

# Be Wise: Revise

by Lisa A. Mazzie

## DURING THE FIRST

semester in which I taught legal writing to first-year law students, a student claimed that he didn't write drafts; he wrote only final copy. Virtually no one, however, can write final copy without leaving behind a trail of earlier versions, incomplete and possibly incoherent. Author Anne Lamott says there are, and, in fact, must be really rotten first drafts. "All good writers write them. This is how they end up with good second drafts and terrific third drafts."<sup>1</sup> Creating drafts is just the first step in the writing process;<sup>2</sup> "most writers achieve effective style only through rewriting...."<sup>3</sup>

Revising your work is more than simply finding the spelling and grammar errors: "it's making what's passable better. ... If you haven't revised, you're not finished [writing]."<sup>4</sup> Almost anything that's written can be made better by revising it, though this does not mean you must revise simply to say you've done so.<sup>5</sup> Revising only for the sake of revision can result in making worse something that was once passable. Below are guidelines for creating effective style through revising – guidelines on when to revise, how to revise, and when to quit.

## When to Revise

To revise, you must first have something written. Don't let the fear of producing imperfect work prevent you



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Wise writers build extra time into their writing schedules to allow for several attempts at revision, polishing their prose to ensure organized, logical, concise writing. Here are some guidelines for creating your own effective style through revising.

from writing anything. There's no rule that says you must begin writing at the beginning. Start with whatever part of the document is easiest for you. Write the facts first and then the analysis, or vice versa. Or, draft the question presented or the statement of the case and your conclusions first. Put something down on paper to get yourself moving, and ignore, if you can, the critical voice in your head.<sup>6</sup>

If you are stumbling, make a note in the text or in the margin. For example, I will use bold type and brackets: [INSERT TRANSITION] or [REWORK SENTENCE] or [CHECK FILE FOR CORRECT DATES]. Word processing programs have a comment feature that creates a bubble in the margin in which you can make notes to yourself and a highlighting feature you can use to color highlight a word, a line, or a paragraph. If you choose to use these features, you must remember to remove any comments or marks not only from the final printed product but also from the final electronic version.<sup>7</sup> But at this point, just keep writing and "[r]emember ... everything you write is fluid. It can be changed, shaped, and reshaped."<sup>8</sup>

Once you have something written, you can begin revising it. You can write a paragraph and revise it and write another and revise that one and so on, or you can write the entire document before you begin revising.<sup>9</sup> No matter at what point in the process you first revise, remember one important thing: revising once is not enough.<sup>10</sup>

Because effective revision usually requires more than one review of a document, schedule enough time for more than one revision session. Also, rather than continuing to revise on the

same draft, which overwrites all previous changes, save each draft separately, labeled as, say, "Smith Memo draft 1," then "Smith Memo draft 2." Or include a header or footer with that information. Sometimes what you want in draft four is the language you used in draft two. If you've worked and reworked the same document without saving each set of revisions, that language will be lost to you.

## How to Revise

Just as there are no hard and fast rules about when to revise, there are no hard and fast rules about how to revise. The guidelines below, however, may help.

1) **Develop an objective attitude toward your work.** Writing, even legal writing, is a personal experience; you work hard to research, to organize, and to write. It's easy to become attached to the end product of all that personal exertion.<sup>11</sup> But avoid becoming too attached to your own words; chances are you'll have to cut them. "Your object[.]" particularly with legal writing, "is to move the point along, not to display your virtuosity."<sup>12</sup>

2) **Develop a critical eye.**<sup>13</sup> Learn to read your work "with the eyes of the reader, not the writer."<sup>14</sup> The reader wants you to move your point along. To move your point along, your writing must be organized and concise.<sup>15</sup> Review the order of the paragraphs and the connections between each one; re-read each thesis sentence and determine if the paragraph supports it; examine the structure of each sentence; weigh each word. A story related to me by one of my students about the dog-bite problem his class was assigned is an example of a writer developing that

critical, objective eye so important to revision:

"So if you don't realize until the night before a memo is due that you put 'German shepherd-lab mix' in your paper because that's the way it was in the memo written to you, and that's not right, but you've just skimmed over it probably a hundred times, you can kind of fix it. You can put 'German shepherd-Labrador retriever,' and the hyphen is right, probably, based on the rules in the grammar book. But do you just leave it like that? Because it sounds like there should be another noun after it.[.] So you write the word 'dog' after it, and that looks redundant, so you take it out. And you put 'mix' back in. And you look up 'mix,' go to the noun definition and get to the point where you can justify writing, 'German shepherd-Labrador retriever mix' in the paper to yourself. And it

may be right, it may not. So you want to cross it all out, and make Wizard just a dog. But you can't."

**3) Develop a revision checklist.**<sup>16</sup> For a comprehensive revision checklist, start with large-scale organization and proceed to small-scale organization and sentence-level revision. Combine such a general revision checklist with your own shorter, more personal list. Most writers learn the things they do in their writing that they end up changing upon revision. Add those particulars to a general revision checklist so you're sure to cover them. Save the proofreading details for last on the list. Proofreading is different than revising. Proofreading involves the technical details – format, spelling, punctuation, citation – and it's easiest to leave these until you're satisfied (more or less) with the substance.

**4) Change the way you read your document.**<sup>17</sup> Some writers ask coworkers to read their work. Other writers find that reading their work aloud helps them catch errors, particularly grammatical ones. If you read your own work aloud, read what's actually on the page, not what you "know" to be coming. Other writers read each sentence backwards, or read out of order, say, from end to beginning or from middle to beginning. These techniques help you find errors because by reading in this atypical way, your brain cannot assume what's next. However, reading aloud and reading out of order help you catch and revise only technical errors, such as grammar and punctuation; these techniques do not help you catch and revise problems with large-scale things like logical flow of arguments, cohesion, or transitions.

**5) Review a hard copy of your document.** Writing using a computer makes revising oh-so-easy, but writers who revise solely electronically will miss key revisions. Certain trouble spots – such as formatting – are still easier to see in hard copy.<sup>18</sup> Revising in hard copy also helps create a paper trail of versions that may come in handy later, when you're looking for language you used earlier.

**6) Set the document aside for at least a day.**<sup>19</sup> Move on to other work and come back to the document at least one last time before you have to file it or turn it in. If you cannot set the document aside for a full day, set it aside for a few hours. The time away gives you the perspective and clarity you may have lacked when you were embroiled in the document's research, writing, and initial revisions.

### When to Quit

Revising is time consuming, and knowing when to quit can be a challenge.<sup>20</sup> Usually lawyers hit deadlines before they feel they're done revising. That's the reality of practice. But, when you find yourself reworking the revisions and the revisions of the revisions, when you are nitpicking, when your revisions make things worse, or when you're just plain sick of looking at the document, it's time to quit.<sup>21</sup> Once the document is turned in, turn your mind to the next project; there's no point in obsessing over the revisions you made or didn't make.

Fantasy writer Patricia Fuller said, "Writing without revising is the literary equivalent of waltzing gaily out of the house in your underwear."<sup>22</sup> We're all aware that underwear is not professional dress for court or for the office (even on casual Fridays); make sure your written work exhibits the same professionalism as your physical person. Make time to revise your writing.

### Endnotes

<sup>1</sup> Anne Lamott, *Bird by Bird: Some Instructions on Writing and Life* 21 (1994).  
<sup>2</sup> Harry Shaw, *Errors in English and Ways to Correct Them: The Practical Approach to Improving Your Grammar* 13 (2005).  
<sup>3</sup> Richard K. Neumann Jr. & Sheila Simon, *Legal Writing* 149 (2008). Neumann and Simon point out that "[i]n first drafts, style is usually pretty awful." It's only during the rewrites, when the writer looks for places to make her writing more clear and concise, that the writer achieves effective style.  
<sup>4</sup> Patricia T. O'Conner, *Words Fail Me: What Everyone Who Writes Should Know About Writing* 215-16 (1999).



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<sup>5</sup>*Id.* at 218.

<sup>6</sup>Ian Gallacher, *A Form and Style Manual for Lawyers* 184 (2005) (“Nothing creates writer’s block (and yes, lawyers suffer from this as much as fiction writers) faster than your brain criticizing every word you write, every concept you express, and every creative decision you make.”).

<sup>7</sup>You do not want the reader to open an email or electronic file that still contains your notations, so make sure you double-check that all electronic comments, changes, and highlights are removed from any final version.

<sup>8</sup>Beth Shope, *True Writing is Rewriting 4* (2002), [www.fmwriters.com/Visionback/Issue9/true.htm](http://www.fmwriters.com/Visionback/Issue9/true.htm) (last accessed June 26, 2009).

<sup>9</sup>Some writers say that writing and revising are two separate skills that cannot be done at the same time. Compare Gallacher, *supra* note 6, at 184 (stating “First, you have to draft, and you need to draft without interference from the editing part of your brain”) with Shope, *supra* note 8, at 5 (declaring that it is “an out-and-out myth” that a writer must complete “an entire first draft before revising,” and that it is only a “half-truth” that writing and rewriting cannot be intermingled, “meaning it’s true for some writers but not for others”). Revising while writing using a word processing program is easy. My theory is that if revising as you write works for you, then keep doing it, but don’t discount revising at least once again when the document is complete.

<sup>10</sup>Gallacher, *supra* note 6, at 183-84; Shope, *supra* note 8, at 2, 5-6.

<sup>11</sup>Notice that it’s often easier to revise a colleague’s work? That’s because you are viewing it objectively; you have no personal investment in it. In fact, revising others’ work is an effective way of developing the critical, objective eye you need to review your own work.

<sup>12</sup>O’Conner, *supra* note 4, at 216.

<sup>13</sup>Gallacher, *supra* note 6, at 185; Shope, *supra* note 8, at 3.

<sup>14</sup>Gallacher, *supra* note 6, at 185. Gallacher advises, “[I]f an argument doesn’t work, don’t talk yourself into leaving it in because it cost you sleepless nights to research and draft it.” See *supra* note 11.

<sup>15</sup>See Lisa Mazzie Hatlen, *Conciseness in Legal Writing*, 82 Wis. Law. 21 (June 2009).

<sup>16</sup>See sidebar “Sample Revision Checklist.” For other examples of revision checklists, see Gallacher, *supra* note 6, at 191; Ann Enquist & Laurel Currie Oates, *Just Writing: Grammar, Punctuation, and Style for the Legal Writer* (3d ed. 2009), and O’Conner, *supra* note 4, at 218-20. Although O’Conner is not a lawyer and her book is not specific to legal writing, her “Final Analysis” can apply to legal writing.

<sup>17</sup>See Gallacher, *supra* note 6, at 190.

<sup>18</sup>*Id.* at 185-86.

<sup>19</sup>Gallacher suggests allowing two days between the drafting stage and the revision stage, but he says he’ll settle for “at least an evening.” *Id.* at 186.

<sup>20</sup>*Id.* at 192; O’Conner, *supra* note 4, at 220-21.

<sup>21</sup>Gallacher, *supra* note 6, at 192; O’Conner, *supra* note 4, at 220-21.

<sup>22</sup>Shope, *supra* note 8, at 2. 

## Sample Revision Checklist

Below is a sample revision checklist. It is a general checklist; not all points may be relevant to all documents. You may want to add checklist points that are specific to your own writing.

### Large-scale Revision

- Does the document contain all necessary parts and sections?
- Do all the parts and sections contain everything they need to contain?
- Have you followed all formatting requirements, including page or word limits, if any?
- Does the document have visual appeal?
- Are hard-copy pages in the proper order?

### Small-scale Revision

#### Paragraphs

- Do paragraphs begin with strong thesis sentences?
- Do paragraphs stay on topic?
- Do all sentences in each paragraph connect together?
- Does one paragraph transition to the next?
- Are paragraphs a reasonable length?

#### Sentences

- Have you omitted needless words?
- Do the lengths of your sentences vary?
- Are the subjects and verbs close together, near the beginning of the sentence?
- Have you chosen active over passive voice, unless you need passive voice for a particular reason (such as preferring to downplay the actor or subject in the sentence)?

#### Words

- Have you eliminated legal jargon?
- Do you use strong, precise verbs?
- Have you eliminated nominalizations (e.g., words that end in -tion, -ability, -ment), changing them back to verbs?
- Can you turn a multiple-word phrase into a single word?

#### Proofread

- Are all words spelled correctly? DO NOT rely solely on the spell-checking function!
- Do subjects and verbs agree in tense?
- Are commas and other punctuation properly used?
- Are citations placed where needed?
- Is your citation format correct?
- Have you followed all other Bluebook or firm- or court-mandated conventions?