Writer's Block

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Welcome to my first column.

Writer's Block will be a regular feature in the VBA News Journal.

Four score and seven years ago — wait, that sounds a bit familiar.

How should I start this first column? I can't seem to get past the initial sentence.

In all seriousness, welcome to Writer's Block, a recurring feature column of the VBA News Journal, where nothing [written] is sacred. Each issue, the column will address a discrete writing topic (note the deliberate use of passive voice; because I don't yet know if the column will be good, I don't want to take credit or responsibility and identify myself as the writer).

Writer's Block: Wikipedia (and you've got to love that source) defines writer's block as a "phenomenon involving temporary loss of ability to begin or continue writing, usually due to lack of inspiration or creativity."

"I think writer's block is simply the dread that you are going to write something horrible. But as a writer, I believe that if you sit down at the keys long enough, sooner or later something will come out," Roy Blount, Jr.

Whatever the definition and no matter the cause, even the best writers have experienced writer's block before, and we will all have it again - unfortunately, it happens to the best of us. Would that I could articulate a quick fix, but alas, I am just a writing professor. There are, however, some common techniques that can usually help even the most experienced writer overcome writer's block:

1. "Dance to the Beat of a Different Drummer": When stuck, try something new. Look for a slightly different angle. If writing a brief or motion, for example, perhaps presenting the facts chronologically isn't always the best idea; sometimes topical or even reverse chronology is more effective. Within reason (and time constraints), be willing to experiment. Through trial and error, you will improve and overcome the stalemate. Keep at it. Practice makes perfection more attainable, though there is neither one perfect document nor one failsafe way to draft an almost perfect document.

2. "Sweat the Small Stuff": When you are overwhelmed, focus on a smaller subtask. For example, if you are drafting a motion and the facts you need to present to the court seem too convoluted or overwhelming, start working on the prayer for relief - you know what you want the court to do (or hopefully you wouldn't be drafting the motion). By trying to do less at once, you will reduce your stress and, eventually, accomplish the larger task.

3. "Nobody's Perfect": Strive for excellence, not perfection. Deadlines, costs, and reality make a perfect document the thing of legend (as clearly evidenced by this first column). Mediocrity won't hack it, but excellence will.

4. "Keep Your Eyes on the Prize": Keep a big picture focus - what is essential to satisfy your audience and achieve your purpose? If time permits, add in bells and whistles; if not, address the essentials.

5. "When All Else Fails, Try Flowers": Dr. Betty Flowers, an instructor in the University of Texas English department, astutely observes that often the hardest part of writing is to resist the urge to critique and edit one's work before completing a draft. In "Madman, Architect, Carpenter, Judge: Roles and the Writing Process," Dr. Flowers postulates that each step in the writing process is based on a "character" that each of us has within, and each character must have time on-stage to produce effective writing.

   a. The madman, as the name implies, is somewhat out-of-control, writing quickly and without focus, perhaps veering into the free association of unconnected ideas. For a legal writer, this is the research stage, taking copious notes and jotting down ideas about possible approaches to a problem.

   b. Enter the architect, who sees connections between ideas, and starts drafting a blueprint - outlining the work to be done, if you will. Legal writers should begin the architectural planning by focusing on the audience and purpose of the document and then creating an outline.

   c. In struts the carpenter - the carpenter is the one that takes all of the raw materials and starts building according to the architect's plans. Although the carpenter does not polish or edit, a master carpenter always has some discretion and responsibility for changing the plans to suit last-minute needs. For a legal writer, the carpentry stage is where the rough draft is created.

   d. Finally, the judge makes her sweeping grand entrance. Judges have wisdom and experience; they look at a scenario with a learned, critical eye. Legal writers looking for all ways to improve a document should use this stage to carefully scrutinize each word, engaging in meticulous proofreading and editing.

Part of the problem and a major cause of writer's block is that the judge is used to being the center of attention and often takes the stage too soon. Employing the Flowers paradigm in your writing process should help improve your documents and help you overcome writer's block.

So I need a catchy ending, huh? One that grabs the reader's attention, leaving one hungry for more writing tips and future columns would be grand. Perhaps, but that is the subject for another day.

Comments, questions, and suggestions for future columns are welcomed and encouraged.
Second Annual Legal Food Frenzy

Congratulations to the winners!

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McGuireWoods LLP, 225,778.40 pounds

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Thomas A. Louthan, Winchester, 400 pounds
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OCTOBER/NOVEMBER 2008

THE VIRGINIA BAR ASSOCIATION NEWS JOURNAL/7