

Style Guide:

1) **Formatting:**

- a) Book Antiqua, 12-pt font for the whole document.
- b) 1.5 spacing for the body of the document (caption and signature block should be single spaced).

2) **Numbers:**

- a) Spell out numbers from zero to ten using letters.
- b) Do not put numerals in parenthesis after a spelled out number.
- c) Always represent the following by numerals:
 - i) Numbers 11 and above.
 - ii) Numbers with decimal points.
 - iii) Percentages.
 - iv) Currency preceded by a "\$."
- d) If you are referring to some specific duration, it is likely a unit of measurement and often hyphenated (e.g., 3-hour block, 21-day period). If you are talking about a general period of time, it is likely not a unit of measurement (e.g., six days from now, three years of data).

3) **Punctuation:**

- a) Commas and periods belong inside quotation marks – with no exceptions.
- b) Colons and semicolons belong outside quotation marks.
- c) Periods belong outside parentheses if any portion of the sentence is not in the parenthetical. Periods belong inside the parentheses if the entire sentence is inside the parenthetical.
- d) Insert two spaces between a period and the start of a new sentence.
- e) Use the serial comma. That is, in a list of more than two things, separate all items by a comma, including the final item before the conjunction. For example, "...shall identify the cause, notify DEP, and submit a written report..." (note the comma before "and").
- f) If citing a statute or rule in the middle of a sentence, set off F.S. and F.A.C. with commas. For example, "In accordance with Rule 62-780, F.A.C., Respondent shall..."

4) **Use days or years when setting deadlines. Months vary in length.**

5) **Use terms consistently.** Don't write "wetland" in the consent order and "herbaceous wetland" on the map.

6) **Make sure maps are accurate and have scales.**

7) **Passive Voice:**

Avoid the use of the passive voice. The passive voice is particularly problematic when the respondent's responsibilities need to be clearly established. For example, the sentence "The restoration shall be completed by June 1" is ambiguous. Although it may be apparent from the context that the respondent is responsible, that is not always clear. It is more straightforward to simply state "The respondent shall complete the restoration by June 1."

8) **Shall:**

The Department has consistently used “shall” to designate a required action. Using a different verb, such as “will” or “must” can indicate a different intent, so it is best to use shall consistently.

9) **Jargon and legalese:**

Stay away from jargon if possible. It is usually too obscure to be generally understood or is a modification of the generally accepted use of the word. Legalese should be treated like jargon. The intent should be to make sure people can understand the meaning of the Consent Order, and legalese is typically obfuscatory.

10) **Including but not limited to. . . :**

This is commonly included when the Department is listing the information a respondent must provide. While the intent is appropriate (not to leave out any relevant information), this is a meaningless and unenforceable phrase. The Department must give the respondent notice of what is required so that the respondent can know how to act and a judge can determine whether a respondent has complied with a consent order; the phrase fails on both counts. It gives the Department a form of absolute discretion, which is illegal and, hence, unenforceable.

11) **Exhibits Identification:**

A common problem is that exhibits are referred to as “A, B, C” in the Consent Order but designated “1, 2, 3” on the documents. Sometimes the District will attach both “exhibits” and “attachments,” which can get confusing. There is no legal difference between attachments and exhibits, so be consistent and choose one or the other. A wrinkle arises when an exhibit contains one or more of its own exhibits. In that case, it may be clearer to differentiate the two, and it may be clearer to refer to “exhibits A, B, C” and “attachments 1, 2, 3.” It is a good practice to explain this somewhere in the Consent Order, if it is confusing.

12) **Don't use bullets to designate subparagraphs**, and don't leave any substantive paragraph unnumbered or undesignated. Use the following format (or pick another one you prefer):

1.
 - a.
 - (1)
 - (a)
 - (ii)