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## Free Yourself From the 'It' Syndrome

A missing antecedent may give the reader pause

By Kenneth F. Oettle

**W**e flow easily into expressions where the pronoun “it” has no antecedent, as in, “It would be inequitable to deny him the commissions he earned,” or “It would be extraordinary if the court ruled for plaintiff.” In legal writing, this common construction can sidetrack the reader.

Consider the following:

If the documents may be important to the lawsuit, it would be unreasonable to discard them.

The writer means that discarding documents would be unreasonable if the documents may be important to the lawsuit, but the sentence initially directs the reader away from that idea because readers are programmed to associate pronouns with nouns. A reader seeing the pronoun “it” immediately after the noun “lawsuit” will associate “it” with “lawsuit” and will assume, albeit momentarily, that the subject of the second clause of the sentence is the lawsuit.

Obviously, when the reader sees “would be unreasonable to discard them,” the reader will realize that the subject of the second half of the sentence is not the lawsuit. One would not speak of a lawsuit being “unreasonable” where the discussion is about docu-

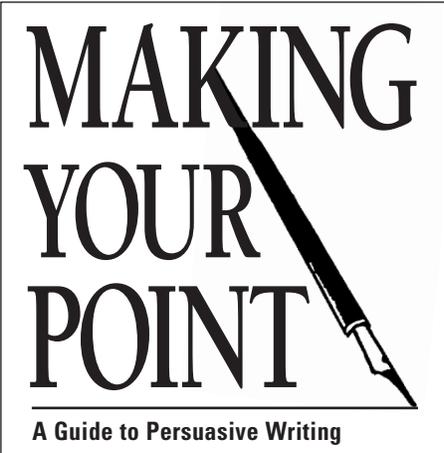
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*The author is a partner and co-chair of the Appellate Group and writing and mentor programs at Sills Cummis Epstein & Gross. He invites questions and suggestions for future columns to koettle@sillscummis.com. “Making Your Point” appears every other week.*

ments, nor would one normally associate the word “discard” with a lawsuit. Consequently, the reader will quickly deduce that “it” cannot refer to the lawsuit.

But this self-correction requires work, and while the work is being done (that is, while the reader is thinking, literally or figuratively, “Whoops. The word ‘it’ doesn’t refer to the lawsuit”), the reader is not following the writer’s point.

Editing the sentence is not difficult:



**MAKING  
YOUR  
POINT**

**A Guide to Persuasive Writing**

Discarding the documents would be unreasonable if they may be important to the lawsuit.

Now the pronoun (“they”) has an antecedent (“documents”). Not only does this revision remove the misdirection caused by “it” without an antecedent, but it strengthens the sentence by featuring the action — the discarding of documents.

Let’s try another example:

The form in which electronic data is stored may make it difficult to

access the information.

The writer means that accessing electronic data may be difficult because of the form in which it is stored, but a reader may instinctively associate the pronoun “it” with the closest noun, “data,” and may be nonplussed by the concept of data being difficult. Although the reader will quickly figure it out, the reader will waste energy and, for a moment, will lose the train of thought.

Possible re-writes include:

The form in which electronic data is stored may make accessing the data difficult.

The form in which electronic data is stored may impede access to it.

“It” without an antecedent may also create an ambiguity that the reader cannot solve, as in the following example:

A court may require a search for a critical piece of information at the responding party’s expense even if it is uncertain whether the information exists.

What is uncertain? Is the court uncertain, or is the existence of the information uncertain? The more I read the sentence, the less sure I am of the answer.

At first, I thought the writer used “it is uncertain” to mean “nobody knows.” But the writer could also have meant the court was unsure. The difference is subtle but potentially meaningful.

A possible clarification is as follows:

A court may require a search for a critical piece of information at the responding party’s expense even if

the existence of the information is uncertain.

In this version, the uncertainty clearly relates to the existence of the information, not to the court's state of mind.

Sometimes the independent "it" is not only ambiguous but grammatically wrong:

When examined carefully, it becomes clear that every case cited by defendant is distinguishable.

The writer meant that cases were examined carefully but said that "it" was examined carefully, whatever "it" might be.

Sometimes an "it" that lacks an antecedent isn't confusing, merely unnecessary:

It is the senior management of a cor-

porate party that bears the ultimate responsibility for developing and implementing procedures to ensure the preservation of relevant evidence.

Remove "It is" and "that." Resist the temptation to use the kind of emphatic with which you might season a speech, thrusting your forefinger toward the sky as you hold forth in front of a packed auditorium. Physical actions can keep listeners interested and drive home your point, but such gestures are lost on readers, who cannot see you.

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### *Puzzler*

Which Version would you use, A, B or C?

Version A: This Responding Brief will in Point I address the defendant's analy-

sis of the jurisdictional question.

Version B: Point I of this Responding Brief will address the defendant's analysis of the jurisdictional question.

Version C: This Responding Brief will address the defendant's analysis of the jurisdictional question in Point I.

Keep the verb intact, as in Versions B and C ("will address"). Version C has two infirmities. It suggests, inadvertently, that the defendant performed an analysis in Point I ("the defendant's analysis ... in Point I") or that a jurisdictional question can be found in Point I ("the jurisdictional question in Point I"). It also cedes the featured position at the end of the sentence to "Point I," which isn't as important as "jurisdictional question." Version B is cleaner, better balanced, and still direct ("Point I ... will address"). ■