2009

Why Punctuation Matters; Part One

David Spratt

Follow this and additional works at: https://digitalcommons.wcl.american.edu/facsch_lawrev

Part of the Legal Education Commons, and the Legal Writing and Research Commons
Why Punctuation Matters: Part One

BY DAVID H. SPRATT

Apparently, I owe a lot to my English teachers. With their assistance, I learned to write reasonably well, and I learned how to punctuate. Some are not so fortunate. Each year, I encounter law students (and lawyers) who were never taught basic punctuation rules or, if taught, never bothered to internalize the rules.

Does punctuation matter? Notwithstanding the plethora of recent articles by fellow grammar nerds (and I use that term lovingly and self-inclusively) bemoaning the death of the semi-colon and more recently-gasp-the apostrophe, punctuation does matter.

As shown by the above examples, a few misplaced commas, a rogue question mark, or a period lurking where it does not belong can seriously alter, if not destroy, the meaning of a sentence or paragraph. Accordingly, if you are punctuationally-challenged, take note as I remind (ahem, teach) you about the basic apostrophe and possessive rules (admittedly, there are exceptions that I am not covering with this short column—hence, the bolded use of the word "basic.")

Shocker, but apostrophes have nothing to do with plurals! Plurals of most nouns (at least in English) are made by simply adding the letter "s." The lawyer did not know how to form a plural noun.

(The above sentence means that only one lawyer did not know how to form a plural noun, which, in fact, is quite aspirational and would make reading some of the documents I read in practice far easier).

The lawyers did not know how to form a plural noun.

(This sentence means that more than one lawyer did not know how to form a plural noun, which, sadly, seems to be the reality, but not for Virginia lawyers, and clearly not for any of the lawyers who are reading this column.)

Instead, apostrophes have two basic uses: 1) to show possession or ownership, and 2) to indicate when letters have been omitted from a word.

Possessives:

Why is it that so many lawyer's have trouble with possessive's?

To show possession:

Add an apostrophe plus an "s" to most singular nouns and to plural nouns that do not already end in "s."

1. Apostrophes are my writing professor's obsession (apostrophes are an obsession possessed by my writing professor).

2. Apostrophes are counsel's least favorite grammar subject (apostrophes are abhorred by many a lawyer; in this instance, counsel is used as a plural noun).

Add an apostrophe plus an "s" to singular nouns that end in "s": Kris's sister

Contractions:

Why cant we all learn the rule's?

Apostrophes are used to show the omission of letters, primarily in contractions. A contraction is a word in which one or more letters have been omitted. Although contractions are informal (and therefore should not typically be used in legal writing), apostrophes take the place of the missing letters:

Don't forget basic punctuation rules = Do not forget basic punctuation rules

I'm the grammar police = I am the grammar police

It's over at last = It is over at last (its without an apostrophe is a possessive pronoun).

Now that you have learned the basics of apostrophes, we are ready to move onto commas—alas, a subject for a future discussion. As always, questions, comments, or suggestions are welcomed (even encouraged!)

David H. Spratt is a professor at The American University, Washington College of Law, where he teaches Legal Rhetoric, Introduction to Advocacy, and Family Law Practice and Drafting. Professor Spratt practiced family law for ten years and is a former chair of the VBA Domestic Relations Section.
2008 Community Service Program Participants

VBA Pro Bono/Community Servants
(100 hours or more of certified pro bono publico legal service and nonlegal community service)

Michael P. Falzone, Hirschler Fleischer, PC, Richmond
A. M. Randolph, Jr., Kaufman & Canoles, P.C., Norfolk
J. Bradley Reaves, Kaufman & Canoles, P.C., Norfolk
Derek Swanson, McGuireWoods, LLP, Richmond
E. Tazewell Ellett, Hogan & Hartson LLP, Washington, D.C.
David B. Rubinstein, Attorney at Law, Fredericksburg
Thomas J. Wallen, Thomas J. Wallen, P.E., Attorney at Law, L.L.C., Fredericksburg

VBA Pro Bono Servants
(50 hours or more of certified pro bono publico legal service)

Ryan G. Ferguson, Kaufman & Canoles, P.C., Virginia Beach
Dannielle C. Hall-McIvor, Kaufman & Canoles, P.C., Norfolk
Andrew W. Oxenreiter, Spotts Fain PC, Richmond
John M. Holloway, III, Hunton & Williams LLP, Richmond

VBA Community Servants
(50 or more hours of certified nonlegal community service)

Michael C. Guanzon, Clement & Wheatley, Danville
R. Braxton Hill, IV, Christian & Barton, LLP, Richmond
William L. Holt, Kaufman & Canoles, PC, Williamsburg
Carolyn M. Grimes, Liebibch & Grimes, PC, Alexandria
Christy Warrington Monolo, Office of the Attorney General, Richmond
Marina Liacouras Phillips, Kaufman & Canoles, PC, Norfolk
Suzanne E. Wade, Boleman Law Firm, PLC, Richmond
Edward C. Minor, Courtland
Anthony W. Basch, Kaufman & Canoles, PC, Richmond
Todd A. Leeson, Gentry Locke Rakes & Moore LLP, Roanoke
Marshall M. Curtis, Whitham Curtis Christofferson & Cook, P.C., Reston
Hon. Rosemarie P. Annunziata, Court of Appeals of Virginia, Fairfax
Hon. Wilely F. Mitchell, Jr., Willcox & Savage, P.C., Norfolk
Hon. Diane M. Strickland, The McCammon Group, Roanoke
Stephen D. Busch, McGuireWoods LLP, Richmond
Frank A. Thomas, III, Shackelford Thomas & Gregg, PLC, Orange
Sakina K. Paige, Wachovia Securities, LLC, Richmond
J. Lee E. Osborne, Carter & Osborne, P.C., Roanoke
Lawrence H. Hoover, Jr., Hoover Penrod PLC, Harrisonburg
James V. Meath, Williams Mullen, Richmond
Prof. Margaret I. Bacigal, University of Richmond School of Law, Richmond
Richard E. Garriott, Jr., Clarke, Dolph, Rapaport, Hull, Brumick, & Garriott, PLC, Norfolk
Hon. Louis K. Campbell, Botetourt Combined, Fincastle
Elizabeth E. Bircher, Susan I. Jean & Associates LLC, Yorktown
Jeanne F. Franklin, Alexandria
B. Webb King, Woods Rogers PLC, Roanoke
Michael J. Quinan, Christian & Barton, LLP, Richmond
David D. Redmond, Christian & Barton, LLP, Richmond
Dana A. Dews, Christian & Barton, LLP, Richmond
J. Edward Betts, Christian & Barton, LLP, Richmond
Peter E. Broadbent, Jr., Christian & Barton, LLP, Richmond
Jennifer M. McLemore, Christian & Barton, LLP, Richmond
Jonathan M. Joseph, Christian & Barton, LLP, Richmond
Robert P. Stenzhorn, Harry Jernigan CPA, Attorney, P.C., Newport News
Virginia H. Grigg, Christian & Barton, LLP, Richmond
Gant Redmon, Redmon, Peyton & Braswell, L.L.P., Alexandria
Gordon P. Peyton, Jr., Redmon, Peyton & Braswell, L.L.P., Alexandria
John F. Rodgers, Redmon, Peyton & Braswell, L.L.P., Alexandria
Robin W. Baxter, Walton & Adams, P.C., Reston
Mark F. Leep, Human Research Law Group, PLC, Richmond
F. Blair Wimbush, Norfolk Southern Corporation, Norfolk

With over 4300 hours serving others in 2008, the Community Service Program has contributed to over 122,000 hours in six years! The 2008 community servants participated in:

Virginia Symphony
Virginia Historical Society
UVA Law School Alumni Association
Bon Secours Richmond Health System Institutional Review Board
National Nanotechnology Research Foundation
Boy Scout troop leader
Virginia Conference Historical Society
Encore Stage & Studio
Southampton Memorial Hospital
Alexandria Day Nursing and Children’s Hospital
Goodwin House Foundation
Richmond City Schools Mentor Program
Legal Information Network for Cancer
Port Emergency Winter Homeless Shelter
Masonic Home of Virginia
VA Home for Boys & Girls
School of Performing Arts for the Richmond Community
Sunday School Teacher
Lynnhaven River Now
Strelitz Diabetes Center
New Neighbors Education Center
Christ Church Foundation
Carpenter’s Shelter
Youth Basketball Coach
ACCESS College Foundation
Norfolk Academy
Community Against Drug Related Activities

And More!