

Concrete Ways to Improve Your Legal Drafting¹

By

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for the

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¹ The origin of much of this presentation and paper is the “*Style Manual for Ordinances Amending the Dallas City Code* (1974) by former Dallas City Attorney Analeslie Muncy. In turn, that manual was based in part on F. Reed Dickerson, “*The Fundamentals of Legal Drafting*” (1965) and *A Manual on Style for Texas Legislative Documents* (1972). Some of the items on the lists in this paper come from books or papers or both by Kenneth A. Adams, Chad Baruch, Christy Benson, David R. Bowers, Peter Butt, Robert P. Charrow, Veda R. Charrow, Morris Cohen, T. Selden Edgerton, Myra K. Erhardt, John D. Feerick, Rudolf Flesch, H.W. Fowler, Bryan A. Garner, Robert Graves, Alan Hodge, Alan M. L. Jones, James J. Kilpatrick, Joseph Kimble, David Mellinkoff, Kathy McGinty, Thomas A. Murawski, the Plain Language Action and Information Network (PLAIN), Mark K. Osbeck, the Office of Legislative Counsel for the U.S. Department of Justice, Judge Mark P. Painter, Nicholas N. Plasterer, Janice C. Redish, Matthew Salzwedel, Justice Antonin Scalia, Wayne Schiess, Sally Spurgin, Tina L. Stark, William Strunk, Jr., Cheryl M. Stephens, J. Alexander Tanford, the U.S. National Archives and Records Administration, the U.S. Securities and Exchange Commission, Eugene Volokh, E.B. White, Nick Wright, Richard C. Wydick, and William Zinsser. I dedicate this paper to my two favorite editors: Mary Helen Bowers and David R. Bowers.

Introduction

The lists in this paper supplement the powerpoint presentation given at the Summer Conference of the Texas City Attorneys Association on June 19, 2014. All these lists contain suggestions (as opposed to mandates) and exceptions exist to almost all the suggestions.

Archaic Terms to Avoid

You usually should avoid using these archaic terms. The list of “Preferred Substitutes for Wordy Phrases” in this paper contains alternatives for many of these terms.

above [as an adjective]
above-cited
above-listed
above-mentioned
afore-granted
aforementioned
aforesaid
aforethought
albeit
and/or
anent
annexed [in the sense of “attached”]
anon
arguendo
as regards
avouched
attached please find
aught
be advised
be it remembered
before-mentioned
belied
belike
below [as an adjective]
below-mentioned
bestow
betwixt
bounden
burthen
catarrh
comes now
dehors the record
depecage
ensue

et al.
et ux.
forbear
forebears
forswear
forsworn
foregoing
forenoon
forthwith
fraudfeasor
further affiant sayeth not
gainsay
gotten
henceforth
hereabout
hereafter
hereby
herefor
herefrom
herein
hereinabove
hereinafter
hereinbefore
hereon
hereto
heretofore
hereunto
hereupon
herewith
hitherto
howbeit
ifsoever
imbibe
implead
in lieu
in no wise
in point of fact
inasmuch as
insofar as
instanter
inter alia
issue [for children]
know all men by these presents
now comes
nought
party of the first part

peradventure
perchance
peruse
please be advised
pled
post hoc
premises [in the sense of matters already referred to]
provided that
quashal
quoth
redound
residue
said [as a substitute for “the,” “that,” or “those”]
saith
same [as a substitute for “it,” “he,” “him,” etc.]
sayeth
such [person, place, or object]
surcease
thereabout
thereafter
thereby
therefor
therefrom
therein
thereinafter
thereinbefore
thereinto
thereof
thereon
thereout
thereto
theretofore
thereunto
thereupon
therewith
thitherward
to wit
under-mentioned
undersigned
unto
viz.
withal
whatsoever
whencesoever
whensoever
whereagainst

whereas
whereat
whereby
wherefore, premises considered
wherefore
wherein
whereinsoever
whereinto
whereof
whereon
whereout
wheresoever
wherethrough
whereuntil
whereupon
wherewith
whichsoever
whither
whithersoever
whitherward
whomsoever
whosoever
within-named
witnesseth

Buzzwords and Jargon to Avoid

You usually should avoid using these buzzwords and jargon.

24/7/365
Accessorize(d)
Alegal
Alignment
Analytics
Asylee
At the end of the day
Attitudinally
Back-end
Balancing test
Ballpark figure
Bandwidth
Benchmarking
Best practices
Big society
Bottom line
Brand

Break through the clutter
Brick-and-mortar
Bring to the table
Building capabilities
Buzzword
Certworthy
Clear goal
Client-centric
Cloud Computing
Co-opetition
Constructive criticism [or engagement]
Convergence
Core competency
Cost-benefit analysis
Cost effective
Cost-efficient
Countless
Crowdsourcing
Customer-centric [also customer-centric mindset]
Definitely
Dialogue
Dimension
Disrupt
Diversity
Downsizing
Drinking the Kool-Aid [trusting in things offered by authority figures]
Eating your own dogfood [use a product yourself which you sell to others]
Empowerment
Enable
Entitlement
Enterprise
Event horizon
Environment [when used to modify nouns, such as “work environment”]
Epic
Escalate [in the sense of “intensify”]
Eventuate
Exit strategy
Exposure [in the sense of “liability”]
Eyeballs
Face time
Facepalm
Finalize
Framework
Free value
Fulfilment issues
Game-changer

Generation X
Globalization
Granular
Grow [as in "grow the business"]
Having said that
Headquarters [as a verb]
Herding cats
Holistic (approach/integration)
Hopefully
Hyperlocal
Ideation
Impact [as a verb]
Impactful
In the last analysis
Incentivize
Information society
Input
Interface [except in computer contexts]
Invested in
Jailbreak
Leverage [used as verb to mean magnify, multiply, augment, or increase]
Lifestyle
Long tail
Low hanging fruit
Make it pop
Management visibility
Matrix [except in computer contexts]
Meaningful
Mirandize
Milestone
Mindshare
Mission critical
Moving forward
Need-to-know basis
New economy
Next generation
Off-putting
Ongoing
On the cutting edge (or leading edge)
On the runway
Operational
-oriented, -orientated
Organic growth
Outside the box
Overall
Overly

Pain point
Paradigm
Paradigm shift
Parameters [except in computer or math contexts]
Personalize
Plutocracy
Point in time
Political capital
Price-point
Prioritize
Pro-active and Proactive
Process [in the sense of “to process a claim or dispute]
-pronged test
Reach out [as in "reach out to him for support"]
Really
Realistic
Reconceptualize
Realistic
Robocall
Run like a business
Sea change [transformation]
Sick [as in a really good performance]
Socialist
Solution
Sourced
Spin-up
Stakeholder
State-of-the-art
Streamline
Superinjunction [court order preventing press from reporting a story and saying order exists]
Survival strategy
Sustainability
Synergy
Tax-wise
Takeaway
-tiered analysis
Thrust [as a noun]
Touchpoint
To process [a claim or dispute]
Truthiness
Unfollow
Updated
Utilize
Value-added
Viability
Visibility

Wait-and-see-attitude
Warfighter
Wellness
Win-win
-wise [in the sense of “liability-wise” or “crime-wise”]
Worst-case scenario
YOLO [You Only Live Once]

Empty Phrases to Avoid

You usually should avoid using these empty phrases. The list of “Preferred Substitutes for Wordy Phrases” contains alternatives for many of these phrases.

ages of
amount of
as far as ___ is concerned
as stated previously
at a meeting
at least as far as ___ is concerned
be it remembered that
clearly
consideration should be given to the possibility of carrying into effect
corner of [two streets]
distance of
duly
hereby
held [in the sense of took part in a meeting or conversation]
hold [in the sense of take part in a meeting or conversation]
hours of
I might add
I respectfully suggest that
I should note here that it would be helpful to remember the fact that
I would add
I would argue that/like to point out
insofar as ___ is concerned
in my considered opinion
in order to
in terms of
in the case of
in the first instance
in the process of
in the last analysis
in this regard it is of significance that
incontestably
intersection of [two streets]
it has been determined that

it is
it is also of importance to bear in mind the following considerations
it is apparent that
it is beyond dispute
it is clear that
it is herein provided that
it is important to add that
it is important to note
it is important to point out
it is important to remember that
it is interesting to note
it is interesting to point out
it is noteworthy that
it is respectfully suggested that
it is ___'s position that
it is submitted that
it may be recalled that
it might be said that
it seems
it seems to me that
it should be noted that
it should not be forgotten that
it would appear that
it would be helpful to remember that
located on
may I respectfully suggest that
meet
met
month of
my sense is that
my thought is
none whatever
now these presents witness that
now, therefore
obviously
on a ___ basis
overly
patently
period of
personally
plainly
presently
respectfully suggest
respective
respectively
situated at

sum of
the course of
the fact that
the month of
the use of
there are
there is
total of
undeniably
undoubtedly
vicinity of
wherefore, premises considered
years of age
years old

Old Redundant Phrases to Avoid

You usually should avoid using these redundant phrases. When a term is bolded, you usually should use that term. The list of “Preferred Substitutes for Wordy Phrases” in this paper contains alternatives for many of these phrases.

Absolute and unfettered discretion
Acknowledge and confess
Act and deed
Agree and covenant
Aid and abet
Aid and comfort
All and every
All and singular
Alter or change
Annul and set aside
Any and all
Approve and accept
Assume and agree
Authorize and direct
Authorize and empower
Authorize and require
Bind and obligate
Break and enter
By and between
By and under
By and with
Cancel, annul, and set aside
Cease and come to an end
Cease and desist
Chargeable and accountable

Claim and demand
Confess and acknowledge
Conjecture and surmise
Convey, embrace, and include
Convey, transfer, and set over
Covenant and **agree**
Covenant and promise
Covenant and surmise
Covenants and obligations
Deem and consider
Desire and require
Do and perform
Due and owing
Due and payable
Each and all
Each and every
Entirely and completely
Estate and interest
Final and conclusive
Finish and complete
First and foremost
Fit and proper
Fit and suitable
For and during the period
For and in behalf of
For and in consideration of
Force and effect
Fraud and deceit
Free and clear
Free and unfettered
From and after
Full and complete
Full faith and credit
Full force and effect
Furnish and supply
Give and grant
Give, devise, and bequeath
Good and sufficient
Goods and chattels
Grant and convey
Grant, bargain, sell, and convey
Had and received
Have and hold
Have and obtain
Heed and care
Hold and keep

Hold, perform, observe, fulfill, and keep
If and when
In good order and repair
In lieu, in place, instead, and in substitution for
In my name, place, and stead
In my stead and place
Intents and purposes
In truth and in fact
Just and reasonable
Keep and maintain
Kept and performed
Kind and character
Kind and nature
Known and described as
Known and distinguished as
Last will and testament
Let or hindrance
Lewd and lascivious
Liens and encumbrances
Lot, tract, or parcel of land
Lying and situated
Made and entered into
Made and provided
Made, ordained, constituted, and appointed
Maintenance and upkeep
Make, publish, and declare
May have access to and examine
Means and includes
Mentioned and referred to
Meet and just
Mind and memory
Modified and changed
Name and style
Null and void and of **no legal** force and **effect**
Of and concerning
Ordain and establish
Order and direct
Ordered, adjudged, and decreed
Over, above, and in addition to
Over and above
Pardon and forgive
Part and parcel
Pay, satisfy, and discharge
Peace and quiet
Perform and discharge
Perform or observe

Possession, custody, and control
Power and authority
Premeditation and malice aforethought
Quiet and peaceable
Ratifying and consenting
Relieve and discharge
Remise, **release**, and forever quitclaim
Represents and warrants
Request and demand
Rest, residue, and remainder
Revoked, annulled, and held for nought
Right, title, and **interest**
Rules and regulations
Save and except
Seized and possessed
Sell and assign
Shall and will
Shall have and exercise [the power]
Shun and avoid
Signed, sealed and delivered
Situating, lying and being in
Sort or kind
Sole and exclusive
Stand, remain, and be in full force
Suffer or permit
Supersede and displace
Terms and conditions
Then and in that event
Transfer and assign
True and correct
Truth and fact
Truth and veracity
Type and kind
Uncontroverted and uncontradicted
Under and subject to
Understood and agreed
Undertake and agree
Unless and until
Vague, nonspecific, and indefinite
Void and of no effect
Void and of no force
Void and of no value
Void and of non-effect
Various and sundry
Ways and means
When and as

Will and testament
Within and under the terms of

Modern Redundant Phrases to Avoid

You usually should avoid using these redundant phrases. When a term is inside parentheses, you usually may remove that term without harm.

A

(absolutely) essential
(absolutely) necessary
actively (engaged)
(actual) facts
advance (forward)
(advance) planning
(advance) preview
(advance) reservations
(advance) warning
add (an additional)
add (up)
(added) bonus
(affirmative) yes
(all-time) record
alternative (choice)
A.M. (in the morning)
(and) etc.
(anonymous) stranger
(annual) anniversary
(armed) gunman
(artificial) prosthesis
ascend (up)
ask (the question)
assemble (together)
attach (together)
ATM (machine)
autobiography (of his or her own life)

B

bald(-headed)
balsa (wood)
(basic) fundamentals
(basic) necessities
best (ever)
(binding) contract
biography (of his--or her--life)
blend (together)

(boat) marina
bouquet (of flowers)
brief (in duration)
(brief) moment
(brief) overview
(brief) summary
(burning) embers

C

cacophony (of sound)
cameo (appearance)
cancel (out)
(careful) scrutiny
cash (money)
circle (around)
circulate (around)
classify (into groups)
(close) proximity
(closed) fist
collaborate (together)
combine (together)
commute (back and forth)
compete (with each other)
(completely) annihilate
(completely) destroyed
(completely) eliminate
(completely) engulfed
(completely) filled
(completely) revoke
(completely) surround
(component) parts
confer (together)
connect (together)
connect (up)
confused (state)
consensus (of opinion)
(constantly) maintained
cooperate (together)
could (possibly)
crisis (situation)
curative (process)
(current) incumbent
(current) trend

D

depreciate (in value)

descend (down)
(desirable) benefits
(different) kinds
disappear (from sight)
drop (down)
during (the course of)
dwindle (down)

E

earlier (in time)
(early) beginnings
eliminate (altogether)
emergency (situation)
(empty) hole
empty (out)
(empty) space
enclosed (herein)
(end) result
enter (in)
(entirely) eliminate
equal (to one another)
eradicate (completely)
estimated at (about)
evolve (over time)
(exact) same
(excess) verbiage
(exposed) opening
(expressly) mandated
extradite (back)

F

(favorable) approval
(fellow) classmates
(fellow) colleague
few (in number)
filled (to capacity)
(final) conclusion
(final) end
(final) outcome
(final) ultimatum
(first) conceived
first (of all)
fly (through the air)
follow (after)
(foreign) imports
(former) graduate

(former) veteran
(free) gift
(from) whence
(frozen) ice
(frozen) tundra
full (to capacity)
(full) satisfaction
fuse (together)
(future) plans
(future) recurrence

G

gather (together)
(general) consensus
(general) public
GOP (party)
GRE (exam)
green [or blue or whatever] (in color)
grow (in size)

H

had done (previously)
(harmful) injuries
(head) honcho
heat (up)
HIV (virus)
hoist (up)
(hollow) tube
(honest) truth
hurry (up)

I

if (and when)
(illustrated) drawing
including (but not limited to)
incredible (to believe)
indicted (on a charge)
input (into)
integrate (together)
integrate (with each other)
interdependent (on each other)
introduced (a new)
introduced (for the first time)
(ir)regardless
ISBN (number)

J

join (together)
(joint) collaboration
(joint) partnership

K

kneel (down)
(knowledgeable) experts

L

lag (behind)
later (time)
later (in time)
LCD (display)
lift (up)
(little) baby
(live) studio audience
(live) witness
(local) residents
look (ahead) to the future
look back (in retrospect)

M

made (out) of
(major) breakthrough
(major) feat
(mandatory) requirement
manually (by hand)
may (possibly)
meet (together)
meet (with each other)
(mental) attitude
(mental) telepathy
merge (together)
might (possibly)
minestrone (soup)
mix (together)
modern _____ (of today)
(mutual) cooperation
(mutually) interdependent
mutual respect (for each other)
(number-one) leader in _____

N

nape (of her neck)

narrow (down)
(native) habitat
(natural) instinct
never (before)
(new) beginning
(new) construction
(new) innovation
(new) invention
(new) recruit
none (at all)
nostalgia (for the past)
(now) pending

O

off (of)
(old) adage
(old) cliché
(old) custom
(old) proverb
(open) trench
open (up)
(oral) conversation
(originally) created
output (out of)
(outside) in the yard
outside (of)
(over) exaggerate
over (with)
(overused) cliché

P

(passing) fad
(past) experience
(past) history
(past) memories
(past) records
(patently) obvious
penetrate (into)
period (of time)
(personal) friend
(personal) opinion
pick (and choose)
PIN (number)
pizza (pie)
plan (ahead)
plan (in advance)

(Please) RSVP
plunge (down)
(polar) opposites
(positive) identification
postpone (until later)
pouring (down) rain
(pre)board (as an airplane)
(pre)heat
(pre)record
(private) industry
(present) incumbent
present (time)
previously listed (above)
proceed (ahead)
(proposed) plan
protest (against)
pursue (after)

R

raise (up)
RAM (memory)
reason is (because)
reason (why)
recur (again)
re-elect (for another term)
refer (back)
reflect (back)
(regular) routine
remand (back)
repeat (again)
reply (back)
retreat (back)
revert (back)
rise (up)
round (in shape)

S

(safe) haven
(safe) sanctuary
same (exact)
(sand) dune
scrutinize (in detail)
self-_____ (yourself)
separated (apart from each other)
(serious) danger
share (together)

(sharp) point
shiny (in appearance)
short (in height)
(short) synopsis
shut (down)
(single) unit
skipped (over)
slow (speed)
small (size)
(small) speck
soft (in texture) [or (to the touch)]
sole (of the foot)
spell out (in detail)
spliced (together)
start (off) or (out)
(still) persists
(still) remains
(sudden) impulse
(suddenly) without warning
(sum) total
surrounded (on all sides)

T

tall (in height)
tall (in stature)
(temper) tantrum
ten (in number)
three a.m. (in the morning)
(three-way) love triangle
time (period)
(tiny) bit
(total) destruction
(true) facts
(truly) sincere
tuna (fish)
(twelve) noon or midnight
(two) twins
(two equal) halves

U

(ultimate) goal
undergraduate (student)
(underground) subway
(unexpected) emergency
(unexpected) surprise
(unintentional) mistake

(universal) panacea
(unnamed) anonymous
UPC (code)
(usual) custom

V

vacillate (back and forth)
(various) different
(veiled) ambush
(very) pregnant
(very) unique
visible (to the eye)

W

(wall) mural
warn (in advance)
weather (conditions)
weather (situation)
whether (or not)
(white) snow
write (down)
(written) instrument

Vague Terms to Avoid

You usually should avoid using these terms unless you want to be broad or vague.

Area
Aspect
Basis
Case (other than a law case)
Character
Circumstances
Condition
Consideration
Degree
Facet
Factor
Feasible
Field
Level
Impact
Important
Information
Kind
Major

Meaningful
Notwithstanding anything in this contract to the contrary
Operative entities
Parameters
Phase
Process
Requested relief
Restrict
Significant
Situation
Substantial
Type
Unless otherwise agreed
Viable

Weak Phrases to Avoid

You usually should avoid using these terms unless you want to qualify or weaken a statement.

A bit
A little
A tad
A touch
Adequately
Barely
Faintly
Fairly
Hardly
Just
Marginally
Moderately
Only just
Passably
Pretty
Rather
Reasonably
Relatively
Satisfactorily
Scarcely
Slightly
Somewhat
To a certain/some extent
Vaguely

Clichés to Use with Caution

A

a far cry
a loose cannon
a tough row to hoe
ace in the hole
add insult to injury
all things considered
all your eggs in one basket
an axe to grind
at first blush
avoid like the plague

B

back to the drawing board
bald assertions
bald-faced liar
benefit of the doubt
better late than never
between a rock and a hard place
between Scylla and Charybdis
beyond the pale
blind leading the blind
blissful ignorance
boils down to
by the same token

C

can of worms
caught in the crossfire
caught red-handed
chilling effect
clean slate (we do not write on a, etc.)
close to the vest
commune with nature
comparing apples to oranges
considered opinion
constrained to hold
crystal clear
cut and dried
cut through the red tape

D

deliberate falsehood
devil is in the details

distinction without a difference

E

easier said than done
eleventh hour
eminently qualified
even the playing field
everything but the kitchen sink
exceptions carved out
exercise in futility

F

fall by the wayside
fall on deaf ears
fall through the cracks
fateful day
few and far between
for all intents and purposes
for what it's worth
foregone conclusion
forgive and forget
fox in the henhouse
frame of reference
from the sublime to the ridiculous
full-blown evidentiary hearing

G

garden-variety (case, etc.)
get to the bottom of
give and take
go the extra mile
go with the flow
goes without saying
grievous error

I

icing on the cake
in a nutshell
in over his/her head
in the same boat
in this day and age
inextricably (linked)
it goes without saying
it's only a matter of time

J

jump the gun
jump to conclusions
just deserts

K

keep [one's] options open
kiss of death

L

labor of love
landmark case
last but not least
last-ditch effort
law of the jungle
law of the land
lay down the law
leaps and bounds
left up in the air
let sleeping dogs lie
letter perfect
light at the end of the tunnel
like clockwork
lock, stock, and barrel
long and short of it
loose cannon

M

making a mountain out of a molehill
matter of life and death
mind set
moment of truth
momentous decision

N

needless to say
neither here nor there
nip in the bud
none the wiser
no uncertain terms
no-win situation
not written in stone

O

on a roll
one and the same

one in a million
only game in town
open a can of worms
open and shut
open the flood gates
out of sight, out of mind

P

pain and suffering
paramount importance
part and parcel
plain as day
powers that be
pros and cons
pull no punches
pure and simple
put the cart before the horse
put your best foot forward
put your foot down

R

reap what you sow
red herring
reinvent the wheel
remedy the situation
road to hell is paved with good intentions
rob Peter to pay Paul

S

search far and wide
seat of justice
second bite (at the apple)
second to none
set the record straight
shot in the dark
sigh of relief
signed, sealed, and delivered
six of one, half a dozen of the other
skating on thin ice
slinging mud
slippery slope
squeaky wheel gets the grease
start from scratch
straw that broke the camel's back
strenuous objections
sum and substance

sweeping changes

T

take the bait
takes two to tango
take up cudgels
the real deal
the real McCoy
the same old story
there's the rub
think outside of the box
third time's the charm
this day and age
this point in time
three strikes against him/her
throw in the towel
throw the baby out with the bathwater
tide of battle
tides of time
time and time again
time is of the essence
tip of the iceberg
to each his own
to the best of my knowledge
too good to be true
too hot to handle
too numerous to mention
touch with a ten foot pole
tough as nails
trials and tribulations
tried and true
trip down memory lane

U

unimpeachable integrity (or authority)
unvarnished truth

V

vain attempt
vain effort
vested interest
viable alternative
vigorous dissent

W

wakeup call
wait-and-see attitude
well-settled
went belly up
wheels of justice
whole ball of wax
wild goose chase
woefully inadequate
wreak havoc

Preferred Substitutes for Wordy Phrases

I recommend you usually replace the phrases in the left column with the phrases in the right column. Some of the more important phrases you should avoid are bolded.

Don't say

A

a number of
absolute and unfettered discretion
abundance
abutting
accede to
accelerate
accentuate
accommodation
accompany
accomplish
accord (verb)
accord respect to
accorded
accordingly
accrue
accurate
acknowledge and confess
acquiesce
acquire
additional
additionally
address
addressees
addressees are requested
adjacent to
adjudicate
adjustment

Say

some, several, a few, many, (actual number)
may
enough, plenty, (specific amount)
next to
allow, agree to
speed up
stress
room
go with, with
carry out, do
give
respect
given
so, thus, and so
add, gain
correct, exact, right
acknowledge, admit, recognize
agree
get
added, more, other, extra
also
discuss
you
(omit), please
next to, near to
determine/try
change, alteration

administration of the program	administered the program
admissible	allowed, accepted
admit of	allow
advantageous	helpful
adversely impact on	hurt, set back
advert to	mention
advise	recommend, tell
afford	give
afford an opportunity	allow, let
afforded	given
aforementioned	named above, mentioned earlier, these
aforesaid	named above, mentioned earlier, already
	described
afterwards	afterward
aggregate	total
aid and abet	help, assist
aircraft	plane, jet
albeit	although, though, while, as, notwithstanding
alienate	transfer, convey
all of (the)	all
alleviate	ease, reduce
allocate	divide
along the lines of	like, as in
along these lines	similarly, to the same effect, (omit)
alternatively	or
ambit	reach, scope
ameliorate	improve, better, help
amongst	among
an absence of	no, none
an adequate number of	enough
an amount of ____	____
and particularly	particularly
____ and/or ____	____ or ____ or both
anent	about
annexed	attached
anon	immediately, right away
annul and set aside	annul
antecedent	previous
anterior to	before
anticipate	expect
any and all	all, any
any security or any part thereof	all or part of a security
apparent	clear, plain
appears to have no relevance	is irrelevant
applicable	should apply, which applies
applicant	you

application	use
appreciable	many
apprehend	arrest, caught, detain
appropriate	(omit), proper, right
approximate [ly]	about
are in mitigation of	mitigate
arrive at a conclusion	conclude
arrive onboard	arrive
as a consequence of	because of
as a matter of fact	actually
as a means of	to
as far as ___ is concerned	(omit)
as from	on, from
as is often the case	often
as of yet	yet
as per	per, in accordance with
as per our telephone conversation of this date	as we discussed this afternoon
as prescribed by	in, under
as seem(s) to be the case	as it seems to be
as stated previously	(omit)
as the case may be	(reword)
as to	about, of, on, with, for, to, by, in, into
as to whether	whether
as well as	and
as yet	yet, thus far
ascertain	find out, learn
assist, assistance	aid, help, support
at its discretion	may, can
at least as far as ___ is concerned	(omit)
at present	now
at that particular time	then
at that point in time	then
at the moment	now, currently
at the place	where
at the present time	now, currently, at present
at the time that	when
at the time when	when
at this point in time	now, currently, at present
at this time	now, currently, at present
at your earliest convenience	as soon as you can
attached please find	attached is, I have attached
attain	meet
attains the age of	becomes . . . years old
attempt [as a verb]	try
attributable to	due, because of, because
authorize	allow, let

authorized to
avouched

may
affirmed, admitted, vouched for

B

basic essentials
be abusive of
be advised
be benefited by
be decisive of
be derived from
be desirous of
be determinative of
be dispositive of
be in agreement
be in attendance
be in dispute over
be in existence
be in receipt of
be in the exercise of due care
be indicative of
be influential on
be possessed of
be probative of
be productive of
be promotive of
be responsible for
be violative of
because of the fact that
beg
begin and commence
belated
belied
beneficial [not in the sense of ownership]
benefit
bestow
beverage
bring an action against
by means of
by reason of
by the clear language of
by virtue of

essentials
abuse
(omit)
benefit from
decide
derive from
desire, want
determine
dispose of
agree
attend
dispute, disagree
exist
have received
exercise due care
indicate
influence
possess
prove
produce
promote
must
violate
because
ask
start
late, tardy
lied against, spoken falsely
useful, helpful
help
give, grant, put, place, award
drink
sue
by, with
because of, because
under
by, under

C

calculate
calculate out
cancel out

compute
compute, calculate
cancel

capability
case [in the sense of instance]
category
cause it to be done
cause of action
cause to be done
caveat
cease
chairman
chauffeur
circumstances in which
clearly
close proximity
cognizant of
combined
comes now
comestibles
commence
compared with
compensate
complete [as a verb]
completely revoke
comply with
component
comprise
conceal
concerning [the matter of]
conduct an examination of
congressman
consensus of opinion
consequence
consequently
considerable
consolidate
constitutes
contains
contiguous to
convene
corporation organized and existing under
the laws of New Jersey
correspondence
corridor
counsel
covenant and agree
cryptic
currently

ability
(omit and reword)
kind, class, group
have it done
claim
have done, effect
warning
stop, end
chair or chairperson
driver
when, where
(omit)
near
aware, knows
joint
(omit)
food, eatables
begin, start
than
pay, repay, to make up for, offset
finish, fill in
revoke
follow
part
form, include, make up
hide
about, on
examine
member of Congress
consensus
result
so, as a result, and so
important, much, significant
combine, join, merge
is, forms, makes up
has
next to
meet
New Jersey corporation

letter
hall
lawyer, attorney
agree
obscure, mysterious
(omit), now

D

dates back to
decline to accept
deem [and consider]

deemed
dehors the record
delete
demise
demonstrate
depart
description
designate
desire
despite the fact that
determine
determined
did not have support
did not recall
disbursement
disclose
discontinue
disseminate
distribute out
diverse
documentation
does not have
does not include
does not operate to
donate
draw conclusions
due and payable
due to
due to the fact that
duly authorized
duly incorporated
duly signed
during such time as
during the course of
during the period/time that
dwell

dates from
decline
believe, consider, think, find, conclude,
means, includes, judged to be
considered as, is
outside of the record
cut, drop
rent, death, lease, convey
prove, show
leave, go
kind, sort
appoint, choose, name
want, wish
although, even though
decide, figure, find
decided
lacked support
forgot
expenditure, the payment of money
show
drop, stop
give, issue, pass, send
distribute
several, various
documents
lacks
excludes, omits
does not
give
conclude
payable, due
because
due to, because
authorized
included, incorporated
signed
during, while
during, while
during, while
live

E

each ____ apiece
each and every

each
(omit), each, every

early beginnings	beginnings, early days, early times
echelon	level
economical	cheap
edifice	building
effect modifications	make changes
effectuate	carry out, do, effect, cause
e.g.	for example
elect	choose, pick
eliminate	cut, drop, end
else but	but
else than	but
elucidate	explain, clarify, expand upon, make clear
emphasize	stress
employ [in the sense of “use”]	use
enclosed please find	I have enclosed
encounter	meet
end [in the sense of “result” or “product”]	result, product, (omit)
endeavor [as a verb]	try
enquiry	question
ensue	take place, follow
ensure	make sure
enter into a compromise and settlement agreement	settle
enter into a contract with	contract with
entered into negotiations	negotiated
entitlement	right
enumerate	count
“ ___ ” environment	“ ___ ”
envisage	face, confront, contemplate, view
equally as	equally
equipments	equipment
equitable	fair
equivalent	same, equal
ere	before
establish	set up, prove, show
estate or interest	interest
etc.	for example, such as, and so forth
evaluate	test, check
evidence(d) [verb]	show(ed), demonstrate(d), prove(d)
evident	clear, (omit)
evidentiary material	evidence
evinced	show, prove, demonstrate
excessive number of/an	too many
excluding	except
exclusively	only
exclusive of	except, excluding
execution	signing, signature, completion

exhibit [as a verb]
exhibit resistance
exit [as a verb]
expedite
expeditious
expend
expertise
expiration
explanation of the causes
expressly agree

show, prove, demonstrate
resist
leave
hasten, speed up, hurry, quicken
fast, quick
spend
ability
end
explain why
agree

F

facilitate
failed to
failed to show in ____
feasible
females
file a dissenting opinion
file a motion
finalize
first and foremost
firstly, secondly, ...
fit and proper
fix [a rate, amount, or date]
focus criticism on
following
foot pursuit
for a period of
for the duration of
for the period of
for the purpose of
for the purpose of holding [or other gerund]
for the reason that
for this reason
forbear
formulate
forswear
foregoing [referring to previous matter]
foregoing [referring to doing without]
foreman
forfeit
forthwith
forward
fraud and deceit
free gift
frequently

ease, help, make easier
didn't
showed ____
can be done, workable, possible
women
dissent
move
complete, finish
first
first, second, ...
fit, proper
set
criticize
after
running after
for
while, during
for
to, for [or comparable]
to hold [or comparable infinitive]
because, since, for, to
so, thus
refrain, restrain, refrain from acting
plan
swear falsely, commit perjury
these, this, preceding
to give up, waive, abandon
supervisor or foreperson
give up, lose
immediately, as soon as possible, by
send
fraud
gift
often

from the point of view of
from time to time
function
fundamental
furnish
furthermore

from, for
may, at times
act, role, work
basic
give, send
also, in addition, then, further

G

gainsay
general consensus
give a description
give consideration to
give, devise, and bequeath

contradict, oppose
consensus
describe
consider
bequeath, give

H

has a duty to
has a negative impact
has a requirement for
has knowledge of
has no bearing on this case
has not yet attained
has the capability
have knowledge of
he is a man who
hence
henceforth
hereafter
hereby

herein
hereinafter

hereinbefore
hereof
hereon
hereto
heretofore

hereunder

herewith
hither
hitherto
hold a discussion
honest truth

must
hurts, harms
needs
know
is irrelevant
is under
can
know
he
therefore
from this time forward, from now on
after this . . . takes effect, after, afterwards
(omit), by means of this document, with
these words, with this action
here, in this document/agreement/ordinance
below, in this document/agreement, starting
from this time, later in this document
above, in this document/agreement
of this document/agreement
on this day
to this document/agreement
until now, before this . . . takes effect, earlier
in this document, previously, before the time
of writing
under this document/agreement, in a later
part of this document
below, here, with this
here
until now, until this time, to this place
discuss
truth

however

but, yet

I

I am of the opinion that
I am not in a position to
I might add
I should add
I should appreciate your advising me
I should further point out
I would add
I would argue that/like to point out
I would ask that you

I think, I believe
I cannot
(omit)
(omit)
Please tell me
in addition, additionally
(omit)
(omit)

identical
identify
identify with
i.e.

Please
same
find, name, show
agree, understand
that is, namely

if and when
ifsoever

if, when
if ever

imbibe
immediately
impact on
impacted
implead

drink
at once
affect, influence
affected, changed
sue

implement

carry out, start

impliedly
in a case in which
in a collision with
in a timely manner
in accordance with
in addition
in all likelihood
in an effort to
in an ___ manner

implicitly
when, where
collide
on time, promptly, timely
by, under, following, per
also, besides, too
probably
to

in any case
in between
in case [of]
in cases in which

___ly, e.g., "hastily" instead of "in a hasty manner"
from any perspective, in any event
between
if

in close proximity
in compliance with your request
in connection with
in every case
in excess of

when, where [say "whenever" or "wherever" only when you need to emphasize the exhaustive or recurring applicability of the rule]
near
as you asked
with, about, concerning, regarding
always, in every instance
more than, exceeding

in excess of your expectations

in fact

in favor of

in lieu of

in light of the fact that

in many cases

in most cases

in no wise

in order that

in order to

in point of fact

in receipt of

in reference to

in regard(s) to

in relation to

in respect of

in sections 4305 to 4518, inclusive

in some instances

in spite of the fact that

in terms of

in the amount of

in the case of

in the course of

in the event of/that

in the interest of

in the last analysis

in the majority of cases/instances

in the nature of

in the near future

in the process of

in the situation/case in which

in this regard

in this regard it is of significance that

in truth and in fact

in view of

in view of the above

in whole or in part

inasmuch as

inception

includes, but is not limited to,

inclusive of

incumbent upon

indeed

indicate [in the sense of “show”]

indication

higher than you expected

actually

for

instead of, in place of

because, given that

often

usually

by no means, assuredly not.

for, so

to

in fact, actually, (omit)

received

about

about, concerning, on, in

about, with, concerning, towards, to

for, about, to, of

in sections 4305-4518

sometimes

although, even though

in, (omit)

for

when, if (omit)

during, while, in

if

for

(omit)

usually, often

like, similar to, about

shortly, soon

(omit)

when

in addition, additionally

(omit)

in fact

because, due to

so

wholly or partly

since, because

start

includes

including

must, should

in fact

show, suggest, prove, write down, say,

mean, state

sign

individual (noun)	person
inform	tell
initial	first
initiate	start
inquire	ask, question
inside of	inside
insofar as	as, to the extent
insofar as ___ is concerned	(omit and start with subject)
instant [as an adjective]	this
institute	begin, start
institute legal proceedings against	sue
instrument	document
inter alia	(omit), among others, among other things
interface	meet, work with
interpose no objection	don't object
interrogate	question
irregardless	regardless
is able to	can
is applicable to	applies to
is authorized [to]	may
is binding on/upon	binds
is desirous of	wants
is dispositive of	disposes of
is empowered to	may
is entitled [in the sense of "has the name"]	is called
is entitled to [in the sense of "has the right"]	may
is in consonance with	agrees with, follows
is indebted to	owes
is not ... unless	is ... only if
is required to	shall, must
is responsible for	(omit), handles
is unable to	cannot, may not
it appears	seems
it has been determined that	(omit)
it is	(omit)
it is clear that	(omit), clearly
it is directed that	shall, must
it is essential	must, need to
it is important to add that	additionally, in addition
it is interesting to note/point out	(omit)
it is my considered opinion	I believe, I think
it is requested	please, we request, I request
it is respectfully suggested that	(omit)
it is of significance that	(omit)
it is submitted that	(omit)
it is the duty of	shall, must

it may be recalled that (omit)
it might be said that (omit)
it seems (omit)
it shall be lawful may
it shall be unlawful may not
it should be noted that (omit)
it would appear that (omit)

J

jointly and severally together and separately

K

kind of [in the sense of “sort of”] rather, something like, somewhat
knowledge and information (either one)

L

last will and testament will
law passed law enacted
less [applied to quantity] fewer [if it can be counted]
let me take this opportunity to I want to, (omit)
liaison discussion
likewise and
limited number limits
locate find

M

magnitude size
maintain keep, support
majority most (except for voting)
make a mockery of (omit), mock
make a decision decide
make allegations allege
make an attempt/effort try
make an accommodation for accommodate
make an assumption assume
make an inquiry inquire, ask
make mention of mention
make payment pay
make provision for provide for
make reference to refer to
manner way
many instances/cases/situations often
maximum greatest, largest, most
may at all times may, (omit)
may at any time may
may not ... until may only ... when

maybe
meets with our approval
mental attitude
merge together
methodology
minimize
minimum
modify
moneys
monitor
month + of + year
more specifically
moreover
multiple

N

narrate
nebulous
necessitate
negatively affect
negotiate [in the sense of “enter into” a contract]
nevertheless
no doubt but that
no fewer than
no later than June 30, 1974
no small part
nonetheless
not ___ except
not ___ unless
not able
not accept
not apposite
not certain
not current
not help but see
not important
not inappropriate
not incapable
not insignificant
not later than 10 May
not later than 8:00
not many
not often
not on purpose
not the same
not uncommon

perhaps
we approve
attitude
merge
method
decrease, method
least, smallest
change
money
check, watch
July 2013
for example
what’s more, now, next
many

say
vague
cause, need, require
hurt, harm, injure
make
still, besides, even so, but, however
no doubt, undoubtedly, doubtless
at least
after July 1, 1974, by
large part
still, besides, even so, but
only if
only if
unable
reject
inapposite
uncertain
outdated
not help seeing
unimportant, trivial
appropriate
capable
significant
by May 10, before May 11
by 8:00
few
rarely, seldom
accidental
different
common

not uncomplicated
not unlike
not unreliable
notify
notwithstanding

notwithstanding the fact that
now comes
null and void
numerous

O

objective [noun]
obligate
observe
obviously
obtain
occasion [as a verb]
of an ___ character/nature
of no use
of the one/other part
off of
offer a rebuttal
offer the argument
on a number of occasions
on a ___ basis
on and after July 1, 2013
on behalf of
on grounds that
on his own application
on or about
on or before June 30, 2013
on request
on the basis of
on the contrary
on the ground(s) that
on the other hand
on the part of
operate
optimum
option
or, alternatively
or, in the alternative
orientate
outside of
over

complicated
similar, alike
reliable, generally, often
let know, tell
despite, in spite of, still, however, even
though, yet, but
although, even if, despite
(omit)
void, without legal effect, of no legal effect
many, (actual number)

aim, goal
bind, compel
see, watch
(omit)
get
cause
___ly, (omit)
useless
(omit)
off
rebut
argue
often, sometimes
(omit), ___ly
after June 30, 2013
for
because, (omit)
at his request
on, about
before July 1, 2013
if you ask
by, from, based on
but, so
because, (omit)
(omit), but, so
by
run, use, work
best, greatest, most
choice, way
or
or
orient
outside
more than

overall
oversight [as a verb]
owing to
owing to the fact that

(omit)
oversee
because
because

P

paragraph (3) of subsection(b) of section 3252
parameters

section 3252(b)(3)
limits, guidelines, boundaries, criteria,
considerations

participate
particular point in time
particulars

take part
time, point, now, moment

party of the first part
passed [a law]

details
[the party's name]
adopted

per annum

a year

per centum

percent

per day

a day

per foot

a foot

perfect an appeal

appeal

perform

do

period of time

period, time

permit

let, allow

personally

(omit)

personnel

people

perspire

sweat

pertaining to

about, of, on

peruse

read

PIN number

PIN

place [as a verb]

put

plainly

(omit)

please advise me as to

please tell me

please furnish me with information

please tell me

pled

pleaded

point in time

time, point, now, moment

porcelain

china

portion

part

possess

have, own

post hoc

hindsight

potentiality

potential

practicable

practical

preclude

prevent

preliminary to

before

pre-owned

used

preparatory to

to prepare for

presently

soon, in a short time

preserve

keep

previous
previous to
previously
prior
prior to
prioritize
proceed
procure
proffer an argument
proficiency
promulgate
properties
prosecute its business
protagonist
provide
provide a description of
provide(s) guidance for
provided that
provision of law
proviso
purchase [as a verb]
purport
pursuant to

pursuant to the terms of
put in an appearance

Q

question as to whether
question of whether
question at issue
quite
quite puzzling

R

rate of speed
rather
reach a decision
reach a resolution
read and construed as
read carefully
reason ___ is because
reasonable man
recapitulate
recognizance

earlier
before
before
earlier
before
rank, set priorities, make priorities
do, go ahead, try, go
(omit), obtain, get
argue
skill
issue, publish
property
carry on its business
champion, advocate
give, offer, say
describe
guides
if, but, except for, except that, however
law
condition
buy
claim, intend
under, by, following, per, in accordance with, in conformity with, in response to, in carrying out, as required by
under
appear

question whether
question whether
issue
(omit), [use a stronger word]
baffling

speed
however
decide
resolve
read
pored over
because
reasonable person
sum up
agreement, promise, bail

redound
refer back
referred to as
reflect
refuse to grant
regard(ed) as being
regarding
relate well

relating to
relative to
relocate
remain
remainder
remand back
remunerate [ion]
render [in the sense of “cause to be”]
render [in the sense of “give”]
render assistance
repeat again
represents
request [verb]
require(ment) [in the sense of “need”]
requirement [in the sense of “law”]
reside(nce)
residue
respective(ly)
respond
retain
retire [for the evening]
revenues
rights of man
rules and regulations

S

said [as an adjective referring to a particular person or thing already referred to]
same [as a pronoun referring to a particular person or thing already referred to]
save [in the sense of “except”]
sayeth
selection
segregate out
separate out
set forth in
severally

produce a result, to return.
refer
called
say, show
deny
regard(ed) as
about, of, on
see things the same way, have a lot in common
about, on
about, on
move
stay
rest
remand
pay, payment
make
give
help
repeat
is
ask
must, need
rule
live, dwell, house
the rest, part that remains
(omit)
answer
keep
go to bed
revenue
human rights
rules, regulations

the, this, that, these, those

it, them

except
says
choice
segregate
separate
in
separately

shall

should you wish
 show deference
 sign a contract (with)
 similar to
 solicit
 some instances/cases/situations
 sort of
 specified [in the sense of “expressly mentioned”]
 state [as a verb]
 State of Texas
 state-of-the-art
 stipulates
 strategize
 student body
 subject
 subject to
 subject to exemption
 submit
 submit an application
 submitted documentation
subsequent(ly) [to]
 substantial
 substantiate
 successfully complete
such [as an adjective referring to a particular person or thing already referred to]
 such other
 suffer [in the sense of “permit”]
 sufficient [number of]
 summon

T

take action to
 take into consideration
 takes the position
 terminate, termination
 terms and conditions
 than was formerly the case/situation
 that is to say
 that was a situation/instance/case in which
 the case at bar
 the Congress
 the course of
 the fact is
 the fact of the matter is

must, will, may

if you want
 defer
 contract (with)
 like
 ask for, request
 sometimes
 rather, something like, somehow
 named
 say, remark
 Texas
 latest
 says
 plan
 students
 the, this, your
 if, as long as
 exempt
 give, send
 apply
 documented
later, next, after, then, afterwards
 large, much
 prove
 complete, pass
the, this, that, these, those
 another
 permit
 enough
 send for, call

(omit), act
 consider
 claims
 end, stop, fire
 terms
 (omit), now
 in other words
 there
 this case
 Congress
 (omit)
 actually, (omit)
 actually

the fact that	that
the instant case	this case
the judge he	the judge the judge
the manner in which	how
the month of	(omit)
the particular individual	[Name]
the parties expressly agree	___ and ___ agree
the question as to whether	the question whether, whether
the reason...is because/due to/that	(reword)
the reason being that	because
the same	it, them
the totality of	all
the truth is	actually, (omit)
the undersigned	I
the use of	(omit)
there are	(omit)
there is	(omit)
thereafter	after, afterwards, later
thereby	by, by the [document]
therefore	thus, so, as a result
therein	there, in, in the [document], in it, in them,
	inside
thereinbefore	before, previously
thereinto	into, that, it
thereof	its, their
thereon	thereupon
therewith	thereupon, forthwith
this case is a novel one	this novel case
this is a case/topic that	this case/topic
this is in reply to your letter of	I write to respond to your letter dated
this is to acknowledge your letter dated	I write to respond to your letter dated
thitherward	toward it, in that direction
thus	therefore
time is of the essence	time is critical, if X cannot perform by a Y date, Z may terminate the contract and clause A will apply
	time, period
time period	prompt
timely	of course
to be sure	violate
to be violative of	to have, to possess, own
to have and to hold	that
to the effect that	∴, namely, that is to say, (omit)
to wit	preyed
took advantage of	toward
towards	transfer, sell, give
transfer and assign	

transmit
transmittal
transpire
true facts
try an experiment
try and
type (or type of)

send
sent
happen, occur
facts
experiment
try to
(omit), rather, something like

U

under date of
under the provisions of
unexpected surprise
unto
until such time as
upon
upon written request
used for ___ purposes
usual habits
utilize, utilization [in the sense of “use”]

on, dated
under
surprise
to, onto, upon
until
on
when you ask in writing
used for ___
habits
use

V

valid license
validate
variation
various different
vendee
verbal exchange
verbatim
very
very angry
via
viable
vice
visualize
viz.

license
confirm
change
various, different
buyer, purchaser
conversation
word for word
(omit), [use a stronger word]
enraged
through, by
practical, workable
instead of, versus
see
:, namely, that is to say

W

warrant
was aware
we are in receipt of
whatsoever
whenever
whencesoever
whereagainst
whereas
whereby

call for, permit
knew
we’ve received
what
when
from whatever place or source
against which
because, although, while
by which, by means of which, through

wherefore
whereinsoever
whereinto
whereof
whereon
whereout
wherethrough
whereuntil
whereupon
wherewith
whether or not
whichsoever
whither
whithersoever
whitherward
wholly or partially
whomsoever
whosoever
will you be good enough to
with the minimum of delay
with a view to
with certain knowledge
with reference to
with regard to
with respect to
with the exception of
with the object of changing [or other gerund]
with the result that
within or without the United States
without prejudice

witnessed
witnesseth
workman

Y
you are requested
your attention is drawn
your office

which, in accordance with which, with the
help of which, how, by which, as a result of
which
why
in whatever respect or place
into which, into what
of what
on what
out of which
through which, through the agency of
to what
at, after, then, when
with what
whether
every one that
to what place
to any place
toward what, toward which place
in whole, wholly, in part, partially
everyone who, whomever
everyone who, whoever
please
quickly, [or say when]
to, to try to, by, from
knowing
about, for, concerning
about, for, on
on, about, for, concerning
except for, excepting
to change [or comparable infinitive]
so that
inside or outside the United States
not meant to be used as evidence, without
preventing the filing of another lawsuit
saw
(omit)
worker

please
please see, please note
you

Preferred Substitutes for and Definitions of Foreign Phrases

I recommend you consider replacing the phrases in the left column with the phrases in the right column. Some of the phrases in the right column are definitions instead of synonyms.

The foreign term/Don't say

The definition/Say

A

a fortiori

with a stronger reason

a priori

from the cause to the effect; an argument based on a previous event

ab initio

from the beginning

absque hoc

but for this, without this

actus reus

wrongful act

ad damnum

“to the damage”

ad hoc

“for this”; for a specific purpose, case, or situation

ad hominem

“to the person”; an attack on a person's character

ad infinitum

forever, limitless

ad litem

“for the lawsuit”; a representative for a person who cannot represent himself

ad valorem

according to value

adjournment sine die

an adjournment without setting a date for the next meeting

alter ego

a second self, a second identity within a person

amicus curiae

“friend of the court”; a person who is allowed to appear in a lawsuit (usually by filing a brief) even though he is not a party

ante

“before”

arguendo

for the sake of argument

B

bona fide

sincere, genuine, in good faith, honest

C

carte blanche

unconditional authority, complete discretion

casus belli

an event that causes or justifies a war

caveat

“let him beware”; warning

caveat emptor

“let the buyer beware”

certiorari

“to make sure”; a writ from a higher court commanding a lower court to forward the record of the case

cestui que trust

“he who benefits”; beneficiary of a trust

child en ventre sa mere

fetus, unborn child

circa	about
comitatus	a contract of personal services between a landlord and his men.
compos mentis	having a sound mind, sane
consortium	companionship, love and affection and intimacy between husband and wife
contra	against; used in case citations to indicate that the cited source directly contradicts the point being made
corpus juris	“body of law”; the complete collection of laws from a particular jurisdiction or court
corpus delicti	“the body of the crime”; material evidence in a crime

D

damnum absque injuria	“loss without injury”; damage without violation of a legal right
de facto	“in fact”; in reality, in effect, actual, existing, whether or not lawfully
de jure	“of right”; according to law, lawful, rightful entitlement or claim, legitimate
de minimis	small, unimportant
de novo	anew, new, from the start
decree nisi	A provisional decision of a court that does not take effect until a condition is met
defalcation	misappropriation of or failure to account for funds by one entrusted with them
delict	a person who causes injury to another is liable
dicta	a digression; a judge’s views on a case that are not necessary to reach the decision
dictum	formal pronouncement from an authoritative source
dramatis personae	list of main characters
duces tecum	“bring with you”; command to bring requested documents

E

e pluribus unum	“out of many, one” “one from many”; motto on coins that suggests that many states formed one nation
eiusdem or ejusdem generis	of the same kind or nature
en banc	“as a full bench”
estoppel	the principle that bars a person from denying or alleging a certain fact due to that party's previous conduct, allegation, or denial.

et alli (et al.)	“and others”
et cetera (etc.)	“and other things”
et seq.	“and the following” ones
et ux	“and wife”
ex contractu	“from a contract”; a lawsuit based on a contract
ex delicto	“from wrongdoing”; a lawsuit based on a tort or crime
ex hypothesi	by hypothesis, hypothetically
ex officio	something done because a person holds an office or position.
ex parte	from or on one side only, with the other side absent or unrepresented
ex patriate	a person who has abandoned his country of origin and has become a citizen of another country
ex post facto	“after the event”, retrospectively
ex post facto law	a retroactive law
ex rel	“on relation”; on behalf of
exempli gratia (e.g.)	“for example”
expressio unius est exclusio alterius	The express mention of one thing excludes all others
extant	existing
ferae naturae	“of wild nature”; wild animals who do not belong to anyone
F	
fiat	“let it be done”; warrant issued by a judge
forum non conveniens	“inconvenient court”; a court refuses to hear a particular case because a more appropriate forum exists for the issue
G	
gift causa mortis	gift given by reason of the donor’s immediate perception that he was dying
gravamen	The basic gist or “heart” of a charge or complaint
guardian ad litem	An independent party appointed in a dispute to represent parties that cannot represent themselves
H	
habeas corpus	“you have the body”; court order to bring a person before the court

I

ibid.	in the same place
id.	the same thing
idem (id.)	the same source, but not necessarily the same page or location
id est (i.e.)	“that is”
imprimatur	“let it be printed”; authorization for a document to be printed
in absentia	in a person’s absence
in camera	“in chambers”; in private, no spectators allowed
in curia	in court
in esse	in being; now existing
in flagrante delicto	red-handed, in the act
in forma pauperis	“as a pauper”; someone unable to afford the costs associated with a legal proceeding.
in foro conscientiae	in the forum of conscience
in futuro	in the future
in haec verba	verbatim, in these words
in limine	A motion to a judge that is heard and considered outside the presence of the jury.
in loco parentis	in the place of a parent
in omnibus	in all, in every respect
in pari delicto	both parties are equally at fault
in pari materia	similar laws applying to the matter are used to interpret a vague one
in pari passu	equally, without preference, in equal
in personam	refers to a judgment, lawsuit, or subpoena directed at a specific named individual
in re	“In the matter of”
in rem jurisdiction	the power a court may exercise over real or personal property or a "status"
in situ	in position, left in place
in terrorem clause	“In threat”; A clause in a will that threatens any party who contests the will with being disinherited
in toto	completely, as a whole, entirely
indicia	indications or signs that make certain facts probable
infra	below or under, within, later in the book
innuendo	an intimation about someone or something
instanter	instantly
inter alia	“among other things”
inter sese	“among themselves”
inter vivos	“between the living”; a gift between the living

ipse dixit	“he himself said it”; assertion given undue weight solely due to the person making the assertion
ipsissima verba	the very same words
ipso facto	“by the fact itself”; therefore, by that very fact
ipso jure	by operation of law
J	
jurat	the part of an affidavit about where, when, and before whom it was sworn to
jure	by right, under legal authority
jus	the law or a legal right
jus ad bellum	the legal authority to wage war
L	
laches	unreasonable delay in asserting a claim or right
lex causae	law of the cause
lex fori	law of the forum
lex loci	“law of the place”
lex loci contractus	law of the place where the contract is made
lex loci delicti	the place of the wrong
lex non scripta	unwritten law; the common or custom law
lex scripta	written law; statutes.
lex situs	a rule that selects the applicable law based on the location of something.
lingua franca	A language spoken by all in an area, even if not the mother tongue
lis pendens	a dispute or matter which is the subject of ongoing or pending litigation
locus	place
locus delicti	scene where wrongdoing took place
M	
male fide	bad faith
malem in se	“wrong in and of itself”; morally wrong
malum prohibitum	“prohibited evil”; prohibited by a law
mandamus	“we command”; a writ issued by a higher court to a government official or court that orders performance of some duty or act
mea culpa	“I am guilty”
mens rea	guilty mind, wrongful purpose
modus operandi	“method of operating”

mortis causa	“in thinking about approaching death”; gift made after death
mutatis mutandi	after making the necessary changes in detail
N	
nihil dicit	“he says nothing”; a judgment rendered when one party does not cooperate in the proceedings
nisi	“unless”; a decree that does not take effect unless one or more conditions are met.
nisi prius	unless, before. More commonly, a civil jury trial
nolle prosequi	no prosecution
nolo contendere	“I will not contest it”; a plea where the defendant neither admits nor denies the charge, but does not contest it
non compos mentis	insane, mentally incompetent
non est factum	“not his deed”
non obstante veredicto	“notwithstanding the verdict”
non sequitur	“it does not follow”
nota bene	“note well”; cautioning of or qualifying the main text
nunc pro tunc	“now for then”; a court order that corrects a procedural or clerical error
O	
obiter dictum	a judge’s incidental opinion, which is not binding
onus	the burden
onus probandi	burden of proof
P	
parens patriae	“parent of the nation”; the power of the State to act as parent to a child when the parents are unable or unwilling
pendente lite	“pending the suit”; a case in progress; court order that provides relief until the final judgment is rendered.
per	by, through, by means of, during
per annum	“by the year, yearly
per capita	“by the head”; dividing money equally according to the number of persons
per curiam	“by the court”; a unanimous decision by a multi-judge court where no judge credited with authoring the opinion

per diem	daily, by the day
per se	“by itself”; as a matter of law, inherently
per stirpes	“by roots”; each branch of the family receives an equal share
persona non grata	“unwelcome person”; a country expels a diplomat because he is not welcome
posse committatus	“the power of the state”; a body of armed citizens pressed into service by legal authority to keep the peace or pursue a fugitive
post hoc	“after this”
post mortem	“after death”; an autopsy or an investigation of an event after it occurred
précis	summary, outline
prima facie	at first appearance, on the face of it, at face value, at first sight, presumably
prima facie case	a case that is supported by enough evidence to indicate that the claims within are true in the absence of any rebuttal.
primogeniture	“first offspring”; the custom that the first born inherits the parents’ entire estate
pro	for, in favor of
pro bono publico	“for the public good”; professional work done for free
pro forma	done or produced as a matter of form, done as a formality
pro hac vice	“for this turn”; a lawyer who is allowed to participate in a specific case, despite being in a jurisdiction in which he has not been admitted
pro rata	proportionately, by percentage
pro se	“for himself”; representing oneself without counsel
pro tanto	for that much; a partial payment of a claim, based on the defendant's ability to pay
pro tempore	for the time being, temporarily
propria persona	“proper person”; representing oneself without a lawyer’s services
proximate cause	An act from which an injury results as a natural, direct, uninterrupted consequence and without which the injury would not have occurred
Q	
qua	“which; as”; in the capacity of
quantum	“how much”; quantity

quantum meruit	“as much as it deserves”; the doctrine by which the law infers a promise to pay a reasonable amount for labor and materials furnished
quasi	“as if”; being similar to something, without actually being that thing.
qui tam	filing a suit in the name of the government and receiving a percentage of any amount awarded
quid pro quo	“this for that”; an equal exchange
quo warranto	“by what warrant?”; a writ that requests that an official show by what legal right he is exercising a power

R

ratio decidendi	“reason for the decision”
res	“thing, matter, issue, affair”
res derelict	a thing abandoned
res gestae	“things done”; refers either to the complete act of a felony statements given that may be exempt from hearsay rules
res integra	an undecided question, a case of first impression
res ipsa loquitur	“the thing speaks for itself”; it goes without saying; in tort law, when no proof of what caused the harm, but only one reasonable explanation exists
res judicata	the thing has already been adjudicated
res nova	an undecided question, a case of first impression
respondeat superior	“let the master answer”; the concept that an employer is responsible for the actions of its employees
retraxit	a withdrawal of a legal action.
rex non potest peccare	“the king can do no wrong”
rex nunquam moritur	“the king never dies”

S

scienter	“knowingly”; fully aware of committing a bad act
scire facias	“let them know”; a writ directing a local official to officially inform a person of official proceedings concerning the person
seriatim	“in series”; hearing matters in a specific order
sic erat scriptum (“sic”)	“thus was it written”

simpliciter	simply, summarily, taken alone
sine die	“without day”; postponed indefinitely
sine qua non	“without which, nothing”; an indispensable condition, a prerequisite
situs	“the place”; refers to laws specific to the location, or where an offense or tort occurred
stare decisis	“the decision stands”; a judge’s duty to follow a precedent.
status quo	the current state of affairs
status quo ante	the state of affairs that existed previously
strictissimi juris	the strictest letter of the law
stricti juris	of the strict right of law
sua sponte	“of its own accord”; action taken by the court or official body without a party’s request
sub judice	pending judgment
sub nomine	“under the name”; indicates that the official name of a case changed during the proceedings
sub silentio	“under silence”; a court decision made without specifically stating the ruling, order, or action.
sub suo periculo	at one’s own peril
subpoena	“under penalty”; a writ compelling testimony, the production of evidence, or other action, under penalty for failure to do so
subpoena duces tecum	“bring with you under penalty”; an order compelling a person to produce physical evidence in a proceeding
sui generis	“of its own kind/genus”; something that is unique
sui juris	“of full age and capacity”
supersedeas	“refrain from”; a bond given by an appellant as surety to the court, requesting a delay of payment for awards or damages granted, pending the outcome of the appeal
supra	“above”; refers to a previously cited source
T	
trial de novo	“trial anew”; a completely new trial of a matter previously judged

U

ultra petita
ultra vires

beyond that which is sought
“beyond the power”; outside one's
jurisdiction, beyond one's authority
the rights to the product of another's
property.

usufruct

V

vacatur
vel non

To set aside a judgment.
“or not”; or the lack of (if, then); used when
considering if an situation exists or not
“I forbid”; a person's power to prevent an
action

veto

vice versa

“the other way around”; conversely, the
order reversed; something that is the same
either way

vide
viva voce
viz.
voir dire

“see”; refers the reader to another location
by voice
“namely”; to wit, that is to say
“to speak the truth”; preliminary questions
of a witness or a juror by a judge or counsel
“to one who is willing, no harm is done”

volenti non fit injuria

Types of Transition Words

You can improve your writing by choosing the appropriate transition words for your document.

When introducing a main reason: primarily, most important, just as important, more importantly, what's more, importantly

When introducing a cause: because, since, when.

When introducing a result (cause and effect): so, as a result, thus, therefore, accordingly, then, consequently, as a consequence, conclusively, in conclusion, inevitably, hence, because, because of, since, as, thereby, due to, leading to, owing to.

When comparing: likewise, similarly, in the same way, as, like, similar to.

When contrasting in expectation: however, still, nevertheless, nonetheless, yet, but, unfortunately, surprisingly, ideally, apparently, originally, on the contrary, although, even though, though, despite, despite the fact, despite of, in spite of, besides, even so, so.

When contrasting in comparison: in contrast, by contrast, on the one hand, on the other hand, conversely, whereas, while, unlike, but, so.

When contrasting in action: instead, instead of.

When emphasizing or pressing a point: in fact, indeed, of course, moreover, as a matter of fact, that is, essentially, interestingly, fortunately, inevitably

When conceding or qualifying: granted, of course, to be sure, admittedly, though, even though, although, even if, at least.

When confirming: typically, usually, traditionally, normally, naturally, clearly, plainly, in accordance with, confirms.

When explaining a sentence: that is, then, earlier, previously, meanwhile, simultaneously, now, until now, no sooner, eventually, finally, in the end.

When continuing an explanation: in this context, in this connection, in this respect, in this perspective, here, with.

When placing a condition: in that case, otherwise, now, given, if, provided that, when, while, until, as long as, now that, once that.

When placing no condition: regardless, despite, even though.

When generalizing: in general, generally, generally speaking, in a broader context, in a broader perspective.

When specializing: in particular, particularly, specifically.

When reintroducing: regarding, for, in connection with, focusing on, with respect to.

When adding a point: also, and, in addition, besides, what is more, similarly, further, nor, likewise, moreover, furthermore, additionally, besides, with.

When sequencing or ordering ideas: First,...Second,...Third,...finally, last, then, next, now, continuing, further, before, after.

When giving an example: for instance, for example, for one thing, for another thing, likewise, another, as shown by, as exemplified by, as illustrated by, be it, like, such as, e.g.

When clarifying or restating: in other words, that is, in short, put differently, again, this means, put another way, again, to sum up, in summary, summing up, i.e.

When summing up: to summarize, to sum up, to conclude, in conclusion, in short.

When coordinating two ideas: although/yet, both/and, either/or, if/then, just as/so, neither/nor, not/but, not only/but also, not only/but . . . as well, when/then, where/there.

Absolutes and Weak Intensifiers

Do not use weak intensifiers to modify absolutes.

Absolutes

Absolute
Complete
Dead
Entirely
Equal
Essential
Eternal
Fatal
Final
Finite
Identical
Immortal
Imperative
Indispensable
Infinite
Irrevocable
Mortal
Opposite
Perfect
Pregnant
Round
Square
Straight
Supreme
Total
Unanimous
Unique
Universal
Virgin

Weak Intensifiers

Barely
Extremely
Fairly
Moderately
Quite
Rather
So
Somewhat
Surely

Very

Ways to Develop Paragraphs

Pattern

Chronology
Assertion then details (give examples)
Data then conclusion
Particulars organized spatially, by topic, or in order of appearance
Cause and effect
Process (explain step-by-step)
Likeness, analogy
Compare and contrast
Definition (define term, concept, or idea)
Division (divides subject into its essential parts)
Classification (groups related ideas)
Evaluation (establish criteria first, then persuade)

Common Uses

narration
argument, exposition
exposition, narration
description (using five senses)

argument, narration, exposition
narration, exposition
argument, exposition
argument, exposition
exposition
exposition
exposition
argument, exposition

Organizing Arguments

1. Statement of the issues.
2. Assemble the evidence, issue by issue, starting with most important
3. Examination of the credibility of the evidence.
4. Analysis of the credible evidence
5. Evaluation of conflicting evidence
6. Conclusion

Types of Contract and Ordinance Language

<i>Type of language</i>	<i>Affirmative/ Present/</i>		<i>Verb</i>	<i>Example</i>
	<i>Negative</i>	<i>Future</i>		
Agreement			agree	Parties agree as follows...
Performance	affirmative	present	verb	City purchases...
	negative	present	is not + verb	City is not purchasing...
		future	will be deemed	City will be deemed to accept...
Obligation			shall	Official shall issue...
			shall cause	City shall cause manager...
			shall permit	Firm shall permit City to...
			is entitled to	Firm is entitled to license...
			must	Application must be in writing.
Discretion	affirmative		may	Official may inspect records...
	negative		is not required to	City is not required to...
Prohibition			may not	Firm may not build...
			no party may	Neither party may transfer...
			is not entitled to	Firm is not entitled to collect...
Policy		either	(present tense)	Texas law governs contract.
		future	will	Any attempt to X will allow...
Declaration of facts			states	City states it owns property.
			acknowledges	Firm acknowledges receiving...
Belief of law			believe	Parties believe contract binds...
Intention			intend	Parties intend contract to bind...
Recommendation			recommend	City recommends X consult...
Conditions			(present tense)	If City receives Y, it shall...
			will	If X ceases Y, Z will be void.
Policy			(present tense)	X's rights subject to Y being...
Obligation			(present perfect)	X's rights subject to X having..
			to + infinitive, must	To obtain X, Firm must...