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The Need for Clarity May Override the Risk of Exaggeration

Don't be afraid to make an overstatement that you quickly qualify

By Kenneth F. Oettle

Caution writers not to overstate their case because exaggeration hurts credibility. But clarity may require that you overstate a point and then qualify it (modify it) rather than try to squeeze the point and its qualifier into the same sentence.

This challenge arose in a letter to a client who proposed to make a campaign contribution to a “joint candidates committee,” which raises funds for a group of political candidates. In New Jersey, a person wishing to make a contribution to a joint candidates committee is not limited to the \$2,600 that is allowed per candidate in each election cycle (calendar year).

A person may contribute \$2,600 times the number of candidates supported by a joint candidates committee. For example, if a joint candidates committee supports three candidates for city council, then a person can contribute three times \$2,600, or \$7,800, to that committee.

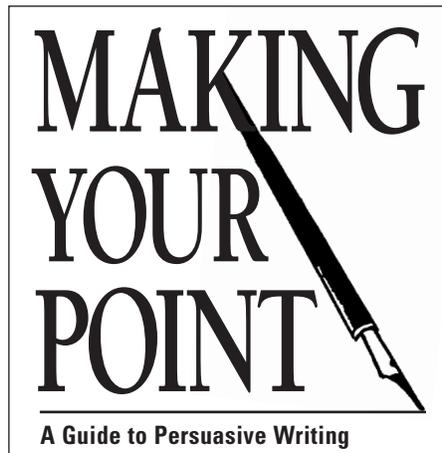
But nothing is easy.

If a candidate who is supported by a joint candidates committee is also supported by an “individual candidate committee” (a fund-raising committee spe-

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cific to that candidate), then the amount you can give to the joint candidates committee will be reduced by a multiple of what you give to the individual candidate committee.

Suppose you give \$1,000 to an individual candidate committee supporting candidate A. Because the maximum you can give to a candidate is \$2,600 per



election cycle, you are limited to giving \$1,600 more to candidate A.

Now suppose you wish to contribute to a joint candidates committee supporting candidates A, B and C. If you were to give \$7,800 to the committee supporting candidates A, B and C, \$2,600 would be attributed to candidate A.

But you have already contributed \$1,000 to candidate A, so you can't give the joint candidates committee \$7,800. You can give it only \$4,800, \$1,600 of which would be attributed to candidate A. With that \$1,600, and the \$1,000 you

already gave candidate A, you “max out” at \$2,600 as to candidate A.

The practical effect of making a campaign contribution to an individual who is also supported by a joint candidates committee is that the amount you can subsequently give to the joint candidates committee is reduced not merely by the amount you gave the individual but by that amount times the number of candidates supported by the joint candidates committee.

If you try to fit all that into one sentence, you might end up with the following, taken from a draft letter:

A joint candidates committee established by candidates who have not established any individual candidates committees to which you have contributed in an election cycle may accept a contribution from you of up to \$2,600 multiplied by the number of candidates supported by the joint candidates committee. This amount could be reduced if any of the candidates supported by the joint candidates committee were to form an individual candidates committee to which you contribute.

I had to read the first sentence several times to understand it because I kept tripping over the embedded qualifier (“established by candidates who have not established any individual candidates committees to which you have

contributed in an election cycle”). The second sentence sought to clarify, but by the time I reached it, I had already expended substantial effort trying to make sense of the first sentence.

The writer told me that he tried to fit the concept and the qualifier into one sentence because he didn’t feel he was entitled to overstate his case. He thought he couldn’t say the following because it isn’t always true:

A joint candidates committee may accept a contribution from you of up to \$2,600 multiplied by the number of candidates supported by the committee.

The statement becomes false if you have already contributed individually to any of the candidates supported by the joint candidates committee. Because you aren’t warning the reader about that contingency, your sentence in a sense is an overstatement. But the overstatement works if you qualify it immediately:

A joint candidates committee may accept a contribution from you of up to \$2,600 multiplied by the number of candidates supported by the committee. This amount could be reduced if you were to contribute to an individual candidate committee supporting any of those candidates.

Even though the first sentence is an overstatement, it is defensible because it conveys a significant concept (that a

contributor can give three times the maximum to a committee supporting three candidates); the alternative structure is not viable (setting forth the qualification within the statement itself); and you quickly supply the qualilfier, thus disavowing deceptive intent.

When the reader sees the qualification — that the amount one can contribute to a joint candidates committee will be reduced by amounts given to individual candidate committees — the reader won’t think, “But you said . . .” The reader will think, at worst, “Uh oh; this can get complicated.”

The writing process often presents choices between competing principles. Here, you serve the principle of clarity at the cost of an overstatement that could, theoretically, affect your credibility.

Initially, clarity and credibility may seem to be at odds, placing you between a rock and a hard place. But this is a false conflict. Because of the importance of being able to give multiples of \$2,600 to a joint candidates committee; because of the confusion that would result from trying to qualify this concept even as you present it; and because you promptly set the record straight, you pay less for the overstatement than you might think, and you gain back more.

Puzzler

How would you tighten and sharpen the following sentence?

In September, a motion for partial summary judgment was

filed on behalf of the Company seeking dismissal of Plaintiff’s specific performance claim, the lis pendens and fixing damages.

Change passive to active. Instead of “a motion for partial summary judgment was filed on behalf of the Company,” say “the Company moved for partial summary judgment.” To create parallel structure, say “to *dismiss* the specific performance claim and the lis pendens *and to fix* damages” (emphasis added) or use three verbs if you prefer the greater precision of “discharging” the lis pendens.

In the alternate version, I use a comma before the last item in the series to slow the pace, emphasizing the importance of the three separate requests for relief and encouraging the reader to take the time to digest the three concepts.

The revised version needs no comma after lis pendens.

The revised version:

In September, the Company moved for partial summary judgment to dismiss the specific performance claim and the lis pendens and to fix damages.

Alternate version:

In September, the Company moved for partial summary judgment to dismiss the specific performance claim, discharge the lis pendens, and fix damages. ■