



Creating the Stylish Brief

by R. Daniel Lindahl

Most lawyers give careful attention to the substance of their writing—their ideas and the words chosen to express those ideas. But fewer lawyers give equal attention to another important aspect of written expression: the appearance of the documents that they create. This is regrettable because a document's appearance influences its effectiveness. A visually pleasing document is more likely to be read, understood and remembered than its unappealing counterpart. Therefore, the careful writer labors over both the document's words and its appearance.

Fortunately, automated word processing has made it easy to create attractive documents—if you know what to do. This article offers a few simple strategies for improving how your documents look.

Choosing a Typeface

Most word-processing programs offer numerous typefaces (also known as fonts). Typefaces suitable for legal documents fall into two categories: serif and sans serif. Serif fonts have small “wings” and “feet” on the let-



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ters, while sans serif fonts lack these finishing strokes. Here's an example of each:

This sentence uses Palatino Linotype, a serif typeface.

This sentence uses Univers, a sans serif typeface.

You should select a serif typeface for your document's text. Serif typefaces are considered more legible, which is why almost all book and magazine publishers choose a serif typeface for text. Furthermore, some court rules specify that documents must use a serif typeface.

Therefore, you should always use a serif typeface for your document's text. But which serif font is best? Begin with a proportionally spaced font (where the letters' widths vary) rather than a monospaced font (where each letter has the same width). Monospaced fonts (such as Courier) are difficult to read because each letter is the same width, which interferes with the reader's ability to quickly differentiate between letters. Next, avoid Times New Roman and other condensed or moderately condensed typefaces. Choose instead a typeface designed for books, such as Century, Book Antiqua, Bookman Old Style or Palatino. Because these typefaces have a greater x-height (the relationship between the height of a small-letter x and the top of a capital letter), they are easier to read than typefaces such as Times New Roman, which has a smaller x-height, designed for the purpose of cramming lots of letters into a newspaper's narrow columns.

Justifying Text

As a general rule, text can be either flush-left (where the words line up on the left margin but not on the right) or fully justified (where the words line up at both margins). You should avoid fully justified text, which causes the word processing program to insert large white spaces between words in order to make the margins line up. But if you truly admire the fully justified look, make sure to hyphenate the text, which somewhat reduces the

problem of unsightly gaps between words.

Creating Contrast and Emphasis

Writers have several typographical options for creating contrast or emphasis, including all caps, boldface, italics, underlining and changing typeface. Among these, indisputably the worst choice is putting anything in all capital letters. Readers differentiate letters by shape, including height. But when print is in all caps, every letter is the same height. Consequently, using all caps slows down the reader, who must work harder to recognize each letter.

For a similar reason, underlining should be avoided because underlining obscures the descenders on letters such as “g,” “p,” “q” and “y,” interfering with the reader's ability to instantly recognize those letters.

The best option is using either italics or boldface, neither of which hinders readability. Another good option, especially with headings, is changing the typeface. A heading set in a bold sans serif typeface vividly stands out from the surrounding serif text, giving the heading additional emphasis.

Effectively Using White Space

Leaving white space between sections is an effective way to create separation and signal transition. Think of a book—a new chapter always begins on its own page, even if it means leaving some portion of a blank page at the end of the preceding chapter. That white space signals to the reader that the book is transitioning from one chapter to the next. Similarly, leaving white space at the end of one section of a brief and beginning a new section on the next page visually conveys the same message of transition, helping your reader follow the structure of your thoughts.

Avoid Orphan Headings

Headings are guideposts that help your reader follow the flow of your writing. But a heading's effective-

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ness is lost when it is disconnected from the accompanying text. Therefore, headings should always be followed by at least two lines of text and not buried at the bottom of a page. And if it is a heading for a major section of the document, the heading should be followed by more than two lines of text.

Use Small Indentations for Paragraphs

Back in the days of typewriters, paragraphs were indented either ½-inch or 1-inch because that's where the typewriter's tab key put the indent. That convention has largely continued despite the passage of typewriters and their mechanical lim-

itations. But you should avoid such large indents, which are never used in professionally set type. Try instead a ¼-inch indent, which enhances the text's flow.

Try applying these suggestions to your writing, and you'll find that your documents' stylish appearance will match their substance. **FD**