



Effective Punctuation

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1. Oxford Comma

Writers disagree on whether lists of three or more should include a comma before the “and” (or “or”) and the last item in the list. Above all, consistency is key. If you do not know your reader's preference, choose one method and stick to it. Commas before the last “and” *must* be used when the final item in the list itself contains a conjunction (e.g., “He was charged with assault, battery, and breaking and entering.”)

| Option 1 | Option 2 | When the “Oxford Comma” is required |
|--|---|---|
| <i>The American flag is red, white and blue.</i> | <i>The American flag is red, white, and blue.</i> | <i>You are charged with trespassing, burglary, and assault and battery.</i> |

2. Parenthetical phrases

Use commas to set off words and phrases that do not neatly fit into the main grammatical structure of the sentence. Nonrestrictive clauses are examples of parenthetical phrases. Unless the parenthetical phrase ends the sentence, there should always be a comma at the end of the parenthetical phrase.

Do not use commas to set off phrases that, if removed, would change the meaning of the sentence, i.e., a restrictive clause.

- **Examples:**

- The Constitution, which was signed in 1787, is the supreme law of the land.
- The Constitution, signed in 1787, is the supreme law of the land.
- The judge, however, was not amused.
- The version of the bill that the Senate ultimately approved was substantially weakened.

3. Independent clauses

There are three ways to separate independent clauses, and they require different punctuation depending on which you choose.

| Rule | Type of Punctuation | Example |
|--|---------------------|---|
| When independent clauses are separated by a conjunction, you should place a comma before the conjunction. | Comma | <i>He likes apples, but she prefers oranges.</i> |
| A semicolon can separate two independent clauses when you do not want to use a conjunction but are not ready to end the sentence. This can be useful when the second independent clause starts with an adverb such as “nevertheless” or “therefore.” | Semicolon | <i>Justice Kagan held for the plaintiff; however, Justice Breyer wanted to remand the case.</i> |
| Finally, two independent clauses can always be converted into two sentences with a period to separate them. Because legal writing values conciseness, when in doubt, stick with writing two sentences. | Period | <i>Justice Thomas went to Yale Law School. Chief Justice Roberts, however, went to Harvard.</i> |

4. Punctuation before and after quotation marks

When you are quoting a sentence or phrase that ends the sentence, the period should always go before the last quotation mark, even if it is not the end of the sentence in the original source. Commas should also always go inside the quotation mark. Other punctuation marks go outside of the quotation unless they appear in the original source.

5. Ellipses in quotation

If you are quoting a source and choose to remove one or more words from the middle of the quotation, you should indicate that with a space and then three dots separated by spaces. If your quotation ends your sentence, but is not the end of the sentence in the original source, the quotation should end with four dots separated by spaces (the fourth dot acting as the period after a three dot ellipsis). For more on how to properly indicate omissions in quotations, see Bluebook Rule 5.

| Original Quotation | Example 1 | Example 2 |
|--|--|---|
| <i>“It is emphatically the province and the duty of the judicial department to say what the law is.”</i> | <i>“It is . . . the . . . duty of the judicial department to say what the law is.”</i> | <i>Marshall declared that making pronouncements of law is the “duty of the judicial department”</i> |

6. Em dashes

The em dash—created on Microsoft Word by two hyphens and a space—is a versatile punctuation mark that can replace parentheses, commas, and colons. Em dashes are often used to indicate a sudden break in thought.

| Punctuation replaced | Original Sentence | Em dash Sentence |
|----------------------|---|--|
| Parentheses | <i>Justice Sotomayor (she replaced Justice Souter) has been on the Court since 2009.</i> | <i>Justice Sotomayor—she replaced Justice Souter—has been on the Court since 2009.</i> |
| Commas | <i>Justice Sotomayor, who replaced Justice Souter, has been on the Court since 2009.</i> | <i>Justice Sotomayor—who replaced Justice Souter—has been on the Court since 2009.</i> |
| Colons | <i>I will never forget the classes I took my first semester of law school: Contracts, Torts, and Civil Procedure.</i> | <i>I will never forget the classes I took my first semester of law school—Contracts, Torts, and Civil Procedure.</i> |

Note on using dashes: Avoid using dashes to replace more than one kind of punctuation in a single sentence. For instance, the sentence “On the Supreme Court, the federal government’s highest judicial body, one justice virtually never asks questions in oral argument: Clarence Thomas,” would be harder to understand if it were written, “On the Supreme Court—the federal government’s highest judicial body—one justice virtually never asks a question—Clarence Thomas.”

7. One or two spaces after periods?

There is a general presumption against double spacing after a period. When proofreading your writing, do a Ctrl+F search for “[period][space][space]” to get rid of any double spacing between sentences.

8. When to capitalize after colons

Colons introduce words, phrases, or a series of words or phrases that explain or amplify what came before. Generally, capitalize the first letter of the word following the colon if the colon introduces multiple sentences or if the colon introduces a quotation that could function as an independent sentence. Leave the first letter of the first word after the colon lowercase if the colon introduces a clause within a sentence or a quotation that cannot function as its own sentence.

| Capitalize | Lowercase |
|--|--|
| <i>The thief weighed his options: He could keep driving, and live his life on the run. Or he could turn himself in and see his daughter again.</i> | <i>The thief realized he had two options: run or turn himself in.</i> |
| <i>Marshall wrote decisively: “It is emphatically the province and the duty of the judicial department to say what the law is.”</i> | <i>When I spoke to Marshall he recalled his favorite colors: “red, white, and blue.”</i> |

Note: Avoid using phrases such as “as follows” or “the following” immediately preceding a colon. The colon is understood to incorporate those words.