

Help Wanted (and Needed!)

By Otto Stockmeyer

This year, 2019, marks the 35th anniversary of the column. It's the longest-running legal-writing column ever—and we're not done yet. My deep thanks to the many, many writers who have contributed over these three and a half decades. —JK

I am not looking for a job. But I have been reading legal help-wanted ads and have noticed something disturbing. Many law-firm help-wanted ads demand excellent writing skills, which is good. But too many of these same ads don't demonstrate such skills, which is bad.

Lack of parallel structure

Take this example: "Prominent Michigan law firm is seeking a motivated associate to join our East Lansing litigation team.... Applicant must have strong academic credentials, excellent writing and organizational abilities." Would that include an understanding of the principle of parallelism?

The Farmington Hills District Court, seeking a judicial clerk, specified: "Candidates

should possess strong oral and written communication skills, computer literacy, and should be a 2d or 3d year student." Parallelism would be improved by writing "should possess strong oral and written skills, and computer literacy, and should be a..."

A Southfield law firm advertised: "Strong writing and organizational skills required.... Candidate should be self-motivated, with a friendly disposition that would enjoy working in a busy and productive office." Again, parallel structure would improve this ungainly sentence. (Notice that the word *that* should probably be *who* and is far removed from the word it modifies, *candidate*.) Thus: "Candidate should be self-motivated, have a friendly disposition, and enjoy working in a busy and productive office."

Unhyphenated phrasal adjectives

A Novi law firm advertised: "Excellent research and writing skills, as well as solid oral communication skills are required." Parenthetical phrases need commas at both ends. And phrasal adjectives require hyphens: *research-and-writing skills*, *oral-communication skills*.¹

In the same week, an ad by a Royal Oak firm sought applicants with "superior writing and advocacy skills" and "ability to handle...a high volume case load," and a Troy firm's ad promised "firm funded pension benefits." Better: *high-volume caseload*; *firm-funded pension benefits*.

Soon after, a Lansing-based insurance company advertised for applicants with "outstanding analytical and communication skills." It stated a preference for persons with experience in "complex high exposure litigation matters." *High-exposure* would better reflect skilled writing. I'd also put a comma after *complex*: the two modifiers (*complex* and *high-exposure*) seem to be coordinate.

Another Lansing law office's ad said: "The ideal candidate should...have superior written and verbal communication skills." Better: *written- and verbal-communication skills*.

Verbal for oral

Several other firms have used *verbal* when they meant *oral*. A Warren law firm's ad said: "Candidate must have excellent verbal and writing skills." A Farmington firm was looking for "excellent verbal and written skills." A Lansing law office advertised: "The ideal candidate should...have superior written and verbal communication skills." A Fenton law firm advertised for a legal assistant with "excellent written and verbal communication skills." And a national insurance company sought a paralegal who possesses "excellent verbal and written communication skills." *Verbal* means "expressed in words," which can be written or oral.² *Verbal for oral* is a common misuse, but if excellence is sought, it should likewise be demonstrated.

Legal-writing guru Bryan Garner recognizes that some people think *oral* has acquired a prurient connotation. "If you think of 'oral' in a narrow sexual sense, you should immediately wash your mouth out with soap," he writes.³ My suggestion: use "writing and *speaking* skills" instead.

Punctuation faults

A family-law firm's ad for a legal assistant said: "Strong phone skills; as well as written and oral communication skills are a must." This sentence would be stronger if the semicolon were a comma and another comma followed the word *skills*. And hyphenate those phrasal adjectives.

Another firm's ad seeking a paralegal with "excellent grammar/communication



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skills” stated: “The firm provides an exceptional benefit package, salary is commensurate with education and experience.” A skilled paralegal would certainly spot and correct the comma splice.

A defense firm sought an attorney “to assist in handling employment claims, professional liability claims and/or construction related claims. Strong writing skills required.” A person with strong writing skills should know that Garner condemns *and/or* as the “crutch of sloppy thinkers.”⁴ And again, good writers hyphenate phrasal adjectives: *professional-liability claims*; *construction-related claims*.

Poor proofreading

A West Michigan firm advertised for someone with “exceptional writing and communication skills. The ideal candidates will be members in good standings [sic] of the State Bar.” It’s just a typo, sure, but exceptional writers catch typos.

A Birmingham law firm’s ad seeking a paralegal stated: “Excellent writing, critical thinking, organizational skills and attention to the detail are crucial.” Let’s hope that the firm finds a person with attention to detail. Judging from the superfluous *the* and the lack of parallelism, the need is manifest.

An ad by a multioffice Michigan law firm seeking an associate attorney contained this

tossed-salad sentence: “Legal research methods and strong writing skills insurance contracts Michigan Court rules Michigan No Fault Law and case law.” Tip: if offered an opportunity to proofread ad copy before publication, take it.

Other problems

A Livingston County law firm looking for an associate attorney printed its 32-word ad in all-capital letters, including “WRITING AND RESEARCH SKILLS ARE NECESSARY.” Garner cautions, “Don’t use all capitals.... There’s always a better way.”⁵ Wikipedia calls attention to research indicating that “all-caps text is less legible and readable than lowercase text...and may appear hectoring and obnoxious” because of its association with shouting.⁶ A skilled writer would know to keep hands off the CAPS LOCK.

Finally, a Lansing-based insurance company sought applicants with “outstanding analytical and communication skills.” Other skills necessary include “the ability to... interface with a variety of personalities.” Garner characterizes *interface* as a vogue word to be shunned, describing it as “a jargonmonger’s word; leave it to computer experts.”⁷ No one with outstanding communication skills would use it.

The teaching of legal writing has markedly improved during my 35-year teaching

career. I suspect that many of today’s law students would note the irony in these ads seeking superior writing skills. Those skills always have been—and demonstrably still are—needed. ■



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contributor to legal periodicals and blogs. This column expands on his article in the Summer 2018 issue of The Scrivener, the Scribes newsletter, and a May 17, 2018 post on the WMU—Cooley Law School blog.

ENDNOTES

1. Kimble, *A Modest Wish List for Legal Writing*, 79 Mich B J 1574, 1575–1576 (2000).
2. Garner, *The Elements of Legal Style* (New York: Oxford University Press, 2d ed 2002), p 145.
3. Garner, *Garner’s Usage Tip of the Day: verbal; oral*, Law Prose <www.lawprose.org/garners-usage-tip-of-the-day-verbal-oral/> (February 1, 2014) (accessed November 14, 2018).
4. *The Elements of Legal Style*, p 103.
5. Garner, *Legal Writing in Plain English* (Chicago: University of Chicago Press, 2d ed 2013), p 150.
6. Wikipedia, *All caps* <https://en.wikipedia.org/wiki/All_caps> (accessed November 14, 2018).
7. *The Elements of Legal Style*, pp 32, 121.

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