

# ***Facts & Findings* Editorial Guidelines**

## **Audience**

*Facts & Findings* is published bimonthly and includes articles written by lawyers, paralegals, and others concerning substantive legal issues, court rules, current trends and recent developments, as well as articles of general interest to paralegals. The typical reader has 5–10 years of experience as a legal assistant and has a college degree as well as specialized education and/or training in the legal profession.

## **General Guidelines**

Articles should be aimed at paralegals and written in a clear, accurate, and conversational style. Stuffiness is not, in itself, an indication of accuracy or good work. We want *Facts & Findings* articles to be a refreshing departure from the arcane “legalese” and “educanto” that paralegals have to deal with daily.

Use active verbs, spell out the names of organizations the first time they are mentioned (acronyms and abbreviations are acceptable after first mention), and double-check your work for sense as well as spelling. It is important to document your information and cite your sources, but please do so within the text as much as possible to minimize endnotes.

Dozens of books on careful writing are available to discriminating authors, but two widely available references are recommended. *The Elements of Style*, by William Strunk, Jr., and E.B. White is a classic handbook for occasional writers and professional scribes alike. It has been adopted by a number of legal associations for authoritative writing advice. The *Associated Press Stylebook and Libel Manual* is organized alphabetically for fast answers to thorny word usage, capitalization, and punctuation questions. Together, these books comprise a compendium to easy and concise writing which is intelligent and straightforward.

**Focus Articles** dealing with the specific editorial theme of an issue (see schedule) should be 1,000–1,500 words in length. This suggested length is a guideline. Actual length may vary somewhat if necessary.

**General Articles** need not follow the theme of a particular issue, but should be relevant to the paralegal profession. Length should be about 1,000 words, and your presentation may be narrative, informative, or instructional.

## **Departments (“Standing Columns”)**

Submit articles of 600–750 words to the various departments.

**Education**—Focus is on such topics as current issues in paralegal education, continuing legal education, how to learn, and preparation for the CLA/CP examination.

**Ethics Tips**—Focus is on ethical issues pertaining to the paralegal profession.

**TechnoBits**—Focus is on technological issues relevant to the legal profession, including software reviews, Internet tips, and technological developments.

**Professional Development**—Focus is on practice issues and may concentrate narrowly on specific practice areas or broadly on the profession in general.

**Practice Tips**—Focus is on practical advice of use to paralegals in their daily jobs.

## Editorial Prime Directive

Writers and editors of English works have long abided by the following advice by the late author George Orwell. It is the prime directive for our production editing.

1. Never use a metaphor, simile or other figure of speech that you are used to seeing in print.
2. Never use a long word where a short one will do.
3. If it is possible to cut a word out, always cut it out.
4. Never use the passive where you can use the active.
5. Never use a foreign phrase, a scientific word, or a jargon word if you can think of an everyday English equivalent (we often break this rule in the interest of Legalese).
6. **Break any of these rules sooner than say anything outright barbarous.**

## *Facts & Findings* Style Guidelines

These guidelines are primarily a reference for the editorial staff, but authors are encouraged to review them if they wish to understand how manuscripts are reviewed and revised in the interest of consistency, accuracy, and readability...and space requirements.

It is important for authors to understand that NALA reserves the right to edit—heavily if necessary. Such editing is not undertaken lightly. Considerable effort goes into preserving the author’s “voice” during the editing process, and edited manuscripts are returned to authors for review prior to publication to ensure that nothing has been misconstrued. The review process is not intended as an opportunity for authors to completely rewrite, but to correct any substantive errors in the original manuscript or that may have been introduced during production editing.

Authors should keep in mind that it is their *ideas* that are the heart of their article for *Facts & Findings*. Stylish writing is a highly subjective matter, but accurately expressing your ideas is a universally admired attribute.

Authors are referred to *The Elements of Style* by William Strunk, Jr., and E.B. White for an excellent treatise on style. As a desktop reference for questions of style, grammar, and standard usage, the *Associated Press Stylebook and Libel Manual* is hard to beat. It is arranged alphabetically for easy use and is widely regarded as the “Journalists Bible.”

### Acronyms

When introducing an acronym, spell out all the words the first time with the acronym in parentheses; *eg*: United States Public Law (USPL). This acronym might be well known to you, but USPL is most commonly used in connection with the United States Paintball League. Some acronyms, such as IRS, FBI, or USA, are in such common usage that they need not be spelled out unless they refer to other entities. It is unlikely that anyone reading *Facts & Findings* will not know the NALA acronym.

### ALL CAPS (Don’t)

Avoid use of all caps for emphasis in text. Use *italics* instead. This may become a flexible call if an author is *adamant* and can make a reasoned argument for all caps. The use of all caps is

typographically “clunky” and is proven by eye-scan studies to be more difficult to read than cap and lowercase.

### **America and United States**

Although commonly misused, “America” is a continent (actually two continents), not a nation. The nations in North America are the United States of America, Canada, and Mexico. Do not refer to the United States as “America” unless there is a compelling rhetorical reason. Always spell out United States on first mention unless used as an adjective (*eg*: she was a US citizen working for a US government agency in the United States). Note that “US” is no longer punctuated. When referring to a rule, law, or condition that applies to all the contiguous states, write “nationwide,” not “across the United States.”

### **And vs. &**

Use of the ampersand (&) is reserved for parenthetical and tabular text. It may sometimes be suitable in a headline, but for the most part, use “&” only as part of a firm name or title (*eg*: Abercrombie & Fitch).

### **Author Biographies**

These are set in a sans serif font several points smaller than the article text.

### **Bylines**

First letter is capitalized (*eg*: By Elmo Smark). The font is italicized and is not punctuated.

### **Capitalization**

Capitalize “Association,” “President,” “Board of Directors,” etc. only when used as proper nouns. A fair test for this is if the word is preceded by “the,” “that,” or “this” (*eg*: “this Association stands for fairness in all such matters, whereas another association might not”).

### **Chair**

The style adopted by NALA is to truncate “chairman” to the gender neutral “chair.” The preceding capitalization rule also applies here (*eg*: “She was Ethics Chair for two consecutive terms and also chaired a number of other committees.”)

### **Colons**

Purists will object, but common usage for this punctuation has become simply to prepare the reader for something to follow: often a list. *Facts & Findings* style also uses the colon after the Latin abbreviations in parenthetical references (*eg*: *ie*:). This departs significantly from academic style, but is a cleaner and tighter way to punctuate the Latin abbreviations.

### **Company Names**

Since *Facts & Findings* is oriented to matters of legal interest, the full legal name of companies and law firms, including their corporate structure (*eg*: LLP, PC, etc.) should be used in the first reference. Subsequent references need not include the corporate structure letters.

### **Compound Words**

The trend in writing is to eliminate the use of hyphens in double words used as adjectives, and to combine double words into a single compound word. For example, there is no need to write: “he was a down-home kind of guy.” Just let the “down home” stand as two words. It is unlikely that a reader would interpret this as a guy living in a home made of down). As the language evolves, this expression will undoubtedly become downhome.

### **Contractions**

Do not use contractions on first mention, but you don't need to avoid them completely thereafter as long as they are not distractingly informal. "It's" is always a contraction for "it is," never possessive as in "its fit was loose."

### **Copyright**

*Facts & Findings* authors retain original copyright to their articles, and the entire magazine is copyrighted by NALA. When the United States joined the Berne Convention (March 1, 1989), the requirement to use the copyright symbol (©) was eliminated. The copyright notice on the *Facts & Findings* boilerplate page is all the formal notice needed.

### **Credentials**

Paralegal credential abbreviations (*CLA, CP, APC, CLAS, ACP*) are set apart from the name by a comma and italicized. This is strictly a style issue that both emphasizes the importance of the credential and adds visual interest to the text. The credential for lawyers is "Attorney," spelled out. We will defer to those who insist upon the "Esq." in their bylines. Academic credentials such as PhD, MBA, BA, EdD, etc., are no longer internally punctuated.

### **Dashes and Hyphens**

There are three kinds. First, the normal hyphen is used for words such as e-mail, or to separate syllables in a word at the end of a line. Next, the "n-dash" is slightly longer and is used in place of "through" for expressions such as "pages 1–20." Last, the "m-dash" is the longest and is used for an emphatic pause in a sentence (*eg*: The attorney blustered and sputtered—obviously at a complete loss for words.) Do not put extra spaces before or after dashes and hyphens. All extra spaces have to be stripped out by the production editor—a tedious, time consuming, and costly effort.

### **Editors' Notes**

Editors' notes may be added at the top of an article or at the bottom, depending upon the nature of the information to be conveyed. They are set in a sans serif font several points smaller than the regular text.

### **Exclamation Points**

Use the "!" only when the text is truly exclamatory. For the most part, you should pretend that this mark does not exist on your keyboard.

### ***Facts & Findings***

The magazine title is italicized upper and lower case, whether spelled out or abbreviated as *F&F*.

### **Footnotes and Endnotes**

Except in formally juried academic, scientific, technical, and medical journals, the trend, even in scholarly works, is to avoid footnotes and endnotes as much as possible. In *Facts & Findings*, blend documentation of sources into the text when possible, or use parenthetical documentation according to Modern Language Association (MLA) style for brief documentation. If original sources must be cited in extensive detail, use the endnotes style included with these guidelines.

A significant supplement to this rule involves long Website URL addresses that require more than a single line of magazine text. Such addresses should be placed as an endnote.

### **Foreign Terms**

Avoid gratuitous use of foreign expressions when an English term will work as well. For example: "reason for being" works as well as "*raison d'être*". Foreign words, including Latin

terms and abbreviations such as *pro bono*, *quid pro quo*, *voir dire*, *etc.* should be italicized. Foreign words that have been absorbed into common English usage (*eg.*: *resumé*) need not be italicized. Abbreviations such as *ie.*, *eg.*, *etc.* should be italicized. Use colons with “*eg.*” and “*ie.*” and a period after *etc.* Internal punctuation is evolving out of virtually all abbreviations. Correct diacritical markings should be used with foreign words such as *mañana*, or *Cañada* (so that the California locale is not confused with the country of Canada).

### **Headlines and Subheads**

Authors’ suggestions for headlines and subheads are welcome. Short is better than long, and the final decision for these lies with the editorial staff. As a general rule, headlines and subheads should be limited to four words.

### **He/She**

Articles should refer to a person, lawyer, legal assistant, *etc.* as “he” or “she,” or “he/she” if the gender is unknown. It has become politically incorrect to select one gender over the other, and it is just plain incorrect to refer to a singular person as “they.”

### **Humor**

Humor may be the most difficult genre in writing. What may seem uproariously funny and pithy to the author may come across to most readers as simply silly. If humor must be used in an article, be conservative and restrict the writing to occasional wry remarks. Authors named Dave Barry may ignore this advice.

### **Hyperlinks**

Do not embed hyperlinks in manuscript text. These links automatically launch a Web browser when clicked. They make editing and layout difficult. Microsoft Word™ defaults to automatically converting an e-mail or URL address to a hyperlink, but there is a menu option that allows authors to cancel the hyperlink function without actually removing the Internet address.

### **Internal Punctuation**

This is still difficult for many traditionalists, but the language is constantly evolving and internal abbreviation is going away in everything from PhD and US to *eg.*: and *ie.* The Internet has had some influence on this trend with the importance of the “dot” and other punctuation, including underscores, in e-mail and Website addresses.

### **Internet Terminology**

Internet and the “Web” in Website are proper nouns to be capitalized. E-mail should be hyphenated, and although it may seem excessively cute, “dot.com” actually has a dot in it. “Website,” “online,” and “offline” are written as single words.

### **Italics**

Use Italics for titles of books, magazines, films, and case titles. Individual articles within publications are set off with quotation marks (*eg.*: the seventh chapter in *The Hobbit* is “Queer Lodgings.”)

### **Legal Citations**

A reference to a specific legal case (*ie.*: *Kramer v. Kramer*) should be in italics.

### **Lists**

Lists may be presented with numbers, bullets, or with the initial three or four words set in bold. If a list item is a complete sentence, it should have a period and the other items in the list should also be complete sentences with periods. If all list items are sentence fragments, then no periods are needed.

## **Manuscripts**

Digital manuscripts may be submitted as e-mail attachments or on a CD sent by mail. Magnetic media are no longer accepted. Hard copy manuscripts will only be accepted if arrangements are made ahead of time with the editor. Microsoft Word and WordPerfect™ are the preferred applications, but Rich Text Format (RTF), straight text (TXT), and Portable Document Format (PDF) may also be accepted if arranged in advance with the editor.

## **More Than/Over/Under**

Use “more than” when expressing a number, amount, or dimension larger than a given number (*eg*: there were more than 150 lawyers in the room). Do not use “over” unless it refers to a physical position. Likewise, use “less than” rather than “under.” Use “older than” or “younger than” rather than “over” or “under” when defining ages. Reserve the “under” and “over” prepositions for directional references (*eg*: “over the top”) or in well-worn expressions such as “over stated.”

## **NALA Campus**

This is spelled as two words except when referring specifically to the Website URL (nalacampus.com).

## **NALA Campus LIVE!**

Yes, “LIVE!” is all caps and has an exclamation point. After first reference, the program may be referred to simply as “LIVE!” (*eg*: The NALA Campus LIVE! program was instantly accepted, and all who participated in the LIVE! presentations were impressed.) This is purely an issue of style and branding.

## **Noon/Midnight**

Do not put a “12” in front of noon or midnight (see “Time”).

## **Numbers**

Single digit numbers should be spelled out. All others should be written as Arabic numerals unless the number begins a sentence, or the number refers to millions of dollars (*eg*: \$10 million). Roman numerals are used only when so used in their original source (*eg*: *Title IX*). The use of Arabic numerals exclusively in charts, tables, and headlines is acceptable. Do not insult the readers’ intelligence by using parenthetical numerals to confirm a spelled out number, as in “there were three (3) Stooges.” If you are using several adjacent numbers in a sentence, do not mix numerals and words, but use all numerals (*eg*: “There were 4–20 blackbirds...”

## **Paragraphs**

Indent the first line of paragraphs, but do not use extra space between paragraphs. Except when quoting from legal, official, or historical documents, paragraphs in a magazine column format are kept short in the editing process to give readers’ eyes a place to anchor and make reading more comfortable.

## **Percent vs. %**

Spell out “percent” in text, and use the symbol “%” in charts and tables. The symbol may also be acceptable for some headlines.

## **Persona**

Write articles in third person unless it is an invited editorial or a personal perspective type story. Excessive use of personal pronouns, especially “I,” and “me,” in print tends to imply an inflated ego. Likewise, “You” and “your” works in limited use, but tends to cloy if overused.

## **Publicity Photos**

Professional studio portrait publicity photos are greatly preferred. These do not need to be “glamour” shots, but the professionalism in studio photos comes through strongly in magazine production. Passport photos and informal snapshots of the author backed up against a wall, curtain, or bookshelf rarely do the subject justice. Photos should be submitted as high resolution (300 dpi) color JPEGs (or TIFFs) two inches wide attached to an e-mail. An original hardcopy photo is also acceptable and will be returned to the owner after it is scanned for the magazine.

## **Quotation Marks**

Other than to indicate verbatim quotations, quotation marks may be used to indicate a word used in an unusual way or with a different meaning (*eg*: these are more than “toys” in the modern courtroom). This need only be done on first use of the term. It may be assumed that the reader will know your meaning from that point on.

## **Rhetorical Clichés**

Rhetoric is a wonderful thing both in speech and writing. However, clichés that can make spoken presentations sparkle are gone in a flash, whereas the written word is there to stay and risk marking the writer as unprofessional. A good example: “*It goes without saying* that the deadlines must be met.” If this statement truly “goes without saying,” then don’t say it. Conversely, if “the deadlines must be met” needs to be said, then it makes no sense whatever to precede it with “it goes without saying.”

## **Rhetorical Questions**

Avoid them and get straight to your answer. Readers want answers, not questions. Rhetorical questions are wonderful tools to grasp listeners’ attention in speeches, but they are usually just irritating to readers. From time to time, rhetorical questions work in magazine writing, but it is rare.

## **Semicolons**

Except to separate clauses with internal comma punctuation, forget you ever heard of semicolons. Just use a period and write another sentence.

## **Spell Checker**

“*The spilling checker on your word processing application is absolutely fuel proof.*” Obviously, you cannot depend on spelling checkers. Just because a word is spelled correctly does not mean it is the right word. By all means run your spelling checker, but pay attention to the context and proofread for sense as well as spelling.

## **Succinct Sentences**

Short and punchy sentences are easier to read and generally more effective in communicating than compound, complex sentences. Avoid run-on sentences such as are commonly found in legal writing. Beware, however, of overly “choppy” sentences that give a *Dick and Jane* feeling to the narrative (*eg*: “Look at Spot. See Spot Run.”).

## **Telephone Numbers**

Avoid telephone numbers unless absolutely necessary (a published wrong number can precipitate a crisis—and possibly a lawsuit). Follow official telephone company display of numbers using hyphens rather than the former practice of separating the area code from the rest of the number with parentheses (*eg*: 918-587-6828, not (918) 587-6828). Do not use dots.

## **Time**

Omit the “:00” for even times such as 6 a.m. or 4 p.m. When minutes must be indicated, write 6:15 a.m. or 4:25 p.m. When indicating a range of time, use a.m. or p.m. only once (eg: 8:30–10:00 a.m. or, if the range crosses noon or midnight, 8:30 a.m.–1:00 p.m. Noon and midnight require no meridian reference.

### **Typography**

Authors should not be concerned with typography beyond using a common font such as Times or Times New Roman for the original manuscript. Your computer is not a typewriter—do not double space after a period and do not double return between paragraphs. Use true open and close quotation marks (“” and ‘’), not the double prime and prime marks (" " and ' '). Your word processing application’s alternate keyboard prompt will show you the proper keystrokes for these characters.

### **Trademark Symbols**

The trend in most popular publications, and even textbooks, is to eliminate the trademark and service mark symbols from text. In *Facts & Findings*, if an article deals specifically with intellectual property matters, then use of the symbols may be appropriate—just be sure they are correct. Use the ® immediately following first reference of a registered company such as Microsoft,® and use the “TM” after the first reference of an actual product such as Word™ or PowerPoint.™ Use of the registered trademark or copyright symbols in subsequent mention is not needed.

### **“v.” Versus “vs.”**

In reference to case law, use the conventional legal style of “v.” In ordinary English, the “vs.” should be used.

## **NALA Endnotes Style**

As a uniform guide, *Facts and Findings* has adopted the Modern Language Association’s *MLA Handbook for Writers of Research Papers*. For complex legal citations our authority is *Columbia Law Review: A Uniform System of Citation*, (16th ed. Cambridge: Harvard Law Rev. Assn., 1996). The *Uniform System of Citation Bluebook*, a common law office reference, also is useful.

Using endnotes, writers refer their readers to citations and references using a number at the end of a sentence, phrase, or clause containing the language or idea requiring citation. The number appears in the text as a superscript at the end of the sentence with no space between the period and the superscript number. The endnotes appear at the end of the manuscript with their corresponding superscript numbers and are written with the first line indented.

An endnote has four main divisions: 1) the author's name will appear in normal first/last order, separated from the other information with a comma, 2) referenced publication titles are italicized (*The Wall Street Journal*), and article titles are placed inside double quotation marks, 3) publication information (City: Press, year) appears in parentheses, and 4) page numbers are last. No period is used until the end of the citation.

**Authors are encouraged to simply incorporate references and attributions into the text**, and to avoid repetitive endnote references where an initial citation will serve. The editors reserve the prerogative to change endnotes to conform to *Facts & Findings* style.

—Examples—

**Book**

<sup>10</sup>Ronald E. Pepin, *Literature of Satire in the Twelfth Century* (Lewiston: Edwin Mellen Press, 1988) 78.

**Magazine or Journal**

<sup>11</sup>Frederick Barthelme, "Architecture," *Kansas Quarterly* 13.3-4 ('98): 77-78.

**An Unpublished Dissertation**

<sup>12</sup>Carol Sakala, "Maternity Care Policy in the United States: Toward a More Rational and Effective System," diss., Boston U, 1993, 34.

**Newspaper**

<sup>13</sup>Catherine S. Manegold, "Becoming a Land of the Smoke-Free, Ban by Ban," *New York Times* 22 Mar. 1994, late ed.: A1.

**Subsequent References**

<sup>14</sup>Pepin 85.

**Legal Source**

<sup>15</sup>*United States v. MacDonald*, 531 F.2d 196, 199-200 (4th Cir. 1976), *rev'd*, 435 US 850 (1978).

**Internet Source**

<sup>16</sup>Octovian, ed. Frances McSparran, *Early English Text Soc.* 289 (London: Oxford UP, 1986), online, U of Virginia Lib., Internet, 6 Apr. 1994.