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EFFECTIVE LEGAL WRITING



Commas and Colons and Semicolons – Oh My! 10 Rules to Remember

by Diane Kraft University of Kentucky College of Law

S omeone once said, "Commas are personal things." In other words, some of us use a lot of commas, and some of us use them sparingly. As long as we use them consistently, however, we're using them correctly.

But what about this sentence... Cora claimed Frank planned the murder.

as opposed to this sentence... Cora, claimed Frank, planned the murder.¹

If I'm Cora or Frank, I'm pretty sure there's a bright-line comma rule out there, and I hope my attorney knows it. So, this month I am expanding on the theme started earlier this year by Helane Davis: when should must an attentive writer use commas, as well as colons and semicolons. Here are ten basic rules (and a few corollaries) to remember:

Commas

1. Use commas to separate independent clauses² joined by a coordinating conjunction (*and*, *but*, or, nor, yet, so).

Correct: Simon still hadn't finished writing the brief, and his supervising attorney was starting to get annoyed. Incorrect: Simon still hadn't finished writing the brief and his supervising attorney was starting to get annoyed. Corollary rule: Do <u>not</u> use commas to join independent clauses not joined by a coordinating conjunction. Instead, separate the independent clauses with a semicolon or period.

- Correct: Lucy was happy to be going on vacation; she hadn't taken a day off in two years.
- Correct: Lucy was happy to be going on vacation. She hadn't taken a day off in two years.
- Incorrect: Lucy was happy to be going on vacation, she hadn't taken a day off in two years.

Note: The corollary rule applies to sentences with the word "however."

Correct: It's late; however, we still have a lot of work to do. Correct: It's late. However, we still have a lot of work to do. Incorrect: It's late, however, we still have a lot of work to do.

2. Use commas after a subordinate clause³ that precedes an independent clause.

Correct: If you help me weed the garden, I'll bake you cookies. Incorrect: If you help me weed the garden I'll bake you cookies. **3:** (Usually)⁴ use commas after introductory and transitional phrases.

Correct: Now that I have your attention, I'd like to tell you a little story. Incorrect: Now that I have your attention I'd like to tell you a little story.

4. Use commas to set off non-essential or additional information.

Correct: Her plan, as the detective soon discovered, was to steal the money and move to Canada. Incorrect: Her plan as the detective soon discovered was to steal the money and move to Canada.

Corollary rule: Use commas to set off a *which* clause.⁵

Correct: My car, which is 12 years old, is on its last legs. Incorrect: My car which is 12 years old it is on its last legs.

Second corollary rule: Don't use commas with essential information.

Correct: The novelist José Saramago died earlier this year. Incorrect: The novelist, José Saramago, died earlier this year.

5. Use commas to set off a direct quote...

Correct: Justice Frankfurter said, "If facts are changing, law cannot be static." Incorrect: Justice Frankfurter said "If facts are changing, law cannot be static."

...unless the quote is part of the syntax of the main sentence.

Correct: Justice Brandeis reminded us that "government is not an exact science." Incorrect: Justice Brandeis reminded us that, "government is not an exact science."

6. Do not use a comma between a subject and its verb.

Correct: In my experience, people who like to snowboard are almost always daredevils. Incorrect: In my experience, people who like to snowboard, are almost always daredevils.

Semicolons⁶

- 7. Use a semicolon to separate independent clauses when there's no *and* in between (this is the same as the corollary to rule number 1).
 - Correct: Lucy was happy to be going on vacation; she hadn't taken a day off in two years.
 - Correct: Lucy was happy to be going on vacation. She hadn't taken a day off in two years.
 - Incorrect: Lucy was happy to be going on vacation, she hadn't taken a day off in two years.
- 8. Use a semicolon to separate items in a list when any single element contains an internal comma.

Correct: I've lived in San Antonio, Texas; Syracuse, New York; and London, England. Incorrect: I've lived in San Antonio, Texas, Syracuse, New York, and London, England.

Colons

9. Use a colon to introduce a list if what comes before the colon could be a small sentence in itself.

Correct: The dog show included all my favorite breeds: collies, beagles, and pugs. Incorrect: The dog show included all my favorite breeds, collies, beagles, and pugs.

Corollary rule: Don't use a colon to introduce a quotation or list that blends into your sentence.

Correct: My favorite breeds are collies, beagles, and pugs. Incorrect: My favorite breeds are: collies, beagles, and pugs.

10. Use a colon to introduce a wholly self-contained quotation.

Correct: Although some believe that lower courts are strictly bound by precedent, no matter how ill-fitting the result, Judge Learned Hand opposed this view:

> It is always embarrassing for a lower court to say whether the time has come to disregard decisions of a higher court, not yet explicitly overruled, because they parallel others in which the higher court has expressed a contrary view....

Incorrect: Although some believe that lower courts are strictly bound by precedent, no matter how ill-fitting the result, Judge Learned Hand opposed this view, It is always embarrassing for a lower court to say whether the time has come to disregard decisions of a higher court, not yet explicitly overruled, because they parallel others in which the higher court has expressed a contrary view...⁷

This is not intended to be an exhaustive treatment of comma, semicolon, and colon use. However, if you follow these basic rules, you should be well on your way to perfect punctuation. (?)

ENDNOTES

- 1. Example from Patricia T. O'Connor, Woe is I: The Grammarphobe's Guide to Better English in Plain English 136 (2003).
- Independent clauses are clauses that can stand alone as separate sentences. The two independent clauses in the example are

 Simon still hadn't finished writing the brief,
 his supervising attorney was

(2) his supervising attorney was starting to get annoyed.

- 3. Where an independent clause can stand alone as a separate sentence, a subordinate clause cannot stand alone as a separate sentence. The subordinate clause in the example is: *If you help me weed the garden*.
- 4. Bryan Garner notes, "At the writer's discretion, a very short introductory phrase, usually no more than three words, may appear without a comma.... Whether to use the comma depends on how the writer would want the sentence to sound if it were read aloud." Bryan A. Garner, *The Redbook: A Manual on Legal Style* 5-6 (2d ed. 2006).
- 5. Used correctly, *which* indicates non-essential information.
- "The semicolon, long the subject of neglect and ridicule, may be making a comeback," predicts Roy Peter Clark in *The Glamour of Grammar* 76 (2010).
- Example from Bryan A. Garner, Legal Writing in Plain English 151-52 (2001).

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