

Context, Audience and Purpose (CAP)

Legal writing is reader focused. Your first edit asks the big question: **“Did I meet the reader’s needs?”**

To meet the reader’s needs you need to pay attention to context, audience, and purpose (CAP).

Context: What’s the situation about? Will the reader know enough about the “who, what, why, when, where, and how” to understand the document’s main messages?

Audience: Who is the reader? Is the level of detail, tone, and language aimed at the reader you had in mind?

Purpose: Why does the reader need the document? Can the reader evaluate, decide, or take action based on the document?

Examples

Context:

Who? - Evicted tenant

What? - Locked out by the landlord

Why? - For not paying rent on time

When? - In the middle of a cold winter

Where? - In a city with a housing shortage

How? - By the landlord changing the locks

Audience:

Client – eliminate jargon and legalese

Lawyer – cite case authority from both sides

Court – use persuasive techniques and style

Purpose:

Evaluate – recommend mediation instead of litigation

Decide – start an action

Take action – prepare a motion, write a letter, start a court case