



From trial attorney to editor

These two occupations have more in common than you might think.



by Maggie Gigandet

Before I became a freelance writer and editor, I was a trial attorney. Those who are surprised by my career transition usually believe that these fields are unrelated.

But I see more similarities than differences. The goal of

each occupation is to get a message to an audience as clearly and precisely as possible so the message has the greatest chance of having its desired effect.

Four main skills help both freelancers and trial attorneys accomplish this goal:

- **Attention to detail:** Before a trial, I had to master the details of a case so I could detect even slight changes in testimony. A jury's belief in my case could depend on evidentiary details; the credibility of a witness could rest on whether the details of their account were consistent. Similarly, editors must be masters of details. Every aspect of a piece, from correct punctuation to consistent substantive details, contributes to a reader's understanding and the author's credibility.
- **Evaluation of weaknesses:** When preparing for trial, I had to analyze all evidence for weaknesses in logic. Knowing where the logic of a story broke down helped me point out the opposition's flaws, argue why my position made more sense than the opposition's claims, and defend my case against similar attacks. This also helped me determine whether the jury would be left with unanswered questions so I could answer them before the jury went to deliberate. An editor has the same job. An editor must identify weaknesses in a piece's structure or content and must work with the author to resolve unanswered questions the reader may have.
- **Use of every opportunity:** From jury selection to closing arguments, each stage of a trial is an opportunity to persuade the jury. A trial attorney

should never wait until closing arguments to begin their persuasion of jurors, even though it is the only stage called an *argument*. Likewise, editors must always keep the purpose of a piece in mind and identify any missed opportunities to further that purpose. This evaluation makes a piece more powerful and cohesive.

- **Knowledge of the audience:** My audience determined how I crafted the substance and style of my arguments. Because a judge's role is to rule on questions of law, I relied heavily on case law and statutes when arguing before a judge; I did not need to explain legal terms or concepts, as the judge was an attorney. When arguing to jurors who determined the facts of a case, I had to take on a storytelling role and focused on presenting a cogent and compelling description of the events at issue. I dedicated portions of my arguments to describing legal jargon and fundamentals, as many jurors were not familiar with legal proceedings. I varied my style depending on my audience as well. When arguing to a judge, I was more formal and reserved. In front of a jury, however, I was animated, moved with purpose to emphasize my words, and used the tone and volume of my voice to engage jurors. Editors must know the audience of a piece in order to fully evaluate the piece's effectiveness. An editor should determine if there are any terms or concepts that the audience won't understand and should ensure that scholarly pieces don't have the tone or style of a blog post. Thus, an editor must begin with the end in mind and make sure the author is writing for the correct audience.

Whenever my new career becomes intimidating, it helps to remember these core skills that I have practiced for years. Remembering one difference also helps: the audience of any piece I work on has chosen to spend time with it instead of dutifully obeying a summons. I'll call that a perk of the job. ●

Maggie Gigandet is an attorney licensed in Tennessee and Kentucky. Before she stopped practicing and became a freelance writer and editor, she tried cases as a prosecutor. She enjoys researching and writing about gardening, history, and wildlife. Contact her at maggie.gigandet@gmail.com, and visit MaggieGigandet.com.