A Curmudgeon on Couth

by Mark Herrmann

Back in the twentieth century, we studied etiquette. My second-grade class came equipped with plastic telephones, and we rehearsed telephone manners. With one child sitting at each end of the table, and the entire class watching, we took turns making and receiving calls:

"Hello."

"Hello. This is Mrs. Smith. May I please speak to your mother?"

"I'm sorry, she's not here right now. May I take a message?"

"Yes. Please ask her to call me back."

"May I please have your number?"

"Yes. It's 212-999-9999."

"I'll give her the message."

"Thank you."

"You're welcome."

"Goodbye."

"Goodbye."

The advent of caller ID and voice mail have transformed etiquette, but they should not have eliminated it. Perhaps people who left second grade several decades ago have forgotten their lessons over time. What we need is a refresher course on etiquette, updated and refurbished for the twenty-first century.

In today's frenetic world, etiquette should embrace more than simply being nice. It should also encompass respect for others' time and the need for efficiency. Communications among busy people should take into account the value of brevity, the benefit of prompt disclosure of the real purpose of the communication, and the need for later filing and retrieval of the communication.

Voice-mail greetings, for example, should be functional. Society has now been listening to answering machines for quite some time. Just about everyone knows that when your answering machine picks up a call, you are not available, and the correct thing to do is to leave a message after the tone. There are thus only two essential pieces of information to convey in a voice-mail greeting: your name (to confirm that the caller dialed the correct number) and the shortcut, if any, for skipping the rest of your message and going directly to the beep. Unless there is a special message (for example, that no one will be listening to these recordings for a month), the rest of most voice-mail greetings is either secondary or superfluous. The courteous greeting therefore gives callers the essential information and an opportunity to avoid the rest.

So the optimal introduction to a voice-mail greeting runs along these lines: "Hello. This is Curmudgeon. Please press the pound sign to go directly to the beep." After that, the message can drag on endlessly with details about you, your personal or professional life, why you're not available, and your assistant's extension. A caller who is pressed for time, however, is instantly empowered to skip to the tone and leave a message.

Why, then, does almost no one leave this polite form of greeting? Instead, most voice-mail greetings go something like this:

> Hello. This is Curmudgeon. I might be out of the office, or it might be outside of ordinary business hours, or I might be on the other line, or I might just be away from my desk. For whatever reason, I am not here to answer your telephone call. If you leave a message, however, I will return your call as soon as I'm able. If you would like to speak to an operator, please press zero. If you would like to speak to my assistant, her name is Jane Smith, and she can be reached by calling back at extension 9-9999. In the future, if you would like to skip this greeting, please press the pound sign. *Beep*.

Why save for the end the blessed shortcut to the tape? Some voice-mail systems skip directly to the beep when the caller presses the pound sign. For other systems, a caller activates the

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shortcut by pressing the star key, or the numeral 1. And other systems use yet different shortcuts or have none at all. The long-form telephone greeting, which does not tell how to skip to the beep until a nanosecond before it sounds anyway, serves no purpose.

In fact, that standard greeting is not simply useless but is impolite as well. By concealing the shortcut to the beep until the end of the message, the standard greeting implicitly asks us to remember, for all of the hundreds of people whom we might call, the correct shortcut for each respective voice-mail system. A voice-mail greeting should not impose that burden. Twenty-first century etiquette dictates that name and shortcut to the beep should be the first items on every voice-mail greeting; the rest is optional.

Perhaps enraged by the greetings they have been forced to endure, those who leave voice-mail messages are often uncouth, too. Here are five contemporary rules of etiquette for leaving messages on answering machines.

First, leave your name as part of every voice-mail message. It is actually rather touching to think of how many people believe that their voices are instantly recognizable and therefore do not bother leaving their names on voice-mail messages. (Perhaps they are the same people who, when by some miracle their call is answered by a human instead of a machine, launch happily into their conversation without first identifying themselves.) You may be different, but only a few people—perhaps my wife and kids—reasonably can assume that I will recognize their voices when they leave me a voice-mail message. No one else should take that chance. There is nothing more frustrating than to receive a voice-mail message and not recognize the voice, which leaves you to wonder who exactly might have said, "Hi, Curmudgeon. Give me a call." Whenever you leave a voice-mail message, help your listener; leave your name.

Second, if your voice-mail message requests a return call, leave your phone number. If you do not leave your number, you're either assuming the person you call will remember it, or you are forcing her to look it up. We should not impose this burden on others, and the burden may be insurmountable. When I am between planes at the Tulsa airport and Research in Motion suffers a temporary service outage in its Blackberry network (or my battery dies), it does me no good to hear this message:

> Hi, Curmudgeon. This is Jim Smith. I know that you're on the road, but I heard that you will be changing planes soon. We are having an absolute emergency. Please call me as soon as possible.

In the days before smart phones, Blackberries, and speed dials, I carried many telephone numbers in my head. Today, I carry far fewer. Locating the appropriate phone number to return a call can be difficult, and even impossible, after hours and on the road. If your voice-mail message asks me to return your call, and you actually want a response, leave your number.

Third, when leaving a return telephone number on a voice-mail message, state the number slowly and clearly. Of all the information we leave on a message, the most critical item is the return phone number. My caller, of course, has recited her phone number a million times in her life and knows it quite well, so she speeds through it at a rate that is unintelligible to the human ear. I, however, am stranded in the Tulsa airport trying to scribble down the number on the back of a fast-food receipt, which is the only available scrap of paper. In moments like this, the following message does not help me at all:

> Hi, Curmudgeon. This is Jane Smith. We are in an absolute emergency. Please call me as soon as possible. My number is two-one-twoninethreesi-flugelmeyer.

If it truly is important that I return the call, state your phone number, not just slowly but twice. That way, when your cell phone connection to my voice mail garbles your phone number the first time you uttered it, a chance remains that I actually will hear the phone number the second time around.

If you can answer a question by voice mail, leave the answer.

The fourth rule of voice-mail etiquette: If you can advance the ball, then do it. Most voice-mail messages don't. You are busy, and I am busy. So if I leave a substantive message that tries to move us toward a decision, why can't you?

> Hi, Jim. This is Curmudgeon. As you know, we want to ask for more time to respond to the other side's document request in the *Doe* case. My question is this: Will you have the documents collected in 30 days, or should I ask for 45 days? Please let me know. My telephone number is. . . . (Of course, I leave my number because I know proper etiquette commands me to always leave my telephone number on a voice-mail message that requests a return call.)

> Hi, Curmudgeon. This is Jim. I got your voice mail. Please give me a call. (Of course, he does *not* leave a phone number, because he is unfamiliar with the twenty-first century rules of etiquette.)

> Hi, Jim. This is Curmudgeon. Thanks for calling me back. All I really need to know is whether we should ask for 30 or 45 days on the response to the document request. Please let me know. My telephone number is . . . .

> Hi, Curmudgeon. This is Jim. I got your voice mail about the document requests in the *Doe* case. Please give me a call when you have a minute.

Please, Jim. If you'll just say either 30 or 45, we'll be done. You probably feel like I'm pestering you, and I don't want to pester you. I just need one simple answer. Leaving it on my voice mail should suffice.

Sure, some issues are so sensitive that they should not be discussed by voice mail. In those circumstances, be discreet. In all other circumstances, callers have the choice between playing endless telephone tag or actually communicating. Whenever possible, communicate. If you have a question that needs answering, leave the question on the voice mail. If you can answer a question by voice mail, leave the answer. This is not only polite but also efficient.

The fifth rule of twenty-first century voice-mail etiquette is a corollary of the fourth: When you are advancing the commu-

nication, do so briskly. Think before you call, so you can leave a concise message that respects the listener's time. If, for example, you are asked by voice mail whether you are free for a conference call on a particular day at a particular time, the polite answer is yes or no.

Imagine leaving a voice mail asking if a person is available for a call on Wednesday at 4 PM EST and receiving this type of response:

> "Hi. This is Kathy. I got your message about a conference call. I'm heading to L.A. on Sunday afternoon for Monday meetings. I leave for Seattle Monday night, and I'm in deposition all day Tuesday. I have meetings in Seattle Wednesday. I'm back in L.A. Thursday and home on Friday. Thanks. Bye."

That is not polite. It does not answer the question posed. Instead, it inflicts a long message, and it suggests that someone should take notes about the work schedule (including location and particular events) for each of the people invited to the conference call. If asked a question by voice mail, just answer the question. Unless there is a reason to do more, don't.

Of course, e-mail did not exist when I was taught etiquette, but back in the twentieth century, we did learn the rules of etiquette for paper mail. People addressed correspondence correctly and formatted letters appropriately. Letters had "re" lines so they could easily be filed correctly. Letters also typically contained some meaningful content.

Polite correspondents avoided one-sentence letters that said only "Please see enclosure." That letter was impolite because it burdened the recipient unnecessarily. If the enclosure is simply for the recipient's files and there is no reason to read it, the cover letter should say so: "I have enclosed for your files a copy of the stipulation extending time to answer for 30 days as executed by opposing counsel." On the other hand, if the enclosure is important, the cover letter should note the highlights, thus allowing the recipient to judge its importance and read the enclosure at an appropriate time. A letter pointing to an enclosure without explanation was never a polite letter, and most people did not send them.

For some reason, we seem to have taken leave of our senses in the new world of e-mail. As with voice mail, I propose five rules of e-mail etiquette.

First, put the confidentiality disclaimer *after* the text of the e-mail message. Remarkably, unthinking or insensitive information technology staff sometimes impose long boilerplate disclaimers about the confidentiality of e-mails before the message. For the many busy readers who preview e-mail messages automatically on their computer screens (some, poor souls, dealing with hundreds of messages in a single day), this means that the text of the message will not appear in the preview screen without scrolling down. Even a reader who chooses to double-click and bring the entire message up on the screen is forced to scroll down to see the piece of the message that matters. Do not inflict this inconvenience on your reader. Ensure that the confidentiality disclaimer appears after, rather than before, the text of any new e-mail message.

Second, any e-mail should have a "subject" line. That line serves many purposes. It lets the recipient prioritize what you send. I will, for example, read "Subject: TRO hearing at 2 PM today!" before I read "Subject: Our lunch date next Tuesday." A meaningful subject line always helps.

Moreover, as with hard-copy correspondence, subject lines aid the filing of electronic correspondence. Whether you print an e-mail and save it in hard copy or simply move it to a folder in your e-mail system, filing is easier if the e-mail has a subject line. I am likely to file the e-mail in a folder that has scores or hundreds of other items in it. Six months from now, when I'm trying to locate that one e-mail on a particular subject, the e-mail should have a subject line that permits me to find it. E-mails that lack subject lines may disappear into a file never to be found again.

Polite e-mails will include not just subject words but meaningful words. Suppose, for example, that we are working together to defend 50 lawsuits for one company. I will probably create a separate e-mail folder for each case. We will, at some later date, want to locate an e-mail that deals with a particular subject on a particular case. When a polite e-mailer types out a subject line, he bears in mind this future use. Thus, better than nothing at all is this subject line: "Subject: BigCo litigation." That gives some general sense of what the e-mail discusses, but it does not permit easy storage in a particular case file, and it does not ease the later search to find that particular e-mail.

By contrast, consider this description for exactly the same e-mail message: "Subject: BigCo/Doe: contract choice of law analysis." That description is a zillion times more helpful. It tells the recipient whether the e-mail is urgent. It tells the recipient the particular case to which the e-mail relates. It tells the recipient the particular piece of analysis contained in the e-mail, which lets the recipient know the general content and will help others to locate the e-mail six months later. Every e-mail should have a meaningful subject line.

Etiquette may demand that the subject line be revised as you reply to or forward the e-mail. The first e-mail in a chain, for example, may schedule a call with a potential expert witness. An appropriate subject line might read, "Feb. 2, 4 PM: Smith call."

Over the course of the ensuing weeks, the e-mail chain may evolve. The polite correspondent will not unthinkingly "reply" or "forward" without considering whether the subject line remains relevant. After a half-dozen "replies," for example, the e-mail about Dr. Smith might require a revised subject line such as "HugeCo/Jones: Smith causation opinion." Think before you forward.

Third, if an e-mail is to be sent at all, the text of the message should itself have meaningful content. I frequently receive e-mails that have neither a subject line nor any content added by the sender. Rather, these subjectless messages are blank except for an attachment or an attached e-mail thread of ten or 12 messages. The contentless cover e-mail invites—actually, forces—the recipient to scroll through the host of attached e-mail messages to locate some hidden treasure requiring comprehension and, perhaps, a response. But the sender has failed to tell the recipient what the message is about, what the recipient should be looking for, or why the recipient should even care. A one-sentence description of the attached e-mail thread would go a long way to ease the reader's burden.

Moreover, that one-sentence description should be meaningful. This is particularly important when the attachment is a separate document that must be opened. In the hard-copy world, an impolite cover letter—"The enclosed is for your files"—coerces little effort. It takes only an instant to look at the enclosure and decide what it relates to and whether it

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requires review. In today's e-world, a meaningless line of text imposes a burden and may even create danger.

Consider, for example, the recipient's reaction to this all too common e-mail: "Please see the attached." The recipient does not know if the attachment contains an application for an emergency hearing scheduled to start in 15 minutes, evidence of some petty quibble between counsel, or a computer virus. The only way to learn is to open the file. That could be a waste of time, or it could prompt a disaster. The computer system may be slow today, and so the recipient may defer opening the attachment until later. The recipient may be on the road and abandon pursuit of the attachment after a Blackberry struggles unsuccessfully to open it for ten minutes. Why not save both the effort and the risk? Every e-mail should contain text, and the text should explain concisely the substance of any attachment.

While we're talking about attachments, consider this rule of etiquette, too: Create attached files in a useful size. There are two related acts of incivility here. On the one hand, do not create and send attachments that are huge. It may be convenient for you to send a document in a single 12 million kilobyte file, but think of me when I try to open the *%*$#@ thing. My computer will either crash instantly or be incapacitated indefinitely as it struggles to open this oversized file.

On the other hand, do not send attachments that are very small. If you want to transmit 12 one-page documents, put them in a single file that I can conveniently open and view (or print). Do not attach each page as a separate file, forcing me to double-click, wait, click to open, wait again, and so on 12 separate times. Unless there's a good reason to make the recipient's life hard, create e-mail attachments in sizes that make life easier.

My fourth rule of e-mail etiquette is this: If the e-mail message is unnecessary, do not send it. I'm not trying to be curt here, but there are some depths to which we should not sink. I'm not offended to receive the occasional e-mail that's truly funny at some politician's expense. I'm not offended, and am sometimes relieved, to receive an e-mail message that says simply, "I received your message and will do as you requested before noon tomorrow." Each of us, however, has all too often been burdened with messages that served no purpose at all. Let's agree as a rule of twenty-first century etiquette that if an e-mail does not need to be sent, it won't be.

Fifth, if you're answering a question posed by e-mail, please reply "with history"—or with at least enough history to make your answer intelligible. I send and receive hundreds of e-mails every day. I occasionally puzzle over an e-mail that reads: "Subject: Re: A question for you." Text: "Yes."

When I see this, I'm confident that I did pose a question at some time in the past. But often I do not remember what the question was. Don't strain my failing memory; if you're giving an answer, then please repeat or attach the question.

One other issue of e-mail etiquette concerns a nicety. Roughly half of my e-mail correspondents address their e-mails with a salutation—"Dear Curmudgeon"—at the beginning, and a closing—"Regards, Jim"—at the end. Obviously, since the computer whisked the e-mail to my inbox and labeled it as being from Jim's e-mail address, you might conclude that was sufficient identification. On the other hand, in the old-fashioned world of paper letters, even properly addressed envelopes and embossed letterheads do not eliminate the need for polite salutations and closings. I really don't know which form should be proper in e-mails. Perhaps a rule will develop over time.

There is one final rule of old-fashioned etiquette, the importance of which has been magnified in our twenty-first century world: If you are at a meeting, pay attention.

Whenever a group of people meets, two acts of rudeness now routinely occur. First, people not only receive, but take, and talk on, cell phone calls. Second, Blackberries buzz and people type responsive messages. We did not tolerate such flagrant disrespect in the past century, and we should not tolerate it in this one. Technology makes you readily available at appropriate times; but technology does not compel you to ignore the other people in a room to tend to different—and, the insulting implication is, more important—affairs.

If a meeting is unnecessary, do not schedule it. If the meeting is necessary, then the participants are obliged to participate. If they can legitimately do other business during the meeting, then it either was unnecessary or ran too long. Moreover, as a matter of simple couth, if I can fly 2,000 miles to attend a meeting, then you can listen to what I say. I promise to listen to you in return.

Etiquette remains based on foundations of civility and mutual respect. The technology of the twenty-first century need not eliminate either; rather, it is up to us users to adapt these concepts to our new situations. The rewards—a happier, more peaceful set of human interactions—may be old fashioned, but they are timeless indeed.

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