Spellcheck Won't Catch These: Worksheet

Instructions: Each sentence below could come straight from a deposition transcript. Circle or underline the correct word in parentheses. All 100 questions use words from *Spellcheck Won't Catch These: The Scopist's Guide to Commonly Confused Words*, so keep the guide handy. When you're done, check your work against the answer key.

Internet Scoping School

Part 1: A–D

1. Counsel, do you (accept / except) the stipulation?

2. All of the exhibits were marked (accept / except) Exhibit 7.

3. The injury did not (affect / effect) her ability to work.

4. What (affect / effect) did the medication have on you?

5. By the time police arrived, the driver had (all ready / already) left.

6. The defendants were (all together / altogether) in the conference room.

7. That statement is (all together / altogether) false.

8. Did the witness (allude / elude) to an earlier agreement?

9. I don't work for that company (any more / anymore).

10. Do you have (any more / anymore) questions for this witness?

11. Please (appraise / apprise) the court of any scheduling conflicts.

12. Both parties gave their (ascent / assent) to the settlement terms.

13. (Bare / Bear) with me while I find the right page.

14. The hearing was held at the state (capital / capitol) building.

15. Can you (cite / site / sight) the case you're relying on?

16. Was the driver (conscience / conscious) when the paramedics arrived?

17. Objection. (Council / Counsel) is testifying.

18. One judge wrote a (decent / descent / dissent) from the majority opinion.

19. The plaintiff described (continual / continuous) pain that never let up.

20. The settlement was paid in three (discreet / discrete) installments.

Part 2: E–L

21. The attorney tried to (elicit / illicit) a different answer.

22. He was charged with selling (elicit / illicit) drugs.

23. The doctor testified that surgery was not (eminent / imminent).

24. The state took the land through (eminent / imminent) domain.

25. Please (ensure / insure) that all exhibits are attached to the transcript.

26. Did you (loose / lose) consciousness at any point?

27. Did you drive that route (every day / everyday)?

28. (Every one / Everyone) of the invoices was signed.

29. How did you (fair / fare) after the accident?

30. I have nothing (farther / further), Your Honor.

31. How much (farther / further) did you walk after the stop sign?

32. There were (fewer / less) than ten people in the room.

33. Her back pain tends to (flair / flare) up in cold weather.

34. He was (formally / formerly) employed by the defendant.

35. Are you saying the contract (implies / infers) a deadline?

36. She turned the report (in to / into) her supervisor.

37. The company changed (its / it's) safety policy in 2022.

38. The paramedic told him to (lay / lie) down on the stretcher.

39. Yesterday I (laid / lay) the file on her desk.

40. Detective Morales (lead / led) the investigation.

Part 3: M–R

41. (Maybe / May be) we should take a short break.

42. There (maybe / may be) other documents we haven't seen.

43. Employee (moral / morale) dropped after the layoffs.

44. Let's move (on to / onto) Exhibit 12.

45. The box fell (on to / onto) the conveyor belt.

46. During the exam, the doctor (palpated / palpitated) the patient's abdomen.

47. The patient complained of heart (palpations / palpitations).

48. The car (passed / past) through the intersection on a red light.

49. In the (passed / past), did you ever work night shifts?

50. Each (peace / piece) of evidence was logged and photographed.

51. Did you review her (personal / personnel) file?

52. The firm was meeting with a (perspective / prospective) client.

53. He was diagnosed with (plural / pleural) mesothelioma.

54. She spent hours (poring / pouring) over the medical records.

55. You may (precede / proceed), Counsel.

56. The company's (principal / principle) place of business is in Denver.

57. He said he refused to settle as a matter of (principal / principle).

58. Please (raise / rise) your right hand.

59. His boss gave him free (rein / reign) to negotiate the contract.

60. Exhibits 4 and 5 are the lease and the invoice, (respectfully / respectively).

Part 4: S–Z

61. The officer arrived at the (scene / seen) within minutes.

62. Have you (scene / seen) this document before?

63. That doesn't make any (cents / sense / since) to me.

64. I've worked there (cents / sense / since) 2019.

65. Please (set / sit) the exhibit on the table.

66. How long did the (set up / setup) take?

67. Who agreed to (set up / setup) the meeting?

68. The vehicle was (stationary / stationery) when it was struck.

69. The claim was filed after the (statue / statute) of limitations ran out.

70. I was (suppose / supposed) to call her that afternoon.

71. The truck was much bigger (than / then) the car.

72. We signed the papers, and (than / then) we left.

73. The defendants and (their / there / they′re) attorneys arrived late.

74. Was anyone else (their / there / they're)?

75. He walked (threw / through / thorough) the door without knocking.

76. The inspector did a (thorough / through) review of the site.

77. The witness said he was (to / too / two) tired to drive.

78. Her lawsuit claims (tortious / tortuous / torturous) interference with a contract.

79. I (use / used) to live on that street.

80. Will the witness (waive / wave) reading and signing?

Part 5: Numbers, citations, and courtroom terms

81. The company designated a (30b6 / 30(b)(6)) witness.

82. Did you contribute to your (401k / 401(k)) plan?

83. The defense filed a (12(b)(6) / 12b6) motion to dismiss.

84. She grew up in the (′90s / 90′s).

85. The deposition started at 9:30 (a.m. / AM).

86. The attorneys questioned the jury panel during (voir dire / four deer).

87. The court ruled on the motion (in limine / in lemony) before trial.

88. He represented himself (pro se / pro say).

89. The appeals court reviewed the issue (de novo / the novo).

90. The judge raised the issue (sua sponte / sue a sponte).

91. Please read the (Bates / bait) number at the bottom of the page.

92. Is there any legal (president / precedent) for that argument?

93. The (appellant / appellate) filed her brief on Monday.

94. The bank placed a (lean / lien) on the property.

95. Your Honor, these facts (militate / mitigate) against granting the motion.

96. The plaintiff had a duty to (militate / mitigate) her damages.

97. The two (plaintiff's / plaintiffs') claims were consolidated.

98. (Who's / Whose) signature is on this page?

99. (Your / You're) under oath, so please answer truthfully.

100. I'm not sure (weather / whether) he saw the light change.