



Small Law: Don't Bury the Lead

Skills and Professional Development



From the 1976 to 2019, Paul Harvey, an American Radio Broadcaster, entertained listeners with his signature segment entitled “[The Rest of the Story](#).” In four short minutes, Harvey would capture his audience’s attention with an intriguing character sketch, only to end with an unpredictable twist: the name of well-known person or celebrity whose story he told. Each time, he ended with the catch-phrase “now you know...the rest of the story.”

By placing his subject at the end of the story, Harvey kept listeners guessing and attentive. This technique served him well in radio but is not recommended for those of us in everyday communication. When we delay in providing the most important information and provide background or secondary details first, we do what is known as “[burying the lead](#)” — a phrase which originated among journalists.

Until a few months ago, I didn’t realize how frequently those of us in business, especially lawyers, bury the lead. Our legal education and training has helped us to develop and hone our writing skills. Beginning with our [1L](#) legal research and writing class, we are taught to include in our memos, arguments, and briefs all the facts, the background, the references, the rationale, and finally, the conclusion. It’s an exhausting exercise even thinking about it. We are well prepared for careers writing pleadings and appellate briefs.

(Does anyone else find the word “brief” an ironic description of what gets submitted to appellate courts? But, I digress.)

However, this training can easily influence our everyday communications. Throughout my career, I have endeavored to provide recipients of my communication with all the information I anticipate they would need to make a decision or to understand a situation. I have provided background facts, contact names, references, even hyperlinks to more information and explanations. Little did I realize

how this information overload affected the recipient.

Time and again, I would consistently become frustrated by questions posed by people who had received my emails but clearly not thoroughly read them since the answers they sought were in my prior message. Expressing my frustration to a fellow colleague, he responded that I put too much information up front. I make the reader have to work too hard. I need to put my “ask” (what I need from the person) in the first couple of sentences. I need to stop burying the lead.

If we make a point to begin by explaining what we need initially, we capture the reader’s attention. Ask first, then explain. In the first two sentences, express your need and your needed timeline for a reply. By using this method, you prevent your message from getting buried under not only your own information, but also the myriad of other items in someone’s inbox. If you don’t get to the point right away, chances are your email will be marked “read later” when someone has the time to wade through multiple paragraphs to finally arrive at your “ask.” (And later usually means your email is forgotten.)

Once you dispense with the “ask,” you can then provide whatever additional information and details you want to provide or convey. By placing your need up front, you make it easy for your reader to immediately evaluate the relevance and exigency to attach to your message.

Realize that each message we send creates a to-do item on someone else’s list. Therefore, what we state and how we state it can directly affect the promptness of the response. Take time to consider how you can best frame your message to promote a response.

Law school taught us to write well. Good writing does not necessarily equate with communicating. Communication is a skill. Writing to get a response is an art. To become a practitioner of this art, don’t bury the lead.

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