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## Small-scale document editing can reap big results

By Julie Baker and Lisa Healy

*Write On is an occasional feature on The Practice page intended to provide guidance on writing memoranda and briefs that will lead to the results their authors – attorneys – are hoping for from readers of those legal documents.*

We have talked about the stages of writing and how each stage is necessary to produce a thorough, well-reasoned, persuasive document.

But in the end, the person reading your brief — usually, a judge — cannot see the process that went into the writing; only the end result is apparent.

If that end result is littered with poor grammar, incorrect punctuation and typos, then no amount of planning, writing or revising will convince the judge that what you have written can be trusted. And without that trust, there can be no persuasion.

What we are focusing on here is small-scale editing: the "cleanup" work you do once the document is completed, to make sure it is ready to be filed with the court or sent to the client.

Of course, you should always run spell-check and grammar-check, but they do not catch everything. And so we want to suggest to you several tips on grammar and punctuation to help make your writing as clean as it can be:

- **End apostrophe abuse**

Use apostrophes to signify possession (it was the plaintiff's [singular] responsibility; the defendants' [plural] car struck mine) even if the root word ends with an "s" (James's book). Use apostrophes for contractions, for example, "it's" is short for "it is"; "they're" for "they are."

- **Eliminate random commas**

The major rules for when to use commas are: to separate three or more items in a series; to separate two independent clauses joined by a conjunction ("and" or "but"); to separate two or more adjectives or to set off non-restrictive adjective clauses in a sentence; and after introductory words, phrases and clauses. Do not use a comma to separate a subject and a verb; do not put a comma between an adverb and an adjective; and do not try to guess where the commas should be.

- **Eschew fragments and run-on sentences**

An independent clause contains at least one subject and one verb; to be grammatically correct, a sentence must contain at least one, but not more than two, independent clauses. A sentence that does not contain at least one independent clause is called a fragment; it is missing either the subject or the verb. A run-on sentence contains too many independent clauses and is the type of long, convoluted writing that you should try to avoid.

- **Use semicolons**

The semicolon is a helpful but entirely underused punctuation mark because, in our experience, no one really knows what it is or when to use it. Use semicolons to separate two independent clauses in a sentence when you do not use a conjunction; to separate two independent clauses joined by a conjunction, if one or both of the clauses contains internal punctuation; and to separate items in a series/list containing internal punctuation (such as this one).

- **Insist on agreement**

You must be sure that you have subject-verb agreement and noun-pronoun agreement in each sentence. Subject-verb agreement requires a singular verb for a singular subject; plural subjects take plural verbs. In noun-pronoun agreement, a singular noun is represented by a singular pronoun; for example, "The court issued *its* ruling on Friday."

We understand that grammar and punctuation are tedious, boring subjects and that reading the rules of punctuation is painful, at best. But consider that you are asking your clients to pay you a lot of money to represent their interests in writing, and that you are expecting judges and other lawyers to read and be persuaded by what you have written. If you cannot demonstrate that you care enough about your writing to make it perfect, then why should they care enough about what you have written to retain your services or to grant you the relief you have requested?

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