

What do judges/arbitrators like or dislike? See Bryan A. Garner, *Legal Writing in Plain English* 144 (2001)

Judges on Legal Writing	
Likes	Dislikes
Brevity	Verbosity
Clarity	Obscurity
Logical flow	Clutter
Clear issues	Failure to frame the question...
Interesting writing	Long paragraphs
Fluidity	Repetition
Informative headings	Too many footnotes
Clean overall appearance	Run-on sentences
Structured paragraphs	Disorganized style
Directness	Unnecessary material
Issue & answer in first paragraph	Unclear intentions
Practical writing	Boring writing
Trustworthiness	Latin terms; technical language
Succinctness	String citations
Flowing prose; good transitions	Poor grammar
Clear divisions of thought	Overstatement; hyperbole
Explanations	Passive voice: who did what?
Accuracy	Long decisions
Honest, sincere writing	Boilerplate
Supporting rationale	Complicated writing
No footnotes	Long-winded philosophical discourse
Decisiveness	Stream-of-consciousness
Originality in presenting ideas	Quotations
Concise sentences	Incompleteness
Clear, concise statement of facts	Witness-by-witness statement of facts
Outline style	Cases cited for the wrong proposition
Short words	Footnotes, especially giant ones
Clear conclusions	Long words
Conveying a sense of justice	Circuitous sentences
Instant clarity	Lengthiness
Storytelling	Lack of closure
Short, to-the-point style	Convoluting writing
Simple sentences	Spelling mistakes
Clever phrases	Disjointed ideas
Well-put phrases	Cuteness; unprofessional manner
Inspiring confidence about precise questions presented	Unnecessary detail
Understandable language	Dancing around the issue
Common sense	Uninformative writing
Immediate identification of issues	Overuse of procedural labels
Logical organization	Writing you have to reread
Entertainment	Impossibly small type
Footnotes for string citations	Chattiness
Comprehensiveness	Distortions of fact or law
Complex ideas stated simply & directly	Overcontentiousness
Footnotes properly and sparingly used	Sentences broken up by citations
Civil tone	Lazy writing
	"Clearly"

Note: This survey was part of an Advanced Judicial Writing workshop for the Delaware judiciary. Forty-two judges participated. The workshop took place in Rehoboth Beach on September 26-27, 1996.