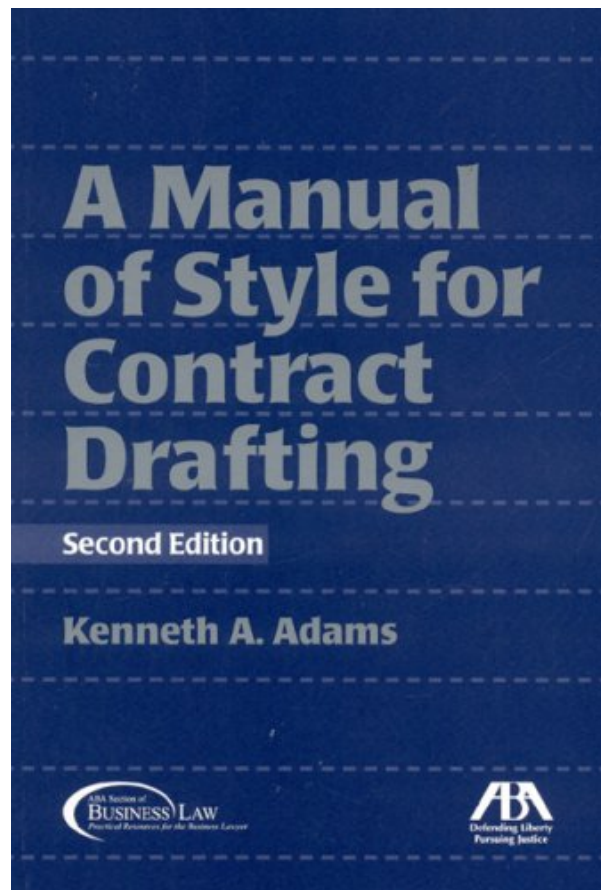


MANUAL OF STYLE FOR CONTRACT DRAFTING BY KENNETH A. ADAMS



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MANUAL OF STYLE FOR CONTRACT DRAFTING BY KENNETH A. ADAMS PDF

Written by a practicing corporate lawyer and authority on legal drafting, this new Second Edition will completely update its first edition published in 2004. The focus of this manual is not what provisions to include in a given contract, but instead how to express those provisions in prose that is free of the problems that often afflict contracts. This manual highlights common sources of inefficiency, dispute, and misunderstanding and recommends how to avoid them. It offers a level of practical detail not found elsewhere in the literature on drafting.

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Indispensable

By Byword

Kenneth A. Adams has done the legal profession a service by collecting a large variety of contract drafting issues between two covers, discussing them thoughtfully, and making specific, logically defensible recommendations for resolving them.

As a practicing lawyer, I didn't immediately agree with all his recommendations, but as time passes, I find myself coming around to his point of view more and more.

I agree with his point that contract drafting is not a "craft," that is, not a vehicle for the expression of the drafter's individuality or personal style. Drafters improve their field by settling upon the best way to express certain ideas, then using those ways uniformly to avoid uncertainty.

Paradoxically, Mr. Adams condemns legalese, contending persuasively that it is "largely a myth" that such language is time- and case-tested for settled meaning.

A useful feature of the book is the appendix consisting of three versions of a specimen contract: (1) before, (2) annotated before, and (3) after. The "after" version incorporates the author's suggested revisions, making it a de-facto reference model as to form.

Perhaps against the author's intention, I find myself using the "after" version as a quick reference tool.

8 of 9 people found the following review helpful.

A Step Away from Fusty Tradition

By Michael Fleming

This new second edition expands greatly upon the first's already-groundbreaking take on drafting. This edition has benefitted from, among other things, a few years of back-and-forth with the author's large and appreciative blog audience ([...] That has led not only to additions to the prior manual, but the author even changed his mind on a few issues after debating some points with his readers!

I've been following the ideas in this book since its first edition, and find them to be a breath of fresh air. Contract drafting is often left to undisciplined styles and claims of 'artistry' rather than clarity, which have over time become a recipe for unintended vagueness and uncertainty. And, all of that contributes to how attorneys are often perceived as unable or unwilling to speak and write in a language that their clients can understand.

It takes time and effort to drag others in the profession towards this new way of contract drafting, but I think it's worth the effort!

8 of 9 people found the following review helpful.

Precise and valuable

By Alan

I am glad I bought this book because it allowed me to draft a contract based on clear language rather than lawerise and yet it is also clear the book's author speaks with authority.

Unlike a 'normal' lawyer, the author has run a successful blog-style website for some time, testing and gathering opinion on his views. This, it seems, has helped stress-test his views and also the language he needs to use to convey them to non-lawyers.

I loved the attention to detail and coverage. My only criticism is the small number of 'sample' contracts or part-contracts. But it's a small point and I would not have wanted to loose other areas of the book for more examples.

I have had to write contracts before, with no legal training. This book helped me a lot, but not by 'dumbing down', by stretching (me) up. I recommend this book.

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