

By Professor Rick Bales

Transitions

Transitions tell your reader, as Humphrey Bogart said to Ingrid Bergman in *Casablanca*, "where you've been and where you're going." Transitions tie together sentences and paragraphs; they link familiar material (which you already have discussed) to unfamiliar material (which you are about to discuss). A missing or inappropriate transition can leave your reader with a confusing jumble of ideas.¹

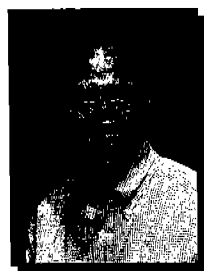
Transitions exist at many levels. Large-scale transitions, such as road maps and transitional paragraphs, link large sections of the writing together. Small-scale transitions may be no more than a sentence or a clause or a word. They are, however, equally important, because they link together issues, sub-issues, and cases.

Large-scale Transitions

Road maps² are placed near the beginning of a writing, and they tell the reader where the writing is going. They typically begin with a one-sentence thesis statement ("Defendant is entitled to summary judgment because . . ." or "This article argues that . . .") followed by an itemization of the sections of the writing ("Part II provides an overview of the relevant facts of this case. Part III discusses plaintiff's claim for wrongful death. Part IV discusses . . ."). The roadmap helps the reader understand how the entire writing "fits" together. Transitional paragraphs transport the reader from one part of your writing to the next. They are like bridges, joining one part of the writing to the next. For example, you may have just finished discussing a threshold jurisdictional issue. Before turning to the substantive issues, write a paragraph summarizing your conclusions on the jurisdictional issue and letting the reader know that you are moving on to the substantive issues.³ Without such a transitional paragraph, the reader may read your discussion of substantive issues wondering all the while what that discussion has to do with jurisdiction.

Small-scale Transitions

Transitional sentences and phrases can be a very useful way to link paragraphs together. An effective way to do this is to start a paragraph with the last idea in the preceding paragraph. For example:



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. . . The Kentucky Supreme Court, in *First Property Management Corp. v. Zarebidaki*,⁴ held that the proper standard for causation is whether the impermissible reason for the adverse employment action "was a substantial and motivating factor."

The plaintiff can show the requisite causal connection in a variety of ways . . .

Another effective way to link paragraphs together is the "internal preview." For example,

Founder [v. *Cabinet for Human Resources*]⁵ creates **three** problems. **First**, it is contrary to the plain language of KRS § 344.270 . . .

Second, *Founder* frustrates the legislature's intent to . . .

Third, . . .

The key words in this series of paragraphs are in bold. They make it easy for the reader to understand where the writer is going. This technique also is very effective when explaining the elements of a cause of action. For example:

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Under Kentucky law, there are four elements to the tort of intentional infliction of emotional distress. First . . . Second . . .

A single word or phrase often can serve as a very effective transition between sentences or cases. *On the other hand* tells the reader that you are changing direction. *Similarly* tells the reader that the following material is similar to the preceding material. *Therefore* tells the reader that you are about to summarize.

Transition Tips

First, overlap. Start a sentence with the concluding thought of the previous sentence, and put new material toward the end of the new sentence. Do the same thing with paragraphs, with subsections, and with sections.

Second, use repetition to emphasize important terms or ideas. A similar technique is dovetailing, which is the use of words with a similar linguistic base such as "denial" and "deny."⁶

Third, use demonstrative pronouns (this, that, these, those). These act as "pointer words" to nouns in preceding sentences or paragraphs.⁷

Fourth, use "tiebacks." Tiebacks are sentences or paragraphs that refer back to your thesis. A summary judgment motion, for example, should have several tiebacks to the general theme, which usually will be some variation on the theme that there are (no) disputed material facts.

Fifth, use "mini introductions" throughout your writing to tell the reader where you are going. Use "mini conclusions" to sum up a point and to tell the reader that you are moving to a different point.

Sixth, use a formal outline structure within your writing for headers. This makes it unlikely that the reader will get so wrapped up in a subpoint that the reader forgets how that subpoint relates to the overall argument. If your writing is particularly lengthy, consider putting a table of contents, again in formal outline form, up front.

Finally, use transitional words frequently. For example:⁸

To illustrate: for example, for instance, such as.

To contrast: however, on the other hand, despite, nonetheless, but, conversely.

To add: and, also, additionally, another, moreover, besides, furthermore, in addition, likewise.

To concede: although, doubtless, even though.

To summarize: therefore, thus, consequently, accordingly, in conclusion. ■

ENDNOTES

1. David E. Sorokin, *And Now for Something Completely Different*, 82 Ill. B.J. 45 (Jan. 1994); Terri LeClercq, *Expert Legal Writing* 127-34 (2000).
2. K.K. DuVivier, *Road Maps*, 22 Colo. Law. 25 (1993).
3. Sorokin, *supra* note 1.
4. 867 S.W.2d 185 (Ky. 1993).
5. 23 S.W.3d 221 (1999). For an extended discussion of *Founder*, see Richard A. Bales & Joseph S. Burns, *A Survey of Kentucky Employment Law*, 28 N. Ky. L. Rev. 219, 266-68 (2001).
6. Terri LeClercq, *Legal Writing Style* 19 (2000); Anne Enquist, *The Legal Writing Handbook* 565 (1998).
7. Sorokin, *supra* note 1.
8. Most of the sources cited above contain extensive lists of transitions. See also Mary Bernard Ray & Jill J. Ramsfield, *Legal Writing: Getting It Right and Getting It Written* 324 (2d ed. 1993).