

## Denver Law Review Style Guide

Last updated: May 2023

Denver Law Review has adopted the following style conventions in pursuit of our equity goals. We acknowledge that our editing decisions and standards can advance the change we hope to see. The following standards are Denver Law Review Style Conventions and we have included the rationale for adopting them. We will edit articles pursuant to these conventions.

### Overarching themes to consider while writing:

- If a statute uses harmful or outdated language, use said language only when it is contained in the statute.<sup>1</sup>
- When referring to age, disability, ethnicity, gender, nationality, race, religion, socio-economic status, sexual orientation, tribe, and the like, be as specific as possible.
- Generally, employ person-first language, unless directed otherwise by this style guide or the affected community. Person-first language refers to when you refer to the person-first and then their identifying characteristic i.e. “person with disabilities, person experiencing homelessness, person experiencing drug addiction, person with a mental illness etc.”
- When possible, defer to the person’s preferred way of identifying themselves or discussing the community that they belong to if that information is available.
- For more resources on appropriate word choice or usage which is not covered below, please refer to the [California Law Review Style Guide](#) and the [NYU Review of Law & Social Change Style Guide](#).

### Adjectives not Nouns

When describing an individual, it is best practice to remember “adjectives not nouns.” For example, it is not appropriate to say “the whites.” Rather you would say “white individuals.” Reducing an individual is “an act of dehumanizing the person, summoning up their essence by rendering them an inanimate color.” This applies in a variety of contexts such as “a person who is insane” or “an insane person” versus “the insane.”<sup>2</sup>

### Eliminate reliance on gender binary in scholarship. Replace gendered pronouns with nouns or use the singular use of pronouns “they/theirs/them.”

Gender binary pronouns, he and she, are neither adequate nor representative in describing the genders of all people because not all people identify in a gender binary as either male or female (i.e. gender-nonconforming, gender-neutral, genderfluid, genderqueer, or nonbinary

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<sup>1</sup> For example, when harmful or out-dated language is used in a statute, include a footnote which explains the offensive or inappropriate nature of the language and suggest an alternative wording or terminology to use instead of the offensive term for the remainder of the article. Provide an explanation of method in footnote.

<sup>2</sup> Keith Woods, Black as an Adjective, not a Noun, Poynter (Jan. 22, 2007), <https://www.poynter.org/reporting-editing/2007/black-as-an-adjective-not-a-noun/>; Ng'ang'a Wahu-Müchiri, Ph.D., Dear The Economist, “Aim to Use Black as an Adjective, not a Noun”, LinkedIn (June 11, 2020), [https://www.linkedin.com/pulse/dear-economist-aim-use-black-adjective-noun-wahu-muchiri-ph-d-/?trk=related\\_article\\_Dear%20The%20Economist%2C%20%E2%80%9CAim%20to%20Use%20Black%20as%20an%20Adjective%2C%20not%20a%20Noun%E2%80%9D\\_article-card\\_title](https://www.linkedin.com/pulse/dear-economist-aim-use-black-adjective-noun-wahu-muchiri-ph-d-/?trk=related_article_Dear%20The%20Economist%2C%20%E2%80%9CAim%20to%20Use%20Black%20as%20an%20Adjective%2C%20not%20a%20Noun%E2%80%9D_article-card_title).

individuals – this is a non-exhaustive list).<sup>3</sup> In order to respectfully acknowledge every individual’s gender in an inclusive manner, the singular they is commonly used in place of the gender binary pronouns of he or she.<sup>4</sup>

It is important to note the use of they/theirs/them is not incorrect grammar, not only has “the singular they has been used for a long time” but grammar constantly “shifts and changes over time.”<sup>5</sup>

## **Asian Communities**

Use specific terms to refer to people of Asian and Pacific Islander descent, such as Chinese, Korean, etc. Use specific terms to identify which region of Asia is relevant to the topic or applicable to the person being identified, when applicable (i.e. East Asian, South Asian). Refer to individuals of Asian descent and of Pacific Islander descent separately and not as “Asian-Pacific” because merging the two identities implies the two distinct identities are the same.<sup>6</sup> For more information, refer to the AP Stylebook.

## **Black Communities**

Always capitalize the first letter of any racial minority group because it acknowledges diversity and the systemic injustice and inequality these communities endure.<sup>7</sup> Generally, authors should use “Black” rather than “African American” when referring to this community because not all Black people are “African American” (have origins in the continent of Africa).<sup>8</sup> However, when an individual or group prefers a term such as African American, their preference should be used. If nationality is relevant, be as specific as possible i.e. Hattian American, Jamaican American etc.<sup>9</sup> For more information, refer to: <https://nabjonline.org/news-media-center/styleguide/#styleguidea>

## **Disabilities**

Adopt the accepted usage within the Disability community when one can determine preference.<sup>10</sup> If preference is not discernable, use the terms “people with disabilities” and “disabled people.”<sup>11</sup> Additionally, capitalize the “d” in Disability when referring to the community/politically

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<sup>3</sup> Gendered Pronouns & Singular “They,” Purdue Online Writing Lab, [https://owl.purdue.edu/owl/general\\_writing/grammar/pronouns/gendered\\_pronouns\\_and\\_singular\\_they.html](https://owl.purdue.edu/owl/general_writing/grammar/pronouns/gendered_pronouns_and_singular_they.html).

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> Naomi Ishisaka, *Why it’s time to retire the term ‘Asian Pacific Islander’*, THE SEATTLE TIMES, (Nov. 30, 2020) <https://www.seattletimes.com/seattle-news/why-its-time-to-retire-the-term-asian-pacific-islander/>.

<sup>7</sup> Mike Laws, *Why we capitalize ‘Black’ (and not ‘white’)*, COLOMBIA JOURNALISM REVIEW, (June 16, 2020) <https://www.cjr.org/analysis/capital-b-black-styleguide.php>.

<sup>8</sup> NATIONAL ASSOCIATION OF BLACK JOURNALISTS, *NABJ Style Guide*, (last visited Mar. 27, 2023) <https://nabjonline.org/news-media-center/styleguide/#styleguidea>.

<sup>9</sup> *Id.*

<sup>10</sup> ASSOCIATED PRESS, AP STYLEBOOK 2022-2024 86 (56<sup>th</sup> ed. 2022).

<sup>11</sup> *Id.*

mobilized group.<sup>12</sup> Do not use the term “differently abled” as it is considered “condescending, offensive or simply a way to avoid talking about disability.”<sup>13</sup> Furthermore, it is important to capitalize the “d” in Deaf or Deaf-Blind because this is the culturally accepted preference for most Deaf and Deaf-Blind individuals.<sup>14</sup> Always be mindful of identity-first (i.e. wheel-chair bound) versus person-first (i.e. person who uses a wheelchair) language in the Disability community and use the latter, unless you have a reason to use identity-first language. For more information see: [https://alsoweb.org/the-importance-of-person-centered-language/?gclid=Cj0KCQjwuLShBhC\\_ARIsAFod4flgX5gib7o7ZE2OwCGwCir\\_1n-exXcIgVYY7R5\\_RDzQRReGNINv5zgaAgc9EALw\\_wcB](https://alsoweb.org/the-importance-of-person-centered-language/?gclid=Cj0KCQjwuLShBhC_ARIsAFod4flgX5gib7o7ZE2OwCGwCir_1n-exXcIgVYY7R5_RDzQRReGNINv5zgaAgc9EALw_wcB).<sup>15</sup>

## Immigration

When referring to “undocumented immigrants,” do not refer to immigrants as “illegal” or use the term “illegal” to describe them.<sup>16</sup> Be as specific as possible when describing a person’s immigration status. “Refugees are people fleeing conflict or persecution. Migrants are people moving to another country for other reasons beyond conflict and persecution. Internally displaced people are seeking safety in other parts of their country. Asylum-seekers are people seeking international protection from conflict and persecution. Returnees are people who have returned home after being displaced. Exiles are people who have been thrown out or forced to flee authoritarian regimes.”<sup>17</sup> For more information refer to: [https://assets.website-files.com/62682b504f18601e0db4dfb1/62d9a7efaaeb8cc50eee378a\\_Community-Journalist-Styleguide.pdf](https://assets.website-files.com/62682b504f18601e0db4dfb1/62d9a7efaaeb8cc50eee378a_Community-Journalist-Styleguide.pdf)

## Incarceration

To avoid further stigmatization of people experiencing incarceration, use the term “person with a conviction” over “criminal” and “person with a felony conviction” over “felon, convict, ex-con” etc.<sup>18</sup> Further use the term “incarcerated person” or “person experiencing incarceration” over “inmate” or “prisoner.”<sup>19</sup> For more information refer to: <https://assets.website->

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<sup>12</sup> Language Tips and Tricks in Disability for Non-Disabled People, We Will All Thrive (Jan, 10, 2020), <https://wewillthrive.co.uk/resources/blogs/language-tips-and-tricks-in-disability-for-non-disabled-people#:~:text=The%20word%20%E2%80%9Cdisabled%E2%80%9D%20is%20a,Disabled%20and%20People%20are%20capitalised.>

<sup>13</sup> Disability Language Style Guide, National Center on Disability and Journalism, <https://ncdj.org/style-guide/>.

<sup>14</sup> Disability, APA Style (Sept. 2019), <https://apastyle.apa.org/style-grammar-guidelines/bias-free-language/disability>.

<sup>15</sup> ADVOCATES FOR LIFE SKILLS & OPPORTUNITY, *The Importance of “Person-Centered” Language*, (May 20, 2022) [https://alsoweb.org/the-importance-of-person-centered-language/?gclid=Cj0KCQjwuLShBhC\\_ARIsAFod4flgX5gib7o7ZE2OwCGwCir\\_1n-exXcIgVYY7R5\\_RDzQRReGNINv5zgaAgc9EALw\\_wcB](https://alsoweb.org/the-importance-of-person-centered-language/?gclid=Cj0KCQjwuLShBhC_ARIsAFod4flgX5gib7o7ZE2OwCGwCir_1n-exXcIgVYY7R5_RDzQRReGNINv5zgaAgc9EALw_wcB).

<sup>16</sup> RACE FORWARD: THE CENTER FOR RACIAL JUSTICE INNOVATION, *Drop The I-Word*, (last visited Mar. 27, 2023), <https://www.raceforward.org/practice/tools/drop-i-word>.

<sup>17</sup> NATIONAL ASSOCIATION OF HISPANIC JOURNALISTS, *Cultural Competence Handbook*, (Aug. 2020) <https://nahj.org/wp-content/uploads/2020/08/NAHJ-Cultural-Competence-Handbook.pdf>.

<sup>18</sup> COMM/UNITY, *Journalist Style Guide Reporting at the Intersection of Immigration, Policing, and Incarceration* (Mar. 2022) [https://assets.website-files.com/62682b504f18601e0db4dfb1/62d9a7efaaeb8cc50eee378a\\_Community-Journalist-Styleguide.pdf](https://assets.website-files.com/62682b504f18601e0db4dfb1/62d9a7efaaeb8cc50eee378a_Community-Journalist-Styleguide.pdf).

<sup>19</sup> Blair Hickman, *Inmate. Prisoner. Other. Discussed*, THE MARSHALL PROJECT, (Mar. 3, 2015) <https://www.themarshallproject.org/2015/04/03/inmate-prisoner-other-discussed>.

[files.com/62682b504f18601e0db4dfb1/62d9a7efaaeb8cc50eee378a\\_Community-Journalist-Styleguide.pdf](https://files.com/62682b504f18601e0db4dfb1/62d9a7efaaeb8cc50eee378a_Community-Journalist-Styleguide.pdf).

## Indigenous Communities

As addressed above, if a statute uses harmful or outdated language, use said language only when it is contained in the statute and include a footnote which explains the how and when you will use certain terms throughout the piece, including the statutory term.<sup>20</sup> Do not use the term “Indian” unless it is being used specifically in the context of a federal law. Use terms including “Native Alaskan,” “First Nations,” “Native American,” or “Indigenous” in the context that they most accurately and appropriately apply.<sup>21</sup> Use “Indigenous peoples” (plural) over “Indigenous people” (singular) because the former acknowledges the vast array of Indigenous cultures whereas the latter suggests a homogenization of Indigenous cultures.<sup>22</sup> Note, there is conflicting stances within Indigenous communities regarding appropriate terminology, so defer to the preferences of the community which you are writing about. For an example of a properly executed article discussing issues impacting these communities, please reference Katelyn Elrod’s article, *People ex rel. K.C. v. K.C.: ICWA is for All Native Children* published in Issue 100, Volume 2 of Denver Law Review. For more information refer to: [https://assets.brand.ubc.ca/downloads/ubc\\_indigenous\\_peoples\\_language\\_guide.pdf](https://assets.brand.ubc.ca/downloads/ubc_indigenous_peoples_language_guide.pdf).

## Latino/a Communities

Use specific terms to describe people of Spanish-speaking ancestry i.e. “Honduran” “Mexican-American” etc.<sup>23</sup> Avoid use of the term “Hispanic” since this refers to an ethnicity, not a race and includes white, European countries such as Spain yet excludes non-Spanish speaking, South American countries such as Brazil.<sup>24</sup> According to a 2022 Pew Research study, only 23% of U.S. adults who self-identify as Hispanic or Latino are aware of the term “Latinx” and only 3% of those individuals say they use “Latinx” to describe themselves.<sup>25</sup> For this reason, defer to Latino/Latina or nationalities to refer to this community. One can also use “Latin American” as a gender-neutral option and for plural references.<sup>26</sup> For more information refer to: <https://nahj.org/wp-content/uploads/2021/03/NAHJ-Cultural-Compliance-Handbook-Revised-12-20-2.pdf>.

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<sup>20</sup> For example, if a statute reads “indian” address the offensive term in a footnote and propose an alternate term, like “Indigenous Peoples” to use in the body of the article in lieu of the statutes’ language.

<sup>21</sup> THE UNIVERSITY OF BRITISH COLUMBIA, *Indigenous Peoples: Language Guidelines*, (2021) [https://assets.brand.ubc.ca/downloads/ubc\\_indigenous\\_peoples\\_language\\_guide.pdf](https://assets.brand.ubc.ca/downloads/ubc_indigenous_peoples_language_guide.pdf).

<sup>22</sup> *Id.*

<sup>23</sup> GLOBAL PRESS JOURNAL, *Global Press Style Guide Latina, Latino, Latinx*, (May 2016) <https://styleguide.globalpressjournal.com/en/style/latina-latino-latinx>.

<sup>24</sup> Mark Hugo Lopez, Jens Manuel Krogstad, and Jeffrey S. Passel, *Who is Hispanic?*, PEW RESEARCH CENTER (Sept. 15, 2022) <https://www.pewresearch.org/fact-tank/2022/09/15/who-is-hispanic/>.

<sup>25</sup> *Id.*

<sup>26</sup> GLOBAL PRESS JOURNAL, *Global Press Style Guide Latina, Latino, Latinx*.

## LGBTQIA+

LGBTQIA+ refers to lesbian, gay, bisexual, transgender, queer or questioning, intersex, asexual, and more sexual orientations and/or gender identities not listed.<sup>27</sup> When referring to this community, Denver Law Review’s preferred acronym is LGBTQIA+. When possible, defer to the person’s preferred way to describe their sexuality.<sup>28</sup> Authors shall not perpetuate the medicalization of sexuality as historically was done by the association of the LGBTQIA+ with psychological disorders. In referring to someone that is sexually attracted to people of their same sex, the term “homosexual” should be avoided as it is an obsolete term.<sup>29</sup> Generally, do not refer to one’s sexuality unless it is pertinent to the article.<sup>30</sup> For more information refer to: <https://www.nlgja.org/stylebook/terminology/>

## Mental Health

Do not reference disabilities unless it is pertinent to the article. If it is, refer to the person’s specific condition such as *schizophrenia*, *psychosis*, or *bipolar disorder* etc.<sup>31,32</sup> Because of stigmatization use “a person diagnosed with a psychiatric disorder”, “a person with a mental health history” or a “mental health experience” over “mental illness” unless being used in a medical/psychiatric context.<sup>33</sup> “Avoid descriptions that connote pity, such as afflicted with, suffers from, victim of, battling and demons.”<sup>34</sup> For more information see: <https://ncdj.org/style-guide/>

## Pacific Island Communities

Use specific terms to refer to people of Pacific Islander descent, such as Samoan, Hawaiian, etc. Although, Pacific Island communities do originate from the islands comprising Melanesia, Micronesia, and Polynesia,<sup>35</sup> do not use broad terms such as “Pacific Islander” or “Polynesian” to describe people from this region, as these terms were created due to colonization and have the effect of lumping diverse groups of people together.<sup>36</sup> Refer to individuals of Asian descent and of Pacific Islander descent separately and not as “Asian-Pacific” because merging the two

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<sup>27</sup> The Center, WHAT IS LGBTQIA+?, (last visited Apr. 5, 2023) <https://gaycenter.org/about/lgbtq/>.

<sup>28</sup> THE ASSOCIATION OF LGBTQ JOURNALISTS, *stylebook*, (Mar. 2023) <https://www.nlgja.org/stylebook/lesbian/>.

<sup>29</sup> *Id.*

<sup>30</sup> *Id.*

<sup>31</sup> NATIONAL CENTER ON DISABILITY AND JOURNALISM, *Disability Language Style Guide*, (Aug. 2021) <https://ncdj.org/style-guide/>.

<sup>32</sup> THE UNIVERSITY OF KANSAS, *Guidelines: How To Write About People with Disabilities*, (last visited Mar. 27, 2023) <https://rtcil.org/guidelines>.

<sup>33</sup> NATIONAL CENTER ON DISABILITY AND JOURNALISM, *Disability Language Style Guide*.

<sup>34</sup> ASSOCIATED PRESS, AP STYLEBOOK 2022-2024 186 (56<sup>th</sup> ed. 2022).

<sup>35</sup> OFFICE OF INSULAR AFFAIRS, *OIA Blogs: Who are Pacific Islanders?*, (Nov. 14, 2022) <https://www.doi.gov/oia/Who-are-Pacific-Islanders>.

<sup>36</sup> Andrea McRae, *Pacific Islander' an insulting umbrella term, researcher says*, PACIFIC ISLAND TIMES (Jul 28, 2021) <https://www.pacificislandtimes.com/post/pacific-islander-an-insulting-umbrella-term-researcher-says>.

identities implies the two distinct identities are the same.<sup>37</sup> For more information, refer to the AP Stylebook.

## Socioeconomics

To describe someone who is experiencing socio-economic difficulties describe them as “low-income” or “person whose income is below the federal poverty threshold” or “people whose self-reported income were in the lowest income bracket” rather than “poor.”<sup>38</sup> Although identity-first language (for example, poor person) is frequently used in this field, person-first language (in contrast, person experiencing poverty) is preferable because it avoids making one-aspect of a person’s self their sole or primary identity. Additionally refer to people experiencing homelessness as “unhoused”<sup>39</sup> or simply as “a person experiencing homelessness.”<sup>40</sup> For more information refer to: <https://apastyle.apa.org/style-grammar-guidelines/bias-free-language/socioeconomic-status>

## Transgender Communities

Transgender is a term referring to many gender identities of individuals who do not identify or exclusively identify with their sex assigned at birth.<sup>41</sup> However, the term "transgender" does not reflect gender expression, hormonal makeup, physical anatomy, sexual orientation, or societal perceptions.<sup>42</sup> Avoid terms like “biological” gender/sex/woman/female/man/male as these terms are offensive because they invalidate transgender peoples’ identities and imply dishonesty.<sup>43</sup> When pertinent, refer to one’s assigned sex at birth as “assigned male at birth” or “assigned female at birth.” Again, when referring to transgender people, avoid referencing this fact unless it is pertinent to the article.<sup>44</sup> While medical transitioning, such as hormone therapy or surgery, is a common aspect of the transgender experience for some individuals, it's important to note that it's not a requirement to identify as transgender. For more information refer to: <https://transstudent.org/about/definitions/>

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<sup>37</sup> Naomi Ishisaka, *Why it's time to retire the term 'Asian Pacific Islander'*, THE SEATTLE TIMES, (Nov. 30, 2020) <https://www.seattletimes.com/seattle-news/why-its-time-to-retire-the-term-asian-pacific-islander/>.

<sup>38</sup> AMERICAN PSYCHOLOGICAL ASSOCIATION, *APA Style Socioeconomic Status*, (last visited Mar. 27, 2023) <https://apastyle.apa.org/style-grammar-guidelines/bias-free-language/socioeconomic-status>.

<sup>39</sup> UNHOUSED.ORG, *Overview*, (last visited Mar. 27, 2023) <https://www.unhoused.org/overview>.

<sup>40</sup> AMERICAN PSYCHOLOGICAL ASSOCIATION, *APA Style Socioeconomic Status*, (last visited Mar. 27, 2023) <https://apastyle.apa.org/style-grammar-guidelines/bias-free-language/socioeconomic-status>.

<sup>41</sup> TRANS STUDENT EDUCATIONAL RESOURCES, *Definitions*, (last visited Apr. 5, 2023)

<sup>42</sup> *Id.*

<sup>43</sup> *Id.*

<sup>44</sup> THE ASSOCIATION OF LGBTQ JOURNALISTS, *stylebook*, (Mar. 2023) <https://www.nlgja.org/stylebook/terminology/>.

## **Veteran Communities**

Use terms like "war hero" sparingly as it can be interpreted as romanticizing and sensationalizing military service.<sup>45</sup> Beware of assuming that PTSD and suicide or suicidal ideations among veterans is a direct result of combat trauma and avoid victimizing veterans if they have endured either.<sup>46</sup> When referring to experiences of sexual assault or sexual harassment during their military service, the term "Military Sexual Trauma" which is the adopted term by the VA may be used, unless the person that experienced the sexual violence has a different preference or there is a more accurate term. For more information see: <https://milvetreporting.org/guide>.

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<sup>45</sup> MILITARY VETERANS IN JOURNALISM, *Military & Veteran Affairs Reporting Guide*, (last visited Mar. 27, 2023) <https://milvetreporting.org/guide/>.

<sup>46</sup> *Id.*