



Interview with Rick Horowitz

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KENNEALLY: Whereas concerning the matter of the case at the bar notwithstanding, and subsequently owing to the fact that with respect to the said matter pursuant to herein after over a period of time, it is clear that the aforementioned must cease and desist.

Welcome to Copyright Clearance Center’s podcast series. I’m Christopher Kenneally for Beyond the Book. Poor writing – ineffective, confusing, often irritating – we all know it when we hear it. And with the explosion of online content, we hear it and see it more than ever.

Now comes before the microphone Rick Horowitz, founder and wordsmith-in-chief of Prime Prose. Rick believes that more effective writing makes anyone more effective at work. Notwithstanding, he graduated from New York University School of Law and briefly worked for a Washington law firm. Later, Rick made his living as a writer. He was an Emmy award-winning commentator for Milwaukee Public Television and a longtime nationally syndicated newspaper columnist.

Today, Rick Horowitz offers courses in writing, editing, and messaging services to institutions and organizations across the country. For the DC Bar Association later this month, Rick will try to show lawyers how to write more like, well, actually humans – at least some of the time. Rick Horowitz, welcome to Beyond the Book.

HOROWITZ: Thanks, Chris. Thanks for having me on.

KENNEALLY: We’re looking forward to chatting with you, Rick, because what we do in this business of podcasting and otherwise in media is communicate, and writing is just one way of communicating. The pen is kind of a microphone for our thoughts. And good writing is something we can all aspire to. You try to help people understand better what good writing is. Your attention is focused these days on lawyers, but these lessons aren’t only for lawyers. They’re for everyone involved in that profession of communicating – in publishing and elsewhere.

I suppose the place to start, Rick, is don’t these kinds of people already know how to write? Lawyers – they went through law school. They must know how to write, I suppose.



HOROWITZ: Well, they sort of know how to write, if by that you mean they can put together sentences, they can put together occasional paragraphs, and they know the things about which they're writing. But if you mean that they can communicate effectively, that they can communicate clearly, that they can adjust their writing to a variety of different audiences, not so much. So that's what I try to do, is try to remind them of those kinds of considerations and offer them some tools and tips to help them navigate those different kinds of messages they need to send to different kinds of audiences to accomplish different things.

KENNEALLY: As I said in my opening, we all know poor writing when we hear it or see it, but do we recognize it in ourselves? How difficult is it, Rick, to help people understand poor writing that they've created themselves?

HOROWITZ: It varies. I have seen some surveys that have lawyers reporting that 90-some percent of the legal work they see, the legal writing they see, is terrible. At the same time, 90-some percent of them think that the writing they turn out is fine. Anybody want to do the math on that? So it seems to me that sometimes self-awareness is lacking.

Other times, I'll see in the questionnaires I have people in my workshops fill out ahead of time to try to tailor the class to their needs – I will see a fairly heartfelt recognition that they're not writing as well or as clearly as they think they ought to. They will hear that from clients. They will hear that just from getting their work reviewed by other people that it's either too obscure or too complicated, trying to cram too much in, things of that sort. So a number of them are recognizing they can do better, and I guess that's why they're coming to these classes.

KENNEALLY: Right. Rick, you'll be teaching a course in more effective writing at the DC Bar on June 22nd. I guess I have to ask you about how do you get to teach these kinds of courses? It's a bit like how do you get to Carnegie Hall? Practice, practice, practice. Right? Because you have been a writer of all types over the course of your career.

HOROWITZ: That's right. I have written – I mean, starting from a college newspaper writing gig as a columnist, to writing in law school and then writing as a lawyer and writing those kinds of pieces, to becoming a newspaper columnist, syndicated columnist, and writing both straight and satirical kinds of things, to working on Capitol Hill as a legislative assistant and also as a speechwriter, which allowed me or required me to have to write in other people's voices – to basically submerge your own style and recognize how someone else wants to communicate and to



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adopt his stylistic preferences and quirks. I think that's very helpful in broadening your palate, if you will, as a writer.

KENNEALLY: Rick, share with us some of the lessons you've learned throughout all of those various types of writing activities. These have all helped you sharpen the pen and sharpen your skills.

HOROWITZ: Sure. At its most basic level, I think almost all writing comes down to four big questions – what's in, what's out, where do I put it, and how do I say it? I think many people think writing is a complicated task, and I think to the extent I can simplify it for them and have them focus on those four questions, I think that's a help.

And then beyond that, I ask them to focus mostly on two things. One is the goal of this particular piece of writing – what is it you're trying to accomplish today with this piece? And secondly, who's your audience for this particular piece of writing?

Knowing those things I think helps you answer those first four questions, the what's in, what's out, where do I put it, how do I say it? If you're writing for someone who is an expert in the field, as you might be, you can write at one level of complexity. You can write at one level of jargon, if you will. You can shorthand certain things. If you're writing for a layman, a layperson, if you're writing for someone in the public, as opposed to somebody who's been paying close attention, you may have to provide more background. You may have to use terms that are more understandable generally rather than the sort of secret handshake terms that lawyers and, frankly, any other profession tend toward when they're talking to their own.

KENNEALLY: Right. So that is, as you call it, the secret handshake – what's behind the legalese. It sort of shows off one's learning. There's a sense of community, because we all understand what we mean when we say subsequently owing to the fact and with respect to the said matter.

HOROWITZ: (laughter) Right, exactly. What you forget as you go through law school and as you go into practice is these terms that come naturally to you now didn't use to come naturally to you and still don't come naturally to many of the people you're writing to. So you have to remind yourself and put yourself really on the other side of the table and ask yourself, how will this look? How will this sound? How will this work for the person receiving the thing I'm trying to write? Rather than writing for yourself, you have to be more aware than most people are about how it's going to be received. I think that's a key shift in view.



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You're tempted, I think, to write lawyerly, because you spent all that money on tuition, and you spent those years in law school classes, and damnit, you want to show off a little bit. Also, that's the language you have adopted naturally. You have to remind yourself that that's not everybody's language.

KENNEALLY: And to use some Latin here, it's all about *in loco*. It's in the place of something. You want to be in the place of the reader, not so much the place of the lawyer – or I should say the audience. In the case of writing and publishing, we're thinking about readers. Lawyers may be thinking about judges. But nevertheless, it's always about that audience that's so important.

HOROWITZ: I think that's true. The thing is, even lawyers are not always writing for judges. They may be writing for clients. They may be writing for the public. They may be writing for legislators. They may be writing for the press. Each of those audiences comes with a different set of knowledge, a different comfort level with what you're trying to communicate to them. And you really – if you want to be effective, and this is true in legal writing, but I do believe in all sorts of communicating – if you want to be most effective, you have to keep that particular audience today in mind as you craft what you're doing.

KENNEALLY: And for anyone, whoever they are writing for and whatever they do for their work, there's a battle in writing that goes on between being complete and being concise. Some of us might have been taught in the fourth grade that the shorter, the better. But sometimes that may leave out important information. How do you help lawyers and others understand where to find the right balance between the complete and the concise?

HOROWITZ: And it's probably the most difficult balancing act in all of legal writing. Again, you sort of want to justify all your legal training and all your research skills by pouring into the document everything you have found. The problem is, at a certain point, it becomes counterproductive. I like to share with people in my class advice from everybody from Miles Davis saying he always listens to what he can leave out to Georgia O'Keeffe talking about how reality is complicated, and it's only by selection and emphasis that you can get at the real meaning of things. By leaving things out, you're able to focus the reader on the things you think are most important.

Now, there are different strategies depending on where you are in a legal case or what particular document you're writing, where if you don't raise something in a lower court, you may not have the ability to raise it on appeal. But there are other considerations that go into it, too, and one of them is just simply not so



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overwhelming a reader with information that they can't focus on the things you most need them to focus on.

KENNEALLY: We have been chatting today with Rick Horowitz of Prime Prose. He'll be offering a course in more effective writing for the DC Bar coming up on June 22nd. Rick, in conclusion and in witness hereof, the parties hereunto have set their voices to these presents on this day herein beforementioned. So thank you for joining me on Beyond the Book in plain English.

HOROWITZ: Pleasure to be with you in plain English, Chris.

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Beyond the Book co-producer and recording engineer is Jeremy Brieske of Burst Marketing. I'm Christopher Kenneally. Join us again soon on Beyond the Book.

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