

## WRITING AN EFFECTIVE CONCLUSION

The form and substance of a conclusion in a piece of legal writing is typically dictated by its audience. Specifically, conclusions take a different form in internal office memoranda than they do in documents submitted directly to a court. This tip sheet will help you to write effective conclusions in either of these circumstances.

### Conclusions in Office Memoranda

Conclusions in office memoranda are usually read last, and there is always a chance your conclusion won't be read at all. Consequently, the conclusion of an office memorandum should be strong and concise but should not contain any important information that has not already been presented elsewhere. Generally, conclusions can take several different forms:

#### (1) A restatement of the main points of the memo

- ▶ This form will look similar to the memo's Brief Answer, although you should not simply cut and paste the Brief Answer as your conclusion.
- ▶ Example: *In light of the facts that Tunetaster reasonably could have foreseen the frustrating event that destroyed the value of its business, and that Tunetaster had control over the frustrating event, Tunetaster will not be excused from performance. Tunetaster will be liable for breach of its contract with InYourFace.com.*

#### (2) Suggestions for further research

- ▶ Example: *Mr. Morrow would not be covered by the FMLA under 29 U.S.C. § 2612(a)(1)(C) because he does not meet the definition of spouse provided by the FMLA. However, his girlfriend, Ms. Owens may be able to state a claim under the FMLA. Further research is required into the elements of the FMLA to determine the probability of success for Ms. Owens's claim.*

#### (3) Recommendations for future action by the client or the lawyers

- ▶ Example: *Mr. Morrow would not be covered by the FMLA under 29 U.S.C. § 2612(a)(1)(C) because he does not meet the definition of spouse provided by the FMLA. The next step may be to meet with Mr. Morrow to determine if he would like to pursue a state law discrimination claim.*

### Conclusions in Documents Submitted to a Court

Generally, in documents submitted to a court (e.g., motion for summary judgment, appellate brief, etc.), the conclusion is even shorter than it is for office memoranda. In this case, the conclusion is typically no more than one sentence and simply asks the court for the relief being sought.

- ▶ Example: *Considering the facts and law stated above, Plaintiff respectfully urges the Court to grant Plaintiff's motion for summary judgment.*
- ▶ Example: *For the aforementioned reasons, the Petitioners respectfully ask the Court to overturn the decision of the United States Court of Appeals for the Second Circuit.*