

Incorporating Lawyers' Perspectives on Genre Organization of Legal Letters of Demand into the Pedagogy of Teaching English for Legal Purposes

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ABSTRACT

In the tradition of ESP genre analysis, there is a paucity of legal genre analyses that focused on exploring the expert perspectives on genre organization to raise learners' rhetorical consciousness of the necessary discursive practices. Therefore, this study analyzed interview data on the genre organization of a legal letters of demand collected from 10 lawyers. The Grounded Theory methods were employed to collect data and the analysis resulted in the writers' rationales for the choice of the elements in genre organization. The lawyers organize facts provided by a client in a predictable and logical order, and the problem-solving activities they frequently conduct before writing a letter ensure the accuracy of the facts. The lawyers' use of the elements in genre organization was based on an agreed set of conventions. The three important considerations of the lawyers interviewed regarding the organization of a letter of demand were 1) linear organization of moves and steps, 2) attention to details and 3) consistency in using the elements. It is required to make law students aware of lawyers' expectations of the structure of the genre. The students' needs should be fulfilled in genre-based activities (i.e., brainstorming, and problem-solving activities in the pre-writing stage) to raise their awareness on the responsibility of a lawyer in the genre convention.

Keywords: genre, legal letters of demand writing, genre organization, ESP pedagogy, expert members

INTRODUCTION

Genres used in target situations (i.e., business collection letters in the field of business credit management, mooting in law, memorandums in engineering ect.,) are of vital importance in Teaching English for Specific Purposes (ESP). ESP involves teaching specialized varieties of English to non-native speakers of English in advanced academic and professional settings (Bawarshi & Reiff, 2010, p.41). It is agreed that the main purpose of teaching English for Specific Purposes (ESP) is to prepare students to use English in their target situations (either study or work). According to Hirvela (1997) it is useful for teaching specific groups of learners how to recognize schematic structures of texts used in their own discourse communities and mimic them as writers (p.80). Consequently, enhancing ESP learners' genre awareness is considered as a key requirement for ESP teachers to ground their courses in the texts that students will need to write in occupational, academic, or social contexts (Hyland, 2007, p.149). Key features of such genre-based pedagogies include identification of the language demands of specific curriculum areas and explicit teaching of the rhetorical structure and linguistic features of specific genres (Derewianka, 2015, p.1).

To become effective members of a particular discourse community, students have to learn and understand how to read and produce genres shared by the members of the discourse community. For instance, to effectively

practice law, one must be able to write in English with proper form and style (Clarence et. al., 2014, p.839). Learning to write is inextricably linked to learning the legal discourse valued and invested in by the legal community one is attempting to join (Candlin et al. 2002 cited in Clarence et al., 2014, p.849). However, writing in law is believed to be a challenging task for apprentices as they ought to focus on writing formulaic genres such as legal letters, briefs, memoranda, and case summaries. In addition, producing/ writing legal genres involves using accepted genre conventions of lawyers, which tends to be a demanding task for many students as they must follow writing norms of a discourse community, conventions of the genre, and fulfill its audience expectations (Hadavi & Moghaddam 2015, p.588). In that regard, for many students, writing legal genres tends to be a formidable task due to the lack of awareness of the genre conventions of their target discourse community.

This study is based on a group of lawyers' perspectives on the organization of facts in a legal letter of demand. A legal letter of demand is usually sent prior to the commencement of court proceedings demanding a payment of an outstanding debt from a debtor or compliance with another legal obligation (Hillier, 2021). It is an important genre for lawyers serving a vital communicative function by influencing the other party to fulfill a demand to resolve the conflict prior to litigation. Generally, it includes demands (i.e., the exact sum of money due and owing, steps to be taken by the recipient to meet the contractual obligations, the legal basis for the demand and consequences of non-compliance (Hillier, *ibid*). Therefore, writing a legal letter of demand tends to be a component of writing in most of English for Legal Purposes programmes.

The genre of legal letter of demand has not been an interest of ESP genre analysts though it is of vital importance for members of the legal communities. It may be due to two reasons. First, a legal letter of demand is occluded in nature due to the confidential information of parties involved in disputes. It is “typically hidden, 'out of sight' or occluded' from the public gaze” (Swales, 1990, p.46), and “lawyers write in everyday practice largely from 'occluded genres' that are not easily accessible as student texts or published documents” (Swales, 1996, p.88). There seems to be lack of genre analyses related to the genre due to its occluded nature which may cause difficulties in obtaining authentic legal letters of demand. Secondly, it is identified that many law students tend to find writing a legal letter of demand challenging, and their writing needs improvements in terms of the structure of the legal letters of demand used in professional legal contexts. Thus, law students should be instructed about necessary communicative purposes fulfilled by different sections of a legal letter of demand. To fill the gap above mentioned, this study explored perspectives of ten lawyers on the communicative purposes in a legal letter of demand to inform teaching legal letters of demand writing pedagogy.

LITERATURE REVIEW

The term 'genre' refers to a class of communicative events or “an abstraction” (i.e., academic essays, research articles, theses and dissertations and a person writes within a genre), and these communicative events serve several communicative purposes which are realized by members of the discourse community. Swales (1990) combined rhetorics and linguistics to explain genre as grounded in shared communicative purposes and discoverable through text analysis (Devitte, 2015, p.1). He considered a genre as a system of accomplishing social purposes by verbal means: “a staged purposeful social process”, which enables genre analysts to identify the rhetorical structure of a genre (1990, p.41).

Genre analysis is grounded in the assumption that features of a similar group of texts are based on the social context of their creation and use. Those features can be described in a way that it relates to similar texts or “repeated situations” and to the choices and constraints acting on genre writers (Hyland, 2013, p.3). Thus, a genre has a set of rhetorical patterns that are consistent across the texts of the same genre as those rhetorical patterns are determined by the expert members of a discourse community (Swales, 1990). For instance, Bhatia (1993) claims that “specialist writers seem to be fairly consistent in the way they organize their overall message in a particular genre, and analysis of structural organization of the genre reveals preferred ways of communicating intention in specific areas of enquiry” (p. 29).

Genre analysts in ESP tend to employ the genre analysis approach introduced by Swales (1990) with the CARS Model that depicts the communicative purposes of research article introductions. Following the Swalesean tradition, in the literature on genre-based teaching in ESP, many researchers have analyzed authentic

genres to propose models that are useful for teaching genres used in students' future careers (i.e., Albi, 2013; Amnuai & Wannaruk, 2013; Derewianka, 2015; Conrad et al., 2015; Conrad, 2017; Hadavi & Moghaddam, 2015; Dong and Lu, 2020; Nguyen & Miller, 2012; Conrad et al., 2015; Conrad, 2017; Kithulgoda and Mendis, 2020; Moreno and Swales, 2018; Sadeghi and Samuel, 2013).

Genre analysis considers texts as representative of wider rhetorical practices. Swales (1990) developed his discussion on genre as a theoretical concept as he argued that while it remains necessary to use genres to understand how they organize themselves informationally, rhetorically and stylistically, textual knowledge remains generally insufficient for a full account of genre (p.6). He emphasizes the necessity of having a socio-cognitive input to understand a genre and advocates a contextualization of genres. Following Swales (1990), Bhatia (1993, 2012) also presents contextual and socio-cognitive factors related to the rationale for genres. His main quest was widening the textual analysis to specific disciplinary and professional practices and cultures to understand "how members of specific discourse communities construct, interpret, and use these genres to achieve their community goals and why they write them the way they do" (Bhatia, 2012, p.242).

Genre analysis provides a focused methodology for researchers to identify the structural and linguistic features that distinguish the texts, most relevant to communities and contexts (Hyland, 2007, p.396). In that regard, genre analysis does not describe texts in isolation, yet it describes them within textual and social contexts. It extends discourse analysis from linguistic description to explanation addressing the question "Why do members of specific discourse communities use the language the way they do?" (Bhatia, 1997, p.629). Bhatia's (2012) conceptualizes a genre as recognizable communicative events, which are characterized by a set of communicative purpose(s) identified and mutually understood by members of the professional or academic community in which they regularly occur (p.241).

Both Swales (1990) and Bhatia (1993, 2012) invite genre analysts to conduct ethnographic studies (by observation, participation, interview, questionnaire etc.) to investigate characteristics of discourse communities that learners hope to join. In advocating the value of genre-based approach to the teaching of academic communicative competence, Swales (1990) proposed to view genres as more than texts, inviting researchers to explore the "extra-textual territory" combining both insights from psychology (the analysis of discourse for interpretive purposes) and ethnography into genre analysis (pp. 6-7). Hence, a genre analysis "offers descriptions and explanations of both texts and communities that use them" (Hyland, 2013, p.1). Aspiring students expect straightforward descriptions of discourse forms, which, as classroom practice indicates, play a significant role in their genre awareness (Devitt, 2015, p.4). Therefore, to inform ESP learners of genre conventions, many researchers in ESP genre analysis have employed discourse-based interviews (i.e., Flowerdew and Wan, 2006; Nguyen & Miller, 2012; Cotos et al., 2017; Conrad, 2017; Conrad et al., 2015; Paltridge, 2017; Yayli and Canagarajah, 2018; Hyland, 2000; Connor & Upton, 2000; Hyland, 2012; Dong and Lu, 2020 and Starfield, Paltridge and Tardy, 2016) to explore the perspectives on genre organization and language use of experts. Sadeghi and Samuel (2013) depict that the aim of conducting interviews, "the human and living parts of the genre" was to uncover the reasons for their choice of rhetorical features and the intended functions. They have considered writing as a socially constructed activity and a process and examined the texts in relation to their contexts of production and interpretation. Thus, genre analysts have employed interviews to investigate genre conventions of discourse communities that their learners aspire to be.

METHODOLOGY

The aim of this study is to present a conceptual analysis of ten lawyers' views on genre organization of legal letters of demand. To have a deeper understanding about how lawyers organize facts in legal letters of demand writing, a qualitative approach was identified as useful. The data collection and analysis of this study were guided by the Constructivists Grounded Theory (CGT) methods (i.e., coding, memo writing, constant comparison, theoretical sampling, saturation). Glaser and Strauss (1967, 1999) claim 'grounded' means that findings should be rooted in first-hand evidence (i.e., the problems, actions, symbols, and aspirations of the people being studied), and 'theory' refers to an explanatory model that 'fits empirical situations. The CGT methodology offers "a systematic, yet flexible guidelines for collecting and analyzing qualitative data to construct theories 'grounded' in the data themselves (Charmaz, 2006, p.2). Researchers who employ the CGT methods build levels of

abstraction from the data. Afterwards, they gather additional data to check and refine emerging analytic categories, which produces “a 'grounded theory,' or an abstract theoretical understanding of the studied experience” (Charmaz, 2006, p. 4). In this study, grounded theory methods were helpful to study data, compare them, write memos and interpret the data as analytical categories, and it provided “an analytical edge” (Charmaz, 2014, p.21) to this study to make it an insightful genre analysis of the perspectives of the lawyers on the structure of a legal letter of demand.

The ten lawyers (6 male and 4 female) who participated in interviews had their law offices (chambers) in Panadura, Wattala and Colombo, which were urban areas of Sri Lanka, and mostly the surrounding areas of a district court or another court complex. The lawyers' working time was divided between courts and their chambers. All of them had been writing letters of demand in English medium, and were specialized in Civil Law (i.e., land matters, testamentary related issues, divorce and matrimonial), and Commercial Law (i.e., company contract matters, contractual obligations, intellectual property matters and writs (orders from superior courts)). They worked in district courts and appeal courts or higher courts (i.e., High Court, Court of Appeal and the Supreme Court, Colombo). All of them had more than five years of experience in the profession, which was one of the decision criteria for selecting them for the interviews. Nine of them were senior lawyers with more than seven years of experience, and seven of them had been training apprentice lawyers. Most lawyers had a template for writing the letter of demand, which had been designed by them or given by a senior lawyer. They all had consultation or conversations with clients prior to writing a letter of demand, and they often requested documents needed from the clients to ensure the accuracy of the facts.

This study employed the snowball sampling technique, as participants assisted to recruit other respondents from their acquaintances. It was used to establish the rapport with lawyers who were contacted through known contacts (lawyers). First, two lawyers who worked in a law firm related to Corporate and Finance law were contacted. Once the purpose of the study was informed to them, they provided contact details of the lawyers they knew for interviews.

According to Charmaz (2006) initial sampling in the Grounded Theory Methods provides a point of departure, not of theoretical elaboration and refinement (p.100). Even though initial sampling was used at the beginning of data collection, it was the theoretical sampling that led to the construction of the understanding of the genre organization. The aim of the theoretical sampling was to construct tentative ideas (focused codes) about the data and to examine those ideas through further data collection (Charmaz, 2014, p.192). The sample size for both lawyers and students was decided as per the point of theoretical saturation of the categories of data (Charmaz, 2006, 2014), and theoretical sampling was used to determine the saturation point of the data. At the 10th interview categories of data were strengthened as no new data emerged.

An interview guide was used to elicit the lawyers' perspectives on the rhetorical patterns of the genre, and their rationale for the use of those rhetorical patterns. The questions were based on different purposes of writing a legal letter of demand, information used in the opening and other sections (i.e., demanding statement, the statement on informing legal action, and the last paragraph), information at the top and bottom sections of the letter (i.e., recipient address, date ect.), norms and conventions followed in writing letters of demand, modifications to the structure of a letter of demand, use of a template for writing, difficulties encountered in organizing facts, instances that a lawyer had to deviate from the general pattern, guidelines on organizing the content the letter for novices, weaknesses noticed in novice writers' letters in terms of genre organization, suggestions for English lecturers to increase law undergraduates' awareness in the structure of a letter of demand.

RESULTS

The lawyers' views related to the structure of a legal letter of demand were organized into three categories: 1) predictable structure of the letter, 2) attention to details in organizing facts of the letter and 3) consistency in the use of the standard structural elements.

1. Predictable Structure

During the interviews, the lawyers described how they organize facts provided by a client in a predictable and logical order. This organizational process is critical for establishing credibility and ensuring that the client's demand is presented well. The lawyers discussed their consideration of the facts provided by a client, careful analysis of them and arranging them in the accepted flow. According to most of the lawyers interviewed, logical and predictable information flow in a legal letter of demand is a key component of effective organization.

Most of the lawyers mentioned about the importance of the effective organization of a letter of demand, so that clients could comprehend the information provided. The majority of them used a standard format for writing a letter of demand, which led to a predictable pattern in these letters. Some of the lawyers used a sample letter or a template to guide their apprentices to organize ideas; therefore, the reader could anticipate the facts presented in a logical order. Most of them agreed that having a template was very beneficial for the apprentices because it gave them a structure and taught them how to arrange their thoughts when writing a letter of demand. By using a template, most of the lawyers could easily replicate their letters and guarantee consistency in the letters they produced. However, Lawyer 4 mentioned that he had to sometimes adapt his genre organization according to the needs of his clients.

“I have few templates I went through few. I amend the structure depending on the client's requirement.” (Lawyer 4)

The lawyers' primary concern seemed to be the linear order of ideas because they must communicate their ideas with clarity and logical order.

The lawyers' advice on novices was also mostly based on the importance of effective organization of the ideas. According to lawyer 2, many apprentices fail to organize their work in a way that enables the reader to flow naturally from one idea to the next. When commenting on the problems in the letters written by their apprentices Lawyer 6 and Lawyer 10 stated:

“Flow of the thoughts are missing most of the time. facts are there. structure is important. we have problems related to flow.” (Lawyer 6)

“Better to have sections when you start. too much information is not necessary. There should be a particular order of paragraphs. If not, you can't identify which part when you are reading a letter” (Lawyer 10).

Accordingly, some lawyers emphasized that the novices' letters lacked organization, and they needed to improve the flow of ideas. For instance, they mentioned that there was a need to provide evidence to support the demand statement in a letter.

Following the directives given to them by their senior lawyers was a standard practice among the lawyers. To ensure that they were adhering to ethical legal standards, most of the lawyers followed the structure of the letter provided by their senior lawyers:

“I always google and there are many similar templates in Google as well. There are different ones. We always follow my senior's approach. (Lawyer 1)

On the other hand, providing a format for juniors was a common practice among the lawyers who trained apprentices. In organizing letters of demand, Lawyer 5 and Lawyer 7 focused attention on a proper format:

“We give a letter to them that we wrote to refer. We change the junior' writing mostly. To have better terms, clarity, and flow of the thoughts. Once they write they remember the vocabulary and relevant terms such as negligence, loss or damage by heart.” (Lawyer 5)

“I give a draft to them, and according to the draft they write, and then I correct their writing several times. Too much information in paragraphs has to be corrected. I advise them not to make it long.” (Lawyer 7)

As presented above, the majority had the view that organization of facts of a legal letter of demand is an essential requirement of legal practice. Most senior lawyers paid attention to vocabulary and flow of thoughts in the letters of apprentices.

In addition, most lawyers do not make their letters lengthier by adding descriptions such as criticizing the opponent's unlawful act or breach of contract. Many lawyers stated that they did not criticize the opponent's breach of contract. Advising novices, many lawyers stated that criticizing the opponents' act is unethical and they did not make the letters lengthier with criticisms:

“How the contract has been violated... it could be lengthy with 4-5 sentences, criticism not really” (Lawyer 9)

These views of the lawyers point to a more logical arrangement of rhetorical patterns in a legal letter of demand. According to these viewpoints, a legal letter of demand should be written in a straightforward, orderly, and logical format, providing information in an organized way.

2. Attention to Details

The lawyers' perspectives showed their commitment to accuracy of details. They were committed to examining the accuracy of the facts to ensure that they presented the most accurate information in the letters of demand. In their commitment to accuracy, the lawyers took great care to check all the facts provided by their clients and assured the content of the letters were accurate as possible. Lawyers also expressed their views on the problem-solving activities they frequently conducted before writing a letter to ensure the accuracy of the facts. These tasks included investigating the facts and circumstances of a case, analyzing the legal principles and arguments, searching relevant laws and synthesizing the information gathered to find solutions for their client's issue:

“A client comes with a claim. We study it best. What he says-how to apply it to the law. We consider all points and select the best for a legal action and draft the letter. We try to apply to the law. (Lawyer 2)

Similar to Lawyer 2, most of the lawyers also explained that they tried to understand and correctly apply the facts of their clients' cases to the applicable laws:

“A client tells a lot of things about fights. We take all and find points for a legal action and according to that information we draft a letter of demand”. (Lawyer 11)

As Lawyer 11 mentioned, most lawyers were concerned about the clients' unclear descriptions. They frequently received ambiguous information from the clients, and they must then determine the applicable law to resolve any issues that arise.

Many lawyers found the ambiguity of the facts provided by clients challenging because they must rely on their own judgment and legal expertise to ensure that all pertinent information had been considered. For example, Lawyer 6 mentioned his interactions with the clients:

“Clients do not have awareness mostly. As per their instructions we write. I get the details from them. I read it to them. Ask what needs to be added.” (Lawyer 6).

The lawyers were cautious of the facts provided by the clients. Every piece of evidence was scrutinized for accuracy and relevance, and its value in court was carefully considered. As Lawyer 10 and Lawyer 2 stated:

“If the client refers to a document, I will always ask to get me a copy of the document to see if what he says is correct. I don't rely on their words. I ask for a copy on what the person is saying”. (Lawyer 10)

“Sometimes the clients don't really have a clear version of their case claiming demands without a language so sometimes it's hard to get an idea exactly what they mean.” (Lawyer 2)

Lawyers were careful not to make irrational demands. Lawyer 9 stated about the way amount of money are written in a letter:

“When you say an amount, we usually say just the numbers when it comes to legal document you will always have to write numbers in words what you see to avoid mistakes and to be particular about the numbers” (Lawyer 9)

Lawyer 8 also stated that they are responsible for ensuring that the facts presented in the letters are accurate:

“To gather the facts of the demand right you have to get the details right and all that has to be a proper consultation sticking to the structure. And then you can structure it and you can draft accordingly (Lawyer 8)

As presented above, most lawyers were careful of the accuracy of the facts provided by their clients. They mostly receive unclear facts from the clients, and they determine the applicable law to resolve the dispute and to make the demand.

3. Consistency in the use of the Elements

The interviews conducted with the lawyers' revealed their consistency in the use of elements as a shared set of communicative purposes. The element “Without Prejudice” occurred as an optional element on the top of a letter, and Lawyer 4 mentioned the reasons for its less prevalence:

“It is not included always, sometimes it is mentioned when it is not clear the full claim of the letter of demand. you reply without prejudice. It is mostly used in reply letter, but it depends on the context of the letter. I can't exactly say it is wrong to include that. A sender lawyer may also include it, depends on the case and the subject matter.” (Lawyer 4)

His views suggest that the lawyers' use of the elements was based on an agreed set of conventions. Similarly, most of the lawyers considered the element Mode of Posting important in the negotiation chain of communication between a client and an opponent. According to the Lawyer 6, the inclusion of “Mode of Posting” signifies that the opponent received the letter. If he denies the receipt of the letter, the client has a proof. Lawyer 6 insisted on the genre conventions of Mode of Posting in a letter of demand:

“Depending on the letter of demand, most people just say by registered post. But in the letter if I send it in registered post and gave it by hand, I use three forms: 'By Registered Post, By Courier and by Hand' If it a big amount of money, I do all that. I mentioned all the three in each copy, and by email is also possible”. (Lawyer 6).

Most of the lawyers were in consent with the use of the element Carbon Copy as a must in a legal letter of demand. Informing Carbon Copy allows the opponent to identify who else is receiving the letter. A lawyer can ensure that multiple people are aware of the same information simultaneously. In contrast, according to the view of most lawyers, enclosures such as attachments are not sent with a letter of demand.

DISCUSSION

As per the ethnographic dimension of genre production, this study explored the perspectives of the lawyers on the structural features of the legal letters of demand. Analyzing expert and non-expert writing, Swales (1990) describes how with some level of consciousness, established members of the 'parent discourse community' recognize a shared set of communicative purposes for a genre; however, they may be partly recognized by apprentice members. Accordingly, in the interviews, the lawyers' views were related to how they organize facts provided by a client in a predictable and logical order, and the problem-solving activities they frequently conduct before writing a letter to ensure the accuracy of the facts.

As presented in the results of this study, the three important considerations of the lawyers interviewed regarding the organization of a letter of demand were 1) linear organization of moves and steps, 2) attention to details and

3) consistency in using the elements, which were crucial for the successful letters of demand writing. As Bhatia (1993) claims expert writers appear to be consistent in how they organize their overall message in a genre. Established members of a particular professional community seem to have a much greater knowledge and understanding of the use and exploitation of genres than those who are apprentices, new members, or outsiders (Bhatia, 2012, p.241). In the interviews, the lawyers expected an adequate level of competence in letters of demand writing from their new hires. In the target situation, a lawyer has to analyze the vague facts given by a client and decide the demand. Similarly, Conrad (2017) identified that the practitioners in engineering valued accurate and unambiguous content, predicable reading and attention to detail in engineering writing whereas the students' writing depicted complicated sentence structures, less accurate word choice, more errors in grammar and punctuation, and less linear organization (p.191).

Nguyen & Miller (2012) claim that classroom instruction needs to support students providing a grasp of workplace genre conventions and practice in writing them (p.17). It is required to make the students aware of the difference between the classroom writing and lawyers' expectation of the standard that they should follow. A similar concern has been introduced by Conrad et al., (2015) when she claims that ESP teaching should introduce students the concerns of practitioners/professionals. Most of legal scholars have also addressed the necessity of enabling law undergraduates recognizing the expert/novice distinction in genre-based reading and writing tasks. "While our students cannot realistically expect to achieve the level of expertise now that they will later in their careers"; however, understanding the expert/novice distinction can help them to "move further along the continuum toward expertise" (Webb, 2017, p.320).

Swales (1990) asserts the communicative purpose as the privileged property of a genre (1990). He defines a genre in terms of a set of communicative purposes that it is meant to serve in a specific academic or professional setting. Following him, scholars in the ESP tradition (Swales,1990; Dudley-Evans, 1998; Bhatia, 1993, 2012) consider communicative purpose as a basis of defining a genre (cited in Bhatia, 1997, p.46). The communicative purposes of the elements "are recognized by the expert members of the parent discourse community, and thereby constitute the rationale for the genre" (Swales, 1990, p.58). Thus, as per the views of the lawyers, writing a legal letter of demand requires a novice to adhere to the expert use of the rhetorical patterns.

All the lawyers interviewed expressed their use of linear organization of rhetorical patterns in writing the genre and the consistency in using the elements, which reflects that a genre has a unique set of communicative purposes (Swales, 1990). All disciplinary and professional genres have integrity of their own, which is often identified by reference to a combination of textual, discursive, and contextual factors" (Bhatia, 2012, p. 241). A genre is highly conventionalized and structured with restrictions on what can be added in terms of its form, function, positioning, and intent (Bhatia, 1993, p.13). Similarly, Parodi (2014) claims what gives a genre its identity and distinguishes it from other genres is the distinctive way its moves are put together (p.67).

CONCLUSION

This study employed grounded theory strategies (Charmaz, 2006) to provide a context specific perspective on the genre organization of legal letters of demand writing that would inform the teaching materials of the genre. The lawyers' views collected were related to how they organize facts provided by a client in a predictable and logical order, and the problem-solving activities they frequently conduct before writing a letter to ensure the accuracy of the facts.

Based on the implications of the results, the future studies can focus on using interviews to explore different dimensions in the lawyers' discursive practices related to legal letters of demand writing (i.e., the effectiveness of the demand letter in terms of the response received, the impact of the degree of politeness to achieve the client's goal, the previous attempts of debt collection and variations of the genre according to the individual preferences).

Suggestions for pedagogical practices include the fact that lawyers should be invited to a panel discussion on professional practice in writing legal letters of demand. Further, The students should be given the opportunity to interact with lawyers to get awareness of the genre expectations. Prior to writing a letter of demand, a group

discussion (a brainstorming session) on ways to solve a dispute of a client in a given situation should be conducted to enhance problem solving skills required in letters of demand writing. The students should be informed to discuss the applicable law to the breach of contract. Additionally, writing a scenario letter of demand should be assigned to the law undergraduates and they should be instructed to pay careful attention to the organization in using the given facts of the situation.

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