PRESENTED AT

2016 Legal Writing: Precision and Persuasion

May 13, 2016
Dallas, Texas

Looks Matter

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Although court rules dictate some layout and typography choices in legal documents, and long-accepted conventions seem to dictate many others, you still have choices. In this session, we suggest ways to make legal documents accessible and readable on paper or on screen. We're also betting you don't use Microsoft Word to its fullest capabilities—in particular, we'd like to introduce the Styles function and point out some things it lets you do. And we'll offer a few tips that might make Word's grammar checker more useful.

Before we get started, we ought to tell where we learned what we're telling you. These are our favorite books on document design, and two are directed specifically at lawyers.

- Matthew Butterick, *Typography for Lawyers* (2d ed. 2015) <www.typographyforlawyers.com>
- Kevin Dubose, *Legal Writing for the Rewired Brain* (2010)
- Robin Williams, *The Mac Is Not a Typewriter* (2d ed. 2003)
- Robin Williams, *The PC Is Not a Typewriter* (1995)

Laying out the Page

Margins

Most legal documents have 1-inch margins at top and bottom, and we think that's appropriate. Most legal documents have 1-inch margins on the left and right, too, but here we have a suggestion. If court rules and the accepted conventions where you work allow it, you should use larger left-and-right margins. Larger margins make the document less crowded and can improve readability because they decrease the line length, which makes reading more comfortable.[1] Line length is measured in characters, so the font and font size also affect line length, but we'll stop there because we don't want to get too esoteric.

The materials for this seminar are 1.3 inches on the left and right.

Justification

For legal documents, some lawyers prefer justified text (also called "fully justified" text) and others prefer left-aligned text (also called "left-justified" text). Fully justified text creates clean, vertical margins on the left and right, while left-aligned text creates a clean, vertical left margin and a ragged right margin.

Which is better? We're not sure. Here are two better questions:

1. Is it okay to left justify legal documents?
2. If I want to fully justify, is there a way to reduce odd spacing glitches?

The answers are yes and yes.

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[1] Matthew Butterick, *Typography for Lawyers* 140 (2d ed. 2015).

Left-aligned text produces a ragged right margin that looks less formal. Most websites and informal correspondence are left aligned, and even some professional documents are left aligned. The text you're reading now is left aligned.

We think left-aligned text is fine for legal documents, and Butterick says "[j]ustification is a matter of personal preference."[2]

The left-aligned text that looks relaxed to some looks messy and unprofessional to others. The ragged right margin is a vestige of the typewriter, which couldn't produce fully justified text. Once upon a time, only professional printers could fully justify text. Now, with word processors, we can all easily justify our text and give it the look of a professionally printed document. After all, why would you want your text to look like you used a typewriter?

Fully justified text produces neat, vertical margins that create the sense of a line on each side of the text. Justified text tends to look formal and serious—that's why professionally printed documents are often fully justified. For example, nearly all books and most magazines use justified text. The *Dallas Morning News* fully justifies its text and uses hyphenation to reduce odd spacing. The text in the paragraph you're reading now is fully justified.

But the full justification that looks neat and professional to some looks dry and uninviting to others. Butterick doesn't fully justify the text in his legal documents (he's primarily a trial lawyer), and he says full justification "is not a signifier of professional typography."[3] It's the word processors (like Microsoft Word) that are the problem, says Butterick. "The justification engine in a word processor is rudimentary compared to a professional page-layout program."[4]

So the fully justified text in books looks great, but we all know justified text in a Word document often has unsightly gaps and spaces. The "rudimentary" justification engine is struggling to stretch and condense the text to fit the line length. It's those gaps and spaces, by the way, that make fully justified text less readable. Here are two examples:

Left-aligned text
The complaints most often voiced by the law schools against incoming law students are directed to their deficiencies in English and the social sciences, but these criticisms are symptomatic as well as specific. The complaint as to English goes not only to ignorance of grammar, want of style and expression and a scant vocabulary; it is addressed to the unstocked and undisciplined mind that the feeble vocabulary discloses and to the inability to think straight that is revealed by the English used. In the social sciences these difficulties exhibit themselves in the nebulous use of words which are obviously undefined in the student's mind or the

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[2] *Id*. at 134.
[3] *Id.*
[4] *Id.*

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First appeared as part of the conference materials for the
2016 Legal Writing: Precision and Persuasion session
"Looks Matter"