

This sample was originally written by a student and edited by a clinical professor, Stacy Caplow. The redacted sample was generously donated to the LWI Cooperation Committee. It was then commented on by a legal writing professor, Ariana Levinson. The comments marked “LW” are hers. The goal is to foster shared vocabulary between clinical and legal writing professors.

First Person Narrative

Background:

I was born in Chamdo, Tibet on December 1, 1975. While living there, I farmed cut grass and took care of the family’s animals. My name is XXX. I have three brothers who still live in Tibet. My youngest brother, XXX, (sp?) is a monk who works in the kitchen of the local monastery, Nyimaling. My other two brothers work in the family’s fields.

While in Tibet, I was married to XXX. I had two children with her, XXX. After she died, I married her sister, XXX.

Father’s religious/political activity and beliefs:

My father, XXX, practiced medicine and followed the teachings of the Dalai Lama. He also would advise people on what the Dalai Lama would advise. Although my Uncle XXX warned my father to stop, he continued to advise people.

Comment [sc1]: You need a caption here. Also try to number the paragraphs.

Comment [H2]: LW: Using some of the principles you learned first year in your legal writing class may help you improve the overall persuasiveness of this narrative. The primacy effect means that a reader remembers well the start of a document. Take advantage of this effect by placing some of the legally important facts, such as his father’s imprisonment and his imprisonment, in the first paragraph. You might integrate them into the “Background” or lead with a summary instead.

Deleted: My name .

Deleted: I lived in Chamdo the entire time I lived in Tibet

Deleted: farmed,

Deleted: My

Deleted: works for the Chinese government.

Comment [sc3]: Insert their names

Comment [sc4]: Mother?

Formatted: Indent: First line: 36 pt

Comment [H5]: LW: Is all this information necessary background? Could some be integrated at a later point to make room for more legally relevant information up front?

Deleted: When my first wife passed away

Deleted: .¶

Comment [sc6]: Try to come up with a more expressive caption for this section.

Comment [H7]: LW: E.g., “Fathers imprisonment, and resultant death, because of religious/political activity and beliefs.”

Comment [sc8]: Spell out more. Was he trained? Was he a practioner of traditional medicine?

Comment [sc9]: Maybe you could talk about his beliefs here.

Comment [H10]: LW: Another effect is the recency effect. Readers remember well the end of a document, section, or paragraph. This paragraph makes good use of the recency effect by ending with a persuasive point.

March 10 is the anniversary of the Tibetan National Uprising. On that date in 2001, my father organized an incense burning ceremony, and The government interrogated many of the people who were involved in the incense burning because....

Apparently, the Chinese authorities found out about my father's involvement because a man named, XXX (sp?) whose father was well-positioned in the Chinese government was threatened that his silence would jeopardize his father's employment. XXX felt pressured to tell the authorities that my father organized the commemoration.

My father was arrested at night. Sometimes patients would visit my father at all hours so we were not alarmed to receive such a late knock. My mother answered the door and it was the police. They arrested my father.

The next day my mother took clothes to him but was not able to see him. We did not see him for three years because....

While my father was in prison, the government came to search and ransack my family home several times. The authorities did not give notice and would come at all times of the day. During these searches, the authorities would make my family and me stand in the kitchen under threat of being beaten.

During one of their searches, the police found tapes of the Dalai Lama and some booklets that were stored in a box above my father's bed along with the family money. ↓ My father finally was released in the summer of 2004. The district

of Chamdo authorities had sent oral notice to my family to come get my father because he was unwell. My Uncle traveled for two days to pick my father up.

Deleted: On

Deleted: , 2001,

Comment [sc11]: Where? What is the significance of this ceremony?

Comment [H12]: LW: Try to include enough background for a reader unfamiliar with the story to understand key events (but still focusing on legally relevant facts).

Comment [H13]: LW: Rework to lead with the point about the father. Then explain the significance of the date. E.g., "My father organized an incense burning ceremony on March 10, 2001. March 10 is the anniversary . . ."

Deleted: Many people were involved in the incense burning

Deleted: t

Deleted: them.

Deleted: T

Deleted: government

Comment [sc14]: Try to get more description. How many police. Chinese or Tibetan? Guns? How did they arrest him? Describe the scene? Was Lopsang there at the time?

Comment [H15]: LW: Using a detailed description is one good fact persuasion technique. It helps emphasize favorable facts.

Comment [H16]: LW: Use a new paragraph for a new concept. Here this also allows you to take advantage of ending the last paragraph on a fact that is important and worth repeating – the arrest of the father (if the "Background" is rewritten to include this fact). Ref ... [1]

Comment [sc17]: where

Comment [sc18]: insert some information about the prison. Nar ... [2]

Comment [sc19]: the term 'govt' is kind of loose., see if you can get ... [3]

Comment [sc20]: How many? Don't just call them the authorities, make ... [4]

Deleted: My father's colleagues, _____, had given him two tapes ... [5]

Comment [sc21]: Did they take the money too?

Comment [H22]: LW: Why is this significant? Provide enough back ... [6]

Comment [sc23]: What books?

Comment [H24]: LW: Again, this should be a new paragraph for a n ... [7]

Deleted: The authorities found these books and tapes when searchin ... [8]

~~When he returned home, I will never forget how he looked.~~ ~~He~~ was very thin like a skeleton and had a long arching scar over his forehead.

Deleted: My father

Comment [H25]: LW: It's very important to include page numbers (traditionally starting on page 2) unless you have been instructed not to. Page numbers are helpful to a person reviewing your document so that the reviewer can refer back to comments on a different page and keep track of comparing a print-out to the electronic document.

Formatted: Indent: First line: 36 pt

Comment [sc26]: Confusing. Where ? the prison/ Chamdo?

The government told my Uncle that they had taken my father to the hospital. Because my father seemed unwell, ~~as soon as they returned~~, my Uncle took him directly to the hospital, the Tibetan Traditional Medicine Practice (?) in Chamdo. They said they could do nothing for his condition. When my father came home, he was remarkably changed from the vibrant, creative person he was before his imprisonment. After prison, he was a paralyzed man. He could not speak, feed himself, or participate in any of his old activities including painting, planting herbs, and running the household. He died two months after being released.

Comment [sc27]: Something about how this is common. The govt releases people to die

Comment [H28]: LW: Good use of chronology in this section. It is generally effective and easy for readers to follow to use a chronological story.

Comment [sc29]: Got a time frame for this?

Comment [sc30]: Moiré expressive

Comment [H31]: LW: How about something like, "My imprisonment because of political/religious activity" for the heading?

Comment [sc32]: Do we know a bout how old he was at that time

Comment [sc33]: Where did he get the leaflets/

Comment [sc34]: Need much more detail here if possible

Formatted: Indent: First line: 36 pt

Leaflet incident at the Monastery:

After my father died, I was filled with anger, regret, and outrage. I felt as if I should carry on my father's legacy and commitment to following the Dalai Lama. I wanted to continue some of my father's activities. On April 15th, ~~year?~~ I went to the local monastery, Nyimaling, to speak and hand out leaflets. These leaflets stated the Dalai Lama position on the deity Shudang and how this deity does not help the people.

The next day, after the discussion at the monastery, I was at home eating dinner when we heard the village head calling outside the door. When we opened the door, two policemen entered and grabbed me and took me to a detention facility (name?). I was held there for ~~ten~~ days before the authorities took me to the county prison.

Comment [sc35]: Again, whoare these authorities

Deleted: 10

In the detention facility they interrogated me often. The authorities told me that I was spreading rumors and giving irrational advice and they wanted to know what I had said, what I had written, and who I was associated with. I was afraid and I told them that I know nothing. During this time, the authorities treated me very roughly. If they didn't like my answers or if they were in a bad mood, they would beat, punch, slap, electroshock and hit with a belt.

Deleted: ote

Comment [sc36]: Let's try to find out where he was hit, shocked etc.

Deleted: a

The authorities also arrested my brother, XXX, the monk who worked in the kitchen at Nyimaling. We were interrogated in the same room for the one day he was detained. I was tied to a chair while the authorities slapped my brother and told me not to look at him. The authorities detained him only for one day.

Deleted: together,

Comment [sc37]: Did the brother say anything? Were they manhandling the brother in order to get Lopsang to talk?

Comment [H38]: LW: End with a stronger fact –bury in a sentence or in the middle. See line edit for a suggestion.

After about ten days, I was taken to ---NAME--- Prison. I later learned that while I was in prison, the authorities searched my family home, however nothing was found. I did not see any of my family members during the entire time I was in prison.

Comment [sc39]: How did he get there?

Deleted: I did not see any of my family members while I was in prison.

Deleted: W

Comment [sc40]: How did he get there?

After 6 months, the authorities said I could go home but on certain conditions including 6-month probation (registration), no attending the monastery, and no travel. I was told that if I did not comply, I would meet my father's fate.

Comment [sc41]: Can we get a time frame here?

Comment [sc42]: What does probation entail? Reporting to authorities?;

My first wife had a hereditary gastric problem that led to trouble swallowing food. While I was in prison, she died. I never had a chance to say good-bye. Our two children were then --- and --- years old. My ---- took care of them until I was released from prison.

Formatted: Indent: First line: 36 pt

Deleted: was sick while I was in prison. She

Comment [H43]: LW: There does not seem to be a strong reason to place this out of chronological order. Placing it in chronological order would enable you to end on the strong statement that he would meet his father's fate.

Deleted: S

Deleted: he passed away while I was in prison.

Comment [sc44]: Remarraige?

Probationary period and remarriage:

As one of my conditions of the 6-month probationary period, I had to go register with the local government.

Comment [sc45]: Either describe this in more detail or omit.

Comment [H46]: LW: Every scene or paragraph should play a role in the overall story or point you are trying to make. Include only legally relevant facts, necessary background, and possibly a few emotional facts.

Animal hide burning:

Each year, neighboring villages bring their concerns to decide what kind of prayers will be said for the new year. In December 2006, I attended this annual meeting. I heard the message that the Dalai Lama gave at a Kalachakra initiation that we shouldn't use endangered animal skins in our ceremonies, and I spread this message at our annual meeting. Tibetans usually use leopard, tiger, otter, and rare deer skins in their ceremonies. I had also heard that Tibetans were burning animal skins nearby, and I thought that we should do the same to show our desire to also not use rare animal skins in our ceremonies and to obey the DL.

Comment [sc47]: How much time elapsed between his release from prison and this? Is he still on probation?

Comment [sc48]: More expressive heading

Comment [H49]: LW: Yes, all the headings are important and might better emphasize significant points. Some readers may read only the headings. See line edits in prior sections for examples.

Comment [sc50]: Where? I thought it was a community meeting?

Comment [sc51]: Are you sure about the year?

Formatted: Font color: Red

Comment [sc52]: How?

Comment [sc53]: Elaborate about the message

Comment [sc54]: Wsn't the DL talking about ostentation

Comment [H55]: LW: This is unclear. Were they burning skins that were not endangered species? Write as though your reader is unfamiliar with the story. Provide enough explanation for someone who is unfamiliar to understand.

Comment [sc56]: Which calendar?

Deleted: st

Comment [sc57]: name

On January 1, 2007, the Tibetan New Year, after a prayer session at the local monastery, the monks were eating lunch and we began discussing my previous words about the animal skins. The monks were encouraged by these words, and they believed that it was good for the community and the youth as many people associated animal skins with economic status.

Comment [sc58]: explain more clearly

Comment [sc59]: mushy term.

We decided, after lunch, that the community would burn our animal skins. The community collected wood and brought animal skins to the field near the village. Almost the whole village came to burn their skins. It created a lot of smoke and fire. Tibetans were screaming and praying, which attracted the police. Soon, the Chinese police surrounded us all. They would not let anyone leave.

Cameras and cell phones were taken away. They asked who organized the animal skin burning. The police threatened that if everyone here has so much money to burn, then they were all going to be fined 1000 yen. Eventually, the police told everyone that no one could stay where the skins were burning and that everyone had to go home.

My Uncle XXX came to my house after the animal skin burning to remind me of the government's warning at my first registration. Uncle XXX advised me to leave Chamdo to avoid getting arrested and going to prison like my father.

Comment [sc60]: Was he still on probation at this point

Comment [H61]: LW: Good use of repetition.

Escaping Tibet:

Comment [sc62]: Better heading

Deleted: M

Deleted: that night.

That very night, my mother went to see my cousin, XXX. She begged him to take me to Lhasa that night in his post office vehicle since he is generally not stopped. XXX agreed to take my second wife, my two children, and me to Lhasa.

It took two days.

Comment [sc63]: What does "it" mean"

Formatted: Indent: First line: 36 pt

Once there, we hid at our friend, XXX's (sp?) home for one night and one day. Using his many connections in India and Nepal, he located someone named XXX (sp?) who takes people out of Tibet. The next day, we set off for the western part of Tibet, where Tibet is bordered by Nepal. XXX has a small car so XXX and my children (11 and 12 years old then) went with him, while my wife and I went in a truck that carried goods where we hid while we crossed the river into Toengarag (sp?). [Katharine has a different version here, need to verify this info]. It took 4 days and 4 nights to get there from Lhasa. At this point, XXX turned back, but we were still accompanied by XXX.

Comment [sc64]: Almost all of Tibet is bordered by Nepal.

We walked a huge loop around Mt. Kilmash to avoid the Chinese checkpoints. Before reaching the border, the family walked for ____ days of treacherous conditions around Mt. Kilmash and only traveling at night. We hid in caves by day.

Comment [sc65]: Much much more description here

The family reached Kathmandu, Nepal and stayed for a short while. We then went to Delhi where we stayed with XXX for a week. We then traveled to Dharamsala where we stayed for two months. We then went to the South of India to Mongod, a Tibetan colony, where we were told we could find work. Since many monks from Mongod travel to Dharamsala, they took us with them when they left to go back to Mongod. They also paid for all of our travel expenses.

Comment [sc66]: Who is he?

Deleted: .

Comment [sc67]: More details about this stay

Mongod:

Both my wife and I worked in a small restaurant. My wife washed dishes and I bussed the tables while my children went to school. My wife eventually had to quit her job because she was having health issues due to the heat. While we were in Mongod, a traveling monk from my village told me that after I left Chamdo, the police came to arrest me. I found out that although my mother had not been hurt, the government had stopped giving my family rations.

Deleted: A

Leaving India:

When I arrived in India, I met XXX. XXX is an elderly title usually given to a monk. XXX advised me to leave India and come to the US because I would never get citizenship in India. He advised me that the US grants asylum to people and has respect for human rights. In order to apply for a visa, I went to

Comment [sc68]: As we discussed we need more details about this

Delhi. For three days I learned how to wear monk's robes. Then, XXX, a translator, and I went to the U.S. embassy. Only the translator and I went in for the interview.

Deleted: 3

Deleted: me

Comment [sc69]: What questions was he asked

Comment [sc70]: You should figure out how much this is in dollars

Formatted: Indent: First line: 36 pt

Deleted: needed to

I was granted a visa. In order to pay the 850,000 rupees, pay for my documentation and airplane ticket, XXX borrowed money from his friends and associates. XXX asked me to pay him back whenever I could and not to let him down. Since I can read in Tibetan and a little bit in Chinese, I do not know what name I traveled under.

Comment [sc71]: This makes no sense

I traveled to the United States from Delhi alone. I was given a note that I was to give to the American authorities upon my arrival in New York that said I did not speak English and that I was a traveling monk. The person who picked up my documentation at the airport took my note and everything else, but told me to keep my airplane ticket because it would be useful for seeking asylum.

Comment [sc72]: Explain this better. Was the note in English. How does he know what it said

Comment [sc73]: A jump here that needs filling

Comment [sc74]: Are you sure about saying this?

Formatted: Font color: Red

Current circumstances:

I currently live in New Jersey with _____. Since I was released from prison in Tibet, I get cold all the time. I have gone three times to Bellevue Hospital due to gastric problems and other issues. For two months after my arrival in the United States, I was really sick. I was able to find a job eventually, but I left it after only a week when I got really sick. Once I was feeling better, I found another job by going to Chinatown. They sent me to a Chinese restaurant in Connecticut where I washed dishes and I was paid in cash. The owners of the restaurant rented a room for all of their employees near the restaurant. I would

Comment [sc75]: Doing what?

stay there if I had to work consecutive days. I was able to work there for three months before I became sick again.

Comment [H76]: LW: What do you want to emphasize in this section? That he would be sick and persecuted if he returned to Tibet? Perhaps these facts can be scattered into the next section to de-emphasize them and/or discussed more briefly?

What will happen if I return to Tibet

Comment [H77]: LW: Yes, you need a stronger ending to take advantage of the recency principle.

Comment [H78R77]: LW: There are a number of grammatical and typographical mistakes in the document. Your clinical professor and I have noted some, but not all, of them in line edits. I cannot overemphasize the importance of proofreading, even a document that is intended as a draft. Additionally, there are a number of ways that this document does not comport with expectations of legal writers. For instance there are dropped commas between independent clauses, missing years in dates, and a failure to spell out numbers under ten (some spell out under 100).

Page 2: [1] Comment [H16] Ariana 8/1/2009 1:43:00 PM

LW: Use a new paragraph for a new concept. Here this also allows you to take advantage of ending the last paragraph on a fact that is important and worth repeating – the arrest of the father (if the “Background” is rewritten to include this fact). Repetition, used sparingly, is a good tactic to emphasize persuasive legally relevant details.

Page 2: [2] Comment [sc18] scaplow 10/1/2008 10:57:00 PM

insert some information about the prison. Name, location, reputation

Page 2: [3] Comment [sc19] scaplow 10/1/2008 10:57:00 PM

the term ‘govt’ is kind of loose., see if you can get something more specific.

Page 2: [4] Comment [sc20] scaplow 10/1/2008 10:57:00 PM

How many? Don’t just call them the authorities, make this more visual

Page 2: [5] Deleted scaplow 10/1/2008 10:31:00 PM

My father’s colleagues, _____, had given him two tapes of the Dalai Lama and some booklets. These

Page 2: [6] Comment [H22] Ariana 8/1/2009 1:30:00 PM

LW: Why is this significant? Provide enough background for the unfamiliar reader to understand.

Page 2: [7] Comment [H24] Ariana 8/1/2009 1:30:00 PM

LW: Again, this should be a new paragraph for a new concept. Also, lead with a sentence that emphasizes that he was unwell rather than that he was released.

Page 2: [8] Deleted scaplow 10/1/2008 10:31:00 PM

The authorities found these books^[sc1] and tapes when searching our house.