International Arbitration Advocacy Writing Checklist
by Kiran Nasir Gore

I. Statement of Facts

☐ Follows a logical order (*e.g.*, is organized chronologically or by issue/topic)
☐ Has a story element
☐ Entirely accurate while being favorable to your client's position
☐ Does not make unsubstantiated assumptions or judgments
☐ Includes only necessary background information and legally relevant facts – unless you are including additional information to add to your client's story elements
☐ Effectively transitions between facts (*e.g.*, telling the reader how the facts relate in time)

II. Discussion

A. Umbrella (Thesis) Paragraph and Large-Scale Organization
☐ Opens with a simple sentence announcing the overall legal conclusion to be reached
☐ Identifies the general rule(s) that govern the legal issue
☐ Does not include rule(s) that govern specific elements/factors
☐ Serves as a roadmap to the arguments you will make on discrete legal questions

B. In General
☐ Organise around elements/factors, not cases
☐ Address one element/factor per CREAC sub-section

C. Small-scale Organization (CREAC)
☐ "C" clearly announces the conclusion you want the decisionmaker to reach on the issue and summarize the grounds for that conclusion – should be a combination of legal & factual reasons
☐ "R" identifies the legal rule(s) that control/govern your discussion of the element/factor announced in your topic sentence and states the rule(s) persuasively. All rules are stated here. Rules are not stated for the first time later in your E and/or A section
☐ "E" describes the background, underlying policies & factual circumstances for all of the precedent/commentaries that you plan to draw upon in the "A" section that follows
☐ "A" shows that applying the facts achieves the results you want & that your case is similar to the precedent & the same result applies; distinguish precedent facts to show how a rule helps even if its outcome in a prior scenario was different; address counterarguments throughout
☐ "C" Persuasively restates the conclusion in a final sentence

III. Other

A. Citations
☐ All citations follow proper citation form as agreed between the team.
☐ Case names are consistently *italicized* or underlined.
☐ The page number(s) on which the cited information is found in the original source is identified
☐ Short citation form (or Id.) is used where appropriate and in accordance with the agreed citation convention
☐ Ellipses (". . .") are used where appropriate

B. Plagiarism
☐ Properly credit a source every time you derive a rule of law, fact, holding, idea, or other information from that source
☐ When quoting, set forth the quoted information exactly how it appears in the original source

C. Grammar & Clarity
☐ All sentences are complete and their subjects and verbs are in agreement.
☐ Active voice is used whenever possible.
☐ All lists are parallel (*i.e.*, language used in each and every part of a list is similar for consistency's sake)
☐ Buried verbs and nominalizations are identified and addressed
☐ Comparisons between your case and precedent are complete and logical
☐ Description of precedent case law clearly articulates the procedural posture of the case, the parties, and the outcome (*e.g.*, it does not seek to summarize every step-by-step aspect of the precedent case and its procedural history and it does not conflate or confuse the parties)
☐ No misplaced and dangling modifiers
☐ Information from precedent is quoted only when necessary or for effect.
☐ Precedent is described in the past tense (*e.g.*, "the *Garcia* court held . . . ."; "In *Garcia*, the plaintiffs rode . . . .").
☐ When quoting, the quoted information fits grammatically and logically with the rest of the sentence.
☐ Commas and semicolons are properly used.

D. Proofreading
☐ All spelling errors are corrected. Do not rely exclusively on SpellCheck [be sure to check the language settings in your document to ensure SpellCheck is correctly applied]
☐ Punctuation errors are corrected.
☐ Accidentally omitted and added text is identified and addressed.
☐ Parties are consistently referenced by the exact same name (e.g., "Mr. Green" or "Joe," but not both) and their names are correctly spelled.