

# PREFACE

When appointed as a federal judge more than 20 years ago, I took pride in my legal writing. But as I read more and more briefs, I began to consider how I was affected by others' language. Some language stymied, some persuaded. What was different? I wanted to know because my audience had changed. I was no longer writing for judges; I was writing for people whose lives were affected by the language that I chose, and I wanted to know how they would react to what I wrote. So I set out to learn what was driving my reactions to certain uses of language. My search took me in different directions.

I went to the briefs and judicial opinions by many legendary advocates and judges. What did these advocates and judges do to simplify complex ideas, to allow readers to breeze through the prose?

I looked to the magical language of orators like Winston Churchill and Martin Luther King Jr. Why do we cling to their words, and what did those orators do to create such memorable calls to action?

And I turned to psycholinguists, who study how our brains process language. Why do certain word combinations command our attention? How do word choice, punctuation, and the layout of a page affect the pace of our reading? What can we do to draw a reader's eyes to particularly crucial passages?

Here is what I learned.