

Sample Four Techniques Edits, Annotated With Explanations

Memorandum Text Excerpt	Explanations of Four Techniques Edits
<p>Stricken text: text removed in Four Techniques editing</p> <p>Red text: text added in Four Techniques editing</p>	
<p style="text-align: center;">Marston will likely prevail in ←</p> <p>establishing establish adverse possession title to the disputed land in question. ←</p> <p>Adverse possession is defined as “an actual and visible appropriation of the land, commenced and continued under a claim of right inconsistent with and hostile to the claim of another” for a ten year period. Ariz. Rev. Stat. Ann. § §12-521, 12-526(A) (West 2012). A claimant must demonstrate possession in six different ways must be demonstrated by a claimant to adversely possess land: actual, open and notorious, hostile, under a claim of right, continuous, and exclusive. <i>Rorebeck v. Criste</i>, 398 P.2d 678, 681 (Ariz. App. Ct. 1965). In addition, the claimant carries the burden of proof to show that the possession requirements are satisfied. <i>Tenney v. Luplow</i>, 442 P.2d 107, 110 (Ariz. 1968).</p> <p style="text-align: center;">It is uncontested that ← Marston satisfies the element of “actual”</p>	<p>Technique #3, Rescuing Strong Verbs from Prepositional Phrases: The "strong" verb here is "establish." The prepositional phrase "in establishing" makes the strong verb weaker. Rewrite to "Marston will likely establish"</p> <p>Technique #3, Eliminating Prepositional Phrases: The prepositional phrase "in question" adds nothing but clutter. Omit.</p> <p>Technique #1, Shortening Sentences Exception: Although this sentence is long, it contains important quoted language and is accessibly written. This is a long sentence to leave as is.</p> <p>Technique #2, Reorganizing the Sentence for Forward Motion: This sentence's subject (elements) is not the actor. Instead, the actor, "claimant," is buried in a prepositional phrase and comes after the verb (demonstrate) instead of before. Rewrite to put the "claimant" in the subject position so that it comes before both the verb "demonstrate" and the direct object "possession."</p> <p>Notice that putting "claimant" as the subject in the sentence above and getting rid of passive voice makes the next sentence surplusage. The first sentence now says, in essence, what the second sentence said. The second sentence can be eliminated in its entirety. If the writer is as worried about the verb "to prove," "demonstrate" could be changed to "prove" in the first sentence to emphasize the term of art ("prove").</p> <p>Technique #4, Eliminating "It is/There are," as Dummy Subject/Verb: Omit "it is uncontested that." This is phrase that contains a dummy subject.</p>

<p>possession actual possession element ←</p> <p>because she operated a Christmas tree business there. In Arizona, a claimant need not occupy, cultivate, or reside on the property to establish actual possession. <i>Spillsbury</i>, 288 P. at 1029. Rather, the claimant can simply use the property and satisfy the actual possession element. <i>Costello v. Muheim</i>, 84 P. 906, 907 (Ariz. Terr. 1906). Here, Marston used the property for her business and thus actually possessed the land.</p>	<p>Technique #3, Rescuing Adjectives from Prepositional Phrases: "Element of 'actual' possession" can be rewritten to make "actual possession" an adjective.</p>
<p>It is also beyond dispute that ←</p> <p>Marston also possessed the land “under a claim of right.” A "claim of right" is the possessing party's "intention to appropriate and use the land as his own to the exclusion of others.”</p> <p><i>Higginbotham v. Kuehn</i>, 424 P.2d 165, 166 (Ariz. 1967). At all times, Marston</p>	<p>Technique #4, Eliminating "It is/There are" as Dummy Subject/Verb. Omit "it is also beyond dispute that." This is phrase that contains a dummy subject and a weak verb. The real subject of this sentence is Marston and "possessed" is the strong verb.</p>
<p>believed that she owned the land,. She manifested this belief by using the land for business,and, Tthus, she established a claim of right from her exclusive use.</p>	<p>Technique #1, Shortening Sentences: The original sentence is thirty words long. While this is not a horribly long or confusing sentence, it can be shortened into three sentences (each about ten words long) that are more easily digestible for the reader and also highlight the reader's conclusion on the element..</p>