

11 Techniques for Sentence-Level Concision

UTCLE Conference on Criminal Appeals
May 3, 2019

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Why care about concision?

The fewer the words that can be made to convey an idea, the clearer and the more forceful that idea.

David Lambuth, *The Golden Book on Writing*
20 (2d ed. 1983).

And

The fewer the words that can be made to convey an idea, the less time it will take the reader to read the idea.

Why care about concision?

A lawyer asked permission to submit a brief in excess of the page limits. Denied. He submitted his over-long brief anyway. Rejected. So he submitted a brief within the page limit, but he had shrunk the typeface and narrowed the margins. Result?

The court dismissed the case.

*White Budd Van Ness P'ship v.
Major-Gladys Dr. Jt. Venture,
811 S.W.2d 541 (Tex. 1991).*

Why care about concision?

Counsel asked the court for permission to exceed the word limit (4200 words) and simultaneously filed the 5500-word brief. He said the original draft was 8000 words and had been "extensively reviewed with the intent to reduce the length." The court stated, "We gather these efforts were not entirely successful."

The court struck the brief, ordering it rewritten and resubmitted.

*U.S. v. Molina-Tarazon, 285
F.3d 807 (9th Cir. 2002).*

Why care about concision?

A lawyer certified his brief at 13,877 words, just under the limit of 14,000, yet the court's count showed 18,000. He admitted that his brief was too long but said he accidentally counted only the words in the body text, despite the requirement to include headings, footnotes, and quotations.

The court chastised the lawyer in its opinion, denied the motion to file an oversize brief, and dismissed the appeal as frivolous.

*Abner v. Scott Mem'l Hosp.,
634 F.3d 962 (7th Cir. 2011).*

Some of what I'll say today ...

... involves writing-nerd stuff: grammar, mechanics, and so on.

As a lawyer, a professional writer, you should have a high writing IQ.

So some of this involves calling things by their technical names.

How do we feel about that?

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First appeared as part of the conference materials for the
2019 Robert O. Dawson Conference on Criminal Appeals session
"12 Techniques for Sentence-Level Concision"