

## **Guidelines to Revising Text into Plain English**

### **\_\_\_\_\_ 1. Draft in singular number.**

Rationale: For clarity unless the noun is undeniably plural

Example: When issues not raised by the pleadings are tried... → When an issue not raised by the pleading is tried...

### **\_\_\_\_\_ 2. Use Base Verbs, Not Nominalizations.**

Rationale: Use of nominalizations makes writing heavy, dull and difficult to process. It makes the noun more abstract and turns it into a process or emotion giving the appearance that nothing is actually happening in the sentence.

Example: We had a discussion about the matter → We discussed the matter.

### **\_\_\_\_\_ 3. Prefer the Active Voice Over the Passive.**

Rationale: To avoid using extra words such as 'was,' and 'by' that make sentences clumsy. Passive voice minimizes the role of the agent (subject).

Example: Costs must be taxed by the clerk → The clerk must tax costs.

### **\_\_\_\_\_ 4. Draft in Present tense and first person.**

Rationale: Draws the listener into the text.

Example: No additional fees will be required → No additional fee is required.

Example: Applicants must send us... → You must send us...

### **\_\_\_\_\_ 5. Use Shorter Sentences. Omit surplus words (about 20 words).**

Rationale: Promotes clarity by encouraging one thought per sentence and eliminating wordiness.

Example: Sentence shall be imposed without unnecessary delay, but the court may, when there is a factor important to the sentencing determination that is not then capable of being resolved, postpone the imposition of sentence for a reasonable time until the factor is capable of being resolved. → Sentence must be imposed without unnecessary delay. But if some factor important to

sentencing cannot be resolved promptly, the court may postpone sentencing for a reasonable time until that factor becomes resolvable.

Example: The fact that she died → her death... He was aware of the fact that → he knew

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## 6. Arrange Your Words with Care.

Rationale: Enhances clarity, logic, and readability. Numbering and listing is helpful.

Example 1: In the interest of expediting decision, or for other good causes shown, a court of appeals may, except as otherwise provided in Rule 26b, suspend the requirements or provisions of any of these rules in a particular case on application of a party or on its own motion. → On its own motion or a party's motion, a court of appeals may-to expedite its decision or for the other good cause-suspend the provisions of any of these rules in a particular case, except as otherwise provided in Rule 26 b

Example 2: A party must make advance arrangements with the clerk for the transportation and receipt of exhibits of unusual bulk or weight, → If the exhibits are unusually bulky or heavy, the party must arrange with the clerk in advance to their transpiration and receipt.

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## 7. Avoid Multiple Negatives

Rationale: Using multiple negatives slows the processing rate

Example: If you don't send your payment we wont be able to... → Please send your payment so that we can...

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## 8. Avoid Simplifiable Jargon

Rationale: Those in the legal profession only, understand Legalese. Use the simplest words that fit the situation.

Example: A judgment for a sum of money → a money judgment

Each court of appeals by action of a majority of the circuit judges → Each court of appeals acting by a majority of its judges in regular active service may...

Upon receipt of → Upon receiving

## \_\_\_\_\_ 9. Avoid “wh” phrases

Rationale: “wh” phrases such as “which is” adds to the listener’s processing time.

Example: Any such motion which is filed... → Any such motion that is filed...

Garner, B. (2002), Guidelines for drafting and editing court rules. Committee on Rules of Practice and Procedure Judicial Conference of the United States.

Introduction to Plain English Campaign. [www.plainenglish.co.uk](http://www.plainenglish.co.uk)