• What is the correct spelling for *email* and *voice mail*! I have seen a variety of variations for both phrases. Some use *email*: others. *e-mail* or *Email*.

• The word *email* (the noun, • verb, and adjective) is always one word, but you can hyphenate it or not, as you prefer, although it is now more often spelled without a hyphen. The hyphenating of compounds like *email* usually represents only an interim phase in their development. Compounds are commonly introduced as two separate words, then as they become popular, they are hyphenated, and finally they are written as a single word. As the reader noted, the *Chicago Manual of Style* says that the current trend is away from hyphens.

When I checked the Oxford English Dictionary (OED), I was surprised to discover that email is not a new word—only its meaning is new. Today email is defined as "electronic mail automatically passed through computer networks via modems over commoncarrier lines." But the word emailled (as spelled) is listed in the OED with the meaning "embossed with a raised pattern." The *OED* says that the word was first recorded in 1480 and traces its etymology to the French word emaille ("enameled"). It is doubtful that whoever introduced email as a modern coinage was aware that the word already existed. The spelling of email with no hyphen will probably become the overwhelming favorite because it is widely used and shorter. (That's why I, like the reader, prefer omitting the hyphen.)

The phrase *voice mail* is not listed in the unabridged 1996 edition of *Webster's*, but it is listed on the online edition of the 2006 *Random House Unabridged Dictionary* (2006) as two words, with the meaning: "An interactive computerized system for answering and routing telephone calls, for recording, saving, and relaying messages, and sometimes for paging the user."

Perhaps *voice mail* has been retained as a two-word term because it is newer and less common than the term *email*. As I have previously writ-

ten, in an answer to a question about hyphenation, compounds like *ball park* then become *ball-park*, and finally, *ballpark*. This sequence has occurred with many common terms, like *passbook*, *postpartum*, and *withhold*.

Compounds like withhold, cooperate, and loophole, which contain double letters, resist becoming single words, but those three words have done so. In addition, modifiers are written as separate words when they occur after the noun they modify, but when precede the noun they are hyphenated to indicate that they modify the noun together rather than separately:

- A plan that was prepared well, but a well-prepared plan
- An affair requiring a black tie, but black-tie affair
- A job finished in one day, but a one-day job
- A report that was up to date, but an up-to-date report

• Please revisit the *and/or* issue. Is this a case of improper grammar becoming acceptable through use? Philip W. Sandler, of Chicago, who submitted this question, included the following sentence as an illustration: "Your car will be ticketed and/or towed." He asked, "Is this usage so terrible?"

• No, it's not "terrible"; in fact, the • phrase <code>and/or</code> is not only correct grammar, it is a useful shortcut for "Your car will be ticketed or it will be towed, or it will be both ticketed and towed." Its meaning has always seemed clear enough to me and apparently to many others, who have used the phrase for many years.

Lay dictionaries approve of the shortcut: Webster's Third New International Dictionary says that words on either side of the term are to be taken either together or individually ("men and/or women" meaning either "men and women" or "men or women"). The American Heritage Dictionary of

the English Language adds that the shortcut is mostly used in legal and commercial contexts.

Unfortunately, and/or infuriates many judges. In court opinions, judges have labeled it "misleading and confusing," thus "subject to condemnation," the cause of "uncertainty, ambiguity, and multiplicity," "a meaningless symbol," "a linguistic abomination," and a "slovenly" term. One court called and/or "that befuddling, nameless thing, that Janus-faced verbal monstrosity, neither word nor phrase, the child of a brain of someone too lazy to express his precise meaning, or too dull to know what he did mean." Employers Mut. Liability Ins. Co. of Wisconsin, 219 Wis. 434, 263 N.W. 376 (1935).

Judges are most vehement when and/or is used with more than one item on either side of the term. At issue in one case was whether the evidence proved that the plaintiff had sustained unusual strain in his left side and back, or a hernia on his left side. and/or a stretching and tearing of the ligaments in his back. Wichita Falls & S.R. Co. v. Lindley, 143 S.W.2d 428, 432 (Tex. Civ. App.-Forth Worth 1940, writ.dism'd). (The jury was given the impossible task of answering "yes" or "no"!) Even when seemingly clear and/or statements are included in jury instructions, verdicts have been reversed because the phrase was held to be confusing. One verdict was held to be "so uncertain as to require reversal of the conviction," when punishment was assessed as "a fine of \$250 and/or confinement in the county jail." James v. State, 139 Tex. Crim. 208, 139 S.W.2d 587, 588 (1940). In view of such displeasure, it would be wise to avoid and/or in legal documents. TFL

Gertrude Block, lecturer emerita at the University of Florida College of Law, is author of Legal Writing Advice: Questions and Answers (William S. Hein Co.) and Effective Legal Writing (5th edition, Foundation Press, 1992). She can be reached at block@law.ufl.edu or by snail-mail: Gertrude Block, Lecturer Emerita, Emerson Hall, University of Florida, Gainesville, FL 32611.