

12-2015

Odds and Ends: My Inbox Part II

Tenielle Fordyce-Ruff

Concordia University School of Law, tfordyce@cu-portland.edu

Follow this and additional works at: <http://commons.cu-portland.edu/lawfaculty>

 Part of the [Legal Writing and Research Commons](#)

CU Commons Citation

Tenielle Fordyce-Ruff, Odds and Ends: My Inbox Part II, *Advocate*, Dec. 2015, at 60.

This Article is brought to you for free and open access by the School of Law at CU Commons. It has been accepted for inclusion in Faculty Scholarship by an authorized administrator of CU Commons. For more information, please contact libraryadmin@cu-portland.edu.

Odds and Ends: My Inbox Part II

Tenielle Fordyce-Ruff

One of the joys of writing this column is hearing from my readers. Every month a loyal *Advocate* reader contacts me.

Some just let me know about a topic they particularly enjoyed. Others, though, ask for advice or answers to specific questions.

This month, I've decided to share some of the tips, tricks, and answers that have gone out to individuals. We will look at when e-editing isn't particularly helpful, combating verbosity, using numbers correctly, and how to correctly identify a nickname.

E-editing isn't foolproof

In July 2014 I gave you all advice about saving time by using your word processor to help proof and edit your writing.¹ I also provided a word of caution about common homonyms that the spell-check function of a word processor wouldn't catch. Today, I'm going to cover another time when your word processor won't be helpful.

Most grammar checks won't correctly identify subject-verb agreement errors if there is a phrase or clause between the subject and the verb. Take a look at this example.

Custom-made towels imprinted with the hotel's logo satisfies the requirement that the goods be specifically manufactured.

Looking at this as I type it, Word hasn't identified the error in this sentence. Yet, the subject (towels) and the verb (satisfies) don't agree in number. This is a basic grammar error that has made it past grammar check.²

So what to do? First, try to avoid writing sentences with a long clause



or phrase between the subject and the verb. Second, make note of these sentences when you're writing them and double or triple check the subject verb agreement.

Minimizing prepositional phrases

Many readers want quick tips to help them shorten their writing. There are a few quick ways to minimize prepositional phrases: use shorter replacements and use active voice.

As a reminder, a preposition is a word that relates its object to another word in the sentence. The relationships are commonly ones of space (in, on, under), possession (of, for, by), or circumstance (about, against).

Prepositions can be simple (in, of, for) or complex (in accordance with, on behalf of). Much wordiness comes from the use of complex prepositions, so replacing a complex preposition with a simple one or a shorter word can cut down on verbosity.

Compare the following sentences:

Most grammar checks won't correctly identify subject-verb agreement errors if there is a phrase or clause between the subject and the verb.

She asked that her attorney file the complaint with all diligence.

She asked that her attorney file the complaint quickly.

The CEO of the company expects to end the year with only minimal losses.

The company's CEO expects to end the year with only minimal losses.

Likewise, using active voice will help cut down on wordy sentences clogged with *by* phrases.³

Compare these examples:

A duty of care to the plaintiff was breached by the defendant when the slippery floor was left unmopped by the defendant.

When the defendant failed to mop the slippery floor, he breached his duty of care to the plaintiff.

Notice how switching to active voice eliminated the wordy prepositional phrase “by the defendant.” Not only is the second sentence much shorter, it is also easier to read and understand. Never bad traits for legal writing!

Using numbers correctly

Numbers seem to be a source of consternation for both my students and readers. To help clear up how to use numbers correctly, here are a few tips.

First, it is best to spell out numbers between zero and one hundred.⁴ It is also best to spell out even hundreds, thousands, hundred thousands, etc., if using those numbers as approximations.

Stanley, Idaho, has only sixty-nine residents.

Idaho Falls, Idaho, has a population of 58,292.

Idaho has over one million people.

Second, if the number begins a sentence, it should always be spelled out.

Two hundred fourteen thousand two hundred thirty-seven people live in Boise.

However, because that can make the sentence awkward, it is best to rewrite the sentence.

Boise has a population of 214,237.

When the sentence begins with a year, you should also write the year out.

Eighteen eighty-nine saw the creation of the Idaho Constitution.

But, that can also make the sentence awkward, so it’s best to rewrite it.

The people of Idaho ratified the state constitution in 1889.

In 1889, the people of Idaho ratified the state constitution.

Third, if your sentence has two numbers of the same category, spell out the first number and use numerals for the second.

Two hundred fourteen thousand two hundred thirty-seven of Idaho’s 1,634,464 residents live in Boise.

Or rewrite the sentence.

Of Idaho’s 1,634,464 residents, 214,236 live in Boise and 86,518 live in Nampa.

Finally, when spelling out numbers, use a hyphen for numbers twenty-one through ninety-nine. The rest are left open.

Identifying nicknames correctly

I have to admit, this was a reader’s question and I didn’t know the answer. I’ve never had a nickname! But I know that many people go by names other than their given names and need to use both for professional purposes or refer appropriately to a client or other party.

If you are using the nickname in addition to a person’s proper name, put the nickname in quotation marks, not parentheses. Capitalize it

as you would a proper name. Do not, however, capitalize *the* if it is part of the nickname (unless *the* is the beginning of a sentence).

Abraham Lincoln “*the Great Emancipator*”

George Herman “*Babe*” Ruth

C.L. “*Butch*” Otter

Conclusion

I hope you enjoyed this month’s hodgepodge of advice. Keep the questions and suggestions coming!

Sources

- Bryan A. Garner, *The Redbook: A Manual on Legal Style*, 176-177 (2d ed. West 2006).
- *The Chicago Manual of Style*, 376, 464-466 (16th ed. 2010).

Endnotes

1. Tienielle Fordyce-Ruff, *Time Savings: E-Editing Tips & Tricks*, 57-JUL Advocate (Idaho) 62 (2014).
2. For a reminder on subject-verb agreement, see Tienielle Fordyce-Ruff, *Back to the Basics: Subject and Verb Agreement*, 55-DEC Advocate (Idaho) 52 (2012).
3. For a refresher on finding and fixing passive voice, see my article, *Attaching People to Your Writing: Eliminating Passive Voice and Vague “ing” Words*, 53-DEC Advocate (Idaho) 68 (2010).
4. The Chicago Manual of Style, the ALWD Guide to Legal Citation, and the Bluebook all give this advice. In technical contexts, however, it can be appropriate to use numerals for all numbers over ten.

Tienielle Fordyce-Ruff is an Assistant Professor of Law and the Director of the Legal Research and Writing Program at Concordia University School of Law in Boise. She is also Of Counsel at Fisher Rainey Hudson. You can reach her at tfordyce@cu-portland.edu or <http://cu-portland.lice.com>.

