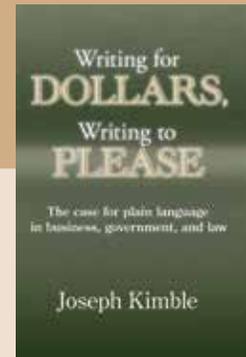


Writing for Dollars, Writing to Please

By Joseph Kimble, published by Carolina Academic Press (2012),
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Reviewed by Frederick Baker Jr.

As a preliminary matter, and in the interests of full disclosure, Joe Kimble, the author of this rather seductively titled book, is a friend of nearly 30 years. We served together almost all that time on the committee that oversees all State Bar of Michigan publications. Joe has for a quarter century edited and nurtured the *Michigan Bar Journal's* "Plain Language" column. Since its humble beginnings in 1984 (when it ran with a photo of the original editor, George Hathaway, with a paper bag over his head, as mock protection from lawyers and judges who considered their prose above reproach), Joe's column has become one of the oldest, most respected, and most influential forums of the plain-language movement. It is the single biggest source of licensed reprint revenue for the *Michigan Bar Journal* and is read, believe it or not, throughout the English-speaking—and now even the non-English-speaking—world.

Joe has become a figure so prominent in the plain-language movement that not many have contributed more to fostering it. He belongs to us, to Michigan, and we should be proud of all he has done. Probably few who daily consult them realize that Joe was the drafting consultant to the committees that revised the Federal Rules of Civil Procedure and Evidence to conform to plain-language principles.

So, with that preface, I will proceed by observing first that this big little book is a closing argument for the cause of clarity and simplicity in legal expression that has consumed Professor Joseph Kimble's professional life. Not that he plans any time soon to lay down the cudgels (at least as far as I know). But it is the summation of a

career dedicated to advancing the ideal of clear writing.

It begins on a personal note, with an account of how he came to realize that, as one writer put it, law books are "the largest body of poorly written literature ever created by the human race." Joe first sought out, and then shared with his students and our profession, the critical insights that he and others achieved into how to fix the problems that bad legal writing causes.

The book includes a six-page compendium of the elements of plain language, which is not, Not, NOT simply about word choice! These six pages alone, which distill principles of written communication reflecting the work and thought of a lifetime, make this book worthy of a place on the credenza of every lawyer and judge in Michigan. If one followed just these precepts, the result would be accomplished writing.

But this is not merely, or even primarily, a how-to book. More importantly, it is a why book. In prose so incisive that it is itself an argument for what he advocates, Kimble dispels the myths about plain language and answers its critics. He at once explains and demonstrates, to the skeptic and the convert alike, why plain writing is not merely a worthy goal, but the highest goal, of any writer. "Plain English," he observes, "is the style of Abraham Lincoln, and Walt Whitman, and Mark Twain, and Justice Holmes, and George Orwell, and Winston Churchill, and E. B. White." Plain words are not only "eternally fresh and fit" (think of the Gettysburg Address), but "they are capable of great power and great dignity."

After surveying the publications of leading plain-language advocates (the book is a virtual bibliography of the movement),

the laws and rules that have been adopted to require plain language in legal drafting, and the organizations that have formed worldwide to advance the cause (even in non-English-speaking countries—the Nordics now preach klarsprach!), Kimble's case reaches a crescendo spoken in our profession's lingua franca: dollars. Plain writing not only increases efficiency, and thereby saves time and money, it empowers the practitioner to attract, satisfy, and retain clients, and so be more successful.

This is a book worth reading, worth study. It is a reference, it is a resource, and it is a relief to one who, like me, is obliged daily to extract from bad writing what the writer intended. But more, it is a man, a man who has made it his mission to make of us better writers than we are. That is not easy, but we owe much to Joseph Kimble, who, whether we realize it, has influenced us, and made each of us, if not better writers, then at least aware that we could and should be. ■



Frederick Baker Jr., a Supreme Court commissioner, served 28 years on the State Bar Publications and Website Advisory Committee, the last 24 as its chair. He now contributes to the Bar

Journal "in retirement" the occasional review of a book by a Michigan author or on a Michigan law-related subject.