A Handy Guide for Law, Style, Life, and Promoting Lives Of Value for Everyone (L.O.V.E.)

by Justin C. Berger

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# Citations

## Abbreviations

### Months

|  |  |
| --- | --- |
| January | Jan. |
| February | Feb. |
| March | Mar. |
| April | Apr. |
| May | May |
| June | June |
| July | July |
| August | Aug. |
| September | Sept. |
| October | Oct. |
| November | Nov. |
| December | Dec. |

[[1]](#footnote-2)

## Books

Carl Vinson Institute of Government, *Handbook for Georgia Legislators* 244 (15th ed. 2020).

## Cases

### Court documents

Refer to BT1 (page 29 of the 20th ed. Bluebook).

### Geographical specifics

#### Georgia

Note: Whenever possible, use the in-state, official reporters, Georgia Reports (“Ga.”) and Georgia Appeals Reports (“Ga. App.”). If those reporters are not available, include the court (“Ga.” or “Ga. Ct. App.”) in the parentheses with the year of the decision. If those reporters are available, only put the year of the decision in the parentheses.[[2]](#footnote-3)

*Retention Alts., Ltd. v. Hayward*, 285 Ga. 437, 678 S.E.2d 877 (2009).

*Retention Alts., Ltd. v. Hayward*, 678 S.E.2d 877 (Ga. 2009).

*Dalcor Mgmt., Inc. v. Sewer Rooter, Inc.*, 423 S.E.2d 419 (Ga. Ct. App. 1992).

*S & S Mach. Co. v. Intermar S.S. Corp.*, 189 Ga. App. 13, 374 S.E.2d 767 (1988).

*S & S Mach. Co. v. Intermar S.S. Corp.*, 374 S.E.2d 767 (Ga. Ct. App. 1988).

### Pending Cases or Documents in Litigation

“Notice of Settlement” at 4, *Democratic Party of Georgia, Inc. v. Raffensperger*, No. 1:19-cv-05028 (N.D. Ga. Mar. 6, 2020), ECF No. 56-1.

*Adams v. Fulton County et al.*, No. 24CV011584 (Fulton Cnty. Super. Ct. Oct. 14, 2024), *appeal docketed*, No. A25A0685 (Ga. Ct. App. Nov. 8, 2024).[[3]](#footnote-4)

## Correspondence

### Emails

E-mail from Makau Mutua, Chairman, Kenya Human Rights Comm’n, to author (Dec. 28, 2006, 16:18 EST) (on file with author).[[4]](#footnote-5)

### Letters

*See* Letter from Brian Kemp, Governor of Georgia, to Geoff Duncan, Lt. Governor of Georgia, and to David Ralston, Speaker of the Georgia House of Representatives, “HB 911 - FY 2023 Line Item Veto and Disregard Letter and Statements” 6 (May 12, 2022), <https://gov.georgia.gov/document/2022-vetoed-legislation/hb-911-fy-2023-line-item-veto-and-disregard-letter-and-statements/download> [https://perma.cc/7UW8-NY5E].[[5]](#footnote-6)

## Dictionary

### Black’s Law Dictionary

*Replevin,*Black's Law Dictionary (10th ed. 2014).

## Government sources

### Administrative Materials

FTC Credit Practices Rule, 16 C.F.R. § 444.1 (2019).[[6]](#footnote-7)

Importation of Fruits and Vegetables, 60 Fed. Reg. 50,379 (Sept. 29, 1995) (to be codified at 7 C.F.R. pt. 300).[[7]](#footnote-8)

Reichhold Chems., Inc., 91 F.T.C. 246 (1978).[[8]](#footnote-9)

### Attorney General Opinions

#### Federal

Legality of Revised Phila. Plan, 42 Op. Att'y Gen. 405 (1969).[[9]](#footnote-10)

#### Georgia

Meaning of “formal charges”, Ga. Official Op. Att'y Gen. 2024-2 (2024).

### Congressional Research Service

Charles Doyle, Cong. Research Serv., Qui Tam: The False Claims Act and Related Federal Statutes 31 (Apr. 26, 2021).

### Executive Orders

#### Federal

#### Florida

*Fla. Exec. Order No. 91-215* (Aug. 23, 1991).

*Fla. Exec. Order No. 24-234 § 1* (Oct. 16, 2024).

### Internal Revenue Service

#### Tax-Exemption Determination Letters

IRS Determination Letter, Letter from IRS to Giving Health, Inc., Determining Exemption (DLN 29053200372009), 1 (Aug. 19, 2019) (on file with author).

#### IRS Publications

IRS Pub. No. 598, Tax on Unrelated Business Income of Exempt Organizations, 2 (Feb. 26, 2019) (https://perma.cc/FL54-E3QV).

## Interviews

Telephone Interview with Michael Leiter, President, Harvard Law Review (Oct. 22, 1999).[[10]](#footnote-11)

Interview by Lauren Brook Eisen with Shane Spradlin, CEO, Nextel Commc’ns, in Potomac, Md. (Mar. 1, 2000).[[11]](#footnote-12)

## Legislation

### Amending statutes

Use this guideline when citing to provisions inside legislation that will amend statutes: “Cite the bill’s sections by abbreviation (sec.) and the amended act’s sections by symbol (§).” So instead of a citation that looks like this: [2021 Ga. Laws 15, § 1 (referencing what will be § 2(a))], it now looks like this: [2021 Ga. Laws 15, sec. 1, § 2(a)].[[12]](#footnote-13)

## Regulations

### Federal

### Georgia (U.S.)

*Ga. Comp. R. & Regs. r. 125-2-3.04*.

***Note***: If a regulation does not contain separating punctuation for subsections, separate the subsections with parentheses (i.e., not periods, hyphens, or other marks). The Bluebook illustrates by indicating that “1” and “a.” should be placed in parentheses as such (1) and (a).[[13]](#footnote-14)

## Restatements

Restatement (Second) of Contracts § 178 (Am. Law Inst. 1981).

## Rules of Evidence and Procedure

Fed. R. Civ. P. 12(b)(6).

Fed. R. Crim. P. 42(a).

Fed. R. App. P. 2.

1st Cir. R. 6(a).

Del. Ct. C.P.R. 8(f).

Fed. R. Evid. 410.

Unif. R. Evid. 404(b)

Sup. Ct. R. 17.

## Statutes

### United States Code

When citing to an entire statute:

False Claims Act, 31 U.S.C. §§ 3729–2733 (2019).

When citing to an individual provision of the *United States Code*:

31 U.S.C. § 3729 (2019).

### Georgia (U.S.)

#### Official Code of Georgia Annotated (LexisNexis)

Ga. Code Ann. § x-x-x (<year of code>).

#### West’s Code of Georgia Annotated (WestLaw)

Ga. Code Ann. § x-x-x (West <year of code>).

### Session laws amending prior acts.

“Cite the bill’s sections by abbreviation (sec.) and the amended act’s sections by symbol (§).”[[14]](#footnote-15)

Labor-Management Relations Act, ch. 120, sec. 101, § 8(a)(3), 61 Stat. 136, 140–41 (1947).

2021 Ga. Laws 15, sec. 1, § 2(a).

In the citation above, “sec. 1” refers to the first section of the bill; “§ 2(a)” is citing to the location in the original act that is being amended (i.e., where the changes will go).

## Ordinances

Montgomery, Ala., Code § 3A-11 (1971).

Portland, Or., Police Code art. 30 (1933).[[15]](#footnote-16)

## Bylaws

Fulton Cty., Ga. Bd. of Registration and Elections Bylaws art. I (adopted Feb. 11, 2021).

## Motorsports

*Event name* (dates of event),

*2021 Emilia Romagna Grand* Prix (15 – 18 April 2021),

# Drafting

### Vernacular and Usage

**and/or**. To avoid creating ambiguity, avoid using *and/or*. *Or* usually suffices by itself. “If you are offered coffee or tea, you may pick either (or, in this case, neither), or you may for whatever reason order both. This is the ordinary sense of the word, understood by everyone and universally accommodated by the simple *or*.”[[16]](#footnote-17)

**indemnify**. “﻿It’s commonplace for drafters to use the phrase *indemnify and hold harmless* (or *save harmless*). Use instead just *indemnify*—it’s clearer and more concise.”[[17]](#footnote-18) Vice Chancellor Strine noted in that “modern authorities confirm that ‘hold harmless’ has little, if any, different meaning than the word ‘indemnify.’”[[18]](#footnote-19) “To ensure that indemnification covers both [“losses you’ve paid for” and “whether the indemnifying party must also step in when you’ve incurred a liability that you’re being asked to pay,”], impose on [the indemnitor] the obligation to indemnify [the indemnitee] against both losses and liabilities.”[[19]](#footnote-20)

**ISL**/**ISLT**. Stands for “Independent State Legislature Theory.”

**I** versus **me** (**I** v. **me**). See***me*** *versus* ***I***.

**me** versus **I** (**me** v. **I**). “Knowing when to use *me* and *I* can be confusing, so here is a quick guide: Use *me* when you’re talking about an action done*to*, *toward*, *for*, *with*, or *without* **you**. And use *I*whenever you’re the one doing the action.”[[20]](#footnote-21)

***No* v. *Not***. Use *no* before a noun phrase. For example:

* <There’s **no** address on the envelope.>
* <**No** biscuits before dinner!> (as if a parent was saying this to a child)
* <**No** decisions have been made.>

Use *not* with any other phrase or clause:

* <It’s **not** often that you stop and think about the way you breathe.>
* <**Not** suitable for children under 15.>
* <**Not** surprisingly, it was a tense match but eventually the more experienced Australians won.>
* <A:Do you go cycling all year round?> / <B: **Not** in the winter.> (“~~Not: No in the winter.~~”)[[21]](#footnote-22)

## Formatting and Punctuation

**hyphen (-)**. “Use *hyphens* as joiners, such as for compound modifiers: *small-business owner*.”[[22]](#footnote-23) The AP Stylebook also uses hyphens for ranges (e.g., 1-4), but I prefer to use en dashes. “﻿There should be no spaces surrounding a hyphen.”[[23]](#footnote-24)

**hyphenation**.

* Use hyphenation to avoid duplicated vowels (e.g., anti-intellectual) and tripled consonants (e.g., shell-like); however “double-e combinations usually don’t get a hyphen” (e.g., preempted, reelected).[[24]](#footnote-25)
* “If the phrase [has multiple compound modifiers and] is easily recognized without hyphens, use a hyphen only to link last element: *They hope to spark consumer interest in department store-based shopping. She said assistant vice president‑managed courses should include real estate licensing-related materials*.”[[25]](#footnote-26)
* If suspensive hyphenation is used “to shorten a compound modifier or a noun phrase that shares a common word” and “the elements are joined by *and* or *or*, expressing more than one element,” the phrase should be written with a hyphen after each noun (e.g., “*10-, 15- or 20-minute intervals*” or “*5- and 6-year-olds*”).[[26]](#footnote-27) However, note that the 57th Edition of the AP Stylebook provides a counter-example: “*The intervals are 10, 15 or 20 minutes*,” and “*the children are 5 to 6 years old*.”[[27]](#footnote-28)Another source explains that when discussing a “fellow personal trainer,” the correct (albeit somewhat awkward) way to describe that individual would be to refer to them as a “co-personal trainer,” and not “copersonal trainer.”[[28]](#footnote-29) The explanation is that “the hyphen is necessary because *co-* modifies the two-word phrase *personal trainer*, not just *personal*.”[[29]](#footnote-30)

**en dash (–)**. I prefer to use this for indicating ranges, such as between dates or numbers. “﻿An *en dash* is about half the width of an *em dash*, approximating the width of a capital letter *N*.”[[30]](#footnote-31)

**em dash (—)**. The Associated Press “﻿refers to these simply as *dashes* and covers their use in the dash entry. ﻿They are used to signal abrupt change; as one option to set off a series within a phrase; before attribution to an author or composer in some formats; after datelines; and to start lists. AP style calls for a space on both sides of a *dash* in all uses except the start of sports agate summaries. An *em dash* is approximately the width of a capital letter *M* in the typeface being used.”[[31]](#footnote-32)

**prefixes**. “The [AP] Stylebook’s preferences on whether to use a hyphen following a prefix are based largely on usage and *Webster’s New World College Dictionary*. Generally we do not hyphenate when using a prefix with a word starting with a consonant. But there are exceptions. . . . . Three rules are constant:

* — Use a hyphen if the prefix ends in a vowel and the word that follows begins with the same vowel. Exceptions: *cooperate, coordinate*, and double-e combinations such as *preestablish, preeminent, preeclampsia, preempt*.
* — Use a hyphen if the word that follows is capitalized.
* — Use a hyphen to join doubled prefixes: *sub-subparagraph*.”[[32]](#footnote-33)

## Business Letters

When drafting a business letter, I like to reference a letter written on September 9, 2009, from Klaus M. Belohoubek of Dover Motorsports Inc. to Mario D. Cibelli, that can be viewed here: <https://web.archive.org/web/20250506055451/https://www.shareholderforum.com/DVD/Library/20090909\_Dover-letter.pdf#>. I find it both entertaining and useful, which is why I think it works well as a resource.

# Terminology, Acronyms, and Preferred Word Choices

*My preference for spelling and terminology prioritizes the Associated Press Stylebook, but if that is silent on the question, I will then turn to the Merriam‑Webster Dictionary.*

**a priori**. It “means *from earlier*, and refers to knowledge we have naturally, obviously, or before (and not requiring) testing or experience.”[[33]](#footnote-34)

**a posteriori**. It “means *from the latter*, and refers to knowledge we must acquire by testing or evidence.”[[34]](#footnote-35)

**a.m.**, **p.m.** The Associated Press prefers lowercase with periods. It also discourages redundancies such as “10 a.m. this morning.”[[35]](#footnote-36)

**acknowledgment**. *Merriam-Webster* provides the spelling with only two “e’s” as the preferred spelling, as it treats the version with three “e’s” as a “variant.”[[36]](#footnote-37)

**ad hoc**. It “means *for this*, and indicates something designed for a specific purpose rather than for general usage.”[[37]](#footnote-38)

**adhesion contract**. “A standard-form contract prepared by one party, to be signed by another party in a weaker position, usu. a consumer, who adheres to the contract with little choice about the terms. — Also termed *contract of adhesion*; *adhesive contract*; *adhesory contract*; *adhesionary contract*; *take-it-or-leave-it contract*; *leonine contract.*

“Some sets of trade and professional forms are extremely one-sided, grossly favoring one interest group against others, and are commonly referred to as contracts of adhesion. From weakness in bargaining position, ignorance, or indifference, unfavored parties are willing to enter transactions controlled by these lopsided legal documents.” Quintin Johnstone & Dan Hopson Jr., *Lawyers and Their Work* 329–30 (1967).“Dangers are inherent in standardization … for it affords a means by which one party may impose terms on another unwitting or even unwilling party. Several circumstances facilitate this imposition. First, the party that proffers the form has had the advantage of time and expert advice in preparing it, almost inevitably producing a form slanted in its favor. Second, the other party is usually completely or at least relatively unfamiliar with the form and has scant opportunity to read it — an opportunity often diminished by the use of fine print and convoluted clauses. Third, bargaining over terms of the form may not be between equals or, as is more often the case, there may be no possibility of bargaining at all. The form may be used by an enterprise with such disproportionately strong economic power that it simply dictates the terms. Or the form may be a take-it-or-leave-it proposition, often called a contract of adhesion, under which the only alternative to complete adherence is outright rejection.” E. Allan Farnsworth, *Contracts* § 4.26, at 296–97 (3d ed. 1999).”[[38]](#footnote-39)

**adjective pronouns**. “An adjective pronoun (also called a pronominal adjective) functions as a noun modifier. It must agree in number with the noun to which it belongs {all people} {these

sorts of favors} {those kinds of indulgences}. All pronouns other than [sic] nonpossessive personal pronouns, *who*, and *none* may serve as adjectives {those windows} {some coyotes}.

The adjective *no* is used instead of none {no one astronaut} {no other paradise}.”[[39]](#footnote-40)

**affect**, **effect**. *Affect*, as a verb, means *to influence*: *The game will affect the standings.* *Affect*, as a noun, is best avoided. It occasionally is used in psychology to describe an emotion, but there is no need for it in everyday language. *Effect*, as a verb, means *to cause*: *He will effect many changes in the company*. *Effect*, as a noun, means *result*: *The effect was overwhelming.* *He miscalculated the effect of his actions.* *It was a law of little effect*.[[40]](#footnote-41)

**among**, **amongst**. “Overall, *among* is more commonly used in both American and British English. In British English, while *amongst* is acceptable in most uses, *among* is generally preferred. . . . In both speech and writing, *among* and *amongst* are interchangeable. Both are grammatically correct and mean the same thing. However, *amongst* is often considered old-fashioned or pretentious in American English, so you may want to avoid it.”[[41]](#footnote-42)

**article (in the grammatical sense)**. “An article is a limiting adjective that precedes a noun or noun phrase and determines the noun or phrase’s use to indicate something definite (*the*) or indefinite (*a* or *an*). An article might stand alone or be used with other adjectives {a road} {a brick road} {the yellow brick road}.”[[42]](#footnote-43)

**assume**, **presume**. “Although *presume* and *assume* both mean ‘to take something as true,’ ‘presume’ implies more confidence or evidence backed reasoning. An ‘assumption’ suggests there is little evidence supporting your guess. Think carefully before using them interchangeably or you may lose some meaning.”[[43]](#footnote-44)

**at bar**. *See* *sub judice*.

**attorney's fees**. (See use under the entry for “Chronology” in Garner’s Modern Usage.[[44]](#footnote-45))

**bad(-)faith**. “*Bad faith* is the noun phrase <in bad faith>, *bad-faith* the adjectival phrase <bad-faith promises>.”[[45]](#footnote-46)

**Berger Law, LLC**. The name, as registered with the Georgia Secretary of State, includes a comma after “Berger Law” and before “ LLC”.

**canvas, canvass**. “*Canvas* is heavy cloth. *Canvass* is a noun and a verb denoting a survey.”[[46]](#footnote-47)

**contract of adhesion**. See *adhesion contract*.

**chock-full / chockful**. *Merriam-Webster* defines it as “full to the limit,” and prefers to spell it as “chock‑full” rather than “chockful.”[[47]](#footnote-48)

**compose** / **comprise**. “The parts *compose* the whole; the whole *comprises* the parts. The whole is *composed* of the parts; the parts are *comprised* in the whole. *Comprise*, the more troublesome word in this pair, means “to contain; to consist of . . . .”[[48]](#footnote-49) “The phrase *is comprised of* is increasingly common but has long been considered poor usage.”[[49]](#footnote-50) *Merriam-Webster* quotes its *Dictionary of English Usage* to provide a parting piece of advice: “Our advice to you is to realize that the disputed sense is established and standard, but nevertheless liable to criticism. If such criticism concerns you, you can probably avoid *comprise* by using *compose*, *constitute*, or *make up*, whichever fits your sentence best.”[[50]](#footnote-51)

**decision-making**. *Merriam-Webster* recognizes this as a word, but it does not treat “decision‑maker” as a word. For guidance, see[*decision-maker*](#Decision_maker_not_a_word).

**definite article**. “A definite article points to a definite object that (1) is so well understood that it does not need description (e.g., *the package is here* is a shortened form of *the package that you expected is here*); (2) is a thing that is about to be described {the sights of Chicago}; or (3) is important {the grand prize}. The definite article belongs to nouns in the singular {the star} or the plural number {the stars}.”[[51]](#footnote-52)

**democrat, Democrat, democratic, Democratic, Democratic Party**. For the U.S. political party, capitalize *Democrat* and *Democratic* in references to the *Democratic Party* or its members. Lowercase in generic uses: *He champions the values of a democratic society*. Use *Democratic*, not *Democrat*, in usages such as *the Democratic-controlled Legislature* and *the Democratic senator* (except in direct quotations that use *Democrat*).[[52]](#footnote-53)

**demonstrative pronouns**. “A demonstrative pronoun (or, as it is sometimes called, a deictic pronoun) is one that points directly to its antecedent: *this* and *that* for singular antecedents {this is your desk} {that is my office}, and *these* and *those* for plural antecedents {these have just arrived} {those need to be answered}. *This* and *these* point to objects that are close by in space, time, or thought, while *that* and *those* point to objects that are comparatively remote in space, time, or thought. The antecedent of a demonstrative pronoun can be a noun, phrase, clause, sentence, or implied thought, as long as the antecedent is clear. *Kind* and *sort*, each referring to "one class," are often used with an adjectival this or that {this kind of magazine} {that sort of school}. The plural forms *kinds* and *sorts* should be used with the plural demonstratives {these kinds of magazines} {those sorts of schools}.”[[53]](#footnote-54)

**despite**. Preferred to *in spite of* because it “is shorter” and “means the same thing.”[[54]](#footnote-55)

**diabetes**. When referring to the various types of diabetes, the AP Stylebook prefers capitalizing “type” and excluding a hyphen between that word and the number, and making “diabetes” lowercase (i.e., Type 1 diabetes and Type 2 diabetes).[[55]](#footnote-56)

﻿**disk, disc**. Use *disk* for computer-related references (*diskette*) and medical references, such as a *slipped disk*. Use the *disc* spelling for optical and laser-based devices (a *Blu-ray Disc*, *CD*, *DVD*) and for *disc brake*.[[56]](#footnote-57)

**domicile**. “The place at which a person has been physically present and that the person regards as home; a person's true, fixed, principal, and permanent home, to which that person intends to return and remain even though currently residing elsewhere.” A domicile may also be described as “[t]he residence of a person or corporation for legal purposes.”[[57]](#footnote-58) *Cf*. residence.

**draw lots**. The phrase means “to make a decision by choosing from a set of objects such as pieces of paper or sticks that are all the same except for one.”[[58]](#footnote-59)

**e.g.** It “comes from *exempli gratia* in Latin, which means ‘for example’. So if you make a point and then say, “e.g., you don’t want to restate your point, you want to provide an instance of that being true.”[[59]](#footnote-60) The *period* following “g” should be followed by a comma.

**esports**. “Acceptable in all references to competitive multiplayer video gaming. Use alternate forms like *eSports* or *e-sports* only if part of a formal name, like an organization or arena. Capitalize at the start of sentences. Like other collective nouns that are plural in form, *esports* takes singular form when the group or quantity is regarded as a unit. *Some gamers are finding esports is a viable profession; nine esports were added to the competition.* It is also acceptable to refer to individual esports events as *games* or *events*.”[[60]](#footnote-61)

**ex ante**. It “means *before the event*, and is basically a prediction of something. In the financial world it’s often a prediction of a return on an investment.”[[61]](#footnote-62)

**ex post**. It “means *after the event*, and means something that is settled after the event actually happens. For investment companies it’s a look back at how they company actually did as opposed to how well they planned on doing.”[[62]](#footnote-63) *Cf*. post hoc.

**farther, further**. “Farther refers to physical distance: *He walked farther into the woods.*

*Further* refers to an extension of time or degree: *She will look further into the mystery*.”[[63]](#footnote-64)

**fewer, less**. “In general, use *fewer* for individual items, *less* for bulk or quantity.

[Examples:]

Wrong: *The trend is toward more machines and less people.* (People in this sense refers to individuals.)

Wrong: *She was fewer than 60 years old.* (Years in this sense refers to a period of time, not individual years.)

Right: *Fewer than 10 applicants called.* (Individuals.)

Right: *I had less than $50 in my pocket.* (An amount.) But: *I had fewer than 50 $1 bills in my pocket.* (Individual items.)”[[64]](#footnote-65)

**grammar**. “Grammar consists of the rules governing how words are put together into sentences. These rules, which native speakers of a language learn largely by osmosis, govern most constructions in a given language. The small minority of constructions that like outside these rules fall mostly into the category of idiom and usage.”[[65]](#footnote-66)

**halfway**. One word; not “half-way.”[[66]](#footnote-67)

**HCSM**. A “health care sharing ministry. It is “a faith-based organization that shares resources for medical needs among its members. In general, HCSM members are expected to follow a set of religious or ethical beliefs and contribute a payment regularly (e.g., monthly) to cover the medical expenses of other members. The contributions are distributed, either through the HCSM or via a member‑to­‑member match, to members who need funds for health care costs.”[[67]](#footnote-68)

**health care / healthcare**. Use two words when making a more general reference, or generally as a noun. When the term is used to describe (i.e., an adjective) or characterize (i.e., an adverb), use the one-worded spelling.[[68]](#footnote-69) Note: the 55th (and the 57th) Edition of the Associated Press Stylebook prefers the two-worded spelling, *health care*.[[69]](#footnote-70)

**i.e.** It “comes from *id est* in Latin, basically meaning *it is*, and signifies a restatement of what was just said. It’s a reiteration, not an example or case in point.”[[70]](#footnote-71) The second period should be followed by a comma.

**in person**. “*In person* [is an adverb that] means ‘in one’s bodily presence’ as in ‘He met his boss in person a few weeks after the phone interview.’” “Remember that adverbs usually modify verbs, so if you are describing how something was or will be done you want *in person*.”[[71]](#footnote-72) A helpful tip from Merriam-Webster: “What to remember: Use *in person* as an adverb (modifying a verb, adjective, or adverb) and *in-person* as an adjective (modifying a noun). You can use both in the same sentence, if it will help you to remember how to keep them separate (although it will probably not be a very elegant sentence): 'You'll need to come *in person* to collect your hyphen at the *in-person* workshop on "How to properly use hyphens."'”[[72]](#footnote-73)

**in-person**. “*In-person* is an adjective that describes something done by or with a person who is physically present. Remember that adjectives modify nouns, so if you are describing the quality of a noun (such as a class, interview, or visit) you want *in-person*.” A helpful tip from Merriam-Webster: “What to remember: Use *in person* as an adverb (modifying a verb, adjective, or adverb) and *in-person* as an adjective (modifying a noun). You can use both in the same sentence, if it will help you to remember how to keep them separate (although it will probably not be a very elegant sentence): 'You'll need to come *in person* to collect your hyphen at the *in-person* workshop on "How to properly use hyphens."'”[[73]](#footnote-74)

**in spite of**. *Despite* means the same thing and is shorter.[[74]](#footnote-75)

**indemnitee**. “Someone who receives indemnity from another.”[[75]](#footnote-76)

**indemnitor**. “Someone who indemnifies another. — Also termed *indemnifier.*”[[76]](#footnote-77)

**lady**. This word should not be used as synonymous with “woman.” “*Lady* may be used when it is a title for members of the nobility.”[[77]](#footnote-78)

**lay, lie**. “The action word is *lay*. It takes a direct object. *Laid* is the form for its past tense and its past participle. Its present participle is *laying*.

When *lie* means *to make an untrue statement*, the verb forms are *lie*, *lied*, *lying*.

*Lie* also has various other meanings, including *to recline, to be situated* or *to exist*. It does not take a direct object. Its past tense is *lay*. Its past participle is *lain*. Its present participle is *lying*.

Some examples:

**Present or Future Tenses**:

Right: *I will lay the book on the table.* *The prosecutor tried to lay the blame on him.*

Wrong: *He lays on the beach all day.* *I will lay down.*

Right: *He lies on the beach all day.* *I will lie down. The village lies beyond the hills. The answer lies in the stars.*

**In the Past Tense**:

Right: *I laid the book on the table.* *The prosecutor has laid the blame on him.*

Right: *He lay on the beach all day.* *He has lain on the beach all day.* *I lay down. I have lain down. The secret lay in the fermentation process.*

**With the Present Participle**:

Right: *I am laying the book on the table.* *The prosecutor is laying the blame on him.*

Right: *He is lying on the beach.* *I am lying down.*”[[78]](#footnote-79)

**LEO**. An acronym that can refer to a “law enforcement officer” or a “local election official.”

**levelheaded** / **level head**. *Merriam-Webster* instructs that this word/phrase should be a single word, rather than hyphenated (i.e., level-headed) or split into separate words (i.e., level headed).[[79]](#footnote-80) However, when used in the idiom (i.e., “keep a level head”), the word is split into separate words (i.e., *level head*).[[80]](#footnote-81)

**may / might**. “Might” is the past tense of “may.”[[81]](#footnote-82) When discussing potential outcomes, “[*m*]*ay* expresses likelihood while *might* expresses a stronger sense of doubt or a contrary-to-fact hypothetical.”[[82]](#footnote-83) Another contextualization explains that “[*m*]*ay* is used to express what is possible, factual, or could be factual,” while “[*m*]*ight* is used to express what is hypothetical, counterfactual, or remotely possible.”[[83]](#footnote-84)

**might / may**. *See may / might*.

**motor sports / motorsport**. Use two words when making a more general reference, or generally as a noun. When the term is used to describe (i.e., an adjective) or characterize (i.e., an adverb), use the one-worded spelling.[[84]](#footnote-85) Note: the 55th Edition of the Associated Press Stylebook prefers the two-worded spelling, *motor sports*.

**nonpartisan**. One word.

**nonprofit**. The 55th Edition Associated Press Stylebook instructs to use this spelling (rather than using a hyphenated version or using two words).[[85]](#footnote-86)

**notwithstanding**. A “formal word used in the sense ‘despite,’ ‘in spite of,’ or ‘although.’ In general English-language contexts, it has experienced a steady decline in use since about 1760. E.g.: ‘*Notwithstanding* an outpouring of editorial opinion on either side of this issue, there are no easy answers.’ Richard Baum, ‘Perspective on China,’ *L.A. Times*, 30 Nov. 1997, at M5.

The question that literalists ask is, What doesn't withstand what else? Is the outpouring of opinion ‘not withstanding’ (i.e., subordinated to) the lack of easy answers, or is the lack of easy answers ‘not withstanding’ (subordinated to) the outpouring of editorial opinion? Because the former is the correct reading, some believe that *notwithstanding* should be sent to the end of the phrase in which it appears: *The family's objection to the marriage notwithstanding*, as opposed to *Notwithstanding the family's objection to the marriage*.

But the literalist argument is very much in vain, as the *OED* attests with a 14th-century example of *notwithstanding* as a sentence-starter. This usage has been constant from the 1300s to the present day. In fact, the construction with *notwithstanding* following the noun first appeared more than a century later, and has never been as frequent. The *Century Dictionary* explains: ‘As the noun usually follows [the word *notwithstanding*], the [word] came to be regarded as a prep. (as also with *during*, ppr.), and is now usually so construed.’ 3 *Century Dictionary and Cyclopedia* 4029 (1914). The word is not a dangler because it does not function as a participle.”[[86]](#footnote-87)

**operating agreement**. “A limited-liability company's governing document that sets out the financial and managerial rights of the company's members.”[[87]](#footnote-88)

**P.O. Box** or **PO Box**. The United States Postal Services uses the style without periods (i.e., “PO Box”) when referencing a Post Office Box (both “Post Office Box” and “PO Box” are trademarks of the USPS).[[88]](#footnote-89)

**pollbook**. Spell as one word, rather than as two, separate words.[[89]](#footnote-90)

**post hoc**. It “means *after this*, and refers to reasoning, discussion, or explanation that takes place after something has already transpired.”[[90]](#footnote-91) *Cf.* ex post.

**presume**. *See assume, presume*.

**principal, principle**. “*Principal* is a noun and adjective meaning someone or something first in rank, authority, importance or degree: *She is the school principal.* *He was the principal player in the trade.* *Money is the principal problem.*

*Principle* is a noun that means a fundamental truth, law, doctrine or motivating force: *They fought for the principle of self-determination.*

In a business context, *principal* refers to the amount of money that is borrowed in a loan, as distinct from interest that is paid.”[[91]](#footnote-92)

**quantum meruit**. “The reasonable value of services; damages awarded in an amount considered reasonable to compensate a person who has rendered services in a quasi-contractual relationship.”[[92]](#footnote-93)

**runoff**. “[A] final race, contest, or election to decide an earlier one that has not resulted in a decision in favor of any one competitor.”[[93]](#footnote-94)

**residence**. “The place where one actually lives, as distinguished from a domicile <she made her residence in Oregon> . • *Residence* usu. just means bodily presence as an inhabitant in a given place; *domicile* usu. requires bodily presence plus an intention to make the place one's home. A person thus may have more than one residence at a time but only one domicile.”[[94]](#footnote-95) *Cf*. domicile.

**sealioning**. “*Sealioning* refers to the disingenuous action by a commenter of making an ostensible effort to engage in sincere and serious civil debate, usually by asking persistent questions of the other commenter. These questions are phrased in a way that may come off as an effort to learn and engage with the subject at hand, but are really intended to erode the goodwill of the person to whom they are replying, to get them to appear impatient or to lash out, and therefore come off as unreasonable.”[[95]](#footnote-96)

**Smithsonian﻿ Institution**.Not *Smithsonian Instit****ute***.[[96]](#footnote-97)

**statewide**.[[97]](#footnote-98)

**STLDI**. “Short-term, limited-duration insurance”[[98]](#footnote-99)

**sub judice**. “Before the court or judge for determination; at bar <in the case *sub judice*, there have been no out‑of‑court settlements>. Legal writers sometimes use *case sub judice* where *the present case* would be more comprehensible.”[[99]](#footnote-100)

**T&S**. “Timing and Scoring.” Used in a motorsports context.

**TER**. “Time Expired or Restricted.” This refers to criminal history records.

**“they”, the singular**. “A singular antecedent requires a singular referent pronoun. Because he is no longer accepted as a generic pronoun referring to a person of either sex, it has become common in speech and in informal writing to substitute the third-person plural pronouns *they*, *them*, *their*, and *themselves*, and the nonstandard singular *themself*. While this usage is accepted in casual contexts, it is still considered ungrammatical in formal writing. Avoiding the plural form by alternating masculine and feminine pronouns is awkward and only emphasizes the inherent problem of not having a generic third-person pronoun. Employing an artificial form such as *s/he* is distracting at best, and most readers find it ridiculous. There are several better ways to avoid the problem. For example, use the traditional, formal *he or she*, *him or her*, *his or her*, *himself or herself*. Stylistically, this device is usually awkward or even stilted, but if used sparingly it can be functional.”[[100]](#footnote-101)

**third party** / **third-party**. When used as a noun, use two separate words; when used as an adjective, hyphenate the two words.[[101]](#footnote-102)

**white paper**. When the term is referring to a special report, it should be “[t]wo words, lowercase.”[[102]](#footnote-103)

**who’s, whose**. “*Who’s* is a contraction for *who is*, not a possessive: *Who’s there?*

*Whose* is the possessive: *I do not know whose coat it is.*”[[103]](#footnote-104)

﻿**who, whom**. “*Who* is the pronoun used for references to human beings and to animals with a name. Write *the person who is in charge*, not *the person that is in charge*.

*Who* is grammatically the subject (never the object) of a sentence, clause or phrase: *The woman who rented the room left the window open. Who is there?*

*Whom* is used when someone is the object of a verb or preposition: *The woman to whom the room was rented left the window open. Whom do you wish to see?*

See essential clauses, nonessential clauses for guidelines on how to punctuate clauses introduced by *who*, *whom*, *that* and *which*. See also that, which (pronouns).”[[104]](#footnote-105)

## Words that are not real

**Decision-maker**. This is not a word — regardless of whether it is hyphenated or spelled as a single word. Use “individuals involved in the decision‑making process” instead.

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4. *Id.* at 172. (Rule 17.1). [↑](#footnote-ref-5)
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7. *Id.* [↑](#footnote-ref-8)
8. *Id.* [↑](#footnote-ref-9)
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11. Bluebook Rule 17.2.5. [↑](#footnote-ref-12)
12. “Inspiration” came from Rule 12.4(d) on page 126 of the 20th edition of the Bluebook. [↑](#footnote-ref-13)
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101. This decision came from my own usage patterns. [↑](#footnote-ref-102)
102. “white paper” The Associated Press, *supra* note 22. “white paper” *Id.* [↑](#footnote-ref-103)
103. The Associated Press, *who’s, whose* The Associated Press Stylebook (55th (2020 – 2022) ed. 2020). [↑](#footnote-ref-104)
104. The Associated Press, *who, whom* The Associated Press Stylebook (55th (2020 – 2022) ed. 2020). [↑](#footnote-ref-105)