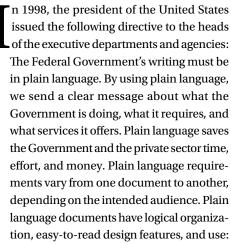
Simplifying **Our Writing**

Choosing Common Words

BY JOHN HISKI RIDGE



- common, everyday words, except for necessary technical terms;
- "you" and other pronouns;
- the active voice; and
- short sentences.¹

As part of the plain language movement, this directive was given to simplify the language in statutes, rules, regulations, and other government documents. And it worked. Many of our laws are now clearer and more readily understood. The movement has also assisted lawyers throughout the country, causing legal educators and writing experts to turn their attention to helping us simplify the language in our briefs, contracts, memos, and letters.

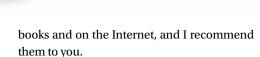
I'm occasionally asked about methods for simplifying our legal writings. This article, which is the first in a series, is designed to do just that. Here we focus on replacing complex words and phrases with words that are easily understood.

Choosing a Common Word

Long before the 1998 presidential directive, Aristotle discussed the need for plain language:

"Style to be good must be clear, as is proved by the fact that speech which fails to convey a plain meaning will fail to do just what speech has to do."2 Said differently, plain language does a better job of explaining and convincing than complex language.

Taking Aristotle's advice to heart, Table 1 contains a list of needlessly complex words and phrases and their plain-language substitutes. There are many similar lists available in grammar



According to Strunk and White's The Elements of Style, the phrase "the fact that" is an "especially debilitating expression" and should be stricken from every sentence in which it occurs.3 Table 2 shows some of the authors' suggestions for improvement.

Revising Colloquialisms and Jargon

To simplify our writing, we should also revise colloquialisms and jargon. Colloquialisms are informal words or phrases that are often used in everyday conversation. They usually have geographic significance but can be misunderstood outside of a particular location. For

TABLE 1

Complex	Plain Meaning
aforementioned	previously stated
a number of	some
as a result of	because
at an early date	soon
at the moment	now
at the present time	now
at this point in time	now
at that point in time	then
be cognizant of	know
by means of	by
come to a decision as to	decide
during the time that	during
elucidate	explain
for the purpose of	to

for the reason that	because
give consideration to	consider
however	but, yet
in accordance with	by, under
in connection with	with
in favor of	for
in order to	to
in the event that	if
make reference to	refer
not the same as	different from
notwithstanding	in spite of, still
on the grounds that	because
orientate	orient
pertaining to	about
prior to	before
promulgate	issue, publish
question as to whether	question whether
reason is because	because
subsequent to	after
termination	end
utilize	use
with reference to	about, concerning
your attention is drawn to	please see

TABLE 2

Complex	Plain Meaning
owing to the fact that	since, because
call your attention to the fact that	remind you, notify you
unaware of the fact that	unaware that
the fact that he had not succeeded	his failure

Source: Strunk and White, The Elements of Style § 17 (4th ed. Pearson 2000).

instance, the words "soda," "coke," and "pop" are each used in different parts of the country to refer to carbonated soft drinks.

Jargon refers to the specialized language used by practitioners in a specific trade or business. Lawyers are especially guilty of using legal jargon, such as "aforementioned," "henceforth," "whereof," in addition to many of the complex words and phrases listed in the tables.

To simplify our writing, we should revise colloquialisms, which can be easily misunderstood. We should also simplify legal and nonlegal jargon, which overly complicates writings.

Conclusion

As I'm learning to improve my writing, I try to follow the fundamental rule that "all tools in a writer's toolbox have value, and all tools will be needed at some time." There will be times when complex words and phrases are needed, or when colloquialisms and jargon have a place. In such instances, clarity will demand their use, and we should not hesitate to use them. But their use should not be the norm. If we work hard to write in plain English, we will improve our clarity, and, our writing will be much more convincing and persuasive as a result.



John Hiski Ridge is a Colorado attorney and professional writer. He has published articles on many topics, including diversity in the workplace, leadership, legal writing, and mountain

climbing. He is a graduate of Boston College, where he earned both his JD and a Ph.D. in philosophy. Ridge is the author of Maggie and Me, a blog that discusses issues facing young adults with disabilities-johnhiskiridge.com. A version of this article first appeared in the June 2023 edition of Wyoming Lawyer. It is reprinted here with permission.

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NOTES

- 1. Clinton, Memorandum for the Heads of Executive Departments and Agencies (June 1, 1998), https://www.govinfo.gov/content/pkg/ WCPD-1998-06-08/pdf/WCPD-1998-06-08-Pg1010.pdf.
- 2. Aristotle, Rhetoric, book 3, ch. 2 (Bekker number 1404b).
- 3. Strunk and White, The Elements of Style § 17 (4th ed. Pearson 2000).