the Writer's Edge: Research And Writing Instructor Ben Bratmen Sees Value In the Well-Crafted Sentence

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The writer's edge
Research and Writing instructor
Ben Bratman sees value in the well-crafted sentence

Along about now, Ben Bratman — a native of sunny Los Altos, Calif., and a recent resident of balmy Atlanta — is celebrating the end of the first real winter he has ever encountered.

Ah, the sacrifices one makes in pursuit of a law school teaching career.

Bratman joins UB Law School this academic year as a fellow in legal research and writing, and slogging through snow is a trade-off he is only too willing to make. "I knew I wanted to teach law ever since I graduated from law school" at Vanderbilt University in Nashville, Tenn., he said.

The road to Buffalo, though, has taken some interesting turns for him. He majored in history at the University of Washington, in Seattle, then spent a few years as a litigation assistant in a Los Angeles firm and as a contributing writer for Alaska Airlines Magazine. After law school, he clerked for a U.S. magistrate judge in Atlanta, then became an associate with the Atlanta firm Pursley, Howell, Lowery & Meeks. While a practicing lawyer, he also crafted the beginnings of an academic career, teaching torts, employee relations law and management law at two small Georgia universities.

He has been a writer. He has been a researcher. He has been a teacher. The next step seems only logical: teaching research and writing.

And Bratman is taking full advantage of his experience as he guides 49 first-year UB Law students through the intricacies of how to write like a lawyer — or maybe better than the run-of-the-mill lawyer.

"Lawyers tend to write in an unnecessarily convoluted and long-winded way, because they think they have to," he said. "One of my functions is to change legal writing to be more in tune with plain English.

"Legal writing necessarily has to be much more precise. It cannot be a free-flowing stream of consciousness, because legal writing is usually designed to guide your reader through a legal problem to a resolution. I emphasize to my students the importance of precision and detail, but I also want them to avoid what I would call hyper-precision, which often results in writing that is convoluted and wordy, and sometimes ostentatious. Obviously, though, you have to choose your words carefully when you are a lawyer, because every word has nuances of meaning."

Bratman said he was already a precise and careful writer, but cites the salutary influences of his post-law-school employers — the magistrate judge and a partner at Pursley, Howell — both of whom "were extremely precise in their work." Even his office on the sixth floor of John Lord O'Brian Hall reflects a careful thinker at work — no yellowing piles of legal briefs and unread journals are in evidence.

Bratman prides himself on making careful and extensive comments on his students' work — a practice that makes for a crushing workload, but one he sees as important to their development as lawyers. "The vast majority of lawyers make their living, at least in part, off the written word," he said. "Even in an area like litigation, most attorneys spend the majority of their time researching and writing motions to the court."

Unmarried, he has become active in the Jewish community of Western New York. With other newcomers to the University, he also has been exploring "the Buffalo rites of passage": Sabres and Bills games — and of course, wings at the famous Anchor Bar.

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