

The Informal Formalities of Email Communication



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Do you draft emails as if they will one day be exhibits in a courtroom proceeding? It's easy to take for granted the level of formality required (or suggested) when sending even just a simple email. Understanding the importance of proper email etiquette can set you apart from your colleagues. Furthermore, utilizing proper email etiquette will help you make a lasting first impression, succeed as an advocate, gain the email recipient's trust in your abilities, and present yourself as worthy of the title "professional."

In a recent extreme example, unprofessional email communication landed attorney Christopher Hook in front of the very angry and disappointed Judge Otis Wright II in Los Angeles. In this case, Hook used email communication to threaten his opposing counsel as a supposed litigation tactic. Hook used derogatory language and name-calling throughout his emails, which were eventually submitted as exhibits when Allstate's attorneys asked the court to throw out the case, disqualify Hook as counsel for the plaintiff, and seek a restraining order to protect Allstate's attorneys from Hook. At the hearing, Judge Wright admonished Hook and asked him to resign as an attorney. Although this is an extreme case of unprofessionalism, it provides a surefire lesson that emails are lasting communications that should be taken seriously and could possibly be judged by a third party. It is imperative that every email we send be professional.

The following are some tips to watch out for when drafting any email, no matter how simple:

1. Subject Line. First impressions become lasting impressions. The first thing the recipient of your email is going to see is the subject line. Make the subject line clear and direct and never leave it blank.

2. Proper Greeting and Signature. Beginning an email with a proper greeting and ending it with a proper signature sends a strong message that you take the email seriously. You would never begin a formal letter without the typical, "Dear Mr. Smith," so be careful to not skip this step in email correspondence and never assume you are on a first-name basis with the recipient.

3. Proper Spelling and Grammar. The importance of proper spelling and grammar cannot be stressed enough. The surest way to gain the trust of the recipient is to show that you have taken the time to use proper spelling and grammar throughout your email. Spell check is easy to use, but you may also need to brush up on some grammar rules.

4. Be Cautious with Humor and Tone. The recipient will only be able to read your words and not hear you say them. Humor can easily be lost in a sea of words and punctuation and be misconstrued as sarcasm or worse. Furthermore, be sure to remember the goal of your email and make sure your tone matches what you wish to achieve.

5. Be Cautious of "Reply All." An email gets sent to the entire office and someone accidentally replies to the entire office, sometimes with personal information. Do not be that person.

6. Double-Check the Recipient. Especially in the field of health law, it is extremely important to ensure that confidential information remains confidential. The simplest way to do this is to double check that you have chosen the correct recipient.

7. Proofread x3. This is the most important tip of all. The only way to ensure that you have followed all of the tips above is to proofread your email several times.

8. Reply to All Emails. Reply to all emails as if you received a formal letter addressed to you. Reply even when to say that the email was improperly sent to you or to let the recipient know that you will not get back to them with a complete response today.

Finally, always keep in mind that while emails may seem quick and insignificant, they are equivalent to formal letters in today's practice and deserve that level of formality and care. Be sure to follow the tips and recommendations above to ensure that if your email does end up as an exhibit in front of a judge, you are proud of how it was written.