

Writing Exercises for Law Students
prepared by Dr. Margaret McCallum, UNB Faculty of Law, December 2008

TOPICS

Suggested answers are given at the end of this document, not at the end of each section.

- A. Sentence Structure: Punctuation, Dangling and Misplaced Modifiers, and Distant Verbs**
- B. Errors the Spell Check Program Does Not Identify**
- C. Verb Tense**
- D. Verb Voice: Eliminating the Passive Voice**
- E. Verb/Subject Agreement and Pronoun/Antecedent Agreement**
- F. Pronoun Case, Antecedents, and Gender-Neutral Language**
- G. Punctuation, Apostrophes, and Italics**
- H. Parallelism**
- I. Avoiding Wordiness**

A. Sentence Structure: Punctuation, Misplaced and Dangling Phrases and Distant Verbs

Revise these sentences to deal appropriately with misplaced or dangling modifiers, sentence fragments, comma splices, verbs that are postponed to the end of the sentence, and verbs that are too distant from their subject.

1. Waiting for the bus to come, the summer sun was warm and bright.
2. The co-accused admitted that he obtained the bomb parts in exchange for a reduced sentence.
3. We will resist the Free Trade Area of the Americas. Because it limits the ability of sovereign states to legislate for workplace safety.
4. I have wanted to be a lawyer for a long time. Ever since that day when I realized that I could use the legal system to compel my employer to pay me the minimum wage.
5. Nobody knows the trouble I've seen. Nobody but my black Lab.
6. Legal Method is a great course, I wish I had kept up with the reading.
7. That marsh hay was highly sought after on Prince Edward Island in the nineteenth century. That people bought farms solely to obtain a source of marsh hay. That some neighbours exchanged blows over marsh hay are highly credible claims.
8. The new park washrooms, after seven years of planning, ten months of intense work, and the expenditure of thousands of dollars, opened yesterday.

9. On conviction on this offence, the minimum sentence is two years in Mississippi.

B. Errors the Spell Check Program Does Not Identify

Correct the incorrect words in the following paragraph.

By the time students get to law school, its all ready to late to effect significant change in a persons decision-making processes by an appeal to conscious; these appeals will have little affect. In deed, in a world where greed is glorified, it may be unfaire to censor a student for not understanding the concept of public service. Such censor is unlikely too effect the student in the desired way, or too illicit the desired response. A student is more likely to make decisions based on principal rather than on personnel interest if such decisions lead to complements from people who's opinion the student respects.

C. Verb Tense

Revise this paragraph so that verb tenses are used in accordance with the conventions of the legal profession.

The Supreme Court decides to hear the motion of West Nova Fishermen's Coalition, intervenors in *R. v. Marshall*. Donald Marshall, the accused, is a First Nations person who is convicted of catching and selling eels in contravention of federal fisheries regulations. The Coalition was concerned primarily with competition from First Nations people in the lobster fishery, and asks the Supreme Court to set aside Donald Marshall's acquittal and instead order a new trial. The Coalition is hoping that the federal government will use the new trial to justify its regulatory regime for the east coast fisheries. The Attorney-General, for the government, opposes the request, and the Supreme Court, in a unanimous decision, dismisses the Coalition's motion.

D. Verb Voice: Eliminating the Passive Voice

Rewrite the passive voice verb constructions so that the verb is in the active voice. You may need to draw on your own knowledge or imagination to supply the subject of the active voice verb.

1. Water cannons were deployed in order to have the effect of dispersing the demonstrators.
2. Students are requested to pay their library fines by the end of the week.
3. My first day at law school will always be remembered with fondness by me.
4. The man who was singing in the theatre was removed.

5. The room is to be locked at the end of the meeting, and the key returned to the general office.
6. The report to the shareholders was falsified by the company president.
7. It was noted by the administration that none of the students attended.
8. Papers to be considered for prizes are to be submitted to the Dean's Office by Monday.
9. In appointing part-time instructors to teach courses in the Department, applicants shall be offered the opportunity to teach available courses for which they are deemed qualified and suitable in their order of seniority as determined by the number of courses each has previously taught in the Department.

E. Verb/Subject Agreement and Pronoun/Antecedent Agreement

Fill the blanks with the appropriate form of the present tense of the verb given in its infinitive form in brackets, or where there is no infinitive given, with the appropriate pronoun.

1. Either of the lawyers _____ (to be) available to argue this motion.
2. The dog's size, as well as its energy and enthusiasm, _____ (to endanger) everything in _____ path.
3. The team, composed of Jill, Luigi and Raj, _____ (to leave) for the competition today. Team members must leave _____ letters of permission with the staff in the general office.
4. The government _____ (to decide) today whether to legalize the growing of marijuana for personal use. _____ decision will be announced at 5:30 EST.
5. No one, not John, Manuel, or Mary, _____ (to be) willing to take the responsibility.
6. Although Joan and Jill _____ (to be) both planning to go with you, only one of them _____ (to be) ready now. You will find _____ waiting in the porch.
7. The Prime Minister delivered her ultimatum yesterday. Cabinet _____ (to meet) today to formulate _____ response. The Cabinet Ministers from Atlantic Canada _____ (to disagree) with _____ colleagues.
8. A cabinet minister should take _____ direction on policy from the prime minister.

F. Pronoun Case, Antecedents, and Gender-Neutral Language

Fill in the blanks with the appropriate case of the pronoun; revise as appropriate so that each pronoun has an identifiable antecedent, and eliminate inappropriate uses of the masculine pronoun.

1. Every one who wants to attend must be in the classroom promptly at 8:30, with his books and notes, but no one should attend unless they want to.
2. After braiding Suzette's hair, Suzette's mother decorated them with ribbons.
3. We always receive a flyer with our power bill. This time, they gave us suggestions for saving electricity.
4. In the encyclopedia, it states that the earth moves in a regular orbit around the sun.
5. When Gladys put the cake on the table, it collapsed.
6. A judge may find that his statements about controversial issues diminish the respect that he receives from the litigants in his courtroom.
7. Family property legislation prohibits a spouse who holds title to the marital home from disposing of any interest in the home without the consent of his spouse.
8. Nobody knows the trouble I've seen, except for my dog and _____. (I or me)
9. My sister Jane is six years older than _____. (I or me)
10. Lucy admitted that it was _____ (she or her) _____ (who or whom) wrote the anonymous note.
11. John and _____ (I or me) worked on this problem all day, but neither _____ (he or him) nor _____ (I or me) found a solution. It was too difficult for _____ (we or us) poor students.
12. Sylvia reported that while she was out with the diving team, _____ (she or her) and Juan found an old ship's anchor.
13. The ancient mariner tells his story to _____ (whoever or whomever) he chooses.
14. He tells his story to _____ (whoever or whomever) will listen.
15. _____ (who or whom) was expelled for plagiarism?
16. _____ (who or whom) did the students select to represent _____. (they or them)

G. Punctuation, Apostrophes, and Italics

Provide correct punctuation for the following paragraph. If any words should be in italics, indicate that with underlining. Add apostrophes where necessary.

In *Delgamuukw* the Supreme Court of Canada provided strong support for the concept of aboriginal title. *Delgamuukw* began as an application in the British Columbia courts brought by the clan leaders of the Gitksan and Wet'suwet'en, one of whom had the clan title of *Delgamuukw*. The Supreme Court urged the parties to negotiate, not litigate, but its power did not include the power to compel negotiations. In the end, it was the parties' decision whether to negotiate. The provincial governments' willingness to do so depended on the extent to which the Supreme Court recognized the validity of the First Nations' claim to aboriginal title.

H. Parallelism

Revise the following passages so that co-ordinate ideas, and elements in lists or series, are in parallel grammatical form.

1. In the past decade, we have made the following changes in the law school curriculum: added more compulsory courses; new rules for the dean's list; requiring students to do more writing courses; the addition of electives in areas of faculty interest; students cannot get credit for more than one competitive moot; no more than ten courses per year.
2. I object to your proposal because of its expense and it would not be fair.
3. Transplant peonies in fall, not in the spring or summer.
4. This plan has four advantages: ease of execution, not paying any transaction fees, uncontroversial, and can be implemented immediately.
5. The employee objected to the discipline imposed because of no warning before being fired, the manager did not have the authority to make the decision, refusing overtime was not a ground for being fired, and it was biased.
6. Filomena's lawyer argued that there were three mitigating circumstances, including the fact that the drug had been prescribed by Filomena's doctor, and that Filomena, who was no longer addicted, had completed a drug rehabilitation programme.
7. At the sentencing hearing into this matter, the subcommittee was provided with a copy of the Discipline Record concerning Mr. Jamieson, which reveals one complaint in 1997 resulting in the issuance of a caution and the requirement of an apology; four complaints during the years 1998 to 2003 that led to his being cautioned and counselled, and in 2002 there was a complaint resulting in the issuing of a reprimand arising from a complaint of delay and inactivity and non-response to the Law Society of Lawlandia.

8. My objections are, first, the injustice of the measure; second; that it is unconstitutional.

I. Avoiding Wordiness

Revise these texts to convey the same meaning as clearly as possible using as few words as possible.

1. A period of unfavourable weather caused the truncation of the camping trip.
2. The arbitrator shall deal only with the matter which occasioned her appointment and shall cease to exist on the final decision of that matter.
3. I had a dog. Its name was Ruff. It was a gentle dog. It was a small dog. The cat ate it. I miss Ruff.
4. We are in receipt of your letter requesting our representation with reference to the obtaining of your permanent resident status. Please note that, with regard to our previous discussion with you during our telephone and office conversations, we do not usually handle cases of this nature.
5. The reason for the dispute is that the neighbours were unable to come to any agreement about why the clothes line collapsed.
6. It is not beyond the realm of possibility that the police will beat the demonstrators.
7. There was a large audience in attendance in spite of the fact that there was a threat of snow.
8. It was not very long before he was very sorry that he had said what he had.
9. The fact that several students missed their final exam was reacted to with alarm by the Dean.
10. This essay is not very strong. The essay does not include any discussion of the decision of the Supreme Court in *Delgamuukw*. The opening paragraph does not get to the point, and the conclusion is not convincing.
11. He wrote numerous articles about his many adventures which were published in the local newspaper.
12. It is a fact that Fredericton does not have many classical music stores.
13. This will acknowledge receipt of your letter of November 22, 2001. In view of the fact that we receive numerous applications, we are unable to interview all qualified applicants.

14. The principal of the high school made the decision not to continue the Latin course because he did not think that studying Latin was a sensible way for students to use their time.

15. It is the contention of the plaintiff that, at Ralph's Meat Market, on November 10, 2001, at 1 p.m., while plaintiff was an invitee and business customer present at that certain real property located at 1234 Brightview Avenue, Fredericton, at that said time and place, the defendants, and each of them, carelessly and negligently owned and operated and maintained and controlled the said real property and particularly a shopping cart thereof, and the said cart was at said time and place in a dangerous condition, because there was no "seat flap" in the "upper" basket, and a can fell through, breaking plaintiff's foot, and as such it was unsafe for use by persons, including plaintiff, and because of said condition thereof negligently and carelessly maintained, the plaintiff was caused to and did sustain injuries and was injured thereby as hereinafter set forth.

Answers to Writing Exercises

A. Sentence Structure: Punctuation, Dangling and Misplaced Modifiers, and Distant Verbs

1. Waiting for the bus, we enjoyed the summer sun.
OR The bright, summer sun warmed us as we waited for the bus.
2. The accused, in exchange for a reduced sentence, admitted that he obtained the bomb parts.
3. We will resist the Free Trade Area of the Americas because it limits the ability of sovereign states to legislate for workplace safety.
4. I have wanted to be a lawyer for a long time, ever since that day when I realized that I could use the legal system to compel my employer to pay me the minimum wage.
5. Nobody knows the trouble I've seen -- nobody but my black Lab.
6. Legal Method is a great course; I wish I had kept up with the reading.
Legal Method is a great course, but I wish I had kept up with the reading.
Legal Method is a great course. I wish I had kept up with the reading.
7. It seems that marsh hay was highly sought after on Prince Edward Island in the nineteenth century, that people bought farms solely to obtain a source of marsh hay, and that some neighbours exchanged blows over marsh hay.
8. The new park washrooms opened yesterday, after seven years of planning, ten months of intense work, and the expenditure of thousands of dollars.
9. On conviction on this offence in Mississippi, the minimum sentence is two years.

B. Errors the Spell Check Program Does Not Identify

Corrections in bold.

By the time students get to law school, **it is already too** late to effect significant change in a **person's** decision-making processes by an appeal to **conscience**; these appeals will have little **effect**. **Indeed**, in a world where greed is glorified, it may be **unfair** to **censure** a student for not understanding the concept of public service. Such **censure** is unlikely **to affect** the student in the desired way, or **to elicit** the desired response. A student is more likely to make decisions based on **principle** rather than on **personal** interest if such decisions lead to **compliments** from people **whose** opinion the student respects.

C. Verb Tense

Corrections in bold.

The Supreme Court **decided** to hear the motion brought by West Nova Fishermen's Coalition, intervenors in *R. v. Marshall*. Donald Marshall, the accused, is a First Nations person who **was** convicted of catching and selling eels in contravention of federal fisheries regulations. The Coalition was concerned primarily with competition from First Nations people in the lobster fishery, and **asked** the Supreme Court to set aside Donald Marshall's acquittal and instead order a new trial. The Coalition **hoped** that the federal government **would** use the new trial to justify its regulatory regime for the east coast fisheries. The Attorney-General, for the government, **opposed** the request, and the Supreme Court, in a unanimous decision, **dismissed** the Coalition's motion.

D. Verb Voice: Eliminating the Passive Voice

1. The police used water cannons to disperse the demonstrators.
2. The librarian requests that students pay their library fines by the end of the week.
3. I will always fondly remember my first day at law school.
4. Theatre management removed the singing man.
5. At the end of the meeting, the person who booked the room must lock the door and return the key to the general office.
6. The company president falsified the report to the shareholders.
7. The administration noted that no students attended.
8. Faculty with papers for consideration by the prize committee must submit them to the Dean's Office.
9. In appointing part-time instructors to teach courses in the Department, the departmental hiring committee shall offer the opportunity to teach available courses to the applicants whom the Department has determined are qualified and suitable to teach the courses in the applicants' order of seniority as determined by the number of courses each has previously taught in the Department. (The re-write required making some assumptions about which unnamed entity must carry out the specified responsibilities.)

E. Verb/Subject Agreement and Pronoun/Antecedent Agreement

1. Either of the lawyers **is/are** ("either" can be used with a singular or plural verb) available to argue this motion.

2. The dog's size, as well as its energy and enthusiasm, **endangers** everything in its path.
3. The team, composed of Jill, Luigi and Raj, **leaves** (the subject of the verb is team) for the competition today. Team members must leave **their** letters of permission with the staff in the general office.
4. The government **decides** today whether to legalize the growing of marijuana for personal use. **Its** decision will be announced at 5:30 EST.
5. No one, not John, Manuel, or Mary, **is** willing to take the responsibility.
6. Although Joan and Jill **are** both planning to go with you, only one of them **is** ready now. You will find **her** waiting in the porch.
7. The Prime Minister delivered her ultimatum yesterday. Cabinet **meets** today to formulate **its** response. The Cabinet Ministers from Atlantic Canada **disagree** with their colleagues.
8. A cabinet minister should take **his or her** direction on policy from the prime minister.

Alternatives:

- Cabinet ministers should take their direction on policy from the prime minister.
Cabinet ministers should take direction on policy from the prime minister.

F. Pronoun Case, Antecedents, and Gender-Neutral Language

1. Students who want to attend must be in the classroom promptly at 8:30, with their books and notes, but they should not attend unless they want to.
2. After braiding Suzette's hair, Suzette's mother decorated the braids with ribbons.
3. We always receive a flyer with our power bill. This time, it was a list of suggestions for saving electricity.
4. The encyclopedia states that the earth moves in a regular orbit around the sun.
5. The cake collapsed when Gladys put it on the table.
6. Judges' statements about controversial issues may diminish the respect they receive from the litigants in the courtroom.
7. Family property legislation prohibits spouses who hold title to the marital home from disposing of any interest in the home without consent of the other spouse.
8. Nobody knows the trouble I've seen, except for my dog and me. (objective case -- object of preposition, "for")

9. My sister Jane is six years older than I. (subjective case -- subject of implied verb, "am")
10. Lucy admitted that it was she (subjective case -- subject complement of verb, "was") who wrote the anonymous note. (subjective case -- subject of verb, "wrote")
Alternative (which is more concise and avoids the whole) Lucy admitted that she wrote the anonymous note.
11. John and I (subjective case -- subject of the verb, "worked") worked on this problem all day, but neither he nor I found a solution. (both subjective case) It was too difficult for us poor students. (objective case)
12. Sylvia reported that while she was out with the diving team, she and Juan found an old ship's anchor. (subjective case -- subject of verb, "found")
13. The ancient mariner tells his story to whomever he chooses. (objective case -- object of verb, "chooses")
14. He tells his story to whoever will listen. (subjective case -- subject of verb, "will listen")
15. Who was expelled for plagiarism? (subjective case -- subject of verb "was expelled")
16. Whom did the students select to represent them? (objective case -- object of verb, "select")

G. Punctuation, Apostrophes, and Italics

In *Delgamuukw*, the Supreme Court of Canada provided strong support for the concept of aboriginal title. *Delgamuukw* began as an application in the British Columbia courts brought by the clan leaders of the Gitksan and Wet'suwet'en, one of whom had the clan title of Delgamuukw. The Supreme Court urged the parties to negotiate, not litigate, but its power did not include the power to compel negotiations. In the end it's the parties' decision whether to negotiate. The provincial government's willingness to do so depended on the extent to which the Supreme Court recognized the validity of the First Nations' claim to aboriginal title.

H. Parallelism

1. In the past decade, we have made the following changes in the law school curriculum: adding more compulsory courses; setting new rules for the dean's list; requiring students to do more writing courses; adding electives in areas of faculty interest; prohibiting students from obtaining credit for more than one competitive moot; limiting students course load to no more than ten courses per year.

2. I object to your proposal because it is expensive and unfair.

OR I object to your proposal because of its expense and lack of fairness.

3. Transplant peonies in **the** fall, not in **the** spring or **the** summer.

OR Transplant peonies in fall, not in spring or summer.

4. This plan has four advantages: it is easy to execute, involves no transaction fees, is uncontroversial, and can be implemented immediately.

5. The employee objected to the discipline imposed on the grounds that:

- a) the employee received no warning before being fired;
- b) the employee's refusal to work overtime was not justification for being fired;
- c) the manager who imposed the discipline lacked authority to do so;
- d) the manager's decision was tainted by bias against the employee.

OR, if a list is too informal for the context:

The employee objected to the discipline imposed on the grounds that he had received no warning before being fired, and his refusal to work overtime did not merit the discipline imposed. As well, the manager who imposed the discipline lacked the authority to do so, and her decision was tainted by bias against the employee.

6. Filomena's lawyer argued identified three mitigating circumstances: First, Filomena was taking a drug that had been prescribed by Filomena's doctor; second, she had completed a drug rehabilitation programme; and third, she was no longer addicted.

7. At the sentencing hearing, the subcommittee reviewed a copy of Mr. Jamieson's Discipline Record. It showed six previous complaints, with the following outcomes:

- a) 1997 -- cautioned and required to apologize;
- b) 1998 -- cautioned and counselled;
- c) 1999 -- cautioned and counselled;
- d) 2001 -- cautioned and counselled;
- e) 2002 -- reprimanded;
- f) 2003 -- cautioned and counselled.

Alternatives, depending on whether a list is appropriate but also on what you want to emphasize:

At the sentencing hearing, the subcommittee reviewed a copy of Mr. Jamieson's Discipline Record. Mr. Jamieson was the subject of six previous complaints from 1997 to 2003, for which he was cautioned and required to apologize; cautioned and counselled; and reprimanded.

At the sentencing hearing, the subcommittee reviewed a copy of Mr. Jamieson's Discipline Record, which showed that Mr. Jamieson was the subject of six previous complaints. In 1997, he was cautioned and required to apologize. Following each of four complaints from 1998 to 2003, he was cautioned and counselled. In 2002, he was reprimanded for delay, inactivity and non-response to the Law Society of Lawlandia.

8. My objections are, first, that the measure is unjust; second, that it is unconstitutional.

I. Avoiding Wordiness

1. After five days of rain, we cut short the camping trip.

2. The arbitrator shall deal only with the matter for which she was appointed and her appointment ends when she issues a final decision.

3. I miss my gentle and small dog, Ruff; the cat ate it.

4. Thank you for your letter requesting that we represent you in obtaining permanent resident status. We are sorry that we cannot do so; as we explained in our previous conversations, we do not usually handle immigration cases.

5. There would be no dispute if the neighbours could agree on why the clothesline collapsed.

6. It is possible that the police will beat the demonstrators.

7. Many people attended despite the threat of snow.

8. He soon regretted what he had said.

9. The Dean was alarmed that several students missed their final exam.

10. This essay is weak. The opening paragraph lacks focus, the essay omits any discussion of the decision of the Supreme Court in *Delgamuukw*, and the conclusion is unconvincing.

11. The local newspaper published his numerous articles about his many adventures.

12. Fredericton does not have many classical music stores.

13. Thank you for your letter of November 22, 2001. We receive so many applications that we cannot interview all qualified applicants.

14. The principal of the high school decided to cancel the Latin course because he thought that studying Latin was a waste of students' time.