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POLISHING MAKES PERFECT ... OR MAYBE NOT.

BY MELISSA N. HENKE¹
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You read over the brief several times to make sure it was perfect. You were certain you made all necessary corrections. You even fixed the dangling modifier on page four. So you filed the brief and served it on opposing counsel. And then you found it—right there on page one—a glaring typo.

Sound familiar? Most of us have had an experience like this one time or another. Perhaps it has happened more times than you care to admit. You may even have wondered whether the time spent proofreading is actually worth it, especially when it seems impossible to make the document perfect. Well, the answer is yes. While proofreading is time-consuming, a polished document is important for your credibility as a writer and lawyer. Consider the following quote from a text devoted entirely to editing strategies for legal writing: “When you are not careful about a little detail, like where an apostrophe belongs, your reader will begin to doubt whether you were careful about other, bigger things.”²

This column offers some tips and strategies that can improve the proofreading process you use. To be clear, I use the term proofreading to refer to the final stage of editing. Of course proofreading can never take the place of earlier stages of rewriting or revising for organization, content, clarity, or conciseness.³ But this final stage of editing is crucial, because it is where you identify and fix any problems with spelling, grammar, and punctuation that leave your document looking less than polished.⁴

1. PROOFREAD WITH A FRESH OUTLOOK.

Leave yourself plenty of time to take breaks from the document you are proofreading. If you have a day or two to set the document aside, then by all means, take it. If not, an hour or even 20 minutes away from the document can help clear your head in a

way that affords the fresh outlook needed for effective proofreading.⁵ Bryan Garner refers to this technique as “distanced editing,” which he says “will lower the chance of your ‘reading’ what you intended to say instead of what you actually said.”⁶

2. WORK FROM A PRINTOUT AND CONSIDER READING OUT LOUD.

As I often tell my students, proofreading a document on the computer or tablet screen is not the most effective way to edit. Instead, print the document so that you can proofread with a hardcopy of the paper and a pen.⁷ Read the document very slowly and, if possible, read out loud so you are sure to read each word.⁸ This is a tip I have incorporated into my own editing process for years. I find that by reading my text out loud, I am more likely to hear grammatical errors than when reading the text silently to myself.

3. READ THE ENTIRE DOCUMENT OVER SEVERAL TIMES.

One careful proofread is usually not enough. Instead, build in time to read the document over from start to finish, and then do it again, and perhaps even again. With each read, look for different types of errors. For example, I read the entire document looking only for spelling and other typographical errors. Then I read the entire document again, this time looking for grammar and punctuation errors. If you know there are specific grammar or punctuation rules that give you trouble, you may want to break this second stage down even further to review the document separately with those particularly troublesome rules in mind, and then again for all other grammar and punctuation rules.

4. DO NOT RELY EXCLUSIVELY ON YOUR COMPUTER'S SPELL CHECK OR GRAMMAR CHECKER.

Checking your spelling, rather than relying exclusively on a spell check, will ensure you find unfortunate or even po-

tentially embarrassing typos.⁹ Perhaps the auto correct function tried to fix an error, but did so incorrectly. For example, your spell check will not necessarily appreciate the difference between the words “principal” and “principle.” Or perhaps the spell check did not flag an error because the word you used is a word, just not the one you meant to use. For example, you meant to use the word “their” but instead typed “there.” The spell check will not catch this error. This advice likewise applies to your computer’s grammar checker, which may be even less reliable than the spell check.¹⁰ Remember that incorrect punctuation can affect the meaning of text or cause an unintended ambiguity.¹¹ Consider the following example I use with my students:

Correct punctuation:
“Let’s eat, Grandma.”

Incorrect punctuation:
“Let’s eat Grandma.”

5. CREATE A PERSONAL PROOF-READING CHECKLIST.

Create a personal proofreading checklist that incorporates the above tips and techniques. Next, add in tips about specific grammar and punctuation rules that are commonly misused. More than one resource I reviewed suggests including the following tips on your checklist:

- Check for sentence fragments or incomplete sentences.
- Check for effective use of parallel structure.
- Check verb tense and subject-verb agreement.
- Check for proper use of commas, semi-colons and colons.
- Check quotation marks.
- Check apostrophes (proper use of plurals and possessives).¹²

Finally, keep track of errors you make often, and then add those to your personal

checklist.¹³ This last step is important because proofreading is a learning process, and a personal checklist will help you learn to avoid making the same mistakes in the future.¹⁴

6. REFER TO A STYLE GUIDE OR HANDBOOK.

Find and use one of the many respected style guides or handbooks that are available, which include shorter resources that can serve as a quick reference,¹⁵ as well as longer resources that offer more detailed guidance.¹⁶ In addition to print resources, some writers find well-known online resources to be helpful and accessible.¹⁷

7. FORGIVE YOURSELF.

Remember that writers are humans, and thus we all make mistakes. One legal writing professor offers the following sound advice in response to this reality: "You'll become a better writer if you learn from those mistakes, but you'll gain nothing by dwelling on them."¹⁸ So stop dwelling on the typo in the document you filed last week. Focus instead on the document you are drafting today. My proofreading tips and strategies are not meant to result in perfection, but they can help ensure the time you do devote to the final stage of editing will result in a more polished finished product.

ABOUT THE AUTHOR



MELISSA N. HENKE is the Robert G. Lawson & William H. Fortune Associate Professor of Law and the law school's director of Legal Research and Writing.

Henke teaches legal writing. She is a member of the Legal Writing Institute and the Association of Legal Writing Directors.

Prior to joining UK Law, she was an associate professor of legal research and writing at the Georgetown University Law Center. Before she began teaching full-time, Henke practiced law with the Washington, D.C., firm Hogan & Hartson (now Hogan Lovells), where she represented clients in a wide range of commercial litigation matters, including breach of contract and business torts, and defended against

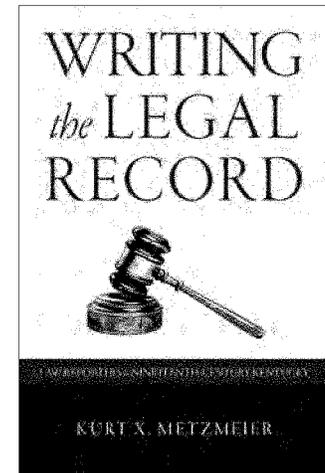
nationwide RICO and state class actions involving the healthcare field. In 2007 and 2008, she served as the senior associate in the law firm's premiere *pro bono* practice group, litigating high-impact and individual *pro bono* matters involving civil rights, employment discrimination, wrongful convictions, and immigration. Before joining Hogan & Hartson in 2002, she clerked for Judge Gary Allen Feess of the U.S. District Court for the Central District of California. She also served as an adjunct professor of legal research and writing at the George Washington University Law School in the 2004 and 2006 academic years.

Henke earned her J.D. with highest honors from the George Washington University Law School in 2001, and graduated *summa cum laude* from the University of Kentucky in 1998.

ENDNOTES

1. Professor Henke is the Robert G. Lawson & William H. Fortune Associate Professor of Law and Director of the Legal Research & Writing Program. She is a graduate of the University of Kentucky and the George Washington University Law School.
2. Megan McAlpin, *Beyond the First Draft: Editing Strategies for Powerful Legal Writing* (2014), at 105.
3. *Id.*
4. *Id.*
5. Jaclyn M. Wells, et al., *Proofreading: Where Do I Begin?*, The Online Writing Lab at Purdue University, <https://owl.english.purdue.edu/owl/resource/561/01/> (last visited Oct. 3, 2016).
6. Bryan A. Garner, *Redbook: A Manual on Legal Style*, §13.5 (3rd ed. 2013).
7. Wells, *supra* note 5.
8. *Id.*
9. McAlpin, *supra* note 2, at 117.
10. *Id.* at 119.
11. Deborah Cupples & Margaret Temple-Smith, *Grammar, Punctuation & Style: A Quick Guide for Lawyers and Other Writers* (2013), at 61.
12. McAlpin, *supra* note 2, at 108-37; Cupples & Temple-Smith, *supra* note 11, at 61.
13. McAlpin, *supra* note 2, at 108.
14. *Id.* at 139.
15. *E.g.*, Cupples & Temple-Smith, *supra* note 11; Richard C. Wydick, *Plain English for Lawyers* (5th ed. 2005).
16. *E.g.*, Garner, *supra* note 6; William Strunk Jr. & E.B. White, *The Elements of Style* (4th ed. 2000).
17. *E.g.*, The Online Writing Lab (OWL) at Purdue (Purdue Univ.); Grammar Girl (Mignon Fogarty).
18. McAlpin, *supra* note 2, at 139.

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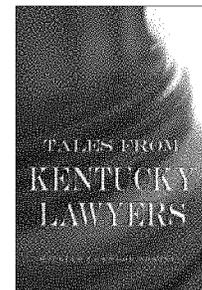
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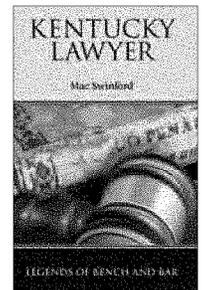
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