

VI. THE ELDER LAW JOURNAL STYLE SHEET

A. Introduction

As you have undoubtedly noticed, legal writing can be obscure, pretentious, and awkward, and as you develop your note this year, you will realize how easily legal writers can lapse into these bad habits. The Board of Editors offers the following style sheet to help you avoid the common pitfalls of legal writing and instead write clearly, simply, and gracefully. We do not purport to have created an all-inclusive guide. We focus on stylistic and technical problems peculiar to legal writing and on common punctuation and usage mistakes. To refine your skills further, you might read one or more of the handbooks or references cited below.

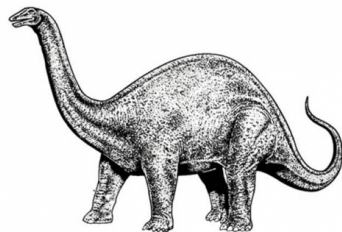
B. References

1. Dictionaries

To ensure a professional-looking journal, consistency in spelling and syllabification is important. Therefore, all writers and proofreaders should use the same references. As a basic dictionary, the Board of Editors has chosen a commonly used standard: *Webster's Eleventh New Collegiate Dictionary*. Please use the *first* spelling if several alternatives are listed. The standard unabridged dictionary is *Webster's Third International*. Note that both these dictionaries are published by Merriam-Webster. If you do not own either of these, you might consider buying the inexpensive paperback dictionary published by Merriam-Webster. For legal terminology, use *Black's Law Dictionary* (10th ed.).

2. Thesaurus

West publishes a *Legal Thesaurus/Dictionary*, which can help you as you write a long analysis of a narrow topic, and unavoidably begin to sound repetitive. *Roget's* will not give you synonyms for *estoppel*, but West's will. The West thesaurus can also help you formulate computer searches for your topic.



having great vocabulary didn't save the
THESAURUS
 from extinction / eradication / extirpation

Brittany Woods, *Sauropus Rex: King of the Prehistoric Jungle*, NATURE (July 13, 2009),
www.nature.com/scitable/blog/student-voices/sauropus_rex_king_of_the_jungle (using an image
 from <http://shop.neatorama.com/product-info.php?thesaurus-dinosaur-extinction-pid265.html>).

3. Style Manuals

The *Uniform System of Citation* (19th ed.), otherwise known as *The Bluebook*, is the standard resource for citations and footnotes. Although *The Bluebook* recommends the *Government Printing Office Style Manual*, the Board of Editors prefers the *Chicago Manual of Style* [hereinafter cited as *Chicago*] because it is easier to use. *Chicago* is the standard manual for most publishing houses and academic journals. *Chicago* contains vast amounts of information on nuances of typography, spelling, and punctuation. For a general reference on grammar, usage, and punctuation, the Board has chosen the *Prentice-Hall Handbook for Writers* [hereinafter cited as *P-H*]. Try to obtain a copy for your own use.

4. Books on Writing

Strunk and White's *The Elements of Style* is a classic resource used by writers of all levels of experience. It is very short—you can read the whole book in two or three hours—and highly recommended. *Revising Prose*, written by Richard A. Lanham and published by Scribner's, explains the "Paramedic Method" of editing, which he describes as "emergency therapy" for the bureaucratic writing style scholarly writers often adopt. Wydick's *Plain English for Lawyers* draws on Lanham and speaks to legal writers. If you are looking for a conservative usage guide, try H.W. Fowler's *Modern English Usage*.

C. Style

Writers naturally feel protective of their stylistic choices, and the editing process can sometimes provoke defensiveness and rebellion. The Notes Editors will try to be flexible in matters of style. In turn, writers should try to be open to suggestions and to tolerate their editors' preferences and prejudices. Arguing with your editor over every change or comment in your manuscript exhausts both of you. Save your energy for discussing the major concerns of substance and organization. It is important to maintain a professional attitude about having your work edited, which means not taking advice or criticism personally. Remember that even the best writers require editing, and that you and your editors have the common goal of making your work as good as it can be.

The following stylistic patterns usually reflect not choice but habit formed by reading stuffy, pedantic writing, or they simply reflect laziness as a writer. Used too frequently, they will deaden your writing and obscure your meaning. Try your best to avoid the mistakes listed below.

1. Gender-Neutral, Non-Sexist Language

The Elder Law Journal strives to publish only notes and articles written in gender-neutral, non-sexist language. As most every occupation now includes men and women, it is both inaccurate and inappropriate to write as if all lawyers, for instance, were men, or all nurses were women. In rare cases the subject matter may demand usage of sexist language (e.g. "The Legal Problems of Male Inmates"). See your editor for approval to use sexist language if you believe sexist language is *necessary* to your topic. The following guidelines identify common problems of sexist language and provide gender-neutral solutions.

a. "Generic" *He*.

Problem: The legal aid attorney should encourage his client to join a tenant organization.

Solutions:

(1) Recast the sentence in the plural:

Legal aid attorneys should advise their clients to join tenant organizations.

(a) Avoid the plural *they* with a singular antecedent:

The legal aid attorney should advise their clients to join tenant organizations.

(b) Avoid colloquial use of *they*:

No one encourages their clients to join tenant organizations.

(2) Use *he or she* or *she or he*:

The legal aid attorney should advise her or his client to join a tenant organization.

(a) Do not use alternative forms of slashes or parentheses:

e.g., s/he; he/she; he (she)

- (b) In some contexts, "one" can be used as an alternative:

As a legal aid attorney, one should advise clients to join tenant organizations.

- (c) The use of "he or she" may be helpful on a limited basis, but try to avoid overusing it. Use "he or she" only where necessary to maintain sentence continuity.

- (3) Alternate feminine and masculine pronouns in appropriate contexts:

In some cases it may be impossible or cumbersome to recast your sentences in the plural. In such a case, alternate usage of "he" and "she" but only when it is logical to do so. In other words, do not start off a paragraph talking about a "he" and then end it by talking about a "she." Your subject, presumably, did not get a sex-change operation between the opening and ending of your paragraph. When you switch to a different subject, topic, or section, however, switch over to the other pronoun. In other words, include both sexes in your writing.

- (4) Use a noun rather than a pronoun when possible without disrupting the flow of the writing.

Example: The attorney for the complaining party should prepare a list of witnesses for the arbitrator so that ~~he~~ *the arbitrator* is aware of the sequence of events.

Note that in the sentence above, repetition of a noun has the added value of avoiding ambiguity. Using either "he" or "she" could have created uncertainty about whether the author meant the attorney, the party, or the arbitrator.

- (5) Use a definite or indefinite pronoun instead of a personal pronoun when possible.

Example: The taxpayer should assemble ~~his~~ *all* records for the previous three tax years when preparing for ~~his~~ *an* audit.

None of the options above is a cure-all; difficult situations are bound to arise. Nevertheless, with some creativity a writer can overcome most of the common instances of sexist writing.

b. "Generic" *Man* and Its Compounds

| <u>Problem words:</u> | <u>Substitute(s)</u> |
|-----------------------|----------------------------------|
| Man | Person |
| Mankind | Persons, humankind, human beings |
| Mailman | Mail carrier |
| Policeman | Police officer |
| Manpower | Personnel, human resources |
| Chairman | Chair, chairperson |
| Wife, Husband | Spouse |
| Mother, Father | Parent |

c. Feminine Suffixes

Various professions once distinguished, and occasionally still do, their female workers by adding a suffix, typically "ess" to the male term (e.g., steward, stewardess). Avoid these suffixes in general: use actor, waiter, etc., not actor-actress, waiter-waitress.

d. Reference

F. FRANK & P. TREICHLER, *LANGUAGE, GENDER, AND PROFESSIONAL WRITING: THEORETICAL APPROACHES AND GUIDELINES FOR NONSEXIST USAGE* (1989).

2. Verbs

Effective writing requires effective verbs, because verbs explain what is happening. Verbs denote action, and active writing makes for more compelling reading than passive writing. Too often, however, writers use weak verbs and bury the real action in nouns strung together by prepositional phrases. This habit creates an unclear and cumbersome style that drains the writing of energy. Pay particular attention to the following verb problems.

a. "To Be" Verbs

"To be" verbs do not tell what happens, only what exists. Overuse will make your writing sluggish. Whenever possible use verbs that express action.

Avoid the weak sentence openers, "There is" and "It is."

There is nothing in the court's reasoning that compels that interpretation.

"There is" serves no purpose in this sentence other than to help the writer start moving. Write instead:

Nothing in the court's reasoning compels that interpretation.

In general, avoid using "to be" verbs to carry the weight of your sentences. Find out what is really happening and say so:

The *Birch* opinion is a dramatic departure from Seventh Circuit precedent.

The *Birch* opinion departs dramatically from Seventh Circuit precedent.

b. Nominalization

Do not bury the action in nouns. Express crucial events as verbs. If you follow this practice, you will eliminate unnecessary words, and your style will be more readable and vivid.

1. The court drew a distinction between the "business of insurance" and the "business of insurance companies."

Is *drew* the main event, or is it *distinguished*? Write:

The court distinguished between the "business of insurance" and the "business of insurance companies."

2. The allowance of negotiability necessarily results in the conveyance of some powerful rights to the instrument's holder.

Allowing negotiability necessarily conveys some powerful rights to the instrument's holder.

(Note: *Allowing* is still a verb used as a noun, but as a gerund it has more of a verb's vigor and eliminates the preposition *of*.)

c. Passive Voice

In passive voice, the subject of the sentence receives the action. ("Sandy was kicked by Thurgood.") In active voice, the subject performs the action. ("Thurgood kicked Sandy.") In the first example above, "was" acts as the verb, while "kicking" occupies the position of the object, but the action the writer is trying to convey is the act of kicking, not the passive act of being. Writing in the passive voice masks who is doing what and lengthens the sentence, making it harder and less interesting to read. Using the active voice makes your writing more clear, succinct, and elegant than overusing the passive voice. Write in the active voice unless you have a good reason for writing a particular sentence in the passive voice. For example:

1. The rule is applied by courts in widely varying contexts.

Courts apply the rule in widely varying contexts.

2. People are oppressed by multiple criminal charges in two very different ways.

Multiple criminal charges oppress people in two very different ways.

3. This simplistic reading of *Lange* is not supported by double jeopardy theory.

Double jeopardy theory does not support this simplistic reading of *Lange*.

Avoid using the passive voice in discussing judicial rulings. Try using the following verbs in the active voice.

Courts:

| | |
|----------------------------------|--------------------------------|
| Argue (dissents only) | Note |
| Believe | Observe |
| Decide | Reason |
| Dismiss | Say |
| Find (limit to findings of fact) | Sustain, overrule (objections) |
| Grant, deny (motions) | |

d. Overworked Verbs and Effective Substitutes

| <u>Instead of</u> | <u>Consider</u> |
|-------------------|-----------------|
| assist..... | help |
| commence | begin |
| consider | think |
| desire..... | wish, want |
| function | work, operate |
| inform | tell |
| render | make |
| require | want, need |
| terminate | end |

3. Other reminders

- a.** Try to **use varied sentence patterns and lengths** so that your note reads smoothly and does not sound repetitive.
- b.** **Prefer a short simple word** over a long pretentious word. For example, choose *use* instead of *utilize*.
- c.** **Eliminate any unnecessary words.** For example, choose *whether* instead of *whether or not* and *to* instead of *in order to*. Also, you can frequently eliminate the words *it is* and *there is* by recasting the sentence. You often may omit words such as *actually* or *incidentally* without affecting a sentence's meaning. Similarly, avoid extensive use of adverbs and adjectives.
- d.** **Do not overload your sentences with prepositional phrases.** When you look for ways to eliminate them, your style becomes more direct.
- e.** **Prefer to paraphrase an authority** instead of quoting. Use quotations only where necessary to create a particular effect or when the exact wording is important.
- f.** Relying too heavily on pronouns can confuse readers who may have to look back a few sentences to figure out which noun corresponds to the pronoun. **Use nouns instead of pronouns** whenever you can and avoid vague references.
- g.** **Use definite, specific language.** Many legal writers tend to be very abstract. Your reader will appreciate a few examples to bolster a generalization

h. Avoid adjectives or adverbs that denote degree, especially *very*, *quite*, *rather*, and *somewhat*.

i. Avoid Latin phrases.

j. Simplify language and prefer *later* to *subsequently*, *before* to *prior to*, *about* to *approximately*.

k. *Only* belongs immediately before or after the word it modifies. For example:

Correct: The statute protects only full-time employees.

Incorrect: The statute only protects full-time employees. (This structure implies that the statute does nothing else than protect full-time employees, but the sentence is trying to convey that the statute does not apply, for example, to part-time employees. Moreover, the statute may have many other provisions.)

D. Grammar and Usage

1. Subject-Verb Agreement

The simple rule that plural subjects require plural verbs and singular subjects require singular verbs becomes more difficult to apply when you are writing on a complex subject. When you write the long sentences typical of legal writing, you may lose track of what your subject is. Intervening phrases and clauses can cause subject-verb agreement problems. Do not automatically make your verb agree with the noun immediately preceding it; that noun may not be the subject.

Incorrect: The logic supporting the Third Circuit's bankruptcy decisions are almost unfailingly wrong. (Although the decisions are wrong, the subject is *logic*.)

Correct: The logic supporting the Third Circuit's bankruptcy decisions is almost unfailingly wrong.

Compound subjects can also be tricky. Two subjects joined by *and* take a plural verb. This may seem obvious, but when the two subjects are noun phrases, you may make a mistake.

Incorrect: The value of the note and its ability to circulate freely is properly cast into doubt.

(Value and ability *are* cast into doubt.)

Grammar books provide a series of rules for subjects joined by *or*, but the rules all boil down to this: the verb agrees with the subject closer to it.

The Senate or House votes

The plaintiff or the defendants argue

The defendants or the plaintiff argues

Policy goals or economic realities require

2. Pronoun-Antecedent Agreement

Be sure that you use singular pronouns to take the place of singular nouns and plural pronouns to take the place of plural nouns. This usually becomes a problem when you use a plural pronoun to avoid sexist language, but its antecedent is singular.

When a judge rules on a summary judgment motion, they do not weigh evidence. (*A judge* is singular, so you cannot refer to it with the plural pronoun, *they*.)

Either write, "When judges rule . . ." or change the pronoun to *he* or to *she* and the verb to *does*.

3. Dangling and Misplaced Modifiers

a. A misplaced modifier is a modifier that, because of its position in a sentence, appears to modify a word or phrase other than the intended object of modification. This can be quite confusing, so you should place modifying phrases and clauses close to the words they modify.

Incorrect: The trial judge in *Sanabria* granted a motion to suppress evidence misinterpreting the criminal statute at issue. (The evidence did not misinterpret the statute, the judge did.)

Correct: Misinterpreting the criminal statute at issue, the trial judge in *Sanabria* granted a motion to suppress evidence.

Incorrect: Misinterpreting the criminal statute at issue, the motion to suppress evidence in *Sanabria* was granted by the judge. (The motion did not misinterpret the statute, the judge did. Note also how using the active voice makes it easier to spot these mistakes.)

b. A dangling modifier describes something not even in the sentence.

Incorrect: Outraged by over-spending at the Pentagon, several new controls on defense spending were enacted. (The participial phrase modifies Congress, which is not even in the sentence.)

Correct: Outraged by over-spending at the Pentagon, Congress enacted several new controls on defense spending.

c. Avoid "squinting" modifiers, which are placed between two words so that they can be construed to modify either word.

Incorrect: The FTC determined last year credit scams were on the rise. (Did they determine last year, or were the scams rising last year?)

Correct: Last year, the FTC determined credit scams were on the rise.

Correct: The FTC determined credit scams were on the rise last year.

Note that although both of these last examples are correct, they have different meanings. In the first example, *last year* refers to the time when the FTC made its determination; in the second example, *last year* refers to the time when credit scams were on the rise, as determined by the FTC.

d. A clause beginning with *that*, *which*, or *who* should come immediately after the noun it modifies.

Incorrect: The defendant had a switchblade in his pocket, which was illegal.

Correct: In his pocket, the defendant had a switchblade, which was illegal.

4. Relative Pronouns

A relative pronoun joins (relates) a noun or phrase to a following adjective clause. The relative pronouns are *who*, *whose*, *whom*, *which*, and *that*.

a. *That* or *which*

Use *that* to introduce restrictive clauses (necessary to identify the noun or phrase) and *which* to introduce nonrestrictive clauses (unnecessary to identify the word or phrase).

The defendant in the misappropriation case has slapped the local television station with a defamation suit, which has little merit. (We do not need the adjective clause to tell us which defamation suit the writer means.)

The defamation suit that was filed against the local television station has little merit. (We do need the adjective clause to tell us which suit the writer is discussing.)

b. *Which* or *who*

Use *who* to refer to persons and *which* to refer to non-persons.

The judge, who had grown impatient with the *pro se* defendant, rebuked him in front of the jury.

The *pro se* defense, which was illogical and unfocused, convinced the jury to convict the defendant.

c. *Who* or *that*

Use *who* whenever the modified noun is a person.

5. Parallelism

a. When you write a sentence containing several ideas that have similar content or function, you should express those ideas in a similar form.

Correct: The proposed legislation is impractical, with incomprehensible language, and is not constitutional.

Incorrect: The proposed legislation is impractical, incomprehensible, and unconstitutional.

b. When writing a series, you should place an article or preposition applying to all members of the series either before only the first item or before every item.

Incorrect: in spring, in summer, or winter

Correct: in spring, summer, or winter

Correct: in spring, in summer, or in winter

c. When you use correlative conjunctions (*both, and; not, but; not only, but also; either, or*) or a series introduced by *first, second, third*, you should follow each conjunction with a similar structure.

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

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

d. Parallelism does not always require perfect symmetry.

The buyer must act reasonably and in good faith. (If you substituted "faithfully" for "in good faith," you would change the meaning of the sentence.)

E. Punctuation

The rules of punctuation are the most inflexible rules in this guide. You should punctuate consistently to help guide your readers through your sentences and paragraphs. Your editor will be fairly strict in eliminating any unorthodox punctuation in your manuscript. What follows is a discussion of some common punctuation problems and some technical rules that apply particularly to law reviews.

1. Periods

a. *Chicago* and *The Bluebook* differ on the use of periods within parentheses. (See *Chicago* § 6.13 and BB R. 1.5.) *The Elder Law Journal* follows *Bluebook* for parenthetical information in a *citation* and *Chicago*, which recommends omitting periods within complete sentences inserted parenthetically within other sentences, for *textual* material.

The defendant's principal argument (the others are unimportant for our purposes) is that policy loans do not create a debtor-creditor relationship.

b. You may have a separate parenthetical sentence.

The Seventh Circuit has determined that the McCarran Act exempts premium financing from federal regulation. (The court, however, did not explain why.)

c. Never omit an abbreviating period unless it occurs at the very end of the sentence.

Aloysius now works for his father's firm (HiHo & Co.).

Aloysius joined the firm of HiHo & Co.

2. Commas

a. **Serial commas:** "When a conjunction joins the last two elements in a series of three or more, a comma—known as the serial or series comma or the Oxford comma—should appear before the conjunction." (*Chicago* § 6.18).

Statutory, economic, and social policies support the court's ruling.

Editors may use red, blue, or green ink to mark manuscripts.

b. Use a comma before a coordinating conjunction (*and, but, or, nor, for*) connecting two independent clauses. (Note: This rule varies among authorities—for instance, newspaper style omits commas. The more formal practice, which *The Elder Law Journal* follows, is to put in the comma unless the clauses are very short. See *Chicago* § 6.28.)

Few victims of sexual harassment in housing have filed suits, and no statistics verify the problem.

c. When a sentence has a compound verb, do not put a comma before the conjunction before the second verb.

Incorrect: When deciding a summary judgment motion, the court must not weigh evidence, or draw its own inferences.
(There should be no comma between *evidence* and *or*.)

d. A modifying clause or phrase may follow a noun. If the clause or phrase is not necessary to identify the noun it follows, it is "nonrestrictive" and needs commas.

The jury, which had deliberated for ten days, could not reach a verdict.

Committee member Edwards objected to the compromise. (more than one committee member)

The committee leader, Edwards, objected to the compromise. (only one leader)

3. Semicolons

a. You should regard a semicolon as approximately equal to a period. Use semicolons to separate independent clauses which are so closely connected they should be joined together into one sentence.

The Seventh Circuit rejects the motion; the Fourth Circuit embraces it.

b. A semicolon also may punctuate a series whose elements contain commas. This is particularly useful when discrete elements of a series contain commas. For example:

Municipal fair housing acts have been passed recently in Columbus, Ohio; Kansas City, Kansas; and Louisville, Kentucky.

4. Colons

a. Do not confuse colons and semicolons. Colons may connect two clauses when the second explains or illustrates the first.

Many of the police officers held additional jobs: thirteen of them, for example, double as cab drivers.

b. A colon may introduce a series or a list, but it usually comes after a complete clause. Do not separate a verb or preposition from its object with a colon.

Incorrect: The Senate sub-committee concentrated its investigation on: the feasibility of increased government aid to day care centers, tax breaks for the centers, and government-run centers. (*On* is a preposition; the phrases following the colon are objects of the preposition.)

Correct: The Senate sub-committee concentrated its investigation on the feasibility of three solutions: increased government aid to day care centers, tax breaks for the centers, and government-run centers.

c. Use one space after a colon.

5. Hyphens

a. Use a hyphen to connect two words that together modify the following noun.

Brandeis was a well-respected jurist.

b. But when the first word ends in *ly*, use no hyphen.

The Seventh Circuit criticized the district court's weakly reasoned opinion.

6. Possessives

Form the singular possessive by adding 's, and form the plural possessive by adding an apostrophe after the final s. When the plural is not formed with s, add 's. Please note that possessive pronouns never have an apostrophe. (*It's* means "it is.")

Senate's intent
witness's answer
several plaintiffs' claims
women's rights

When forming the possessive of a proper name that ends in s, add 's.

James's research

Exceptions to this rule include usage that has been established by convention.

Jesus' teachings
For goodness' sake.

7. Underlining

Underlining appears in printed text as italics. Underline words used as words and key terms in your typed text.

The court will construe *mens rea*.
Opposing counsel misspelled *pendent jurisdiction*.

You may use italics instead of underlining.

8. Dashes and Parentheses

You may use em dashes and parentheses where you need a stronger break than a comma, but use them in your main text only when absolutely necessary. Frequent use of these marks may indicate careless sentence structure.

Be aware of the differences between the types of dashes and a hyphen.

em dashes (—): so called because they are the length of the letter m in certain typestyles; make sure em dashes are “closed,” that is, without any spaces on either side.

en dashes (–): shorter than an em dash but longer than a hyphen; use these only for numerical ranges (20–25 pages) and in telephone numbers (555–1234).

hyphens: see § VI.E.5.

9. Ellipses

Pay *careful* attention to the placement of ellipses and periods.

- a. "end of sentence. . . . New sentence."
- b. "middle of sentence New sentence."
- c. "beginning of sentence . . . end of same sentence."
- d. Never begin a quotation with ellipses.

10. Quotations

Prefer to paraphrase an authority rather than quote, but if you must quote, follow these rules: (BB R. 5)

- a. Indent quotations of fifty words or more.
- b. Enclose quotations of forty-nine words or fewer in quotation marks, but do not otherwise set them off from the rest of the text.
- c. Place commas and periods inside the quotation marks; place other punctuation marks inside the quote only if they are part of the matter quoted.

The court described the defendant's conduct as a "grave threat to human liberty," a "flagrant violation of the law," and a "monstrous example of the worst of official misconduct prohibited by the act."

11. Capitalization

Capitalize court and party names as follows:

a. Illinois Supreme Court

the Illinois Supreme Court said . . .

the Supreme Court of Illinois said . . .

the supreme court said . . .

the court said . . .

b. United States Supreme Court

the Supreme Court said . . .

the Court said . . .

the United States Supreme Court said . . .

c. U.S. Courts of Appeals

the Fifth Circuit said . . .

the United States Court of Appeals for the Fifth Circuit said . . .

the court of appeals said . . .

the court said . . .

d. When referring to the state or other governmental unit as a party to an action, capitalize the name.

the State argued . . .

state funding of schools . . .

F. Commonly Misused Words

(See *Strunk & White*, pp. 39-65)

1. *affect*: usually replace it with a verb having a narrower meaning; do not confuse with *effect*, which is usually a noun, unless you mean "to bring about."

2. *almost*: do not use *practically* or *virtually* when you mean *almost*.

3. *anticipate*: use *expect* for simple expectation.

4. *aspect*: as one changes one's point of view, one sees a different aspect of the object one is viewing.
5. *can*: means "be able"; do not confuse with *may*.
6. *character*: may lead to wordiness. For example, not "words of a simple character," but "simple words."
7. *circumstances*: when referring to a situation, use "in these circumstances," not "under these circumstances."
8. *comprise*: means "embrace"; a zoo comprises animals; animals constitute a zoo.
9. *data, phenomena, media*: these words are plural forms of *datum, phenomenon, and medium*.
10. *different*: "different from," not "different than."
11. *etc., and/or*: do not use these terms.
12. *farther/ further*: *farther* applies to distance; *further* applies to time and quantity.
13. *hopefully*: means "in a hopeful manner" (They waited hopefully for money), not "it is hoped" (Hopefully, you can send me money).
14. *imply, infer*: not interchangeable; *imply* means "to suggest"; *infer* means "to deduce from available evidence."
15. *irregardless*: incorrect; use *regardless*.
16. *more than/less than & over/under*: these are not interchangeable. *More than* and *less than* are numerical; *over* and *under* are spatial ("more than ten people arrived," not "over ten people arrived.")
17. *normally*: use *usually*, not *normally*, unless you have just recovered from a fever.
18. *pled*: allegations are *pleaded*, not *pled*.
19. *proven*: propositions are *proved*, not *proven*
20. *reason*: *reason why* is redundant; *reason why is because* is even more redundant.
21. *while*: implies simultaneity; avoid using to mean *for, but, or although*.