

MEMORANDUM OF LAW ON THE NAME

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Many people are involved in diligent research concerning the use of all capital letters for proper names, e.g., JOHN PAUL JONES as a substitute for John Paul Jones in all court documents, driver's licenses, bank accounts, birth certificates, etc.. Is the use of all capital letters to designate a name some special English grammar rule or style? Is it a contemporary American style of English? Is the use of this form of capitalization recognized by educational authorities? Is this an official judicial or U.S. government rule and/or style of grammar? Why do attorneys, court clerks, prosecutors judges, insurance companies, banks, credit card companies, utility companies, etc. always use all capital letters when writing a proper name?

1. What English grammar experts say

One of the foremost authorities on American English grammar, style, composition, and rules is The Chicago Manual of Style. The latest (14th) Edition, published by the University of Chicago Press, is internationally known and respected as a major contribution to maintaining and improving the standards of written or printed text. Since we can find no reference in their manual concerning the use of all capitalized letters with a proper name or any other usage, we wrote to the editors and asked this question:

"Is it acceptable, or is there any rule of English grammar, to allow a proper name to be written in all capital letters? For example, if my name was John Paul Jones, can it be written as JOHN PAUL JONES? Is there any rule covering this?"

The Editorial Staff of the University of Chicago answered:

"Writing names in all caps is not conventional; it is not Chicago style to put anything in all caps. For instance, even if 'GONE WITH THE WIND' appears on the title page all in caps, we would properly render it 'Gone with the Wind' in a bibliography. The only reason we can think of to do so is if you are quoting some material where it is important to the narrative to preserve the casing of the letters.

"We're not sure in what context you would like your proper name to appear in all caps, but it is likely to be seen as a bit odd."

Law is extremely precise. Every letter, capitalization, punctuation mark, etc., in a legal document is utilized for a specific reason and has legal (i.e. deadly force) consequences. If, for instance, one attempts to file articles of incorporation in the office of a Secretary of State of a State, if the exact title of the corporation - down to every jot and tittle - is not exactly the same each and every time the corporation is referenced in the documents to be filed, the Secretary of State will refuse to file the papers. This is because each time the name of the corporation is referenced it must be set forth identically in order to express the same legal entity. The tiniest difference in the name of the corporation identifies an entirely different legal person.

It is therefore an eminently valid, and possibly crucial, question as to why governments, governmental courts, and agencies purporting to exist (in some undefined, unproved manner) within the jurisdiction of "this state" insist on always capitalizing every letter in a proper name.

Mary Newton Bruder, Ph.D., also known as The Grammar Lady, who established the Grammar Hotline in the late 1980's for the "Coalition of Adult Literacy," was asked the following question:

"Why do federal and state government agencies and departments, judicial and administrative courts, insurance companies, etc., spell a person's proper name in all capital letters? For example, if my name is John Paul Jones, is it proper at any time to write my name as JOHN PAUL JONES?"

Dr. Bruder's reply was short and to the point:

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