

PLEADED V. PLED

Today I saw a use of "pleaded" that annoyed me more than usual. Been a few years, so I decided to see if the world has come to my persistent belief that "pled" is preferred.

Above the Law shows "pled" 67% v the also ran. Read several other sites and comments while ranged from, "pled" is not a word, to "pleaded" is silly. The most careful probably was <http://www.cjr.org/resources/lc/pleadguilty.php>.

IMHO both are correct. To me, "pleaded" is self-conscious and there is nothing to command its use.

I am truly persuaded by the argument that "plea" is a noun. Thus, if you want to refer to some such past event, you say: "D entered a plea"

I will do that in formal writing with confidence that I offend no one.

Note: Goggle spell checker has underlined "pled." Pasted the whole msg in Word, which has no such problem. Reasonable programs may differ. But my mind is settled. I will not reexamine this question in this lifetime.

I TRUST I HAVE PLED PERSUASIVELY.

--

WARNING: This email is designed for discussion of legal questions and other matters. It shall not be used or relied on by anyone as legal advice.

John P. Page, Florida

I won't argue with your approach of "D entered a plea...." That seems to be a nice way to avoid the problem.

As for "pleaded" versus "pled," did you take a look at Bryan Garner's book, A Dictionary of Modern Legal Usage? (As you may know, Garner is, among other things, the current editor of Black's Law Dictionary.)

Garner states that "The best course is to treat plead as a weak verb, so that the correct past tense, as well as past participle, is pleaded." He goes on to say that pled and plead are alternative past-tense forms with "some standing" in American English (and that "pled" is a common variant in legal usage).

Since the U.S. has no body similar to the Academie Francaise to dictate what is proper usage of the English language, I think we each must rely on what sounds correct to our own ear -- but with an awareness of how those around us will react. Given the frequency with which "pled" appears on American legal writing, I don't think you will be laughed out of the courthouse. If it works for you, then....

-Brian H. Cole, California

For what it's worth I think this issue is similar to the split infinitives debate. Most people will not notice a split infinitive, but the people that do notice it will often harshly judge your writing: many of them will conclude that you don't know to write or that you are too lazy to learn how to write.

Since the consensus among experts who have studied the issue is that pleaded is proper and pled is colloquial but common enough to be acceptable, then I recommend using pleaded. Because just like split infinitives, most people will not care, but those who do care will think you didn't take the time to learn the proper form.

I am not a great writer, so I work really hard to minimize distractions in my writing. Some people will be distracted by split infinitives, so I try to avoid them. Personally, I think the "rule" against split infinitives is silly, but I am not writing for my benefit, I am writing for the reader's benefit, so I should attempt to conform to their expectations.

Back to pleaded: I think pleaded, with its strong consonant, is a commanding and heavy word, and I like the gravity of it much more than pled, which seems weak and muted.

"After full and proper warnings, in open court, the defendant knowingly and intelligently pleaded guilty."

"After full and proper warnings, in open court, the defendant knowingly and intelligently pled guilty."

Eh, but it doesn't really matter, does it?

Hunter Hogan

"Churchill prepared a highly important speech to deliver in Parliament, and, as a matter of custom, submitted an advanced draft to

the Foreign Office for comment. Back came the speech with no word save a notation that one of the sentences ended with a preposition, and an indication where the error should be eliminated. To this suggestion, the Prime Minister replied with the following note: "This is the type of arrant pedantry up with which I will not put."

Eugene Lee, California

A Texan (I'm originally from Texas) was admitted to Harvard (I didn't not get admitted to Harvard). On the first day of classes, he tried to make some new friends and asked a group of students, "So were are ya'll from?" One of them replied, "We are from a place where people do not end sentences in prepositions." The Texan thought about it for a second and said, "I'm sorry. Were are ya'll from, jerk?"

Hunter Hogan

I looked it up a while back, and found 'pleaded' was the preferred term. Personally, 'pled' rolls off the tongue easier, and sounds better. 'Pleaded' is clunky. Sadly, the news media - which sets the language trend for these things, IMHO - uses 'pleaded'. I have not heard 'pled' in quite a while.

Greg Zbylut, California

Even Grammar Girl* says there are times when it is OK to do some dangling. Yeah, we do get a little caught up at times... times when we are NOT drafting legal documents or writing formal letters..

*Who asserts that we should be writing, "pleaded", although most of us who use this terminology several times a day every day usually say "pled".

Tanya Robinson, New York

The Oxford English Dictionary contains more than 1,000,000 words. Linguists and others commonly hold that the English language comprises approximately 4,000,000 words. The average person has a vocabulary of between 8,000 and 15,000 words (Shakespeare is thought to have had a 20,000 word vocabulary).

There aren't many words that aren't words. The real question is whether the person speaking has communicated their idea properly. If the listener understands the meaning and intent of the speaker then the matter should rest.

Roger Traversa, Pennsylvania

I use 'plead' in the same manner as 'read'; the pronunciation changes with tense, but not the spelling.

D.A. "Duke" Drouillard, Nebraska

But when do you use pleaded and readed?

Lew Wiener, California

Speaking of which, when did "moved" become "motioned"? As in, "he motioned for summary judgment"? Is that just wrong, or what? It seems to be gaining in popularity, but really bugs me.

C.

Cynthia Hannah-White, Hawaii

I read about this earlier, but I will not read about it again.

'Course, when cooking, I may have kneaded, but now I ned.

Best regards,
Arthur B. Macomber, Idaho

I think "motioned" is incorrect usage.

For a humorous take on both "motion" and "pleading," see <http://tinyurl.com/yb5qdxb>.

Lisa Solomon, New York
