



Keep It Parallel

In the best legal writing, conclusions seem inevitable. The arguments propel readers along a straight, uninterrupted road to the result the author seeks. Readers can relax and enjoy the ride because they trust the writer to navigate safely to that destination.

As those of us who live in Tucson know all too well, potholes jar the passenger from her reverie, awakening her to possible peril. Similarly, a snarled sentence interrupts the flow of an argument and makes the reader suspect logical snarls as well. Failed parallel sentence structure violates style rules and destroys a sentence's rhythm, and it jolts readers into scrutinizing arguments more critically.

What is parallel structure? At its most basic level, parallel structure occurs where items in a pair or series repeat the same word form and connect seamlessly to what I call the "root" of the sentence. For example, you might write, "The plaintiff injured her head, right arm, and both legs." All of the items in the list are nouns. And it would make sense, although it would be unduly repetitive, if you wrote: "The plaintiff injured her head. The plaintiff injured her right arm. The plaintiff injured both legs." Each item in the list makes sense when connected individually to the root phrase "the plaintiff injured." You destroy the symmetry of the sentence, however, if you write it like this: "The plaintiff injured her head, her right arm, and had two broken legs." You wouldn't write "The plaintiff injured her had two broken legs," so you shouldn't tack that phrase onto the end of the list.

Faulty parallel structure generally occurs in one of two situations.

Lists

Each item in a list or series should share the same grammatical structure. List nouns with nouns, verbs with verbs, and clauses with clauses. Verbs in a list should share the same tense and form.

- **Not parallel:** Each count in the complaint shares the same facts, law, and fails for the same reason.
- **Parallel:** Each count in the complaint shares the same facts, shares the same law, and fails for the same reason.

In the first sentence, parallel structure fails because the writer already has introduced the verb "share" and then follows it with a list of nouns. Inserting the new verb, "fails," destroys the parallel structure. Better to repeat the verb (making the "root" of the sentence "Each count in the complaint" rather than "Each count in the complaint shares").

Another example, this time with verb forms causing the stylistic hiccup:

- **Not parallel:** The judge was sighing, he rolled his eyes, and constantly shuffled papers while the defense attorney delivered his closing.
- **Parallel:** The judge repeatedly sighed, rolled his eyes, and shuffled papers while the defense attorney delivered his closing.

In the first sentence, parallel structure fails because the writer repeatedly changes the verb form and tense and inserts a pronoun. The second sentence sticks with the past tense, and every component connects seamlessly with "The judge repeatedly."

Lawyers often encounter parallelism problems when we list components of a legal claim:

- **Not parallel:** To prove common-law fraud, a plaintiff must demonstrate that (1) the defendant made a false statement, (2) materiality, (3) that the defendant made the statement with the intent to deceive, (4) reliance on the statement, and (5) damages.
- **Parallel:** To prove common-law fraud, a plaintiff must demonstrate that (1) the defendant made a false statement, (2) the statement was material, (3) the defendant made the statement with the intent to deceive, (4) the plaintiff relied on the statement, and (5) this reliance on the statement caused the plaintiff damage.

Although numbering does not cure the faulty parallelism, it does make errors easier to spot by isolating the common root.


Correlatives

When proofreading for parallelism, watch for correlatives. These are words or phrases used in pairs to join like elements, demonstrate logical connections, or indicate sequence. Commonly used correlatives include *both/and*, *not only/but also*, *either/or*, *neither/nor*, *whether/or*, *although/yet*, *once/then*, and *when/then*. As with lists, the elements following each portion of the correlative must share the same grammatical structure. For example:

- **Not parallel:** The inspector detailed not only the current code violation but also mentioned past incidents involving the defendant's restaurant.
- **Parallel:** The inspector detailed not only the current code violation but also past incidents involving the defendant's restaurant.

Sometimes curing the parallelism issue simply means moving part of the correlative:

- **Also parallel:** The inspector not only detailed the current code violation but also mentioned past incidents. . .

Parallel structure can pack rhetorical punch—think "government of the people, by the people, and for the people"—so don't squander its power by marring its symmetry. 



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