## Language for **Lawyers**

• A Springfield, Mass., lawyer writes that he regularly plac-• es the word *however* in the middle of written sentences, but his associates argue that it belongs at the beginning. He asks (1) Am I wrong? (2) When should I start a sentence with *however*? (3) Are both constructions acceptable, and which is preferable? He adds plaintively, "I have been constructing sentences in this manner [with however in the middle] for 20 years. Could this be a generational nuance? If I am wrong, I will have to pay a number of associates large sums as a result of certain wagers and ... unfortunately, my pride is also at stake."

A. Those final plaintive remarks make it hard for me to respond without bias. Fortunately, however, both the reader's pride and his pocketbook emerge unscathed.

The question has both grammatical and stylistic answers. It is grammatically correct to put conjunctive adverbs like however, nevertheless, therefore, hence, moreover, consequently, and furthermore at the beginning, in the middle, or at the end of sentences (but when the word *however* begins a sentence it should be written: "However homesick he was, he did not leave his job.").

Grammatically, if you begin a sentence with a conjunctive adverb, you follow it with a comma. If the conjunctive adverb is within the sentence, you enclose it in commas. If the sentence ends with the conjunctive adverb, you place a comma before it. Be sure to remind your associates to avoid adding a comma after every conjunctive adverb that begins a sentence if your voice would not pause when you speak the sentence. For example:

However, the federal deficit looms in budgetary planning.

To answer that question is difficult. Nevertheless you should ask.

As to the stylistic propriety of beginning a sentence with however or other conjunctive adverbs, there are advantages and disadvantages. Conjunctive adverbs are stylistically useful to transition from one idea to the next or to show a relationship. Conjunctive adverbs act as guideposts to ideas that follow, just as do other transitional phrases like in fact, as a result, in addition, on the contrary, and at the same time.

There is, however, a stylistic disadvantage to starting sentences with bowever and other transitional terms. Because the end of the sentence is its most important position, your readers unconsciously assume that your most important point is made there. Consider, for example, the following sentences:

If the defendant can prove that the state statute did not give adequate notice because it was vaguely written, the federal statute would override it.

The federal statute would override the state statute if the defendant can prove that the state statute, because it was vaguely written, did not give adequate notice.

The most important point in the first sentence is that the federal statute might override the state statute; the second sentence emphasizes that the state statute may not have given adequate notice. The middle of the sentence should contain the least important material: the qualifying and amplifying

So-to conclude-although the correspondent may not have won the argument with his associates, he hasn't lost it either. (And if the reader examines this final sentence, he or she will notice that its most important point comes at the end!)

Syracuse attorney Donald • Schoenwad writes that the use of the adverb importantly irritates him. (He added that I had permission to mention his name, provided that I spelled it correctly—as I am sure many do not.)

• Americans overwhelmingly pre-fer *importantly*, so it is probably now acceptable as an idiom. But the adjective important is grammatically correct. The words What is have been omitted from the full phrase: "What is important is that ... ." (No native speaker would say "What is importantly is that ... .") Mr. Schoenwad is the only reader who has protested this usage in all the years I have been writing for law journals.

Another illogical, but probably idiomatic, phrase is, "The proof of the pudding. ..." That truncation of the original comment makes one think of the little trinkets that used to be placed in cereal boxes to appeal to cerealeating children. The entire comment, however, means something quite different: "The proof of the pudding is in the eating thereof." Now, that makes

Another misstated comment is "The exception proves the rule." This is another nonsensical statement. But at least there is some justification for that usage. The adage originated a long time ago, when the word prove meant "to establish the validity of." Legally, it still has that meaning; in a will, for example, to prove means "to establish the truth or validity of something by presentation of argument or evidence." And in lay language, "He proved his point" indicates that meaning of prove. But it is the evidence or argument that proves the rule, not the exception to the rule. TFL

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