Writing to Win: What Grant Professionals Can Learn from the Legal Writer

By Pamela Sophiapjohn, CFRE

While waiting to meet a client at the Ohio State Bar Association, I could not resist purchasing a book by Steven D. Stark entitled WRITING TO WIN: The Legal Writer – The Complete Guide to Writing Strategies That Will Make Your Case and Win It. Normally a book about legal writing would not make it on my night stand. But since I had just taken on a new client with a law-related mission, I was now curious to see if the writing strategies used by attorneys to make a case could also be used by grant professionals to help win grant awards.

I admit that at first I was skeptical. As a form of technical writing, legal writing has a well-deserved reputation for being opaque and filled with needless legalese – the very opposite of the clear, concise, and compelling writing that makes for good grant writing. However, as I worked through the book, I grew increasingly more thankful that I had taken the opportunity to step outside my grant-writing world to learn and glean from another professional field of writing.

Written for lawyers (and not judges), WRITING TO WIN focuses on the specific challenges of writing legal arguments, trial and appellate briefs, complaints, contracts, laws, and more. Although many of these challenges are unique to the complexities of the legal profession, I found that it was still a rewarding exercise to compare and contrast grant-writing strategies with the legal writing principles that the author has conveniently summarized at the opening of each chapter.

While the purpose of this article is not to make a detailed comparison of these two professional fields of writing, I have highlighted a few of the writing principles that are applicable to grant professionals in the section below. Please note that some of these principles have been paraphrased. Also, all page references are to WRITING TO WIN published by Broadway Books in 1999.

Using the Facts to Make Your Case

There is an old maxim often quoted among litigators: “If you got the facts, pound the facts. If you’ve got the law, pound the law. If you’ve got neither, pound the table.” Here the question for attorneys is that of emphasis: Do the facts make a stronger case or is it better to stress the law? [Pages 71-72] Whatever the answer, however, attorneys still must explore that best way to present the facts within their case – an issue that is also relevant to grant professionals. In WRITING TO WIN [Pages 91-92], here are some rules that Steven Stark gives for writing facts in litigation:

1. Always include a fact section.
2. Always distinguish between your statement of facts and your statement of the case.
3. In your first paragraph of the fact section, tell your readers what you’re going to tell them.
4. After the initial paragraph, lead with your strongest facts; don’t feel compelled to tell your story chronologically.
5. Deal with the facts against you.
6. Don’t argue in your fact section.
7. Each fact in your story must be there for a purpose.
8. Deal with your best facts only once in the fact statement.
9. Give judges (grant reviewers) only those facts they need to decide the issues.
10. Avoid putting new facts in your argument section.

**Make Persuasive Arguments by Outlining the Thesis and Researching It Later**

To make a persuasive argument, first outline your thesis; then conduct research for only those key facts you need to support it. “Both lawyers and law students [and grant writers] often spend so much time developing their supporting research that they forget that the core of most good arguments is rather simple. When I was a litigator, I would often spread my file cards and research all over the office in an attempt to distill fifty pages down to one. It was a waste of time. I would have been far better off trying to begin with one page and working in the other direction.” [Page 63-64]

**The Person Who Does the Research Should Also Do the Writing**

Although it is tempting to look for ways to save time, the quality of the writing is never the same if someone else has done the research. “While discrete questions can be assigned to others, the process of research is usually inseparable from the process of writing, because we use our research to determine not only what we will say but how we will say it.” [Page 14]

**Use One Main Writer**

Persuasive writing requires thoughtful construction. Therefore, don’t try to share the burden of writing by dividing it among many writers. Instead assign one writer to create a strong first draft with a unified style, and then have it critiqued by others. “Treat writing as a commodity rather than a craft, and the results are predictable.” [Page 15]

**Repeat the Key Point in a Memorable Phrase**

“Advertisers aren’t dumb, and neither are poets. They use a refrain because it makes their message memorable. The same principle works in advocacy writing [and grant writing] as well.” [Page 69] Help your reader to remember the key point of your case by crafting a memorable phrase or slogan that is not overly used – but strategically placed at the beginning, middle, and end of your document. For attorneys, the key point of an argument is often tied to the law. For grant professionals, however, the key point of the case often connects to the same wording used by grantors to describe their funding interests.

**Don’t Save Anything for the Final Paragraph**

The closing section of your document is not a time to present anything new. “By the time judges [grant reviewers] get to the last page of your brief [proposal], they’re not paying [as] much attention [as when they started]… Use the end to restate your argument in sentence or two without flourishes.” [Page 144]