

Writing Novels Makes Me A Better Lawyer

By **Daniel Buzzetta** (October 23, 2025)

In this Expert Analysis series, attorneys discuss how their unusual extracurricular activities enhance professional development, providing insights and pointers that translate to the office, courtroom and beyond. If you have a hobby you would like to write about, email expertanalysis@law360.com.

As a commercial litigator for over 30 years, I write — a lot. Writing briefs, memoranda, letters and even emails fills up large portions of my day. In fact, when my kids were younger, they thought my job was "typer" because much of the work they saw me doing involved me sitting in front of a computer, hunting and pecking at a keyboard. They weren't far off.

Writing doesn't come easily or naturally to me, and writing well is even harder. It is often a painful exercise where tedious drafting, redrafting, and searching for the right mix of words and syntax takes center stage, followed by long stints of editing, synthesizing, polishing and second-guessing myself. For me, writing is the result of conscious practice and devoted focus, with no substitute for committing time and effort to the craft.



Daniel Buzzetta

And so, when I sat down in 2020 to write what would eventually become my debut novel, "The Manipulator," I knew the process wouldn't be easy. I discovered during the almost two years it took me to write the book that writing is a journey. And like any journey worth taking, I came away from the experience with new insights, a greater and better understanding of advice I had long heard of but never fully appreciated, and a newfound respect for the art of storytelling.

Four of the most valuable skills that I now emphasize in my legal practice to make me a better lawyer are (1) appreciating the value of critique and the importance of receiving it, (2) thinking creatively and using novel ideas, (3) seeing around corners and considering how one decision affects others, and (4) not giving up, no matter how long and tedious the journey may be.

Chapter 1: The Value of Critique and the Importance of Receiving It

When I was a young lawyer, I dreaded handing in drafts to partners because it invariably resulted in red marker-laden edits and critiques that were biting. I recall one particular incident when I was a cub lawyer. I apparently made the cardinal sin of using the word "ongoing" instead of "continuing" in a memo to a partner.

The partner, an older gentleman with a flock of white hair, came lumbering into my office and tossed the draft in my general direction. It was heavily edited with crossouts and comments in the margins. Among his almost-indecipherable comments was this confidence-building gem: "If I see 'ongoing' again in a memo, I will be down-coming, and someone will be out-going."

Some days later, that partner explained that his numerous edits were a reflection of his interest in my professional development because he saw potential not only for significant improvement, but also significant advancement. In full disclosure, the white-haired partner eventually became a mentor and dear friend, someone whose career advice I sought regularly.

My first drafts are usually dull and uninspiring, and lack flavor, texture and color. Only through much time spent refining and editing does my work develop a rhythm, tone and style that hopefully engages the reader. I don't think it's possible to be a good writer — or in my case a good rewriter — without appreciating, and indeed craving, constructive criticism.

When I write a brief or a memo, I almost always share it with someone whose writing I admire and trust, and I ask for unvarnished feedback — good, bad and ugly. I then devote time to making revisions until it is something I can be proud of, and will hopefully carry the day in court or with a client.

Equally important, when I review drafts prepared by others, I try to impart advice that hopefully improves the writing. I want to convey a message that my investment of time in their writing is an investment in their professional development. It's a way of paying it forward to ensure younger lawyers can learn from my mistakes instead of repeating them.

Chapter 2: Being Creative and Using Novel Ideas

I think it's universally true that you can't be an effective writer without being creative or coming up with novel ideas. The beauty of writing fiction is the freedom it provides to make stuff up — within reason, of course — to resolve a plot point or connect seemingly unrelated events.

One of my shortcomings when I write fiction — among many — is that I rarely take the time to plot out every interim detail of my story. I certainly know how my story will start, and how it will end, but my eagerness to create means I don't always know how to get from point A to B. That's where creativity and using novel ideas come in handy to form the connective tissue that holds the story together. In "The Manipulator," for example, coming up with the idea of using fictional but credible technology allows lawyer Tom Berte to obtain incriminating evidence against the elusive mastermind of a criminal syndicate.

So, too, in my practice, I'm constantly looking for creative and novel ways to tell a story or prove a point, whether by analogy or through syllogism. While in real-life practice, evidence is the connective tissue that wins cases, thinking creatively can help sculpt the evidence.

If the opposing party isn't cooperating, is there a third party you can subpoena to find helpful evidence? Can a discovery motion shake loose evidence, or can it be leveraged to find what you're looking for?

I also consider creative ways to resolve disputes. Sometimes, agreeing to join forces with a competitor in a new or existing venture can be more profitable than litigating in court. Knowing your client's goals, industry, business and what motivates them are invaluable tools to creatively settling a case in your client's favor. The trick is to think outside the box and not be afraid to use fresh ideas to resolve plot points in your case.

Chapter 3: Seeing Around Corners and How One Decision Affects Others

A writer recently shared with me the time she killed off a character in an early draft of her manuscript, only to realize some 200 pages later the dead character could have come in handy to heighten the tension and allow the protagonist to save the day. Rather than rewrite more than half the book, she opted not to revive the character, but at the cost of weeks of agony thinking about ways to enhance her story.

As an extension of thinking creatively and seeing around corners, it's important when writing to consider how one scene will affect the story, a character or the ending. The same goes for plotting strategy in my cases. Building a winning case is much like building a wall brick by brick, where you stitch together evidence. Along the way there are innumerable decisions that can affect the integrity of the wall.

For instance, do you file an early motion to dismiss a complaint, which may alert your adversary to weaknesses that can be cured by amendment, or should you opt instead to file a later summary judgment motion? Deposing a witness too early runs the risk of educating your opponent too much. Or will naming an additional defendant result in the loss of diversity jurisdiction and remand to state court? Whatever the situation, consider the potential consequences and game-out scenarios. Thinking holistically can help you think strategically, offering the best opportunity to build a winning case instead of a house of cards.

Chapter 4: Don't Give up, No Matter How Long and Tedious the Journey May Be

There were countless days when I was writing "The Manipulator" that I considered giving up. Words weren't flowing, my writing was stilted, and my plot had more holes in it than Swiss cheese. But I had set a goal to write a novel, and I was determined to achieve it.

Similarly, litigation rarely goes smoothly and setbacks are inevitable. Evidence may lead to a dead end. Witnesses' memories fail or testimony in a deposition may not be as crisp and clear as it was during prep. Worse, witnesses may have put something in writing that undermines your case. And judges are always wild cards.

I've lost motions I should have won more times than I care to remember, and vice versa. Yet each setback fueled my determination to fight harder and smarter to prove my adversary's liability or defend my client. Early losses don't necessarily define outcomes, but how you respond to them often does. Staying focused and never giving up even in the face of roadblocks and steep climbs is often the secret to success.

Epilogue

Writing novels, like litigating cases, can be a long and tedious journey, often involving challenges, obstacles and hardships. But determination, perseverance, learning from thinking creatively and strategically, and continually reassessing and adjusting in the face of critiques, can lead to personal growth, success and a fulfilling career. Someone smarter than me once wrote, "Difficult roads often lead to beautiful destinations." It's as true for writers as it is for lawyers.

Daniel J. Buzzetta is a partner at BakerHostetler.

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