nov. 25:**

- Final demand letter due by email end of day.
- College on Friday schedule! *But we will not meet.* ☹

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**To avoid liability for unauthorized practice of law, a paralegal who drafts an opinion letter at the request of an attorney:**

- (A) **should not sign his own name to the letter!**
- (B) may sign her own name, if she indicates that she is a paralegal
- (C) may sign his own name, if the attorney permits him to do so
- (D) none of these choices are correct

**At the request of Attorney Anna, Paralegal Pete prepares a letter to Addressee Andre. The letter forcefully requests that Andre pay Anna's client, Carla, an amount of money that Andre owes Carla under a contract between Andre and Carla. What type of letter has Paralegal Pete drafted?  
A demand letter!!**

**Legal correspondence** = letters! *addressing issues that arise in law practice.*

- to clients, witnesses, opposing counsel, courts, others.
- NOT internal legal memoranda!! *In contrast to those, correspondence goes outside the firm.*
- (Mostly) NOT confidential! *Except most (but not all) letters to client.*

**Some common types of legal letters!** *See M&M samples posted in "class notes & materials" for today.*

- **Informative** letters → convey information to the recipient
- **Confirmation** letters → confirm and summarize conversations that occurred
- **Opinion** letters → provide attorney's legal opinion and advice to a client
- **Demand** letters → explain a party's legal position to an opponent, and demand certain relief (or they may sue)

**Demand letters** = "demand" an action by recipient to resolve a dispute

- explain the sender's legal position to an opposing party
- if the demand is not met, the sender might sue!

**Confirmation letters** = confirm conversations that took place

- summarize what was discussed
- to prevent any misinterpretation or misunderstanding

**Informative letters** = convey information to recipient

- such as a client, or opposing counsel, or a witness, or court
- includes "update letters" to clients
  - *such as* new info about their case, or a recent court decision
  - *should include* general background and recent developments – *NOT* everything since the beginning of the case!

**Opinion letters** = attorney gives client a legal opinion or legal advice

- a/k/a "advisory letter"
- always must be signed by an attorney!

### *Other forms of legal writing!*

**Pleadings** = documents filed with (in) a court by parties to a case

- state the parties' claims and defenses
- include P's summons and complaint, D's answer

**Motions** = request to court to provide some interim relief in a case

- like an extension of time, or an order that a party must provide information

**Discovery documents** = sent to opposing counsel, seeking or providing information related to a case

- subpoena requesting documents or testimony (deposition)
- interrogatories requesting information (responses)