

Basic Types of Legal Documents

- Instrument
 - This is a formal legal document that grants (or proves the grant) of a right. Examples:
 - Deeds, Wills, Mortgages, etc.
- Pleading
 - This is a formal statement by a party in the context of litigation. Examples:
 - Complaints, answers
- Document
 - This applies to any other communication set to a permanent medium that is relevant to a legal issue. Examples:
 - Police reports, photographs, letters, etc.

Types of Legal Instruments

- Contract
 - Any written agreement can fall under this heading
- Deed
 - This transfers any interest in real estate
 - Including easements, mortgages, etc.
- Business Documents
 - Article of incorporation, bylaws, partnership agreements
- Will/ Codicil
 - These are special legal documents that allow gifts to be given after one's death
- Trust
 - Establishes an agreement whereby the trustee agrees to hold property for the beneficiary

Obtaining Background Information

- Preparation and execution of any legal task requires, at its threshold, certain information from the clients. This can be obtained at an interview and/or through a questionnaire. This information includes:
 - Family information
 - Financial information and which other advisors the client is working with
 - Employment information
 - Health information
 - Important documents relevant to the client
 - (If a civil action) All information and documentation relevant to the case

Where to Get Forms

- Very few documents are drafted from scratch. Almost all documents are drafted from templates belonging to the firm or accessed elsewhere.
- A big part of drafting many forms is locating appropriate templates. There can be gotten from:
 - Documents done for previous clients
 - Commercial forms producers, such as:
 - American Jurisprudence Legal Forms
 - West Legal Forms
 - Online sources

General Form of Legal Writings

- For the most part, you can choose your own type of paper, ink, etc. However, for certain instruments and in papers submitted to a court, there are often rules regarding these things, which must be followed.
- Court that have such rules often publish them in a circular that can be obtained from the court.
- Always ask the clerk when in doubt!

Some physical aspects to Legal Documents

- Paper
 - Use letter size in general; legal size is sometimes used as well and may be required for certain types of instruments such as deeds
- Typeface
 - Use a conservative, traditional font
- Margins
 - Make sure to use margins big enough to make reading comfortable; such as 1-1.5 inch margins
- Spacing
 - Pleadings and some instruments should be double spaced
 - Most other documents can be 1.5 spaced
 - Letters are often single spaced

Special Components of Legal Documents

- In addition to the body of the document, legal documents often must contain:
 - Caption (for anything submitted to the court)
 - Heading (for most legal documents, including letters, etc.)
 - Place for signatures, especially for instruments
 - Acknowledgment/ space for the document to be notarized, where appropriate
 - Filings with the court often must also have space for the attorney to sign as well

Special Mechanical Rules for Legal Documents

- The following are often put in ALL CAPS:
 - Names of people or businesses, organizations, etc.
 - Title of the instrument
 - Header words of important paragraphs (e.g., “WHEREAS”)
- Grammar and spelling
 - Correct grammar and spelling are important not only to avoid changing the meaning of the document, but also to present an aura of professionalism
- Numbers are often written in both English and Arabic numbers; e.g.,
 - Ten thousand Dollars (\$10,000)
- Page numbering
 - The first page is not numbered; all subsequent pages are numbered at the bottom center.

Pre-Printed Forms

- Sometimes, courts or other agencies will have specific forms that they will require for certain tasks. To use such forms:
 - Some may be available in Word (or similar) format. There can be filled in easily on your computer.
 - Sometimes, courts require affidavits that you did not change anything substantive about the form so that the clerk does not have to read through the entire form
 - If you cannot secure these forms in Word (or similar) format, the best thing is to fill it in with a typewriter, though very neat print writing is usually also accepted.
- Inserting “N/A” or “0” is preferable to leaving the space blank.