

From the Editor

This volume ticks just about every writing box: process, style, content, design. It challenges assumptions, questions conventions — with healthy dashes of wit and personality. And it acknowledges the passing of a man who mastered it all.

We start there, with Michigan Supreme Court Justice Joan Larsen’s tribute to Justice Antonin Scalia, her onetime clerkship boss and lifelong mentor. She describes lessons learned, treasured memories, and how Justice Scalia’s jurisprudence shaped the law and how we read it.

Two authors encourage us to shake our dusty routines. Professor George Gopen shares remembrances and advice on the prewriting process — a process that animates his popular “On the Papers” columns in *Litigation* magazine. Professor Kathleen Elliott Vinson offers a concrete strategy for achieving mindful writing in a buzzing world: writing lockdowns. Both articles make me itch for a quiet room, a block of time, coffee, and a laptop.

Next, to drafting — and three accomplished lawyers who don’t gladly suffer linguistic muck. Mark Sableman takes a comprehensive look at document design and cautions that the law may soon catch up with lawyers who cling to timeworn practices. Adam Rosman, who leads a happy band of warriors against *herein* (and its cousins), lends his hand to the clarity cause. And the cherry on top is Mark Cohen’s ironic instruction manual for writing a bad contract. (Jonathan Swift would be proud.)

Professor Jill Barton, an AP journalist in her previous career, rounds out our articles with a look at what divides our U.S. Supreme Court Justices . . . on points of usage. In this context, our expectations on majorities, dissents, liberals, and conservatives are delightfully cast to the winds.

Brian Potts’s poem “Empty *Shalls*” marks his lyrical stance on the Great *Shall* Debate. And Raymond Ward’s book notice gives us a veteran appellate specialist’s take on a work designed for budding legal writers.

This volume also reflects the talent and dedication of our expanded editorial staff. My heartfelt thanks to Joseph Kimble, our senior editor (and, as of April 21, eponym of the Scribes Distinguished Service Award), and to veteran editors Laurel Romanella and Raymond Ward. And a warm welcome, along with my thanks, to our newest editors, Jill Barton and Deleith Gossett.

As always, I bow to the magnificent Karen Magnuson, copyeditor extraordinaire (and amiable Powell’s Books pal).

And finally, my thanks to our longtime typesetter, Patricia Schuelke, who worked with her usual patience and precision.

— Mark Cooney