PLAIN ENGLISH FOR DRAFTING STATUTES AND RULES
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For the third time Professor Martineau, now joined by his son Robert J. Martineau, Jr., as co-author, has prepared a guide for drafting a statute or rule in Plain English. This book arises out of the experiences of both authors in the teaching of legislative drafting skills to both law students and professional drafters and extensive experience in drafting constitutional provisions, statutes, and administrative and court rules at all levels of government — federal, state, and local. It is based on the principles of Plain English as well as rules that govern the preparation of statues and rules.

While the basic approach of Plain English continues in this book, it incorporates substantial differences from the previous books as well as other advocates of Plain English. First, it expressly builds on the work of Jeremy Bentham, who first developed the core principles of drafting statutes in Plain English at the end of the 18th century, as well as that of E. B. White and William Zissner in 20th Century, who stressed the importance of the simple declarative sentence as a key component of clear writing.

We address this book to two audiences. The first is law students who are introduced to legal writing in their first year but usually are never called upon to engage in the discipline of structured writing that statute and rule drafting requires. The second is the lawyer (or even non-lawyer) who drafts a statute or rule as a staff member of a legislative committee, legislative drafting service, government agency, private organization, bar association, or private client.

In the modern world, statutes and rules play an ever-increasing role in the lives of almost every person. For this reason it now more important than ever for those who draft these statutes and rules to be able to make them as readable and understandable as possible. That is the goal of this book.

This book could not, of course, been written without the assistance of a number of people. At the University of Cincinnati College of Law, Dean Louis Bilionis was most supportive both financially and in offering encouragement. Assistant Dean James Schoenfeld was generous in ironing out practical details, and recent graduate Sarah Dwider, who assisted in the early research.

A special note of thanks is due to our research assistant, University of Cincinnati law student Krista Johnson. Not only did she do the usual type of research, she did much more — editing, finding examples of poorly drafted statutes and rules for the drafting exercises. She was also invaluable in converting all of the written material into the documents that were sent to our publisher. All of this did promptly and efficiently, while continuing as both a law student and law review staff member.

Robert J. Martineau
Robert J. Martineau, Jr.

(Disclaimer note: The view express in this book are those of the authors only and do not necessarily reflect those of the State of Tennessee or its Department of Environment and Conservation.)
DEDICATION

To our families, especially our wives Connie and Pam, without whose love and support this book could not have been written
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