



**WRITING STRATEGY
FACULTY OF LAW
STELLENBOSCH UNIVERSITY**





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BACKGROUND TO THE WRITING STRATEGY

It was essentially in response to the general perception that South African LLB graduates lack writing skills and in an attempt to inculcate into law students the ability to write academically within the law discourse that the Faculty implemented a writing across the curriculum strategy. The strategy was piloted in 2010 and implemented fully in 2011.

The aim of the strategy is to establish an overarching approach to the development of writing skills in the LLB programme as an integrated part of legal training in the Faculty. The strategy is a comprehensive one that extends across the entire undergraduate LLB programme and consists of a number of different and mutually complementary components. The point of departure is that the writing skills of students cannot be developed meaningfully by way of *ad hoc*, uncoordinated writing exercises in the course of LLB training. Apart from basic academic writing skills, regard is had to various forms of written communication specific to different branches of the legal profession and the commercial sphere. The strategy also envisages that the focus on writing skills development be used as a vehicle for the improvement of legal research skills and the ability to disseminate the results of such activities.

The strategy comprises:

- a first year compulsory writing skills development module (Writing Skills 171);
- the introduction of writing-intensive modules into the curriculum in terms of which writing and research assignments are integrated into substantive courses;
- the assessment of students' writing skills with reference to a standard writing framework of the Faculty (Writing Guide);

- the appointment of Writing Consultants responsible for conducting one-on-one consultations with undergraduate and postgraduate students. The Consultants advise students on, *inter alia*, improving the following aspects of their writing:
 - i. research;
 - ii. structure;
 - iii. argument;
 - iv. links between legal rules (principles), facts and applications;
 - v. academic register;
 - vi. language;
 - vii. use of sources;
 - viii. referencing;
- the continuous evaluation of results achieved with a view to the refinement and further development of the strategy;
- an annual Writing Skills in Legal Education workshop hosted by the Faculty; and
- a website aimed at legal writing development.

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Loving Memory

LOUIS BARRY

AND

FRANS VENTER

STUDENTS OF THIS COLLEGE, WHO DIED OF FEVER.

JULY 4TH AND JULY 12TH 1899.

Be ye also ready.

ERECTED BY THEIR FELLOW STUDENTS AND FRIENDS.



C.L. MARAIS - BIBLIOTHEEK

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OVERVIEW OF THE WRITING CONSULTANCY SERVICE

The Faculty employs full-time Writing Consultants to provide one-on-one writing advice to the Faculty's undergraduate and postgraduate students on a daily basis. The Consultants comprise individuals with specialist language and writing skills, some of whom are qualified attorneys. They are available for consultations from Monday to Friday, between 09:00 and 17:00. Students book consultations through Appointy – an online appointment management system on the Faculty's legal writing website.

An LLM Writing Consultant is responsible for providing writing assistance to the Faculty's LLM students. In addition, the LLM Consultant is also a language consultant and provides first year students with language-related assistance.

The Faculty's Consultants have been requested by law firms and other businesses to provide legal writing training and writing-related assistance at the clients' premises. The training is tailored to suit the clients' needs and varies between once-off training workshops and weekly outsourcing of the Consultants to clients to provide one-on-one writing assistance to the clients' employees. For more information in this regard, please contact the Faculty's Strategy Coordinator (see page 7).



THE WRITING GUIDE

An important overarching component of the strategy is the compilation of a Faculty-specific Writing Guide that formulates the Faculty's writing practices and expectations. In this Writing Guide, the writing style used in the Faculty is detailed. This includes both the formal writing style and more content-related requirements. Both the teaching and assessment of writing skills takes place on the basis of the Writing Guide. Such a Writing Guide is important in order to:

- serve as a teaching development tool to improve teaching by and development of lecturers at the Faculty;
- achieve coordination and consistent implementation over the course of the programme;
- aid effective learning by enabling progressive writing development; and
- compel the Faculty to reflect on writing skills; why they are important and what the ideal end-product regarding the writing skills of students should be.

The Writing Guide enables the Faculty to identify the building blocks in the development of writing skills. It also describes the end-product regarding the writing skills of students.

The Writing Guide covers the following issues: best practice in legal writing; development of an argument; doing legal research and assignment writing; language and style; Faculty referencing guidelines and the University guidelines on plagiarism. An electronic copy of the Writing Guide can be accessed on the Faculty's legal writing website at (<http://blogs.sun.ac.za/legalwriting>).

Legal Writing

We make our living through language. *Camron E. Low in the struggle for truth* (2000); 100 CALU 1

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Strengthening arguments

- structure, logical flow, progression, sufficient references as support

Research

- finding sources, understanding readings, linking research and task, etc.

Language

LEGAL WRITING WEBSITE

The Faculty created a legal writing website in 2012 aimed at reinforcing the strategy by making students aware of the importance of good legal writing and, secondly, developing students' ability to communicate effectively in writing.

The Faculty is of the view that developing students' legal writing skills does not entail simply relaying to them rules and suggestions on how they can improve. It entails the establishment, amongst students, of the theoretical fundamentals of good legal writing. Students, as legal writers, need to be provided with a solid conceptual framework to ground individual rules and suggestions. Without an adequate understanding of the fundamental goals of legal writing, students will not be able to properly utilise the individual rules and suggestions.

The website therefore seeks to create awareness amongst students that good legal writing comprises not only the memorisation of rules and suggestions; to be good legal writers students need to understand why they are being taught to write a certain way. To these ends, the Faculty aims to facilitate legal writing development by engaging students through its use of the website and other forms of social media. Once they understand why they are being taught to write a certain way they will possess an adequate conceptual framework to make sense of the individual rules and suggestions.

For more information, please visit the website at <http://blogs.sun.ac.za/legalwriting>).



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WRITING SKILLS IN LEGAL EDUCATION WORKSHOP

The development of law students' writing skills has become a topic of particular interest and concern in South African legal education in recent times. Stakeholders in the legal services industry have voiced criticism regarding the quality of law graduates' writing skills. Many law faculties have also started to grapple with this issue and various interventions have been implemented. Scholarship has also emerged locally, with a number of recent articles in law journals addressing topics within this area. This workshop is aimed at bringing together these developments. It seeks to create a platform for an enriched discussion and exchange of ideas and perspectives on the development of writing skills in the context of legal education in South Africa.

Some of the issues discussed at the workshop include: best practices in teaching legal writing; diagnosing students' strengths and weaknesses; establishing objectives; sequencing the teaching of skills; designing assignments; providing feedback; developing an appropriate reading strategy; and, collaboration methods.

Professor Laurel Currie Oates, Director of Seattle University's *Legal Writing Program* which has been ranked as the top legal writing programme in the United States by the *U.S. and World Report*, participated in the second workshop held in 2015. For more information about the Writing Skills in Legal Education workshop, please visit the Faculty's legal writing website at (<http://blogs.sun.ac.za/legalwriting>).



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