Writing Effectively

Format

- Use headlines and subheadings to help frame the most important issues.
  - Remember, less is more.
  - The goal is to create an easy to navigate document, not provide details.
- Where possible, describe events chronologically (or reverse chronologically, if the situation calls for that).
- Avoid block citations.
  - Readers tend to gloss over long quotes.
  - Paraphrasing and sparse use of direct quotes will make your article more readable.
- Avoid using footnotes to make substantive arguments.
  - Most readers gloss over footnotes.
  - If the argument is important, work it into the text.
- Vary sentence structure and length.
  - Writing can be spiced up by varying word choices, mixing up sentence structure, and varying sentence length.
- Avoid adding emphasis to text by using italics, bold, or underlining, which can be distracting to the reader.
- Cite authorities sparingly.
  - When the source is clear, there is no need to continue citing it.
  - It is often enough to simply refer to the case name in the text after introducing the full cite, e.g., “The Court based its reasoning in Wayfair on three concepts...”. No citation is needed at the end of the sentence.

Style

- Identify your audience.
  - Don't assume your audience is closely familiar with the subject matter.
  - Avoid using words readers will have to look up.
  - Value clarity above all other elements of style.
- Communicate clearly and concisely.
  - Present arguments or ideas with little iteration or embellishment.
  - Never underestimate the power of brevity.
- Eliminate redundancy.
  - Needless words can bury important information.
- Try not to rely heavily on words and phrases best suited for a contract.
  - For example, “With respect to" can be replaced with “Regarding,” and “Pursuant to” can replaced with “Under.”
- Avoid puns, jargon, hackneyed expressions and clichés, and needless Latin.
- Write as if you're explaining your arguments or ideas at a dinner party.
- Avoid overusing acronyms.
- Provide simple, clear answers.
  - Don't default to a research paper.
  - Stick to the question.
- Don't talk down to the audience.

Resources

Be C.L.E.A.R.

Concrete, Familiar Words
Avoid Legalese
Remove Excessive Citations
Know Your Audience
Eliminate Redundancy

What the experts are saying...

“I write about subjects that I have been working on and subjects that will be of practical use to clients and prospective clients. For the most part, I don't write about theoretical subjects or major policy issues. I prefer to write about issues that our clients are addressing every day with the hope that my articles will help them.”

“I choose subjects that interest me and for which I think I have something to say that others are not saying.”

“Keep your writing simple. Tax is a difficult topic, so your job as a writer is to make it easy for the reader to understand. It is also a technical subject, so you can't afford to make mistakes. If you are unsure about something, it's best not to write it in the article.”

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