



Thursday, May 22
8:30 am–10:00 am

3001 Effective Communication Skills

Kim Howard

Editor in Chief, ACC Docket
Association of Corporate Counsel

Jennifer Salopek

Freelance Writer/Editor

Faculty Biographies

Kim Howard

Kim A. Howard is the editor-in-chief of the *ACC Docket*, the award-winning journal of ACC. In her current role, Ms. Howard oversees the development, production and editorial content for the only professional legal journal written by in-house counsel for in-house counsel. Ms. Howard's oversight ensures that the *ACC Docket's* in-depth features and practical articles address those issues of vital concern to the in-house counsel community.

Prior to her work with ACC, Ms. Howard established her own company, *Write Communications*, where she provided strategic consulting and editorial writing assistance for individuals and organizations. Ms. Howard is an established leader in the publishing industry, having held senior-level management positions for national and international trade associations. She served as the editor of three magazines before joining ACC.

Ms. Howard is a member the *American Society of Association Executives*, where she was recognized as the top association executive sponsor, as well as is a member of the *Society of National Association Publishers* (SNAP), where she serves as the chair of the pre-conference workshop for SNAP's annual conference. Ms. Howard is actively involved in her local community and is a member of the *Prince William County Great Manassas Chamber of Commerce*, where she served as co-chair of the communications committee; chaired the prospective member reception and the 5-year re-accreditation communications section; and was awarded the gold star member award.

Ms. Howard earned a B.S. from Troy University and an M.S. from the University of Baltimore.

Jennifer Salopek

Jennifer J. Salopek is a freelance writer and editor. She has served a wide variety of association and nonprofit clients, including ACC, the Council for Advancement and Support of Education, the National Organization on Disability, and others.

Prior to starting her freelance business, Ms. Salopek served as senior editor of *T+D*, the monthly magazine of the American Society for Training & Development; executive director of the University & College Designers Association; and director of marketing and communications for The Madeira School.

She is currently a member of Washington Independent Writers and the Society for National Association Publications. She serves on the board of the New Dominion Women's Club.

Ms. Salopek received a B.A. from the University of Virginia and a professional certification from the George Washington University.

Two-part Presentation

- Emotional Intelligence with Attorneys
- Killing the Colon and the Dash in Legal Writing

By in-house counsel, for in-house counsel.™

10. Tap Into Your Lawyer's Expertise

- Lawyers can contribute something unexpected that is substantive—they just need a little editing sometimes.
- You're the one that has to tell them they are wrong.

By in-house counsel, for in-house counsel.™

9. No Surprises

- Keep your lawyers informed.

8. Be Solution Oriented

- It's not a problem if you can solve it.

7. Avoid the Pedestal

- Your work isn't perfect.

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6. No One is Perfect

- Get over it.

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5. Overall Good Judgment Counts

- More is required than warm fuzzies.

4. Deliver the Bottom Line

- Money and results talk.

3. The Boy Scouts Have It Right

- Always “Be Prepared”

By in-house counsel, for in-house counsel.™

2. Politics Are Everywhere

- It's not just about Capitol Hill.

By in-house counsel, for in-house counsel.™

1. Relationships Matter

- It's all about the relationship.

Killing the Colon and the Dash in Legal Writing

By Jennifer Salopek,
Freelance Writer and Editor

10. Good Writing Can Be Learned

- Literary writing is an art, but business writing is a craft that can be learned. As with anything, practice makes perfect.

By in-house counsel, for in-house counsel.SM

9. Less is More

“We lawyers cannot write plain English. We use eight words to say what can be said in two. We use old, arcane phrases to express commonplace ideas. Seeking to be precise, we become redundant. Seeking to be cautious, we become verbose.”

By in-house counsel, for in-house counsel.SM

9. Less is More (continued)

Our sentences twist on, phrase within clause within clause, glazing the eyes and numbing the minds of our readers. The result is a writing style that has, according to one critic, four outstanding characteristics. It is '(1) wordy, (2) unclear, (3) pompous, and (4) dull.'"

—Richard C. Wydick, *Plain English for Lawyers*

8. There is no substitute for correct grammar and spelling.

- Commonly misspelled words:
www.yourdictionary.com/library/misspelled.html

7. Always use the active voice.

- Passive: My first visit to Boston will always be remembered by me.
- Active: I will always remember my first visit to Boston.
- Passive: There were a great number of dead leaves lying on the ground.
- Active: Dead leaves covered the ground.

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6. The hardest part of writing is getting started.

- “There’s nothing to writing. All you do is sit down at a typewriter and open a vein.”
—Walter Wellesley “Red” Smith

By in-house counsel, for in-house counsel.™

5. Do Not Fall Victim to the Myth of the Perfect First Draft. It Does Not Exist.

- “I’m not a very good writer, but I’m an excellent rewriter.” —James Michener
- “The wastebasket is the writer’s best friend.” —Isaac Bashevis Singer

By in-house counsel, for in-house counsel.™

4. Avoid the most common grammar and usage errors.

- | | |
|------------------------|------------------------------|
| • Comprise/
compose | • Literally |
| • Affect/effect | • Imply/infer |
| • Assure/insure | • Because/since |
| • Irregardless | • That/which |
| • Impact | • It’s/its |
| • Ironically | • Possessives vs.
plurals |

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5. Proofread, proofread, proofread!

- “Proofread carefully to see if you any words out.” —Author unknown

3. A Word About Email

- Write a meaningful subject line.
- Keep the message focused and readable. Even though this is business, there is no need to be overly formal.
- Don't use weird fonts or emoticons.

3. A Word About Email (continued)

- Identify yourself clearly. Set up a standard signature that gives your full name, title, company, and telephone number. Many legal departments and firms will also include a standard confidentiality statement. However:
 - Don't assume privacy.
 - Don't use all caps unless you mean to "shout."
 - Proofread.
 - Avoid attachments and using the "Reply All" function if at all possible.

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2. Resources and opportunities for continued learning

- Get a style guide. The most popular are the *Associated Press Style Guide* and the *Chicago Manual of Style*.
- Invest in a good dictionary. Keep it on your desk.
- *Legal Research and Writing for Paralegals* (4th ed.), by Deborah Bouchoux (2005, Aspen Law & Business Publishing)
- "Communications" self-study course, NALACampus.com

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1. Embrace constructive criticism.

- Your boss will probably provide frequent feedback on your writing. Try not to be defensive or prickly. Remember: We can all continue to learn.

Top 14 Tips to Improve Your Legal Writing¹

- Have something to say--and think it through.
- Omit needless words.
- Keep your average sentence length to about 20 words.
- Prefer the active voice over the passive.
- Learn to detest simplifiable jargon.
- Make everything you write speakable.
- Introduce each paragraph with a topic sentence.
- Bridge between paragraphs.
- Vary the length of your paragraphs, but generally keep them short.
- Provide signposts along the way.
- Embrace constructive criticism.
- Edit yourself systematically.
- Learn how to find reliable answers to questions of grammar and usage.
- Remember that good writing makes the reader's job easy; bad writing makes it hard.

¹ Excerpt from *Legal Writing in Plain English* by Bryan A. Garner
Copyright 2001, Bryan A. Garner
Published by the University of Chicago Press (www.press.uchicago.edu)

EFFECTIVE COMMUNICATION SKILLS

Handout #2

Omitting Needless Words

INSTEAD OF:

accompanied by
 affix your signature
 are of the opinion
 as of this day
 call your attention to
 during the course of
 earliest practicable date
 for the purpose of
 fullest possible extent
 give consideration to
 he is a man who
 hereby
 in a hasty manner
 in abeyance
 in compliance with your request
 in order to
 in spite of the fact that
 make use of
 on the occasion of
 owing to the fact that
 prior to
 subsequent to
 the question as to whether
 the reason why is that
 there is no doubt but that
 this is a subject that
 we would like to ask that you
 with respect/reference to

USE:

with
 sign
 believe
 today
 notify you/remind you
 during
 as soon as possible
 for
 Leave it out!
 consider
 he
 Leave it out!
 hastily
 wait
 as requested
 to
 although
 use (NOT utilize!)
 when
 because
 before
 after
 whether
 because
 no doubt or doubtless
 this subject
 please
 about

Sources:

The Elements of Style, by William Strunk Jr. and E.B. White (New York: Macmillan, 1979).

Write to the Top: Writing for Corporate Success, by Deborah Dumaine (New York: Random House, 1983).

Writing with Precision: How to Write So That You Cannot Possibly Be Misunderstood, by Jefferson D. Bates (Herndon, Virginia: Acropolis Books, 1990).

EFFECTIVE COMMUNICATION SKILLS

Handout #3

Tautologies: Redundant Phrases

Advanced ahead
Attached hereto
At this point in time
Basic fundamentals
Brief in duration
Both together
Cooperate together
Enclosed herein
Final ending
Hopeful optimism
Important essentials
In the same way as described
Just exactly
Merge together
Mutual cooperation
Necessary requisite
One a.m. in the morning
Plan in advance
Protrude out
Reduce down
Resume again
Round in shape
Seems apparent
Surrounding circumstances
Still continue
True facts
Ultimate end
Young juveniles

Source:

Write to the Top: Writing for Corporate Success, by Deborah Dumaine (New York: Random House, 1983).

EFFECTIVE COMMUNICATION SKILLS
Handout #4
Start-Up Sheet for Memos and Letters

1. Why are you writing this?

(This should give you your first sentence and arouse the reader's interest.)

2. Who will be reading it?

(Keep this person in mind as you write.)

3. Answer the question below that seems most relevant to your memo:

___ What conclusion do you want the reader to reach? Or

___ What is the problem you want to discuss? Or

___ What is your position on the issue you are discussing?

(These ideas must be mentioned in the first paragraph if possible. If they are similar to your answer to Question 1, don't worry.)

4. Now create your own questions relating to background, reasons, examples, and supporting data, and list them below. These are the questions you want to answer in your writing:
5. Sometimes you have ideas that don't seem to fit in anywhere. List them below. Use more paper if necessary.
6. Number the items in 4 and 5 in a sensible order.
7. Recap your main point at the end; consider adding a personal touch.
8. If you like, copy all the ideas from this sheet into an outline. Now you're ready to write!

Source:

Write to the Top: Writing for Corporate Success, by Deborah Dumaine (New York: Random House, 1983).