

**OFFICE OF THE STATE COURT ADMINISTRATOR CLEAR WRITING GUIDELINES**  
**FOR CORRESPONDENCE, MEMORANDA, POLICIES,**  
**REPORTS, AND PUBLIC DOCUMENTS**  
(February 20, 2008)

[adapted from U.S. National Archives & Records Administration's Principles of Clear Writing for drafting legal documents; supplemented with principles, examples, and recommendations from other noted resources]

## **Introduction**

### **Application**

The State Court Administrator has adopted these Writing Guidelines to guide authors who write official documents for the Office of the State Court Administrator (OSCA). The State Court Administrator or Executive Services Division staff

- will follow these Guidelines in editing or approving OSCA documents,
- will give priority to documents that follow the Guidelines,
- may return to the author for revision documents that do not follow the Guidelines.

Each OSCA author is responsible to check whether the author's document complies with the Guidelines and meets the recommended reading level before submitting the document to the State Court Administrator or Executive Services staff for approval or processing.

### **Purpose**

The Guidelines include rules, suggestions, and resources to help authors write public and internal documents in a clear, consistent style.

Documents designed for the public should meet an 8<sup>th</sup> grade or lower reading level.

In its 2006 Report, the Oregon Judicial Department/Oregon State Bar Task Force on Access to State Courts for Persons with Disabilities recommended that Judicial Department public notices and correspondence meet a 5<sup>th</sup> grade reading level; however, legal notices and documents cannot always meet that threshold.

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result, passive construction can easily confuse the reader, especially in legal documents, laws, rules, and policies that require someone to act:

The material will be delivered.	By whom?
The start date is to be decided.	By whom?
The figures must be approved.	By whom?

Putting the actor before the verb forces you to state clearly who is responsible:

- The messenger will deliver the material.
- The contractor will decide the start date.
- The administrator must approve the figures.

**When to Break the Rule:** The passive voice works when in a politically charged writing, active voice sounds “in your face” or when the actor is unknown, unimportant, or especially obvious. However, OSCA or OJD rules and policies should always state who does what; active voice is the clearest and shortest way to state who does what.

### 3. Use action verbs.

Avoid phrases that turn verbs into nouns, called “nominals” or “nominalizations”—nouns with verbs inside; they add no meaning and make sentences longer and hard to read.

Action verbs are shorter and more direct:

Instead of	Say
give consideration to	consider
is applicable to	applies to
make payment	pay
give recognition to	recognize
is concerned with	concerns

### 4. Use “must” instead of “shall.”

People who draft legislation and rules often use “shall” when “must” would do. American English speakers almost never use “shall” in speech. Every legislative session, this becomes an issue in committee hearings on proposed legislation. Although Oregon Legislative Counsel’s drafting manual may follow a different rule (e.g., “may not” means “shall/must not”), using “must” for rules and policies avoids ambiguity and improves readability.

This is why: “shall” has more than one meaning. Compare shall and the following words:

shall	imposes an obligation to act but may be confused with predicting future action
will	predicts future action
must	imposes obligation, indicates need to act
should	implies obligation but not absolute necessity
may	indicates discretion to act
may not	indicates a prohibition when used to direct what not to do

To avoid ambiguity, follow these guidelines:

- To impose a legal obligation, use “must.”
- To predict future action, use “will.”

**Instead of** “The Chief Justice shall approve it,”

**say** “The Chief Justice must approve it” [obligation]  
**or** “The Chief Justice will approve it.” [future action]

## 5. Be direct.

Speak directly to your readers. Use the imperative mood to “direct” or tell them what to do. Rules, policies, procedures, how-to instructions, lists of duties, and official letters lend themselves to this style.

Use the active voice and avoid passive voice:

- Sign all copies.
- Attach a copy of your receipts to your reimbursement request.

Stated this way, procedures are shorter, crisper, and easier to understand. Use “please” in forms, letters, webpages, and the like to soften the tone and avoid officiousness.

## 6. Use present tense.

For rules, procedures, and policies, use present tense. A rule, procedure, or policy speaks when you apply it, not when you draft it or when it becomes effective. The present tense avoids complicated and awkward verb forms.

**Instead of future tense** “The fine for driving without a license **shall be** \$10.00,”

**say** “The fine for driving without a license is \$10.00.”

**7. Use positive statements.**

If you can express an idea accurately in the positive or negative, use the positive. Positive statements are usually clearer and less confusing.

<b>Instead of</b>	<b>say</b>
not honest	dishonest
did not remember	forgot
did not pay any attention to	ignored
did not remain at the meeting	left the meeting
did not comply with or failed to comply with	violated

**Instead of** “The Administrative Authority may not appoint persons other than those who meet the following qualifications,”

**say** “Each committee member must meet the following qualifications.”

On the other hand, some negative statements are quite clear:

- **Don’t Walk**
- **No Smoking**

But avoid multiple negatives in one sentence.

**Instead of** “A pilot project will not be approved unless all application requirements are met” [this sentence also has two passive-voice verbs],

**say** “[Actor] will approve a demonstration project only if the applicant meets all requirements.”

Follow this guideline to state a rule or category directly, rather than by stating its exceptions. Treat exceptions as negative statements.

**Instead of** “All persons except those 18 years or older must . . . ,”

**say** “Each person under 18 years of age must . . . .”

**When to Break the Rule:** Use exceptions to avoid a long, cumbersome list or elaborate description. For a long list of exceptions, state the rule or category first, then state its exceptions. For a short list of exceptions, do the reverse.

**Instead of** “Circuit courts in Jackson, Clackamas, Umatilla/Morrow, [a list of 33 of 36 counties] must . . . ,”

**say** “Except in Multnomah, Marion, and Lane Counties, circuit courts must . . . .” [This statement establishes the category and states the exceptions; it may be better to list exceptions first and avoid splitting subject and verb

with a list of exceptions. As a general rule, do not put a clause between the subject and verb. Avoid “Circuit courts, except in Multnomah, Marion, and Lane Counties, must . . .”]

## 8. **Avoid split infinitives.**

An infinitive is the verb form “to \_\_\_\_\_,” such as “to do,” “to make,” “to be.” In a split infinitive, an adverb separates “to” from the rest of the verb. Perhaps the most famous example is from Star Trek: “To boldly go where no one has gone before.”

Although no English usage rule prohibits split infinitives, some English teachers do. As a result, the split infinitive offends many readers even when its use is technically proper. Avoid split infinitives when you can to avoid distracting those readers. The adverb is often unnecessary and can be cut. Recasting the sentence altogether helps avoid both the issue and avoids a stilted sentence, as does limiting use of adverbs in legal and policy writing.

**Instead of**     **“To promptly register for the class,”**  
**say**             **“To register promptly for the class,”**  
**or**               **“Please register promptly” or “Please register before the deadline.”**

**When to Break the Rule:** Recasting to avoid a split infinitive can change the meaning, emphasis, or flow. Test out alternatives; choose the one that sounds best and jars the reader least. The Star Trek example above is a split infinitive that works because the adverb, not the verb, naturally bears the emphasis.

## 9. **Use the singular noun rather than the plural noun.**

When your meaning allows, use a singular noun instead of a plural noun. You will avoid the problem of whether the statement or rule applies separately to each member of a class or jointly to the class as a whole.

**Instead of**     **“Security staff will issue security badges to the employees who work in the Supreme Court Building and the Justice Building” [one badge to each, multiple badges to each, or one set of badges for all employees to share?]**

or

**“Security staff will issue a security badge to the employees who work in the Justice Building” [one badge for all?],**

**say**             **“Security staff will issue a security badge to each employee who works in the Supreme Court Building and to each employee who works in the Justice Building,”**

**unless you mean**     **“Security staff will issue a security badge to each employee who works in both the Supreme Court Building and the Justice Building.” [There are other possible meanings. You may need to explain further.]**

**10. Be consistent. Use the same word to denote the same thing.**

Variation for the sake of variation has no place in business writing or legal drafting. Using a synonym rather than repeating a precise term confuses the reader.

**Instead of** “Each **motor vehicle** owner must register the owner’s car with the Division of Motor Vehicles” [does this apply to people who own pickups or motorcycles?],

**say** “Each **motor vehicle** owner must register the owner’s motor vehicle with the Division of Motor Vehicles.”

**Do not use the same word to denote different things.**

**Instead of** “The case record includes 200 records,”

**say** “The case record includes 200 documents.”

**11. Prefer simple words.**

Government writing should be dignified and not pompous. Dignified writing is simple, direct, and strong. To keep your writing clear and easy to read, prefer the simple word to the complex word or phrase:

<b>Instead of</b>	<b>say</b>
construct, fabricate	make
initiate, commence	begin
terminate	end
utilize	use
substantial portion	large part
afforded an opportunity	allow
upon	on
assist	help

**12. Use short sentences.**

Readable sentences are **simple, active, affirmative, and declarative.**

Sentences that deviate from this structure are harder to understand. Long, run-on sentences are weak and less clear. Sentences in legal documents and policies that list conditions result in complex sentences with many clauses.

## Solutions

- State **only** one idea in each sentence.
- Divide long sentences into two or three short sentences. Use bullets. (See Guidelines 33 and 34)
- Remove unneeded words. Strive for a simple sentence with a subject and verb. Eliminate unneeded modifiers, clauses, and prepositional phrases.
- If a rule applies only when a few, simple conditions exist, state the conditions first, who must meet each, and then state the rule.
- If two or more complex conditions must exist before a rule applies, state the rule first and then state the conditions and who must meet each.

### 13. Use short paragraphs.

Short, compact paragraphs improve clarity. Each paragraph should cover a single, unified topic. Present lengthy, complex, or technical discussions in a series of related paragraphs.

### 14. Omit needless words.

Avoid compound prepositions and other wordy expressions when you can convey the same meaning with one or two words.

Instead of	say
because of/due to the fact that	because*
call your attention to the fact that	remind you/ point out/note
for the period of	for
in many cases/instances	often
in some cases/instances	sometimes
in the nature of	like
the fact that he had not succeeded	his failure
the question as to whether	whether
prior to	before

- \* “Since” and “due to” are **not** synonyms of “because.” “Because” indicates a cause-and-effect relationship. Reserve “since” to express a time relationship.

“Since 1998 when circuit and district courts consolidated . . . .” (time)

“The Judicial Department’s plan to provide browser-based access to OJIN was delayed since [read “because”] the legislature cut the department’s budget in 2003.” (cause)

Reserve “due to” to mean “owed to,” as in a debt.

William Strunk, Jr.’s *Elements of Style* and the Wikipedia (an online encyclopedia) “Elements of Style improvement project” both have lists of commonly used phrases that have needless words and show how to improve those phrases:

<http://www.bartleby.com/141/strunk5.html#13>

[http://en.wikipedia.org/wiki/Wikipedia:Elements\\_of\\_Style\\_improvement\\_project](http://en.wikipedia.org/wiki/Wikipedia:Elements_of_Style_improvement_project)

**15. Recast most “there is/are” and “it is” statements.**

Compared to their alternatives, “there is/are” statements are often wishy-washy, wordy alternatives to clearer, crisper statements. They shove the significant verb into a subordinate place and contribute to mistakes in noun-verb agreement.

For example, “There are two steps to follow when entering a batch” is longer and weaker than “Follow these two steps when entering a batch.”

**16. Avoid redundancies.**

Avoid word pairs if the words have the same effect or where the meaning of one includes the other. Legal texts often contain word pairs (also called “synonymia” or “doublets and triplets of legal idiom”). Some have purpose; most are needless redundancies. Eliminate them to keep your writing crisp and clear.

Examples of word pairs to avoid:

any and all
authorize and direct
cease and desist
each and every
full and complete
order and direct
means and includes
necessary and desirable

**17. Use concrete words.**

Government writing often concerns abstract subjects. Because abstract words can be vague and open to different interpretations, put instructions in simple, concrete words when possible.

<b>Don't use</b>	<b>if you mean only</b>
vehicles	automobiles
firearms	rifles
aircraft	helicopters

**18. Avoid words that antagonize.**

Words can attract or repel readers. Choose words that convey your meaning, invite readers to learn more, and do not antagonize readers.

**Inviting Words**

ability	achieve	benefit	guarantee
our	please	reasonable	reliable
service	useful	we	you

**Repelling Words**

alibi	allege	blame	complaint
impossible	liability	oversight	unfortunate
waste	wrong		

**19. Avoid noun clusters or “sandwiches.”**

Government and other business documents often use noun clusters—groups of nouns “sandwiched” together to avoid using prepositions. Limiting prepositions is good. Dense noun clusters are not.

**Instead of** “Judicial Department personnel and equipment safety protection procedures development,”

**say** “Developing procedures to protect Judicial Department personnel and equipment.”

**20. Avoid gender-specific terminology.**

Avoid the gender-specific pronoun when the antecedent noun could be male or female. Use the antecedent noun rather than a pronoun.

**Instead of** “The administrator or his designee must complete the evaluation form,”

**say** “The administrator or the administrator’s designee must complete the evaluation form.”

Avoid the gender-specific job title:

<b>Instead of</b>	<b>say</b>
Crewman	Crew member
Draftsman	Drafter
Enlisted men	Enlisted personnel
Fireman	Firefighter
Foreman	Supervisor
Manhours	Hours worked
Manpower	Personnel, workforce

When rewriting to avoid the problem, take care. Using the plural noun may not solve the problem. The following examples have different meanings:

- Each administrator will announce his or her recommendation at the conference [separate recommendations].
- The administrators will announce their recommendation at the conference [a group recommendation].

See Guideline 9 for related discussion.

**21. Avoid contractions.**

Do not use contractions in formal documents unless you are quoting a statement that includes a contraction.

**22. Avoid acronyms/initialisms.**

Avoid acronyms/initialisms (“acronyms”) in public documents and in anything submitted to the legislature. Some legislative committee chairs “fine” anyone who uses an acronym at committee hearings. (The committee chairs donate the “fines” to charity.) Prefer a shortened name (e.g., “department”) to initials. In either case, be sure to define the term on the first reference. When using acronyms in Judicial Department policies and internal documents, use “the” before the acronym **only** if you would use “the” in speech.

[For deciphering acronyms used in very informal writing and text messaging, see this online acronym dictionary: <http://www.acronymdictionary.co.uk/index.html>.]

**Instead of**     “The OSCA has adopted writing guidelines,”

**say**             “OSCA has adopted writing guidelines.”

But when using an acronym as an adjective before another noun, use “the” as you would for the other noun. Here’s an example and an alternative:

- Use the OSCA writing guidelines for public documents.
- Use OSCA’s writing guidelines for public documents.

If you use multiple acronyms or shortened terms, give the reader a key at the beginning or end of your document. Tell the reader early in the document where to find the key. This is especially helpful in policies and in new-personnel orientation.

**23. Place “only” next to the word or phrase it modifies (same guideline applies to placing most adverbs).**

Try this simple test to see how the meaning changes depending on where “only” lives in the sentence “She hurt him.”

- Only she hurt him [of the attackers, she was the only one who hurt him]
- She only hurt him [she hurt him but didn’t kill him]
- She hurt only him [he was the only one she hurt]

**24. When using pronouns, keep them close to their antecedent nouns.**

This helps the reader recall what the pronoun refers to and helps you ensure that you use the correct singular or plural pronoun. You can help the reader by repeating the antecedent noun from time to time in writing that has multiple paragraphs that refer to the same noun.

“Until recently, the inns showed themselves particularly ill-equipped to handle the overseas students, including many Africans and such future statesmen as Mr. Nehru, who by 1960 made up two thirds of all those called to the English bar.” Alan Harding, *A Social History of English Law* 389 (1966) (making Mr. Nehru sound like a very big man).

**25. Check all introductory and modifying clauses.**

Check all introductory and modifying clauses to avoid misplaced modifiers and dangling participles. They often do not mean what the writer meant to say.

Here are some examples:

“Having broken both front legs, the owner carried the dog to the veterinarian.”

“Walking in the front door, a statue of Lady Justice greets you.”

**26. NEVER use “and/or.”**

“And/or” is ambiguous; see <http://pritchardlaw.com/massey.htm> for a compilation of opinions in cases where courts have struggled to interpret the phrase. The phrase does not belong in legal or policy writing. “Or” usually suffices. If it does not, then say “A or B or both.” If you want to state more than two options or combinations, be specific and use a list: “one or more of the following . . . .”

For guidelines on lists, see 33 – 35, below.

**27. Know the difference between “that” and “which.”**

“That” introduces a restrictive clause; it restricts the meaning of its subject and does not take commas. “Which” introduces a nonrestrictive clause; it gives extra information, does not restrict the meaning of its subject, and requires commas. You can remove a proper “which” clause and write it as a second sentence without changing the meaning of the first sentence

Using “which” without commas is ambiguous.

For example, news services reported in 1984 that a political party used “which” without commas to make the following statement ambiguous:

“The Party opposes all new taxes which are unnecessary.”

It was not clear whether the statement meant

“We oppose all new taxes, which are unnecessary” [read “We oppose all new taxes; all new taxes are unnecessary]

or

“We oppose all new taxes that are unnecessary” [read “We oppose all new, unnecessary taxes, but does not oppose new necessary taxes”].

The writers either could not agree on the position or wanted the statement to speak to voters of each persuasion.

**28. When using the word “different” when comparing items, say “different from,” not “different than.”**

The same rule applies to “differently.”

**29. Put commas and periods inside quotation marks even when they are not part of the quotation.**

This is the American English rule but not the British English rule. For Judicial Department documents, use the American English rule. For both American and British English, put punctuation that is part of the quotation inside the quotation marks; put

punctuation (other than comma or period) that you add to the quotation outside the quotation marks.

### When to Break the Rule:

- a. **Data Entry Procedures/Search Terms.** When writing instructions for data entry procedures or listing search terms, you may need to put certain codes or words in quotes to tell the reader the exact code or phrase to enter. If that code or phrase does not include a period, putting a period inside the quotes may confuse the reader. Some writers use symbols other than quotation marks for this purpose—<code> instead of “code”. Others have devised other solutions to avoid using a period at all or to avoid putting the quoted material at the end of a sentence.
- b. **Statute/Rule Changes.** To indicate proposed changes to statutes or rules, include in the quotation marks only punctuation that is part of the proposed change. This applies to court rules such as UTCR, as well as to Judicial Department administrative rules.

## 30. Know your hyphens.

Unlike split infinitives, hyphens follow particular rules. Do **not** put a hyphen between an -ly **adverb** and the word it modifies. Hyphenate a phrase that modifies a following noun if the phrase makes sense only as an adjective that modifies the noun, such as

- credit-card application
- high-rent location

American English tends to drop the hyphen after a prefix except when the hyphen is necessary to distinguish one word from another, such as

- recreate/re-create
- prejudicial (bias)/pre-judicial (career)
- resign/re-sign

The internet (we use lower case “i”) has profoundly influenced hyphenation rules. Although internet terms often use(d) hyphens rather than apostrophes to show omissions that result in abbreviations or to combine nouns (e.g., e-mail, e-filing, web-page, on-line), the current trend, both on the web and in American English generally, is to drop the hyphens altogether unless needed to avoid confusion. OSCA has adopted that standard for the Judicial Department website and other OSCA documents.

[See, e.g., <http://www.wired.com/news/culture/0,1284,64596,00.html> and links listed in Guideline 41, below.]

## 31. Know your apostrophes.

Know the difference between possessives and contractions and how to use (or not use) an apostrophe when describing time (as in “giving ten days’ notice”). Take care to proof possessives to be sure the apostrophe is in the right place. A common apostrophe error is using “it’s” (contraction of “it is”) for the possessive “its.” Another common error is

confusing a singular possessive noun with a plural possessive noun. And how to make a noun possessive that ends in an “s” is always tricky. Sometimes it helps to say the sentence aloud to determine how it should look. [That is not always simple. For example, we can easily say “there are three 2s in the English language,” but how to write it to make clear we mean that English has three different words pronounced “to”?]

Do not use apostrophes for plurals that are not possessives. This is an increasingly common and confusing error, especially when using acronyms/initialisms. For example, OSCA often uses acronyms/initialisms when referring to trial court administrators and presiding judges.

**Instead of**     PJ’s and TCA’s [this indicates a singular possessive, not plural]

**say**             PJs and TCAs

### **32. Use two spaces after periods except on web pages and in typeset documents.**

This is a subject of considerable debate. Two spaces after periods is a typewriting convention that originated when typewriters had mono-spaced fonts. One space after periods is a typesetting convention used with proportional fonts. While word-processing programs now offer proportional fonts, many writers and readers are not comfortable with one space after periods in email, correspondence, reports, and other business documents that are not finished by professional typesetters or desktop publishers. Therefore, the OSCA standard is two spaces after periods in OSCA correspondence, policies, and reports that

- do not use full justification, and
- are not finished by professional typesetters or desktop publishers (such as Microsoft Publisher).

The Judicial Department’s *Website Guidelines for Content Authors* has a different standard for webpages. We use one space after periods on our webpages. This is the HTML default.

You can find more information here:

- [http://en.wikipedia.org/wiki/Period\\_\(punctuation\)](http://en.wikipedia.org/wiki/Period_(punctuation))
- <http://desktoppub.about.com/cs/typespacing/a/onetwospaces.htm>
- <http://www.press.uchicago.edu/Misc/Chicago/cmosfaq/cmosfaq.OneSpaceorTwo.html>

### **33. Lists**

- Use parallel structure.
- Use colons only when sentence structure requires a punctuation “stop.”
- Use bullets rather than numbers unless showing priority or quantity or unless needed for reference.
- Make clear whether the statement applies only when all listed items exist or applies when any one listed item exists.

Arrange sentences so that each item in the list has the same form (e.g., noun, noun clause, verb, verb phrase).

**Nonparallel construction:**

The Executive Secretary has the following duties:

- To take minutes of all the meetings, **[infinitive phrase]**
- The Executive Secretary answers all the correspondence, **[sentence]** and
- Writing monthly reports. **[gerund phrase]**

**Parallel construction:**

The Executive Secretary has the following duties:

- take minutes of all meetings,
- answer all correspondence, and
- write the monthly reports.

The bullets in this example are all verbs and all the verbs are in the same tense and “number”—each is the form for a singular noun.

On a related note, when you use verb lists, do not use a colon to split the verb or to split the verb from the subject. A colon is a “stop” and not simply a signal that a list follows.

**Instead of**     The Executive Secretary is responsible to:

- take minutes of all meetings,
- answer all correspondence, and
- write the monthly reports.

**say**             The Executive Secretary is responsible to [not a full sentence – no colon and then add bulleted list]

or

The Executive Secretary must [not a full sentence – no colon and then add bulleted list]

or

The Executive Secretary has the following duties: [here, the colon is a stop after a full sentence, followed by list].

Use bullets rather than numbers (or letters) for simple lists unless

- you want to show items in priority order, or
- you want to make clear how many items apply (e.g., “each notice must include six sections . . . “); or
- the list is long.

Using letters and numbers in short lists slows the reader. For long lists, using a number or letter sequence helps the reader keep track and provides a quick way to refer to a particular item in the list. When using a number or letter sequence to list items, use a period rather than a parenthesis following the number or letter. This is necessary because of the preprogrammed default settings in “Word.”

### 34. **More on Lists: Make lists clear and logical in structure.**

Listing provides white space that separates the various conditions. White space helps the reader's eye both focus and skim efficiently without missing meaning. Regular web users expect this style. Listing can help you avoid the problems of ambiguity caused by the words "and" or "or." When you list, consider these guidelines:

- Use parallel structure. (See example in Guideline 33.)
- List each item to make a complete thought when read with the introductory text.
- If the introductory language for the list is a complete sentence, do all the following:
  - End the introduction with a colon.
  - End each item in the list with a period or no punctuation.
  - Use parallel structure for each item in the list.
  
- If the introductory language for the list is an incomplete sentence,
  - end the introduction with a comma (after a clause, such as in this list) or with no punctuation;
  - end each item in the list except the last item with a comma if there is no other internal punctuation,
    - or
  - end each item except the last item with a semicolon if there is other internal punctuation or (discretionary) you want a "weightier" pause for long items in a complex list;
  - after the semicolon in the next-to-last item in the list, write "and" or "or" as appropriate; and either
  - end the last item in the list with a period
    - or
  - end each item with a period or with no punctuation (and be consistent throughout the document) if
    - the sentence requires only one or more but not all items listed, and
    - each item completes the sentence.

### 35. **More on lists: Use the serial comma.**

In a series of more than two items, separate the items with commas, including a serial comma (a comma before the conjunction). The serial comma eliminates the possibility of misreading and ambiguity.

### 36. **Review the Judicial Department's *Website Guidelines for Content Authors* when writing or editing webpages.**

Some conventions for our website break the rules for other documents. The *Website Guidelines* explain those choices (such as using numerals for all numbers).

**37. Policy/procedure statements.**

When writing policy/procedure statements, follow the conventions listed in the “Policy on Policies,” as well as these standards.

**38. Spelling counts.**

Use your spell checker **and** proofread. Spell check does not catch words that are missing a letter but still spell a word. Pay particular attention to the word “public.” Know the difference between (and among) words that sound alike but are spelled differently. Some commonly confused words include

- they’re, there, their
- where, wear, were, we’re
- its, it’s
- already (has to do with time)/all ready (finished)
- affect (usually a verb), effect (usually a noun)
- lead, led (past tense of lead)
- plead, pled (past tense of plead), pleaded (past tense of plead and the appellate courts’ preferred form)
- assure (make promise to or convince another person), ensure (make certain; usually followed by “that”)

Use the American spelling of the word “**judgment**,” which has no “e” after the “g.” “All right” is two words, not “alright” (although the one-word spelling is becoming accepted in British English).

You can find online resources on lookalike words, including these:

<http://www.mostlybrightideas.com/lookalikes.html>  
<http://www.business-words.com/dictionary/>

**39. Use a checklist and review your draft for each of these principles separately.**

As a writer, you are responsible to edit your writing before asking others to review, edit, and comment. Sometimes editing is more efficient when you edit for one thing at a time—principle, term, format (e.g., outline format, consistent format for headings, emphasized terms). That helps ensure that your document is internally consistent and section numbers follow in order.

**40. When writing for the Oregon appellate courts, follow the Oregon Appellate Courts Style Manual.**

You can find it here:

<http://www.publications.ojd.state.or.us/Style%20Manual%202002.pdf>

It is also a useful writing reference for other Judicial Department documents.

This manual includes citation rules for documents filed in or written for Oregon's Appellate Courts. The citation rules differ somewhat from those in *The Bluebook: A Uniform System of Citation*.

**41. Other Online Resources.**

- *Form and Style Manual for Legislative Measures*, published by Oregon's Office of Legislative Counsel  
<http://www.publications.ojd.state.or.us/Style%20Manual%202002.pdf>

The Office of Legislative Counsel provides the following caution  
<http://www.lc.state.or.us/> – click on “Form & Style Manual” link]:

“Both houses of the Oregon Legislative Assembly follow a uniform system governing the form and style of legislative measures. This system is not set forth in full in the standing rules of either house. However, the uniform system of form and style is set forth in this Form and Style Manual for Legislative Measures, which has been adopted by reference in the standing rules of both houses. Because this manual is based on the rules of two houses, it is sometimes subject to rule interpretation by the parliamentarian of one of the houses [footnote omitted].

“The Oregon Rules of Civil Procedure, promulgated by the Council on Court Procedures and adopted by the 1979 Legislative Assembly and subsequently amended, do not conform to this uniform system of form and style.

“This online edition of the Form and Style Manual for Legislative Measures obviously cannot cover every situation. For form and style questions not covered by this manual, contact the Office of the Legislative Counsel at (503) 986-1243.”

- *Elements of Style*, now in its 4<sup>th</sup> edition (and a musical!)  
The original 1918 version by William Strunk, Jr., is online: at  
<http://www.bartleby.com/141/>

Wikipedia has the following information on the current edition and links to additional resources: [http://en.wikipedia.org/wiki/The\\_Elements\\_of\\_Style](http://en.wikipedia.org/wiki/The_Elements_of_Style)

- Online Dictionaries and Thesauruses (Thesauri)

Most word-processing programs have both a dictionary and thesaurus. Many have grammar and style checkers and measure readability based on a standard “readability index.” A readability index assesses the reading grade level a reader

needs to understand the passage. Again, we strive for no more than an 8<sup>th</sup> grade reading level for public documents.

You can find other dictionaries online by searching the internet for “online dictionary.” Because use, spelling, and punctuation of internet and other technology terms change frequently, the internet has helpful online “internet dictionaries” that you can locate using that search term. Here are a few links:

<http://www.askoxford.com/> (Oxford English Dictionary – a very comprehensive resource)

<http://dictionary.reference.com/> (both dictionary and thesaurus)

<http://www.pcwebopedia.com/> (computer and internet terms)

<http://whatis.techtarget.com/> (computer and internet terms)

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