## Language for **Lawyers**

• "In the enclosed news item, is the word *there's* correct? • It appeared in a quoted statement of a prosecuting attorney: 'The system doesn't have the resources to try all those cases. There's not enough judges, there's not enough juries, there's not enough courtrooms."

. No. His usage is still ungram-• matical at this time, although it is so widespread that it may soon be proper. The word there in the statement the reader submitted is called a grammatical expletive. (A grammatical expletive, I hasten to add, is unrelated to the kind of expletive that was sure to get you in trouble if you used it as a young child in the presence of your mother. In print that form of expletive sometimes appears on television as "expletive deleted.")

Grammatical expletives, like it and there have no meaning but merely act as devices to fill a spot that the syntax of the English language needs to have filled. The word there in the sentence above anticipates the actual subject of the sentence, judges. In the submitted sentence, the expletive does its job well.

Because expletives have no meaning, they are neither singular nor plural, and the verb modifying there takes the number of the noun that *there* precedes. In the quoted sentence, the nouns are plural (judges, juries, courtrooms), so there's (a contraction of there is) ought to be there are. Here are some typical there constructions, showing the correct verb forms.

- There's a problem with this arrange-
- There appears to be an accident ahead.
- There's been a change of plans by the administration.

Sometimes expletives have unfortunate results: they may reduce clarity and increase wordiness. The following sentences, which use the expletive there, fail to say who, what, and whom:

 There is a cause of action on behalf of the passenger, who suffered from the reckless conduct of the driver.

- As soon as the victim's purse was grabbed, there was battery; there was certainly no consent.
- There is a strong suspicion on the part of police officers that a crime has taken place.

Each of the sentences above would be shorter and clearer if the expletive had been omitted and the actual subject of the sentence were stated as follows:

- The passenger who suffered from the reckless conduct of the driver has a cause of action against the driver.
- When the person grabbed the victim's purse, he was liable for battery; certainly, the victim did not consent to the act.
- Police officers strongly suspect that a crime took place.

So the structure of the English language, in which verbs are required to have subjects, is responsible for the there construction. Some languages do not have that requirement. For example, in the Hopi language, one can say "Rains," although we must say "It's raining."

• Please explain the meaning of the word *urgent* in the following statement: "If there are urgent or significant unexpected findings, radiologists should communicate directly with the referring physician.

A. The lawyer who sent in this question wanted to know particularly whether "urgent" modifies "significant unexpected findings" or merely "findings."

Because the conjunction or is disjunctive, indicating a relationship of contrast or opposition, in the above sentence or separates the adjectives, so that the sentence reads that radiologists should communicate with the referring physician when either of two separate situations is present: if the findings are either "urgent" or both "significant and unexpected."

Had a second or appeared between "significant" and "unexpected," the meaning would be that, in any one of the three eventualities, the radiologist should communicate with the referring physician ("urgent," or "significant," or "unexpected"). Had the conjunction and been used instead of or ("urgent and significant unexpected" findings), both "urgent" and "significant unexpected" findings would be necessary before the referring physician would be alerted.

The conjunction either is often used with or to indicate parallel construction of opposites. The parallel pair both ... and indicates a combination rather than a separation.

Coincidentally, another reader recently sent me a clipping she had seen in a newspaper editorial stating, "An ordinance on the changes above must be written and approved by the Commission."

That statement means that the Commission must both write and approve the ordinance. But the fact was that the ordinance had to be written by the Commission's staff and subsequently approved by the Commission. To make that meaning clear, there should have been a comma in the sentence after the word "written." The change would result in: "An ordinance on the changes must be written, and approved by the Commission." It is true that adding a few words to the statement would have made it unequivocal. Why not write, "An ordinance on the changes must be written by the staff and approved by the Commission?" TFL

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