

FROM THE LEGAL WRITING CLINIC
WRITING TIP OF THE WEEK

IMPLY AND INFER



Writers sometimes mistakenly use the word “**infer**” when they really mean “**imply**.” Although the two words are related, they are used differently. To **imply** means to suggest or express indirectly. To **infer** means to deduce, conclude, or assume.

Thus, use **imply** when the actor is sending an indirect message; use **infer** when the actor is receiving, or drawing inferences from, someone else’s message. The person who **implies** something is the sender of the message, whereas the person who **infers** something is the recipient of the message.

- The detective **implied** (suggested) that the defendant was guilty by testifying, “He ran when he saw me, didn’t he?”
- The detective **inferred** (deduced or concluded) from the defendant’s demeanor that he was hiding something.
- During the settlement negotiations, the plaintiff’s lawyer **implied** (suggested) that his client would consider a lesser settlement if the defendant publicly apologized.
- When the victim filed a civil suit, the defendant’s counsel **inferred** (deduced or concluded) that the victim was no longer committed to pursuing criminal charges.

Anne Enquist & Laurel Currie Oates, Just Writing 320 (4th ed. 2013); Laurel Currie Oates & Anne Enquist, The Legal Writing Handbook 775 (5th ed. 2010).