clarity

The Clarity Journal is published about twice a year.

Submissions
We encourage you to submit articles to be considered for publication in *Clarity*. Send submissions directly to the editor in chief at editor@clarity-international.org. Please limit submissions to no more than about 3,000 words.

In this issue – from our guest editor

Karen E. Jacques, *Canada*

Keeping the Clarity in Plain Legal Writing

Laws and rules are becoming more complex. At the same time, readers' attention spans are shrinking. Now more than ever, plain language is a must in legal writing. I was excited when I first discovered plain language organizations exist. How great that there were groups of fellow-minded people working together to encourage clear writing. I knew I wanted to get involved. But which one to pick?

WE PROMOTE PLAIN LEGAL LANGUAGE TO ENGAGE AND EMPOWER CITIZENS AROUND THE WORLD.

Bingo! Clarity's focus on legal plain language won me over. So it was an easy 'yes' when I was asked to guest edit a Clarity issue.

In this issue of Clarity, we've gathered an array of topics showcasing the progress of plain legal language around the world. We learn about Armenia's journey to plain language. And the Philippines' embrace of plain legal language. Both countries provide great examples of how valuable plain legal language is in multi-lingual countries. As Ontario's Human Rights Commissioner notes, plain legal language is a tool for Access to Justice.

Developments in language laws are also highlighted. There's even a delightful story of how a 'lucky-dip' biscuit tin led to New Zealand's Plain language act! Fellow Canadians, I'm thinking we could Canadianize this strategy with some Tim Horton's coffee tins!

Speaking of Canada, we take a look at plain legal language developments in the Great White North. Including navigator programs.[1] People who act as navigators do not provide legal advice. Rather, they support people in accessing and navigating legal processes and settings. Think of navigator programs as plain legal action. When navigator programs meet up with plain legal language writing, they create an Access to Justice synergy.

Plain legal language isn't about writing according to a strict set of standard rules. It's about writing for your specific audience. It's about helping people locate, understand, and act on information. That's all pretty much true for any kind of plain language writing. But part of what sets plain legal language writing apart is the heightened need for precision.

The legal writing I do is mostly appeal decisions for a Tribunal. One of the earliest Tribunal decisions I wrote reversed what the Board level had decided. The original decision-maker ignored an Oxford comma in a medical report. I read the medical report with the oxford comma properly in place. It led to a different understanding and a different outcome on the appeal.

To skip punctuation is to risk clarity. That is the opposite of what is intended by plain legal language. Punctuation isn't white noise. Punctuation is kindness and pausing. It's clarifying and pacing.

Some plain language documents don't strictly need punctuation. Consider a poster that provides information about a fun event. As a poster, creating a "cleaner" copy

Karen E. Jacques is Clarity International's Canadian representative. Laws and rules are becoming more complex. At the same time, readers' attention spans are shrinking. Now more than ever, plain language is a must in legal writing.

Ms. Jacques is a Vice-Chair at Ontario's Workplace Safety and Insurance Appeals Tribunal (WSIAT). During law school, she was the Editor-in-Chief of the Windsor Review of Legal and Social Issues. Words are some of her favourite things. She loves piecing them together to convey emotions, tell a story, or make a point. Writing is her happy place, as it has been throughout her 30-plus-year career.

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1 https://www.justice.gc.ca/eng/rp-pr/jr/npc-pac/index.html

probably trumps the value of punctuation signals. So sure, there are types of plain language writing for which you can get away with skipping the punctuation - arguably some documents where you should skip the punctuation.

But punctuation serves an important function in legal writing, plain or otherwise. Punctuation sends signals to the brain. Some people find an absence of punctuation to be distracting. It can make their mind work harder to determine if a non-punctuated list should be read as connected items or separate concepts. Whereas, when punctuation is used, the brain instantly knows how to think about that list without extra effort.

Punctuation can be the very source of clarity and certainty.

As Clarity International's Canadian representative, I want to encourage the spread of plain legal language throughout the decision-writing world. That includes an appreciation of the clarity that well-placed punctuation brings. The clearer we decision-writers write, the easier it will be for plain legal language to spread through other areas of law.

I hope that you enjoy this issue's collection of articles. Plain legal language initiatives are spreading waves of clarity around the world! It's an exciting time to be part of the wave-making.

From the editor

Merel Elsinga is a plain language writer and editor with a background in Dutch law and a post-professional lingering passion for sailing and cooking. She found Canada's beautiful West Coast during her sailing career and has lived there since 2005. She has since graduated from the Simon Fraser University editing program and established her editing business. Merel is also the executive director for the Center for Plain Language, and an active member of Editors Canada.

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This year is a great one for milestones in the plain language movement. After a number of years of drafting, the first part of the ISO plain language standard has been published. Several Clarity members have been deeply involved in the creation of this part of the standard. Christopher Balmford will tell you more about Part 1 in this issue.

Plain legal language is the focus for Part 2 of the standard. Our own president, Julie Clement, is leading the drafting committee for Part 2. This promises more progress for plain language.

Clarity's 40th anniversary is another milestone. The celebration will take place in Buenos Aires, during the PLAIN conference. Clarity will present its own sessions at the conference, too – see back cover. I can't make it there, but I hope you can be part of the celebrations and the conference.

This issue of Clarity focuses on the progress of plain language around the world. Our guest editor for this issue, Karen E. Jacques, has already briefly introduced you to the articles.

That leaves me to encourage you to contribute to our future issues of Clarity: send a letter to the editor, submit an article for our journal, or become our next guest editor. We need your help to create meaningful content. I am happy to tell you more if you have any questions about contributing.

Let's keep our communication going!

Merel

Merel Elsinga, *Canada/Netherlands*

From the president

Dear Clarity members,

The last in-person plain language conference was PLAIN's 2019 Oslo conference. As you read this, many of us will finally be gathering again in-person, this time for PLAIN's conference in Buenos Aires. Congratulations, PLAIN, for making this happen.

The most exciting news of all, though, is that the first international plain-language standard was published in June! Many thanks to the drafting committee members, who spent thousands of hours writing the first draft and then carefully reviewing every comment at every stage of the multi-year process.

For me, the key is this: The ISO standard is not a new, groundbreaking idea about what plain language is. It is the opposite. It merely codifies what we already know. The most widely recognized standards organization in the world put us to the test and has now confirmed what we already know. The standard debunks the myths, once and for all.

The drafting committee for Part 1 was led by Clarity's country representative for Hungary, Vera Gergely. Thank you, Vera, for leading this important work. Also, I am eternally grateful to former Clarity president Christopher Balmford, the standard's convenor. He will tell you more about the standard in this issue.

I hope you will purchase the standard and use it in your work. But even if you don't purchase it, review the public-facing portions to see what the standard covers. ISO 24495-1, Plain language — Part 1: Governing principles and guidelines.[1]

I also urge you to review Clarity 64[2] to understand the importance of having an international standard for plain language.

Meanwhile, a new drafting committee is working on Part 2, which focuses on plain legal communication. We are meeting weekly and will soon send the first official draft for comments. I can't overemphasize how important it is for Clarity members to review the draft and offer comments.

Vice president Stéphanie Roy and I invite you to volunteer to help promote Clarity's mission. We need a board secretary and a few more members to work on communications (spreading the word about Clarity), strategic planning (shaping our future), and the next conference. Send one of us an email if you can help a little or help a lot.

Congratulations, again, to everyone who helped with the ISO standard. I can't wait to see you in Buenos Aires, where we will celebrate Clarity's 40th anniversary!

With warmest regards,

Julie

Julie Clement, *United States*

Julie Clement is the president of Clarity and a member of the International Plain Language Federation and the Center for Plain Language boards. She is the Deputy Clerk at the Michigan Supreme Court and an instructor in Simon Fraser University's Plain Language Certificate program. Julie is a Distinguished Professor Emerita of the Western Michigan University Cooley Law School and served as editor in chief of *The Clarity Journal* for 14 years.

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1 https://www.iso.org/obp/ui/en/#iso:std:iso:24495:-1:ed-1:v1:en

2 https://www.clarity-international.org/wp-content/uploads/2020/07/Clarity-no-64-bookmarked1.pdf

Contents

So, now we have an ISO plain language standard, what's next?

Christopher Balmford, *Australia*

So far, ISO's fresh-off-the-press plain language standard is being well received, see the anecdotal feedback below.

Through the International Plain Language Federation, Clarity helped initiate the standard. And its members have been actively involved every step of the way. Publication in June this year was a great day for plain language.

1. Where are we at?

In June this year, ISO published its first plain language standard: *Plain Language — Part 1: Governing Principles and Guidelines*.

International Organization for Standardization, known as ISO

ISO Today

24861 International Standards covering almost all aspects of technology, management and manufacturing.

168 Members representing ISO in their country. There is only one member per country.

818 Technical committees and subcommittees to take care of standards development.

www.iso.org

Part 1 works in most, if not all, languages.

The International Plain Language Federation initiated the proposal that led ISO to publish the standard. Clarity is one of 3 members of the Federation. The others are PLAIN[1] and the Center for Plain Language.[2]

On the International Plain Language Federation's site, you can read:

- A timeline[3] of the long road to the standard's publication, see next page.
- FAQs[4] about the standard, see text box.
- A Guide to Adopting the ISO Plain Language Standard.[5] The Guide lays out all the steps you have to take to get your country involved.

Christopher Balmford is a sea kayaker; former lawyer; board member of the International Plain Language Federation; project leader of ISO's Plain Language Project and convenor of ISO Working Group, ISO TC 37 WG 11; past president of Clarity International; and managing director of the plain-language consultancy Words and Beyond (wordsandbeyond.com). He founded the online legal-document provider Cleardocs, which Thomson Reuters acquired in 2011.

1 https://plainlanguagenetwork.org/

2 http://centerforplainlanguage.org/

3 https://bit.ly/38CLdsa

4 https://www.iplfederation.org/iso-standard-faq/

5 bit.ly/3NXhv33

Timeline of Developing the ISO Plain Language Standard

This is a timeline of how the international plain language standard was developed. Many of the entries have links to more information.

Date	Event	Details
2007	A plenary session at the Plain Language Association International (PLAIN) conference in Amsterdam, The Netherlands heard papers from representatives of PLAIN, Clarity and the Center for Plain Language about the need and feasibility of developing standards for plain language. A motion to establish a working group was put to the conference floor and endorsed by a show of hands.	The initial papers about the feasibility of plain language standards promoted broader discussion about the need to develop plain language as a profession to increase its influence and the public benefit this would bring.
2008	Clarity, the Center for Plain Language and PLAIN formed the International Plain Language Working Group, which held its first meeting in Mexico City, Mexico.	A panel on standards at the Mexico Clarity conference highlighted the need to first establish a standard definition for plain language.
2010	The Federation published an options paper in *Clarity* number 64.	The options paper discussed • defining plain language • developing national or international standards

GETTING A COPY AND USING IT	**HISTORY OF THE STANDARD**	**ADOPTING AND LOCALIZING THE STANDARD**
OTHER PARTS TO THE STANDARD	**LANGUAGES**	**CREDIBILITY OF THE STANDARD**
VOLUNTARY USE OF THE STANDARD	**STYLE AND TECHNICAL TERMINOLOGY**	**UPDATES** Future updates of the

2. Buying the standard

Which device? If you buy the standard, ISO will send it to you as a Protected PDF file. Be alert when you first open the Protected PDF file because it can't be opened on multiple devices. Here's what ISO has to say about that:

> Please make sure you open the Protected PDF File the first time on the device you choose to use it on as you will not be able to open it a second time on any other device.

6 ISO published a list of national standard bodies and their contact information here https://www.iso.org/members.html

7 https://bit.ly/42PqTdA

Where to buy Depending on your country, you can likely buy the standard from your country's National Standards Body.[6]

Wherever you are, you can buy the standard from ISO.[7] Also there are various organisations that sell ISO standards.

Pricing varies ISO's price for one user is CHF92 (that's Swiss Francs). Discounts are available for multiple users.

ISO and its members — that is, the national standards bodies in each country — charge for standards because that's how they fund the entire ISO standards world.

Prices for the plain language standard vary between national standards bodies. For example, Standards Australia's price is a sliding scale from:

- AUD$173.37 for 1 user.
- AUD$329.40 for up to 9 users.

Surprisingly (and, to be frank, somewhat frustratingly), Standards Australia's price for more than 9 named users, is spectacularly and unrealistically expensive. Oddly, this is due to the pandemic and issues to do with site numbers when everyone was working from home. So it goes.

The lack of a realistic option for organisations with large numbers of users poses a problem for the Australian plain language world. Other countries may have similar limits, though some countries have arrangements for higher numbers of users — for example, South Africa and New Zealand.

Standards Australia's limit of up-to-9 named users reflects the understandable fact that, in many fields, only a few people in an organisation use a particular standard. For example, not every employee in a bridge building company needs to read and apply ISO's standard about the strength and flexibility of, say, bridge pylons.

However, in our field, there are countless organisations with many, many people who write. Indeed, in some organisations — even large organisations — pretty much everyone writes. Each of those people should likely be using the standard.

Happily, we reckon that nearly all of Standards Australia's 150+ employees write. So, the problem shouldn't be too far from home for the people we are liaising with.

Also, as we liaise with Standards Australia, we are using a query from a real-life government department as an example of the sort of organisation that wants to buy the standard for a couple of thousand people to use. This helps us show Standards Australia that the problem isn't hypothetical and that there is significant potential revenue.

At this stage, it's clear that the pricing in each country is different. So far, the most realistic prices we can find for an organization that wants to make Part 1 of the plain language standard available to thousands of its employees are at:

- The US national standards body, ANSI.[8]
- SAI Global, from which an organisation with 1,000 users can buy a licence that allows 10 people, across 3 sites, to use the standard at the same time. The price is USD$4,384.58.

Mind you, we haven't looked at the price from all 167 standards bodies.

Please let us know[9] if you have better news about pricing in your country.

As we seek to resolve this pricing issue, we will report to the plain language world in the FAQs on the Federation's site (see margin note 4).

3. Future parts of the standard

ISO's working group that developed Part 1 of the standard is working on future parts of the standard. That working group, and the International Plain Language Federation, are also working on supporting documents to help people use and apply the various parts of the standard.

ISO's working group, and the Federation, will likely prepare these sorts of supporting documents:

- Detailed information about how to implement a particular part of the standard or a standard.
- A bibliography with references showing the research that supports the standard.
- Guidance on these items:
  - which Parts a given user might need.
  - how to use a given set of Parts.

8 https://webstore.ansi.org/standards/iso/isodis244952022

9 Email the Chair of the Federation's Localization and Implementation Committee, Gael Spivak, at gael@iplfederation.org

- Information on how to incorporate Artificial Intelligence tools into the process of creating and testing plain language documents.
- "Before and After" documents.
- Case studies focusing on documents produced following principles in the standard.

The next part the working group is currently working on is (working title) *Plain Language — Part 2: Legal Writing and Drafting*. That Part's drafting committee is chaired by Clarity's President Julie Clement. More than 10 other Clarity members are actively involved.

There are proposals, or draft proposals, for possible future parts on science writing, health writing, design, evaluation of documents, and more.

4. Promoting the standard internationally

The Federation has a committee helping people to encourage the National Standards Body in their country to adopt the standard. The Committee is called the Localization and Implementation Committee. It prepared the timeline, FAQs, and Guide referred to above. It also prepared key messages, text for social media posts and the social media tiles that you may have seen online.

The committee's social media preparation was oh so worth it. In the first 20 days after ISO published the standard, the bitly links the committee used generated more than 2,400 visits to ISO's page about the standard.

The Committee's 38 members from 20 countries meet every few months to share information and support each other in promoting the standard. It's become a groovy little online community.

If you are a member of Clarity, PLAIN or the Center for Plain Language, then you can apply to join the Committee.[10]

5. Certification

The Federation's Certification Committee is researching different aspects of plain language certification. It is considering 2 angles:

- Feasible criteria for certifying people, documents, training, and organisations.
- The systems needed to support certification and who should operate etc. those systems.

The Committee began serious work 3 years ago and its final report is due in November this year.

As with the Federation's Localization and Implementation Committee, if you are a member of Clarity, PLAIN or the Center for Plain Language, then you can apply to join the Certification Committee.[11]

6. And how is the standard going so far?

To be sure, it's early days. But here are some of the things we hear through enquiries to the Federation, posts on social media, and general chit-chat:

- **From a plain language consultant in Norway** "What is it about the number 24495-1 that makes my heart beat a little faster? Well, it's the number of Part 1 of ISO's standard for plain language,

10 Email the Committee's Chair, Gael Spivak, at gael@iplfederation.org

11 Email the Committee's Chair, Sarah Slabbert, at certification@iplfederation.org

and I can't wait to read it! 🤩 (Huh? Doesn't everyone think ISO standards are super exciting?)

And the pending second part of the ISO standard (24495-2) is called *Legal writing and drafting* 🤩 🤩 🤩 This should really make everyone's hearts beat a little faster. Because yesterday I sat in the middle of a crowd of plain language people with a head for the law and lawyers with a head for plain language – and we are on the case!"

- **South Africa's standards body** The South African national standards body is moving fast to get the Standard adopted before the end of the year. In turn, its mirror committee is lobbying hard to make legislators aware of the standard and the opportunity to incorporate it, or the envisaged requirements standard for organisations, in plain language legislation.
- **Accessibility** An accessibility expert in Australia ran a workshop for 27 people from government, corporate and not-for-profit organisations. The workshop dedicated 30 minutes to the new plain language standard. The feedback was that the plain language standard can significantly help organisations improve the readability and understanding of their communications.
- **A writer and editor** suggested that a federal government's style guide could better align with the standard in various ways, such as referring to "familiar" words instead of short and simple words. She was able to suggest aligning with the standard because of its credibility.
- **A former adjudicator from Canada** said she likes that the standard guides the writer to consider their reader's emotional state. When delivering unwelcome news to an unsuccessful party, it's important to think about and account for their capacity to absorb that information. The standard reminds writers that empathy is part of the essential communication toolkit.
- **Major Italian companies** In Italy, a major power supplier, and a major insurance company, each with multi-national operations, are speaking with their plain language advisers about using the standard.

Also, many of the people involved in developing the standard have been invited to talk about it to all sorts of relevant groups. To be sure, this is good for the standard but is also good for plain language, generally.

For example, I presented to people in the Norwegian public sector about the following topics:

- Why plain language
- Why a standard — including the standard's back story
- Where we're at
- The standard itself
- What's next?

You can watch the presentation.[12] Indeed, feel free to reuse the slides in your own presentations about the standard.

12 https://tinyurl.com/3srradyk Feel free to reuse any, or all, of the slides in my presentation. There's no need to cite or refer to me.

7. You can join the ongoing discussion

For at least the foreseeable future, the plain language world will be working away at future parts of ISO's plain language standard and an array of supporting documents.

You can join the discussion in several ways:

13 https://plainlanguagenetwork.org/plain-conferences/

- At PLAIN's 2023 conference[13] in Buenos Aires, Argentina, 27 to 29 September this year.
- By applying to join the Federation's Localization and Implementation Committee (see margin note 10) or Certification Committee (see margin note 11).
- By applying to join the relevant committee at your country's National Standards Body (see margin note 6). If you do, then that body may appoint you to the international ISO working group developing the standard.

8. A tool for us all

14 https://www.michbar.org/journal/Details/A-plain-language-standard-A-tool-for-all-of-us?ArticleID=4403

15 https://www.govinfo.gov/content/pkg/PLAW-111publ274/pdf/PLAW-111publ274.pdf

As I've said at length before,[14] I hope the standard can be tool for plain language practitioners and advocates everywhere — in the way that the US *Plain Language Writing Act of 2010*[15] has been a tool for plain language advocates and practitioners in the US, particularly people working in government agencies. The US Act sure achieves a lot in its 2.5 pages.

On top of that (as I haven't said before), maybe we can each try to use the publication of the new standard as the centerpiece for a campaign to get our countries or states to enact a law like the US Act. We could even seek to have that new law refer to the standard.

In fact, self-inspired by typing that previous paragraph, I just organized a meeting with some fellow plain language advocates to see if we can get a law like that enacted here in the State of Victoria, Australia.

I wonder which jurisdiction will be first to enact a plain language law that refers to the standard. Go for it.

Plain language from a biscuit tin — the story of New Zealand's Plain Language Act

Lynda Harris, *New Zealand*

On 21 April 2023, New Zealand's Plain Language Act[1] came into force, after a private member's Bill was drawn from a 'lucky-dip' biscuit tin and voted into law.

The Act requires plain language writing in all of the government's official documents and websites intended for public use.

https://www.newshub.co.nz/home/shows/2018/05/how-a-30-year-old-biscuit-tihelps-maintain-new-zealand-s-democracy.html

Lynda Harris is founder of Write Limited, New Zealand's leading plain language communications company. Write's focus is helping private and public sector organisations get more value from their daily investment in business communication.

Lynda established the document quality mark, WriteMark, and is the author of Rewrite — how to overcome daily sabotage of your brand and profit. She is founder of New Zealand's annual Plain English Awards and has been a guest judge for the Center for Plain Language's ClearMark Awards.

Lynda is a recipient of the international Mowatt Plain Language Achievement Award for outstanding contribution to the cause of plain language. Lynda is the New Zealand representative for Clarity International and a contributor to the International Plain Language Federation's work.

1 https://www.legislation.govt.nz/act/public/2022/0054/latest/whole.html#DLM4357606

What's with the biscuit tin?

Some of New Zealand's most progressive laws have started as private members' Bills plucked from the blue-and-white biscuit tin bought from a local department store 30 years ago.

Members of parliament who are not Ministers can propose a private member's Bill, which receives a number. If the number for the Bill is pulled from the biscuit tin, these Bills have the potential to go on to do great things. Changes prompted by members' Bills in the past include laws on marriage equality, assisted dying, and decriminalising prostitution and homosexuality.

The Plain Language Bill from Labour Member of Parliament, Rachel Boyack, was drawn from the tin in 2021, passed into law in 2022, and came into force on 21 April 2023.

A Bill whose time had come

All of us who had been supporting and advocating for clarity in New Zealand for many years were thrilled with the lucky draw!

> *"Commercial organisations have also seen the benefits of plain language, realising that it offers a strong competitive advantage."*

As far back as 2006, Write was a founding member of a group called Plain English Power (2008–2016). The group's first efforts focused on getting our lead central government agency to issue guidance on writing in plain language. We hoped that this move would lead to a Bill being introduced. Eventually, in 2010, we had a Bill. The Bill, which came up three times over the following 12 years, finally received the thoughtful attention it deserved in 2021 and 2022. Member of Parliament Rachel Boyack's passion to get the Bill through, coincided with the mood of the country (and the world) —people increasingly expect a focus on social good, honesty, transparency, and equity.

How it came together

Five key ingredients formed a foundation for the proposed Act being accepted.

1. The Law Commission adopted a plain language approach to legislation in the 1980s. This progressive move established expectations for the way new legislation was to be written, and had some early influence on public sector writing.

    The next four ingredients contributed simultaneously and cumulatively to getting the Bill passed.

2. Over time, more government agencies and individual writers in the public sector started using plain language and adopting standards that supported clear communication. Early plain language conferences organised by Write, and New Zealand's annual Plain Language Awards played a big part in raising awareness and honouring those who used plain language. Over the past 30 years, many thousands of government writers have been trained in plain language.

3. Practitioners and advocates for plain language became a stronger voice. Write, along with many community groups and other practitioners such as Simon Hertnon from Nakedize, made written and oral submissions on the Bill and advocated strongly in various media.

4. Commercial organisations have also seen the benefits of plain language, realising that it offers a strong competitive advantage. Also helpful was the requirement that key finance and insurance documents must now be written in plain language.

> **"*F*inally, more consumers have seen the difference that plain language makes to them and have come to expect, or even demand, a certain level of clear communication from government and business."**

5. Finally, more consumers have seen the difference that plain language makes to them and have come to expect, or even demand, a certain level of clear communication from government and business.

About the Act

The purpose of the Act

The purpose of the Act is to improve the effectiveness, accountability, and accessibility of government agencies by requiring certain documents to use language that is:

- appropriate to the intended audience
- clear, concise, and well organised.

The Act requires plain language in all 'relevant documents'

'Relevant documents' are those written in English that provide information to the public generally. So internal documents and correspondence with individuals are both excluded. We were disappointed about that but hope that if the public sector adopts the spirit of the Act, the positive effects will flow across all government writing. The Act further defines relevant documents as, in summary, those that provide information about government services, compliance, filing or lodging information, or necessary public education.

Agencies must have plain language officers

Government agencies must appoint plain language officers (within or outside the agency), who must ensure the agency complies with the Act and that workers are trained to write clearly and concisely. Plain language officers must also deal with feedback from the public about the agency's compliance with this Act.

The Public Service Commission will issue guidance on how the 69 reporting agencies will comply with the Act

Responsibility for complying with the Act lies with:

- New Zealand's Public Service Commissioner, in the case of government departments, and
- the 'responsible Minister' of each Crown agency.

We are pleased that before issuing the guidance, the Commissioner must: 'consult the persons or organisations that the Commissioner thinks appropriate', 'have regard to international best practice in connection with plain language writing' and include guidance on accessibility. These requirements give scope for plain language experts to advise the Public Service Commission.

Deputy Commissioner, Hannah Cameron, said at New Zealand's 2022 Plain Language Awards:

> We're going to try to implement [the Act] in a non-bureaucratic, clear, direct way. We'll be using networks that already exist across the public service to share good practice...

The Commission will also be responsible for:

- designing the roles and selection criteria of the plain language officers
- training the plain language officers to help develop plain language skills in their agency
- designing the annual reports that each agency must provide to the Commissioner
- designing the annual report that the Commissioner must provide to the Minister for the Public Service.

Was anything missing?

While we applaud the passing of the Plain Language Act, we felt two important things were missing. We mentioned these in Write's written and oral submissions on the Bill. The items below would have increased the impact of the Bill and reduced the administration cost for government agencies.

- Include in the Act a short and achievable plain language writing standard in checklist form to clarify expectations, preferably linked to the ISO Plain Language Standard.
- Include consequences for non-compliance to make sure the effectiveness of the Act doesn't wane over time.

Did we need an Act?

Opponents to the Act argued that we did not need an Act — 'we all believe in clear communication, but legislation is overkill and not the way to go'. Advocates recognised that in the public service you shouldn't leave good writing to chance.

The beauty of the Act is that it aims to bring certainty and consistency. Most government agencies have at least a few enthusiastic, capable people who believe in the power of plain language and really make a difference. But when these people leave, that focus is often lost. And even among those who see the benefits of plain language, quality and expectations may vary.

Each year, government documents and websites are nominated in the People's Choice 'Worst Brainstrain' category of the Plain Language Awards. These nominations demonstrate the inconsistent standards of writing across the public sector. Nominations in this category describe the harm and frustration, and waste of time and resources, caused by unclear or misleading information, forms, and policies.

When everyone works to a clear set of expectations, people get consistent information that they can understand and act on. They are released from feeling it's their fault if they don't understand. They are more likely to confidently interact with government agencies for the important things in life, like finding employment, housing, or healthcare.

More than compliance — the opportunity to embrace the intent and spirit of the Act

From our perspective as long-time practitioners and advocates, the Act offers opportunity far beyond the obvious benefits of compliance for 'relevant documents'.

> "*Norway provides great inspiration for what might be possible across our public sector if writers enter into the spirit of the Act.*"

The Plain Language Act 2022 has the potential to be one of the most influential, far-reaching, and beneficial Acts ever passed in New Zealand. Implemented well, the Act can positively touch all who live and work in New Zealand. While confined legally only to public-facing documents and websites, the Act is likely to have a positive effect on all government writing and on the writing of commercial organisations who provide services to government. The Act also provides a model internationally for the way a government interacts with the people it serves.

Aside from the humanitarian aspects, the Act also offers the opportunity to derive far more value from the millions of dollars invested in public service writing. Expecting plain language drives efficiency and optimal ways of working across the public sector —resulting in sharper briefs, reduced drafting, and clearer, more concise outputs.

For these reasons, we have suggested that the Public Service Commission signal right from the start that this Act requires more than minimum compliance (appointment of officers and training of staff). Most importantly, we feel the Act offers the opportunity to demonstrate Te Hāpai Hapori, The Spirit of Service, beautifully described on www.publicservice.govt.nz

Role and purpose / Spirit of Service

Te Hāpai Hapori
Spirit of Service

Spirit of Service is about public servants opening their hearts and minds to the needs of others, having an attitude of humility and being motivated by something bigger than ourselves.

2 https://www.publicservice.govt.nz/role-and-purpose/spirit-of-service/
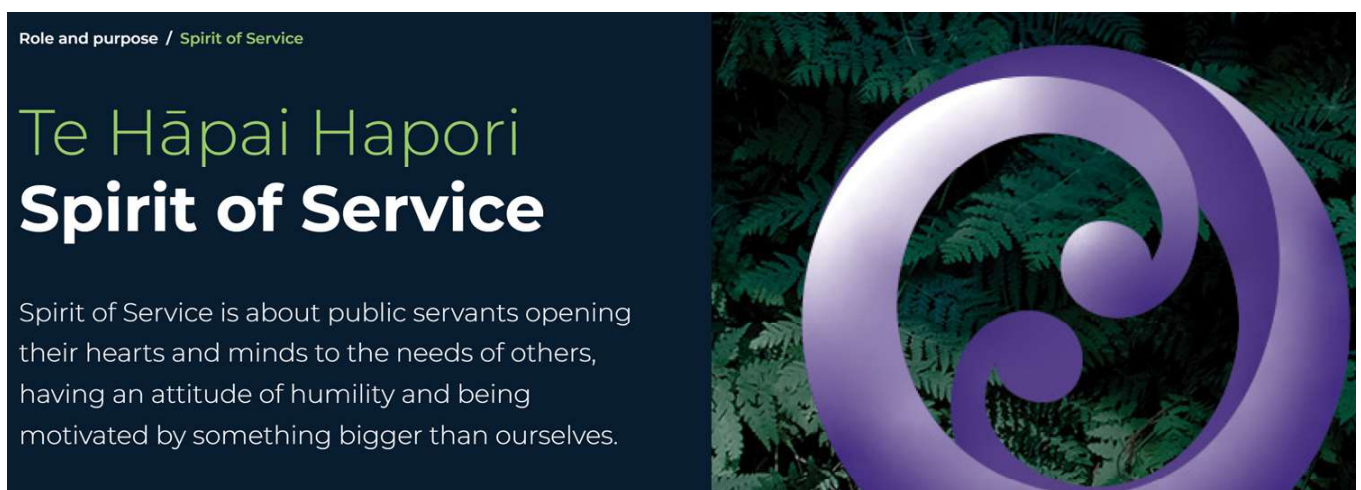
Spirit of Service[2]

If the Act is treated as an opportunity led by principles and values, rather than a compliance exercise, it will be more successful and much less likely to be repealed (as threatened by National, the opposition party).

Complementing compliance: a culture shift for the public sector

To achieve the goal and spirit of the Act, people need to think and act differently. Essentially it takes a change in organisational thinking — a culture change of sorts — to achieve that new mindset.

From Write's experience in supporting New Zealand organisations to embed a new writing culture, we know how important it is to connect writing quality to an organisation's values and purpose. Adopting an agreed standard, benchmarking, training, supporting, and measuring progress are all vital. As are the qualities of enthusiasm and shared responsibility for success.

Norway provides great inspiration for what might be possible across our public sector if writers enter into the spirit of the Act. Although plain language was an unfamiliar concept before 2009, since that time a Norwegian government project has produced great results.

As Torunn Reksten of the Norway Language Council said at the 2022 JPLC Conference in Tokyo, 'the public sector is more efficient, services are better, and users are more satisfied'. These results came from the work of dedicated politicians who engaged with and strongly supported plain language, and from an ongoing government-led campaign. Actions included delivering training, running webinars, presenting awards, creating tools and resources, rewriting texts, and collaborating with like-minded groups and experts. Could this happen in New Zealand? It's more than possible!

We have a saying in New Zealand, 'it does what it says on the tin'. That's a good symbol for plain language. And in our case, a biscuit tin was the catalyst for just that. We're ready!

(Or, as our ex-Prime Minister Jacinda Ardern would say. 'Let's do this'!)

Public preferences in legal communication in the Philippines

Rachelle Ballesteros-Lintao, Selenne Anne S. Leynes, and Teodoro Lorenzo A. Fernandez, *Philippines*

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As a multilingual country, the Philippines has more than 180 languages (Ethnologue, 2021) with 175 considered indigenous. Section 7 of Article 14 of the 1987 Constitution recognizes English as one of the two (Filipino being the other) official languages of the Philippines for purposes of communication and instruction. As the official language of Philippine courts and laws, English is the required language for use in documents to be admissible as evidence in court proceedings (Section 33, Rule 133 of the Rules of Court).

The Need to Improve Legal Communication in the Philippines

Due to the diverse geography of the country where Filipinos speak at least two languages with different levels of proficiency, Jimenez (2021) notes that the lack or limited English (and even Filipino) language proficiency of several Filipinos affects their participation in legal communication.

The need for the law profession to be more relevant in today's society has prompted several researchers to examine how the legal profession and legal education can better prepare lawyers for their practice. McCrate (1997) recounted that a task force on law schools in the US was created to determine the skills, attitudes, and qualities of lawyers. Marcova Heinrich (2015) addressed a similar issue in his paper by arguing the use of the new American Bar Association standards by emphasizing not only how to "think as a lawyer" but also to "lawyer". Using a sociolinguistic approach, Cunningham (1999) embarked on an international project on lawyer-client communication on the sociolinguistic features of lawyer discourse that relate to client satisfaction and whether adjusting the sociolinguistic features of lawyers' discourse increases client satisfaction. Cunningham also espoused the connectedness of legal language to the society in which "languages, meanings, and shared understandings about effective legal communication exist and are transformed" (p 294).

Legal communication studies tend to identify with plain language advocacy which centers on promoting the average readers' or non-experts' comprehension of legal documents. Much progress in the use of plain language has resulted in transforming legal documents into clear and understandable communication in different spheres such as banking, legal and business. Research has also concentrated on presenting the economic as well as time benefits of using plain language and has targeted one type of legal users—the judges and lawyers.

Objectives of the Study

As the law is essential in every person's dealings in society, legal communication or how lawyers communicate legal information to ordinary people is important. It

is significant to examine the general public's preferences in legal communication in the Philippine context to address the limited studies done to address the views of legal users—the general public. We then sought to answer the following research questions:

a. What characterizes the public's experience with the following: legal information use and lawyers?

b. What preferences does the public have for language and wording in legal documents?

By identifying the public's preferences and sentiments about legal communication in the Philippines context, policymakers, judges, lawyers, and business owners can be more aware of ordinary users' choices. They can use this knowledge in providing improved legal communication to the laypeople and potentially promote the use of plain language in the Philippines.

Methods

Research Design

We employed a descriptive-research design to examine the general public's choices in legal communication specifically on the importance that they ascribe to understanding legal writing and their language and wording options in legal documents.

Research Instrument

We used a 42-question survey adapted with permission from Trudeau (2012) and Trudeau and Cawthorne (2017). The questionnaire has four parts: demographic information, frequency and nature of legal information use, experiences in using legal documents, and preferences for language and wording in legal texts.

Research Participants

Based on the 63 million adult population size (out of the more than 100 million total Filipino population), confidence level at 95%, and margin of error at 5%, we first targeted the sample size at 385 but in the end, a total of 400 respondents participated. A total of 70.25% (281) were female and 29.75% (119) were male. Each of the 18 administrative regions in the Philippines was represented; topping the respondents were those from the National Capital Region with 158 (39.5%). Tables 1 and 2 provide a breakdown of the participants' age groups and educational level.

Table 1
Participants' Age Groups

Age Group	Number of Respondents	Percentage
18-29	189	47.25%
30-39	113	28.25%
40-49	68	17%
50-59	26	6.50%
60-69	4	1%
Total	**400**	**100%**

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Table 2

Participants' Educational Level

	Number	Percentage
Bachelor's degree	188	47%
Master's or Doctoral degree	126	31.5%
Undergraduate	77	19.25%
Medical degree	9	2.25%
Total	**400**	**100%**

Regarding the industry designation, most of the respondents belonged to the education sector with 46% (184) and health and social work with 28.25% (113) respondents out of 11 industries.

Research Procedure

We first changed some questions from Trudeau's and Trudeau and Cawthorne's (2012, 2017) questionnaires to suit the context of the study. In the choice-of-language questions, we either changed or excluded some original statements as they were not appropriate for the context. A sample statement included 'pursuant to the Statutes, insurance must be purchased'. Once finalized, we encoded the 42-item questionnaire in Google forms and pilot-tested them to 20 participants. Through this test, four items were corrected for inconsistency and numbering. Afterwards, we deployed the questionnaire to participants who meet the qualifications: Filipino, 18 years and over, not a lawyer. We used basic statistics in analyzing the results generated.

For ethical concerns, we ensured that the participants' names and information remained confidential. We also integrated consent forms into the questionnaire that the participants answered.

> ❝*Results show that the respondents preferred active to passive voice.*❞

Results and Discussion

In examining the general public's views on legal communication, we first asked the participants about their experiences in dealing with legal information and lawyers. Then we asked about their choices regarding language choice and structure of legal documents.

Public's Encounter with Legal Information

Table 3 presents how often the respondents use legal information, with more than a quarter of the respondents (n=85) sharing that they use legal information on a daily basis. Those who use legal information monthly comes in second.

Table 3

When the Public Use Legal Information

	Number	Percentage
Daily	85	26.8%
Monthly	82	26.3%
Weekly	76	24.1%
Yearly	75	23.8%
	315	

As regards the amount of time respondents have to use legal information at work, Table 4 shows that the majority of the respondents 131 (32.75%) spend 15-30 minutes.

Table 4

How Long Do the Public Use Legal Information

	Number	Percentage
15-30 minutes	131	32.5%
A couple of minutes	99	24.75%
30-60 minutes	80	20%
Over 50 minutes	58	14.5%

That the Filipino general public are aware of and use legal information in varying frequencies and amount of time shows the importance that they ascribe to legal information. As in every sphere in a society, laws are important to maintain order in society and to ensure people's rights against abuses.

As to the reasons why the public use legal information, we generated a total of 281 responses. Almost half 139 (49%) claimed that they use legal information as a reference or guide in work-related concerns such as drafting issuances, crafting communication, and ensuring legality and legitimacy of all procedures developed. One respondent as a criminology educator uses legal information as a way to be equipped with relevant laws on the subject handled. Another who is into procurement uses legal information in reviewing contracts and suppliers. As a healthcare worker, another participant uses legal information in ensuring patient care and proper delivery of services.

The public's use of legal information indicates that they can access justice to assist them in dispensing justice, upholding their rights, and protecting themselves, and other people at work. In a worldwide survey participated by 101 countries which was conducted by the World Justice Project (2019), around 49% of the people surveyed experienced justice problems in the last two years. One insight yielded from this global study which supports the results of the current study concerns the prevalence of justice issues or problems that beset the people.

Public's Experience with Lawyers and Preferences for Legal Communication

Lawyers are officers of the court. As such, people seek their services to consult, to legally represent them and for other legal matters. Results show that 139 out of 400

(35%) respondents consulted or employed the services of a lawyer in the past five years, which ranged from 1-5 times (34%), 6-10 times (2%), 11-15 times (1%), and more than 15 times (2%).

Legal problems abound not only in the Philippines, but all over the world. In the last two years, around 35% of the respondents in the Philippines had legal issues which revolved around housing and money/debt as top-most concerns.

As to how frequently they would carefully read and scrutinize every document that their attorney provides, more than half of the respondents said always. This is reflected in Table 6 below.

Table 5
How Often the Public Examines Legal Documents

	Number	Percentage
Always	203	51%
Often	87	21.75%
Sometimes	69	17%
Rarely	21	5.25%
Never	20	5%
Total	**400**	**100%**

This shows that a majority would prefer to be involved in the document that would concern them with only quite a few who would leave everything in the hands of their lawyer.

As to the language used, the majority of the respondents preferred the code-mixing of English and another language (n=207; 52%), with Filipino (n=69; 17%), English (n=59; 15%), and local languages (n=40; 10%) trailing behind

Table 6
Public's Language Preference in Legal Communication

	Number	Percentage
Code mixing of English and another language	207	55%
Filipino	69	18%
English	59	16%
Local languages	40	11%
Total	**375**	**100%**

These results illustrate the status of the Philippines as a multilingual country. Although English is the primary language of the legal domain, there has been evidence of a shift in the legal profession's attitude toward bilingualism where certain criminal courts in Bulacan used Tagalog in the proceedings (Martin, 2012). In 2006, the Supreme Court of the Philippines resolved, among others, to "adapt the language of the law to that of the common people to enhance their access to justice" (Zuniga, 2006 as cited in Martin, 2012, p. 2).

A great majority (n=283; 71%) of the respondents admitted that their attorney handed them a legal document that is difficult to understand. A total of 313 out of 400 (78.25%) respondents sought external help either through a colleague, a helpline, or the internet. Table 9 shows how long the public would spend time looking up a difficult legal term in external sources.

Table 7
Time Spent When The Public Consult External Sources Upon Encountering a Difficult Legal Term

15-30 minutes	33.75%
30-60 minutes	22.25%
A few minutes	17.25%
Over an hour	16%

These responses show the varying levels of difficulty that the respondents have in dealing with legal information either as prepared by their lawyer, or in general. As not all were able to understand and comprehend legal texts on their own, information was sought beyond the text. However, those who attempted to read on their own generally needed more time to understand the text. According to the World Justice Project (2019), seeking legal advice from a lawyer or professional advice service would only come as a far second (17%) to asking family or friends (72%). This corroborates with the findings that the large majority (78.25%) who were unable to understand a lawyer's language or document still sought external help. This reveals that regardless of stature, seeking external help in solving legal problems finds relevance.

Public Preferences in Terms of Language Choice and Structure in Legal Documents

The last research question zeroed in on the public preferences for word choice and structure in legal documents. Participants had to choose between a dichotomy of sentences in which one alternative is the plain language version.

Results show that the respondents preferred active to passive voice. This was true for all three items with item number 33 having the biggest discrepancy (30.5%) with respondents preferring 'The Board of Directors decided to review the file.' (65.25%) to 'A decision was made by the Board of Directors to review the file.' (34.75%).

Items 35, 36, 37 concern the use of nominalizations which are known as 'hidden verbs'. Plain language advocates discourage the use of nominalizations for they are hard to process and they still need additional verbs to make sense. The respondents favored demand, continues, and protect over the nominalized forms demand, continuation and protection with differences of 2%, 36%, and 22%, respectively.

Respondents overwhelmingly chose 'If this breach continues, my client will immediately terminate this contract' (68%) over 'If there is a continuation of this breach, my client will effect an immediate termination of this contract.' (32%). As regards the use of the Latin phrase 'inter alia', a substantial number of participants (84%) preferred the use of its English counterpart 'among other things'. An interesting result is the respondents' choice of the phrasal verb 'prior to' and pronoun 'said' over the simpler forms 'before' and elimination of the pronoun 'said' with a very minimal difference of 2%.

The participants have a closely tied preference on the terms "utilize" at 51% in the sentence 'You must use the court's new mode for filing of pleadings and motions.' and "use" at 49% 'You must utilize the court's new mode for filing of pleadings and motions. It is interesting to know that in the study of Trudeau and Cawthorne (2017), out of the five countries surveyed, only the US preferred 'utilize'; all the other countries, i.e., Canada, Australia, New Zealand, and the UK overwhelmingly picked 'use'. It is not surprising that the results in this study conform to what the US respondents preferred with the Philippines. Even up to this day, the effect of the 48 years of American colonization in the Philippines is evident with its greatest legacy, mass education through the use of the English language.

In the study of Trudeau and Cawthorne (2017), they found that the preference for plain language increased with the respondents' educational level. We did not yield such results from this study. However, results generated that respondents in all educational levels preferred active over passive voice; against the use of nominalizations; against the use of legalese 'inter alia', and the use of 'must' over 'shall'. It is also significant to note that the respondents in all the different educational levels favored the use of explanatory sentences in all four items.

Overall, out of the 16 pairs of statements provided to the respondents, they picked 14 statements that adhere to the plain language principles (87.5%). The two statements that they favored included the use of 'prior to' (instead of the plain language alternative 'before') and 'utilize' (instead of 'use'). These results corroborate with the findings of Trudeau (2012) and (Trudeau & Cawthorne (2017) in favoring legal communication in plain language for the English-speaking countries. Given the Philippine context in which English serves as a second language, the message is clear that plain language is the favored way of legal communication. The public's preference for bilingualism is also evident in the results.

Study's Implications

The results in this study have revealed that the public is open to be more aware of the law, to have a better understanding of it, and to be able to comply with it. This then brings to the fore the importance of lawyers who can employ their legal expertise to assist the general public and the clients in particular, most especially when the language of the law in the legal document appears to be complex and incomprehensible. That the Filipino general public value the law (for reference and application) by seeking the help of a lawyer is evident in the study.

Although English is considered the primary and most common language in the legal domain, the public's preference toward bilingualism is revealed. Results showed that the use of English in conjunction with either Filipino or a local language is preferred. When the language of the law is simplified, localized, and translated from English to the major languages in the country, more people will understand and will not become ignorant of the law. After all, the law is not only for the lawyers, nor for those who can understand the legal language. The law is for everyone.

This study has exhibited the Filipino general public's preference for the use of plain language in legal communication just as in the responses of the English-speaking countries in their choice of the use of clear and understandable language in legal communication. Future studies can examine how lawyers communicate with their clients, and why the public should consider seeking legal assistance from them first rather than asking their family and friends.

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Improving access to and scope of plain language resources on the U.S. government websites

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1 https://www.usa.gov/federal-agencies/a

Introduction

In the United States, with the passing of the Plain Writing Act of 2010, all federal government agencies have to maintain a web page dedicated to plain language initiatives and share resources and compliance reports with the general public. Such a web page should provide citizens with information on the agencies' efforts to ensure clarity in documents addressed to the general public. The Institute for Plain English Research and Study (IPERS) at the University of Houston-Downtown conducted a review of approximately 450 U.S. federal government websites to see whether an average person can find such pages and review information on the agencies' plain language initiatives.

The purpose of the article is to share the results of the review initially conducted in 2014-2015 and then repeated in 2020-2021 to see if any change has occurred. The article showcases exemplar cases and suggests strategies for better communication design that would ensure the public's access to information related to the plain language initiatives.

Procedures for Reviewing U.S. Federal Government Websites

To conduct the review, we obtained the list of around 450 government agencies from USA.gov's A-Z Index of U.S. Government Departments and Agencies.[1] The list also included all state governments' websites which we excluded from the count for this study. We went through the following procedure to identify plain language resources:

1. Chose two major keywords, "plain writing" and "plain language," to search the sites as those words were commonly used in the legislation and are common terms to refer to the movement in general.

2. Approached the search from the user's perspective: Can a user easily find information about plain language on the agency's website? If a plain language page exists, how much information does the agency provide and what kind of information does the page include? Is the agency compliant with the new law based on the completeness of the plain language resources it has developed, specifically, annual reports and a listing of a point of contact?

3. Conducted a preliminary review of the plain language pages and defined categories for classifying plain language resources as

- **Noncompliant:** The website does not contain a separate page dedicated to plain language; plain language resources cannot be located by searching through the internal search engines; the website contains no clear links to centralized websites of major agencies that might contain plain language resources; the website may contain mentions of plain language in some documents.

- **Compliant:** The website has a page dedicated to plain language; the plain language page contains basic information about the Plain Writing Act of 2010, point of contact, annual compliance reports, and external links to resources on plain language; the plain language page may or may not be linked through the agency's homepage; the plain language page can be located by searching through the agency's internal search engine.

4. As a group, reviewed and classified the plain language resources based on the developed categories and recorded observations for further analysis.

> "*The National Archives [...] is the true leader of the plain language movement in the United States. The agency has received awards for its website and proudly displays its Federal Plain Language Report Cards since 2012.*"

Lucha Morales is an award-winning writer with a decade of experience in content creation for the City of Houston. Morales graduated in 2021 with her master's degree in Technical Communication from the University of Houston-Downtown. In 2012, she joined the city as an intern and quickly put her knack for storytelling to use, highlighting city employees who keep the city wheel turning. Now as a senior communications specialist, she works with key stakeholders from various city departments to create internal communications for more than 20,000 city employees. As a mom of three, she strives to create a work-life balance that suits her love for family and public service.

After we collected the preliminary data, we checked and verified classifications for consistency. To make conclusions about the quality and quantity of the available plain language resources, we used qualitative and quantitative analysis that helped make generalizations about compliance by the federal government as a whole and uncovered exceptional cases worth highlighting in the results of the study.

Figure 1: 2015 Ratings of Reviewed Plain Language Pages (Total: 433 websites)

30%

70%

■ Compliant ■ Noncompliant

Discussion

We conducted the initial review in 2015 and then replicated it in 2021 to see any progress in the development of the online plain language resources. Figure 1 shows the results of the data collected in 2015.

The list of the websites acquired in 2021 has been updated, and 33 listings have been removed while 52 listings have been added for the total of 452 websites (compared to 433 in 2015). The changes in the number of listings seemed to be due to internal reorganizations, as well as the dissolution
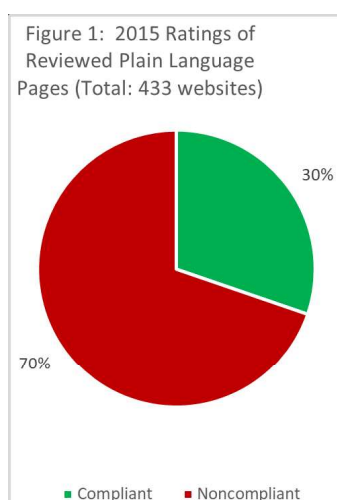
With more than ten years of business communication, **Catherine Sampson** has a diverse professional background. She is skilled at technical writing, editing, analyzing data, and publishing content for a global audience. She previously worked as a technical writer for the oil and gas industry for a number of years. She also worked as a technical writer for defense contractors for four years. Catherine now works as a technical writer for the fintech industry where she helps create instructions for an online help platform that focuses on the Charles River Investment Management Solution (IMS) system.
She holds a BFA in English Literature from the University of Houston and a MS in technical communication
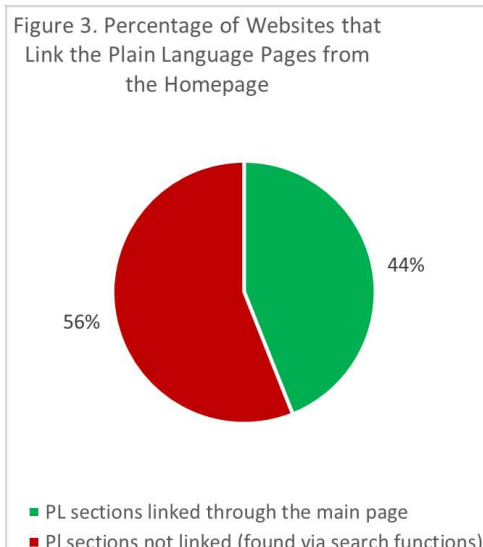
and creation of new government entities. Figure 2 shows the results of the second review of the plain language pages.

The results of the review show some progress in the expansion and update of the existing plain language pages on the federal government's websites. Over the span of 6 years, the number of available plain language pages has increased by 10%, from 30% to 40%, based on the reviewed data. However, six (6) agencies (the Joint Chiefs of Staff, CIA, the Federal Citizen Information Center, the Federal Student Aid Information Center, the National Endowment for the Arts, and the Office of Elementary and Secondary Education) have been downgraded from "compliant" to "noncompliant" because the original 2015 page was either not found, not loading, or inaccessible. This could have happened due to a recent website update and reconfiguration that affected some of the existing pages.
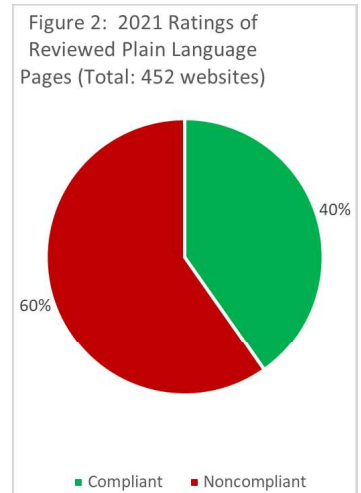
The good news is that many sites have been "upgraded" since 2015. The increase from 30% (131) to 40% (182) of sites is the result of better linking from the major agencies that maintain a centralized plain language page. These agencies link their plain language pages across affiliated agencies and subdivisions in the standardized footer. Such an approach was chosen by the Department of Defense, the Department of Labor, and the Department of Agriculture. Another approach was developing separate plain language pages, as in the case of the Federal Election Commission, the International Trade Commission, and the Occupational Safety and Health Review Commission.

From a user's perspective, information about the government's commitment to plain language should be listed together with the website's policies, notices, accessibility, security and privacy policies for easy access. Usually, such information is placed at the bottom of the homepage and then repeated on the subpages. The analysis has revealed that 44% of the sites with existing plain language pages list the link at the bottom of the homepage. 56% of the compliant sites do not provide such a link, and their plain language pages could be found only via available internal search functions. See Figure 3 below.

Figure 2: 2021 Ratings of Reviewed Plain Language Pages (Total: 452 websites)

- Compliant
- Noncompliant

Figure 3. Percentage of Websites that Link the Plain Language Pages from the Homepage

- PL sections linked through the main page
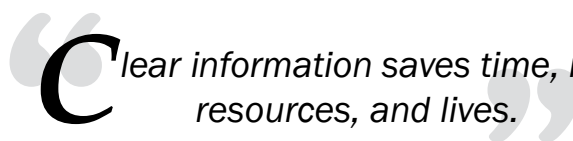- Pl sections not linked (found via search functions)

In the examined body of the compliant sites, some agencies exhibit an exceptional commitment to providing resources to the general public.

Exemplar Cases: Lessons Learned from the Leaders

Some of the results were surprising given the history of the development of plain language resources in the United States. For example, the Federal Aviation Administration did not have a specific page with the required information although, as an agency, it has always been a leader of the plain language movement and has created and maintained plainlanguage.gov with extensive resources on plain language. Another major player, the Federal Trade Commission (FTC), offers lots of plain language resources on its website, including guidelines on how to write clear privacy notices and warranties, but not a designated page with reports and a contact person. Other non-compliant federal agencies include

- Equal Employment Opportunity Commission,
- Copyright Office,
- CIA,
- DEA,
- Economic Development Administration,
- FBI,
- Government Accountability Office,
- Internal Revenue Service (IRS),
- Medicaid and CHIP Payment and Access Commission,
- National Council on Disability,
- National Flood Insurance Program (NFIP),
- National Health Information Center (NHIC),
- National Highway Traffic Safety Administration (NHTSA),
- Office of Compliance,
- Office of Elementary and Secondary Education (OESE),
- Office of Refugee Resettlement,
- Supreme Court of the United States,
- U.S. Immigration and Customs Enforcement (ICE), and
- Postal Service (USPS), just to name a sampling.

These offices, and many others, provide essential services to the diverse population of the U.S. and are expected to deliver clear information to the general public.

> *"Clear information saves time, money, resources, and lives."*

Nevertheless, over the past 10 years, some agencies have developed exemplary plain language pages and resources, some of which we showcase in this article. In addition to information about the Plain Writing Act of 2010, names of contact persons, and compliance reports, these agencies provide links to external resources, examples, style guides, videos, and training materials for anyone interested in plain language:
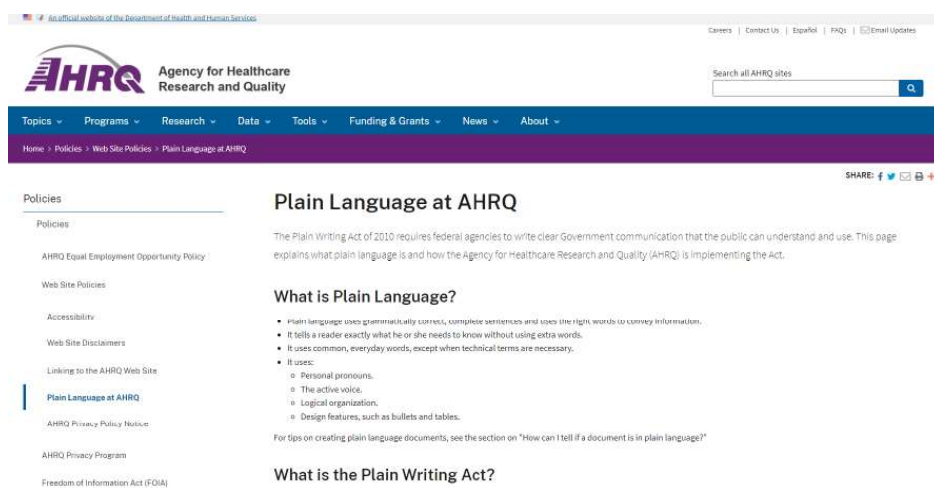
Agency for Healthcare Research and Quality (AHRQ)

The Agency for Healthcare Research and Quality is part of the Department of Health and Human Services (DHHS), which has its own centralized plain language page. At the same time, AHRQ has developed its own compliance page, linked from the homepage, with extensive plain language resources that the agency has written in plain language (Figure 4).

Figure 4.
Plain Language page of the Agency for Healthcare Research and Quality (AHRQ)

The page contains links to external tutorials and training sessions, as well as toolkits and guides. Thus, the agency has gone well above and beyond what was required by the Plain Writing Act of 2010.

National Archives (NARA)

The National Archives, the winner of the 2011 ClearMark Awards, is the true leader of the plain language movement in the United States. The agency has received awards for its website and proudly displays its Federal Plain Language Report Cards since 2012. The plain language page of the site, accessible via its homepage, is an exceptional resource written and designed in plain language. The page contains tips, checklists, guides, examples, toolkits for managers and supervisors, and links for webinars. In addition, the agency posts comments it

Figure 5.
Plain Language page of the National Archives (NARA)

has received from Archives.gov Feedback, which shows the agency's dedication to responding to users' needs (Figure 5).

The agency truly wants to engage with the users of the site and makes this task a priority by inviting suggestions from the users in the section "How You Can Help" listed at the top of the page. The National Archives' plain language efforts are truly remarkable.

Department of Agriculture (USDA)

The Department of Agriculture is another leader in the way it responds to the Plain Writing Act of 2010. The agency maintains a well-developed plain language page with numerous resources, including training guides, tips, and links to other agencies' resources. It also references the Federal Plain Language Report Card to signal its willing participation and effort to comply with the new law (Figure 6).

One of the notable achievements of the agency is its centralized approach to linking its plain language page on the sites of the affiliated agencies. The agency has added the link to the page in the vertical centralized navigation bar at the bottom of the page that appears on many affiliated sites. Such an approach to information distribution has significantly contributed to the overall 10% increase in the availability of plain language pages across different federal agencies.

Figure 6.
Plain Language page of the Department of Agriculture (USDA)

Department of Defense (DOD)

Similar to the Department of Agriculture, the Department of Defense has made sure that its affiliated agencies and subdivisions clearly show the link to the plain language page from their sites. The plain language page is part of the global navigation structure that is repeated through the system of DOD sites. The page provides many useful resources including style guides, document review forms, examples, slides, and video materials (Figure 7).

The agency has a consistent web navigation strategy that leads to better compliance as about 20% of all sites (80) that link the plain language pages through centralized sites come from the DOD.
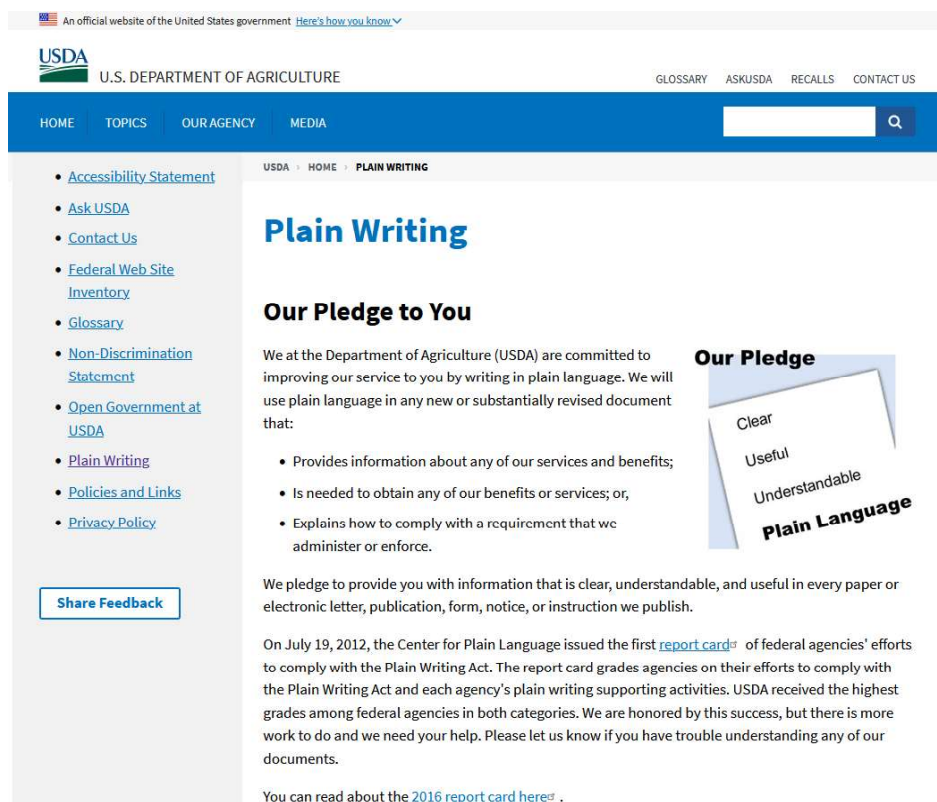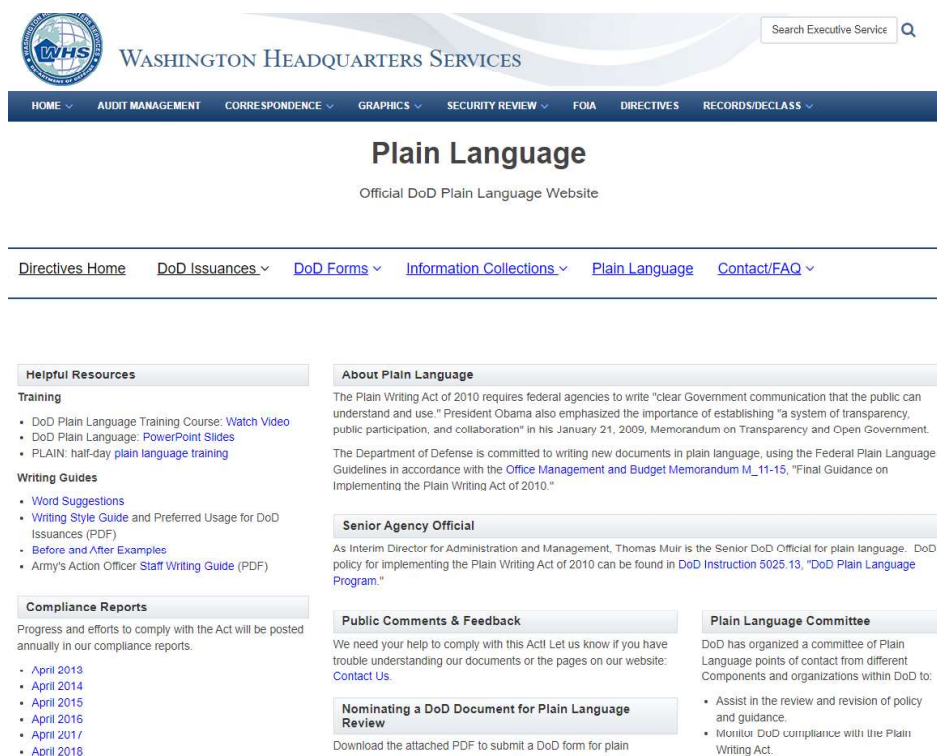

Figure 7.
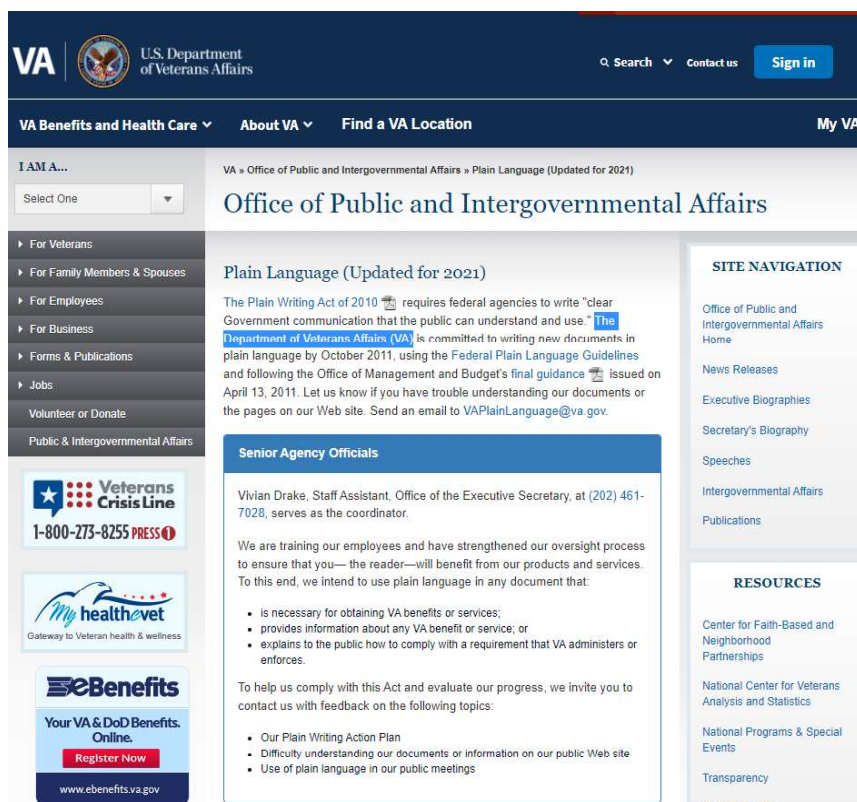*Plain Language page of the Department of Defense (DOD)*

Figure 8.
Plain Language page of the Department of Veterans Affairs (VA)

Department of Veterans Affairs (VA)

The Department of Veterans Affairs updated its site in 2021 and features a variety of resources including links to external training, examples, tips, and tools in addition to the compliance reports, a link to the new law, and the contact person's information. Similar to the National Archives, the agency asks for users' feedback on the documents that the department produces. The agency shows real commitment to providing its customers with clear information (Figure 8).

Recommendations

With some exceptions, major U.S. federal agencies that provide essential services to the public, such as health, food, shelter, education, security, and transportation comply with the Plain Writing Act of 2010 by setting up basic pages with compliance reports, information on the new law, and a point of contact. However, the majority of affiliated agencies within larger structures or separate entities do not contain links to the existing resources available through the centralized sites. Hence, based on the reviewed data for this study, 60% of the listed agencies are not compliant with the Act.

The Department of Veterans Affairs updated its site in 2021 and features a variety of resources including links to external training, examples, tips, and tools in addition to the compliance reports, a link to the new law, and the contact person's information. Similar to the National Archives, the agency asks for users' feedback on the documents that the department produces. The agency shows real commitment to providing its customers with clear information (Figure 8).

To ensure compliance, each federal entity should do the following.

- Provide a clear link to its plain language page from its main page or link to the one that was developed and is maintained by a major agency.
- Provide a variety of resources to the general public and employees, including videos, style guides, links to legal documents, and before-and-after examples.
- Periodically update its plain language page for completeness and accuracy (provide all compliance reports, remove broken links, etc.).

Government communications in the vast majority of cases inform the public about available services and present a call to action. If regular people can understand what they need to do, they will have fewer questions and be able to apply for the benefits and services they need. Clear information saves time, money, resources, and lives. It is important to keep plain language efforts alive within government communications. The current study aims to increase plain language compliance by reviewing current efforts and highlighting exemplary cases. Through this lens, plain language is seen as a normal occurrence and not an expectation.

Moving towards plain legal language in Armenia

Anush Sukiasyan, *Armenia*

Context

The plain legal language movement is expanding year after year. More and more countries are using it to find new ways to simplify language and help the public make informed decisions. In the early days of the movement it was focused on making legal documents reader-friendly. In recent years it has developed into so much more. There are now courses available for plain legal language. Businesses are using it to help re-write legal documents, understand government language, and educate the public. Armenia will benefit from being part of the plain legal language movement as it streamlines the public's understanding of complex legal documents.

Armenia: perfect place for plain legal language movement

In many parts of the world there are people within the same country who speak differently and have varying intonations. As a result, it can sometimes be a challenge for people who speak the native language to easily understand complex legal documents and records. This is magnified when people are trying to gain an understanding in countries where the native language is not their own. Armenia is a perfect example of this. Armenian is a pluricentric language with two modern standardized forms: Eastern and Western Armenian. The most distinctive difference is that the Western

> *Language is a changing phenomenon influenced by public relations, and it is obvious that jurisprudential language must be constantly reviewed, improved, and corrected.*

dialect has undergone various phonetic mergers due to the proximity of the Turkish and Arabic speaking communities. These regional differences make Armenia the perfect place for the plain legal language movement.

The journey to plain legal language: the challenges ahead

The plain legal language movement in Armenia is here to stay. As a representative of Armenia in Clarity, The International Association of Plain Legal Language, I was a pioneer in exposing the issue of plain language in Armenia. It is important to raise awareness when you see the positive impact a movement like plain legal language can have on society. I am deeply thankful to the director of the Spanish department of Armenia, Hasmik Baghdasarian, and to the translator Meri Sukiasian for their unconditional support and for considering this a good initiative. Many Armenian translators and professors described plain legal language as a simple style correction yet specialists in the linguistics field quickly knew that was not the case. Armenia is just beginning the journey to plain legal language but starting is the most important part.

Anush Sukiasyan is a founder director of ASLingoExpert, philologist and legal-judicial translator and interpreter. She currently teaches Spanish>Armenian>Spanish (ES>HY>ES) legal translation and does research in "Legal translation ES>HY>ES". Her research includes topics such as peculiarities in legal translation ES>HY>ES, main differences between legal systems of Spain and Armenia and errors of sworn translators. She is also a member of the Spanish Professional Association of Court and Sworn Interpreters and Translators (APTIJ). Anush is a pioneer in exposing the issue of plain language in Armenia, one of the founding members of Armenian Association of La Rioja, and former representative of the Armenian Community in La Rioja, Spain. She is also Clarity's country representative for Armenia.

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Looking back on history

Armenia is an old country, but only became an independent state in 1991. Despite finding independence, decades of centralized public administration did not create a favorable foundation for the development of an independent judiciary. The movement toward legally protecting the democratization of relations between the citizens and the state became the most important issue in the reform of the legal system. The turning point was the adoption of a new constitution. The Constitution of the Republic of Armenia was adopted by a national referendum on July 5, 1995. Although plain legal language is not widely discussed in Armenia, article 36.2 of the Law of the Republic of Armenia on legal acts includes a phrase that describes exactly what plain legal language is all about.

> The language of legal acts must be clear, distinct, and comprehensible. The inappropriate use of archaic and polysemantic words and expressions, figurative comparisons, allegories, exaggerations, metaphoric words or expressions, hidden subtext, as well as foreign terms shall not be allowed in legal acts. If a polysemantic word is used in a legal act, the meaning in which the word is used must be defined.

These changes were intended to prioritize uniformity and ease of understanding. They also aimed to bring legal discourse to a more rational, accessible, and literate level. The language of the legal acts was approved in 2002, but since 2018 this section no longer appears in the mentioned article 36.

> *"Armenian is a rich and flexible language, the wrong choice of a word, sentence, or punctuation mark can change the intended meaning."*

Language is a changing phenomenon influenced by public relations, and it is obvious that jurisprudential language must be constantly reviewed, improved, and corrected. It should be noted that the precise use of language standards is not enough to create clear and quality government communications. Over the years, patterns of foreign words have been used in legal acts that threaten to eliminate the linguistic norms and patterns of Armenian language. That undoubtedly makes it difficult to build a clear and understandable discourse.

Looking into the future

Language is an important instrument for the creation and expression of thought, and it must be used carefully and with responsibility. Armenian is a rich and flexible language, the wrong choice of a word, sentence, or punctuation mark can change the intended meaning. While laws surrounding linguistic rights have been created over centuries, there are still limited regulations surrounding the use of language. Plain legal language is the solution to that problem and should be on the forefront of peoples' minds for years to come. In Armenia specifically, strong efforts are needed to see the plain legal language movement build steam. As the movement grows it will continue to make a positive impact on Armenian society. And set an example for the world of what is possible.

For access to justice, plain language matters – A view from the Ontario Human Rights Commission

Patricia DeGuire, *Canada*

Introduction

> *When we do not use plain language, we can make the access to justice crisis even worse.*

Access to justice is an element of the rule of law. It is a human right required by the Constitution, and an ideal. Often, people face barriers to access to justice, which can cause unfairness and render rights useless. Writing – and working – using plain language can play a meaningful role in breaking down barriers and making the dream of access to justice a lived reality. To put it plainly – for access to justice, plain language matters.

If the average person can understand...

Language can quickly become a significant barrier for vulnerable people seeking justice in the courts, tribunals, workplaces, and other parts of our society. The language barrier affects many newcomers and other vulnerable persons across Canada whose first language is not English or French. That barrier impacts every part of their lives - employment, family, housing, finance - that the civil law intersects. Left alone, these individuals do not have the information, in plain language, to resolve their problems effectively. Often, they need assistance from a professional, such as a lawyer or paralegal. When we do not use plain language, we can make the access to justice crisis even worse.

> *If the average person can understand the language, lawyers can too.*

A colleague likes to say, "If the average person can understand the language, lawyers can too." You may ask, who is the average person, but that is a good topic for another article. We should write in plain language, the laws, forms and instructions, decisions, and all things legal so that people can understand their rights, responsibilities, and options when something goes wrong.

Patricia DeGuire is a Black woman who pushes boundaries to ensure access to justice, equality and equity. Before being appointed Chief Commissioner of the Ontario Human Rights Commission in August 2021, Patricia served as a Deputy Judge with the Ontario Superior Court of Justice and on various tribunals and boards. She is known as an impactful mediator. She has played a leading role in many equity organizations, particularly related to racism, anti-Black racism, gender equality and equity, and the wellbeing of youths. She is a constitutional law scholar, and an avid mentor and coach for young people and adults in several professions.

Ontario Human Rights Commission

Website: https://www.ohrc.on.ca/en

Twitter: https://twitter.com/OntHumanRights

Facebook: https://www.facebook.com/the.ohrc

Instagram: https://www.instagram.com/onthumanrights/

LinkedIn: https://www.linkedin.com/company/ontario-human-rights-commission/mycompany/

What is the access to justice crisis?

Canada is experiencing an access to justice crisis. Many factors contribute to the crisis, one of which is the lack of plain language in pathways for resolving everyday legal issues. Put another way, there is a social exclusion of vulnerable persons in traditional pathways. For example, by lawyers, the courts, and tribunals. We need a culture change so that new Canadians are better included or accommodated.

At the Ontario Human Rights Commission (OHRC), we see proof of the access to justice crisis in every part of our work. Mainstream conversations about access to justice still tend to focus on access to dispute resolution, courts, and tribunals. But there is more to the issue.

More and more people are forced to represent themselves at courts and tribunals, including human rights tribunals, because of barriers to obtaining legal representation. Estimates are that fifty percent of Canadians try to solve their legal problems without a lawyer or paralegal. Even though people using a lawyer or paralegal achieve better outcomes.

That estimate rises to eighty percent in family law matters.

> *Many barriers exist because of the systemic discrimination that is still part of the lived experience of many people in Canada.*

The choice is often stark: either work through your legal problem without help, or abandon your claim. This is not an acceptable situation when liberty, mental health, or family life are at stake.

Some people have cases that are not covered by legal aid and do not have the means to pay a lawyer or paralegal. Others do not qualify for legal aid based on their income, yet still do not have the means to pay a lawyer or paralegal.

Many barriers exist because of the systemic discrimination that is still part of the lived experience of many people in Canada. Systemic discrimination can be described as patterns of behaviour, organizational structure, legal framework, and policies or practices that are part of the structures of an organization or the system that create or perpetuate disadvantage based on personal characteristics.

Using Ontario as an example, people who identify with one of the seventeen personal characteristics – called grounds – protected under the province's Human Rights Code are often marginalized, have lower incomes, and face greater disadvantages than other Canadians.

Our collective responsibility is to identify and remove the barriers. One effective way is writing in plain language.

Defining a plain language approach

But what does plain language mean? It does not mean writing everything at a Grade 8 or lower level. It requires the use of simple language. This means avoiding buzz words, legal jargon, and confusing acronyms. The writer needs to identify the audience and ensure that the writing matches the life experience and education of

the readers. Plain language is about focusing the writing on the points readers need to know.

In many cases, the information can be presented in different formats to be helpful to readers who have different understandings and different reasons for seeking your materials. A good example is the OHRC's 2022 Right to Read report, which presented findings and recommendations following its inquiry into the human rights issues affecting students facing challenges in how they learn to read.

The 500-plus page Right to Read report presented detailed information critical to Ontario's Ministry of Education, school boards, and educators on the best approach to teaching students to read. The report also included many personal accounts we heard during the inquiry. While the full report was edited to achieve the plainest language possible, its size and complexity could not be distilled into language that would be effective for some readers, including many people with dyslexia or other reading disabilities.

So, the OHRC went one step further and developed a plainer-language executive summary that offered a simplified, much shorter version for students and families. Even then, we knew that people with reading disabilities might face challenges in reading what we had to say. So we also produced an audiobook version of the summary.

Plain language can bring down the barriers

Plain language can help people better learn and understand their rights and what they can do if problems arise. The OHRC does this by producing plain language brochures, YouTube videos, and other materials on key human rights protections in sexual harassment, racism, disability, and many other issues in workplaces, housing, and services. These products always include information on where people can go for help.

However, the language barrier can continue because of unclear forms, use of jargon, and correspondence that often confuses rather than clarifies. Lawyers and other advocates may understand what is needed, but since increasing numbers of people are self-represented, there is a strong risk that the reader will not. Terms like "nexus" or "inter alia" or "pursuant to" might make sense to us – but will not resonate with the public.

The need for plain language continues when preparing written decisions. Readers need to know, in the simplest terms possible, what the decision is, how you arrived at it, and what will happen next.

Most of us have spent many years honing our skills as lawyers, arbitrators, and advocates. We will always play key roles in advancing access to justice. But the best representation happens when the client is informed, engaged, and aware of their rights and obligations. Writing in plain language can help achieve these goals.

How the United States converted plain language from advice to law

Michael Blasie is the leading expert on United States plain language laws. As an Assistant Professor at Seattle University School of Law his research focuses on laws that regulate legal document design. Professor Blasie presents nationally and internationally on designing legal documents, including in India, Turkey, and Uzbekistan. Through the National Judicial College he teaches judges how to improve their writing. He also teaches lawyers. Professor Blasie spent ten years as a trial lawyer, and served as law clerk to Judge David Richman. Professor Blasie graduated from New York University School of Law and Hamilton College.

mblasie@seattleu.edu

1 For all the details and a description of the methodology see Michael Blasie, *United States Plain Language Laws: The Laws Revolutionizing Transactional and Governmental Document Design* (Wolters Kluwer 2022), available at https://law-store.wolterskluwer.com/s/product/us-plain-language-laws-vitallaw-3r/01t4R00000P3sNZQAZ.

Michael Blasie, *United States*

I. Introduction

After two years of research, I completed the first national survey of United States plain language laws. My goal was to determine how many of these laws exist, what they cover, and what they require.[1] Here is what I found.

> *"The United States has at least 768 plain language laws. [...] The oldest plain language law was from 1851."*

II. United States Plain Language Laws

How many laws are there? The United States has at least 768 plain language laws. Although there was a surge in plain language laws during the consumer protection movement of the 1960s and 1970s, lawmakers have turned to plain language for over a century. The oldest plain language law was from 1851. Several new plain language laws have been proposed or passed in 2022.

Who created the laws? All governments and branches of government use plain language in lawmaking. United States laws can come from fifty-two different governments: each of the fifty states, the District of Columbia (the country's capital), and a national government. All of them have plain language laws. About ninety-five percent comes from states or the District of Columbia, and five percent from the national government. Some governments created as many as sixty-six laws, others as few as two.

The laws come from all three branches of government. Each United States government has three branches: the executive branch, the legislative branch, and the judicial branch. All three can make different kinds of laws. The executive branch creates regulations. The legislative branch creates statutes. The judicial branch creates court rules and judicial opinions. Another kind of law is a constitution, which can come from a variety of sources depending on where you are in the United States. My research focused primarily on constitutions, regulations, statutes, and court rules.

What kinds of documents do the laws cover? United States plain language laws cover documents drafted by lawyers and non-lawyers, businesses and individuals, and all three branches of government. The documents include loans and leases, insurance policies, marriage contracts, electricity company notices, election ballots, government reports, court notices, and much more. About seventy-five percent cover documents drafted by lawyers or individuals in the private sector. Twenty-five percent cover documents drafted by government employees. In total, the laws cover fifteen categories of documents.

Category	Number of Plain Language Laws
Consumer Protection	507
Executive Function	105
Judicial Function	53
Housing and Property	43
Healthcare	38
Lawmaking Function	33
Corporate and Financial Disclosures	31
Individual Consents and Waivers	16
Commercial Contracts	13
Litigation	13
Local Government Function	11
Wildlife Records	5
Environment	4
Employment	3
All-Government	2

Coverage varies dramatically. Some laws are specific, like those targeting frozen dessert labels or tobacco farming contracts. Others are broad, like those covering consumer contracts worth up to $50,000 or every law a legislature passes. Interestingly, no two governments within the United States have identical approaches to plain language laws. For example, no two states require plain language in the same group of documents.

III. A Legal Definition of Plain Language

Another variation is how each plain language law defines plain language. Many of these laws are intricate, but they generally apply one of four standards.

Descriptive Standard: Descriptive Standards describe the resulting document without describing how to achieve the result. They might require a document to use "plain language," use "plain English," or be "understandable by a person of average intelligence and education." But beyond these abstract terms or phrases, the laws do not specify how to achieve these results.

Readability Standard: Readability Standards require a document to satisfy readability tests either imported from linguistics or defined in the statute. For example, a Readability Standard might require a minimum score on the Flesch Reading Ease Test, which scores a document on a 0 to 100 scale based on the number of syllables in words and the number of words in a sentence.

Features Standard: Features Standards require using or avoiding specific writing features that affect a document's structure, design, or language. For example, a

Features Standard might require a table of contents and headers, while prohibiting Latin terms, double negatives, or lengthy sentences.

Hybrid Standard: Hybrid Standards combine a Readability Standard with a Features Standard, or offer a choice between the two.

Here is the frequency of each kind of standard:

Standard	Number of Plain Language Laws
Descriptive	609
Readability	71
Hybrid	43
Features	41

Interestingly, my research revealed significant variations among standards. While one region of the United States applies a Descriptive Standard to a document, another region might apply a Features Standard to the same document. Such differences present unique challenges for companies that do business in many regions. Even within the same region, the same lawmaker often deploys different standards. For example, a state might apply a Readability Standard to one kind of insurance policy and a Hybrid Standard to another kind.

> *Lawmakers face unique challenges in defining plain language. [...] Complicating matters, a "plain language" law might not follow, or might even conflict with, the plain language community's definition of plain language.*

Lawmakers face unique challenges in defining plain language. A vague definition grants drafters more flexibility and creativity, but lacks predictability, may cause inconsistent application, and grants courts discretion on how to interpret the law. A concrete and specific definition offers consistency and predictability, but perhaps at the expense of inefficiency or ineffectiveness and no flexibility to account for context, audience, changes in how we understand language, adaptation to electronic documents, or new knowledge from the plain language community. Complicating matters, a "plain language" law might not follow, or might even conflict with, the plain language community's definition of plain language.

IV. Conclusion

The plain language community advocates voluntary adoption of plain language and is moving towards a consensus on what embodies plain language. Whether the community supports plain language laws remains an open issue. Should we have such laws and, if so, which documents should they cover? What should these laws require? Should they apply penalties? These are big questions in need of discussion.

I hope my research helps start that discussion. I am already in the process of updating the research and hope to do so regularly in the online book[2] referenced in the footnotes. While not updated, the original research[3] from 2020 is free online. I encourage others to create similar compilations for their countries, think about the methodology to find these laws, and consider what terms to use when discussing the design of these laws.

2 Michael Blasie, *United States Plain Language Laws: The Laws Revolutionizing Transactional and Governmental Document Design* (Wolters Kluwer 2022), available at https://law-store.wolterskluwer.com/s/product/us-plain-language-laws-vitallaw-3r/01t4R00000P3sNZQAZ

3 Michael Blasie, The Rise of Plain Language Laws, 76 U. of Miami L. Rev. 447 (2021), available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3941564

Recent plain language developments in Canada

Cheryl Stephens, *Canada*

Many plain language programs are underway or have been completed in the 21st century. I offer a few exemplary programs here. One prominent development is the navigator system.

Most jurisdictions in Canada distinguish the delivery of legal information from legal advice for the purpose of deciding who can deliver it:

- Legal information explains the law and legal system in plain language and various organizations have delivered plain-language information to the public for decades.
- Legal advice applies the law to a specific case or situation and can be given only by a licensed lawyer.
- Navigators provide legal information, but not legal advice to clients.

Canada's federal government

Navigator Projects

A federal government report[1] identified 27 navigator programs across Canada. A navigator offers individuals legal information and support throughout processes in the justice system.

> *It offers unrepresented appellants a navigator who will guide them through their appeal process, help with preparation for the hearing, and answer other questions related to the appeal.*

The programs serve many demographics (including Indigenous) and types of cases (small claims court), and specialized programs (family court) that offer support for specific demographics (victims of domestic violence).

National Self-Represented Litigant Project (NSRLP)

A significant program for access to justice and clear information is the NSRLP[2] which operates across Canada.

After 6 years of practicing law, **Cheryl Stephens** found her calling as an educator, trainer, and consultant in legal communications and marketing. For more than 30 years, she has been writing, speaking, and teaching about plain language, helping clients to become more successful communicators using plain language principles. Cheryl is the author of several articles and books, including *Plain Language Legal Writing*, and *Plain Language In Plain English*. Her latest book, *The Foundations of Clear Communication*, will be published in fall 2023.

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1 https://www.justice.gc.ca/eng/rp-pr/jr/npc-pac/index.html

2 https://representingyourselfcanada.com

Social Security Tribunal (SST)

The SST is committed to providing access to justice and client service through plain language in all its programs.

The Social Security Tribunal also has a navigator program. It offers unrepresented appellants a navigator who will guide them through their appeal process, help with preparation for the hearing, and answer other questions related to the appeal. Navigators within this program cannot provide legal advice or go to the actual tribunal hearing with the appellant.

The SST's several plain language initiatives have resulted in high client satisfaction rates. These initiatives include:

- An updated website with plain language explanations and infographics
- Training for staff and adjudicators
- A glossary of legal terms in plain language
- Forms and letters and procedures rewritten in plain language
- Rules of procedure written in plain language, a first for a Canadian federal administrative tribunal
- An ongoing evaluation of plain language decision-writing to improve accessibility for clients.
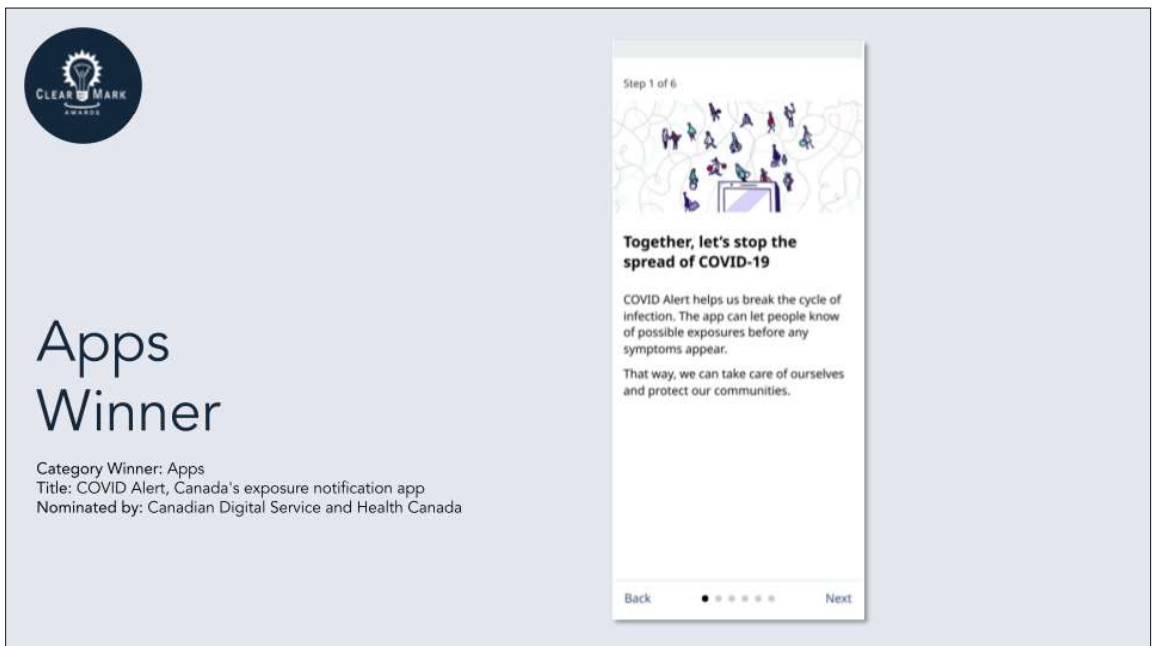
2021 ClearMark category winner

PLAIN Canada Clair

Plain Canada Clair's Third Year

Plain Canada Clair started as an informal network on LinkedIn[3] and are now an organization with bylaws and a bank account. It is set to grow and promote the growth of plain language writing and design in Canada. Our newsletter is available in both French and English as are our social media and web resources.

In October, the first annual conference was online in both French and English. It was a participatory conference with registrants helping plan the program.

3 https://www.linkedin.com/groups/12301364/

We held several professional development sessions in French and English. The topics included

- communicating change
- using plain language design principles when developing charts, graphs, and tables
- understanding how to protect your online reputation.

Isabelle Ladouceur-Seguin explained how linguistic conservatism in written French impacts using plain language in French.

In the provinces

British Columbia

Amici Curiae[4] *Friends of Court* is a non-profit charity similar to the navigator programs. I volunteer on their communications and training projects. The program helps with filing court forms and preparing individuals for court. This can involve a navigator at court with the litigant or providing information on what to expect in court. British Columbia also has a *Family Justice Pathfinder*[5] program.

> *A Solution Explorer tool asks questions about the case and provides customized legal information and options based on answers provided, which may help clients resolve legal issues on their own.*

British Columbia also has several online navigator programs. The Civil Resolution Tribunal[6] offers legal assistance with vehicle accidents and small claims cases. A Solution Explorer[7] tool asks questions about the case and provides customized legal information and options based on answers provided, which may help clients resolve legal issues on their own. Other programs such as AskJES delivered by the Justice Education Society offer general legal and family law information online (AskJES [Justice Education Society][8]).
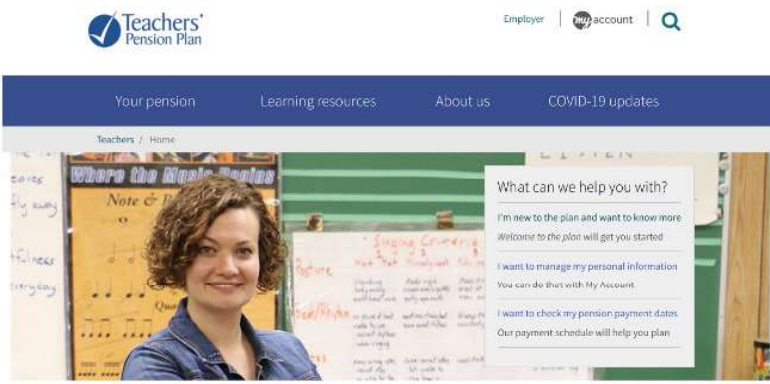
4 https://www.legalformsbc.ca/about-acfs.html#/

5 https://accesstojusticebc.ca/family-justice-pathfinder/

6 https://civilresolutionbc.ca/about-the-crt/

7 https://civilresolutionbc.ca/solution-explorer/

8 https://www.legalhelpbc.ca/ask-jes-legal-help-services

2022 ClearMark category winner

City of London, Ontario

Many municipalities are recognizing the importance of plain language in the documents used both by staff and the public, including their zoning by-laws. In London, Ontario, the municipality has chosen a team to develop a new, comprehensive zoning by-law[9] that is unique among the highly technical, complex regulations we are used to. The City wanted an innovative zoning by-law that functions as a tool to improve the administration, presentation, ease of interpretation, and accessibility of land use regulations in the city. Plain language is a core part of the team's approach to meeting this challenge - from the words that are used, to its design and organization.

Quebec

2021 ClearMark category winner

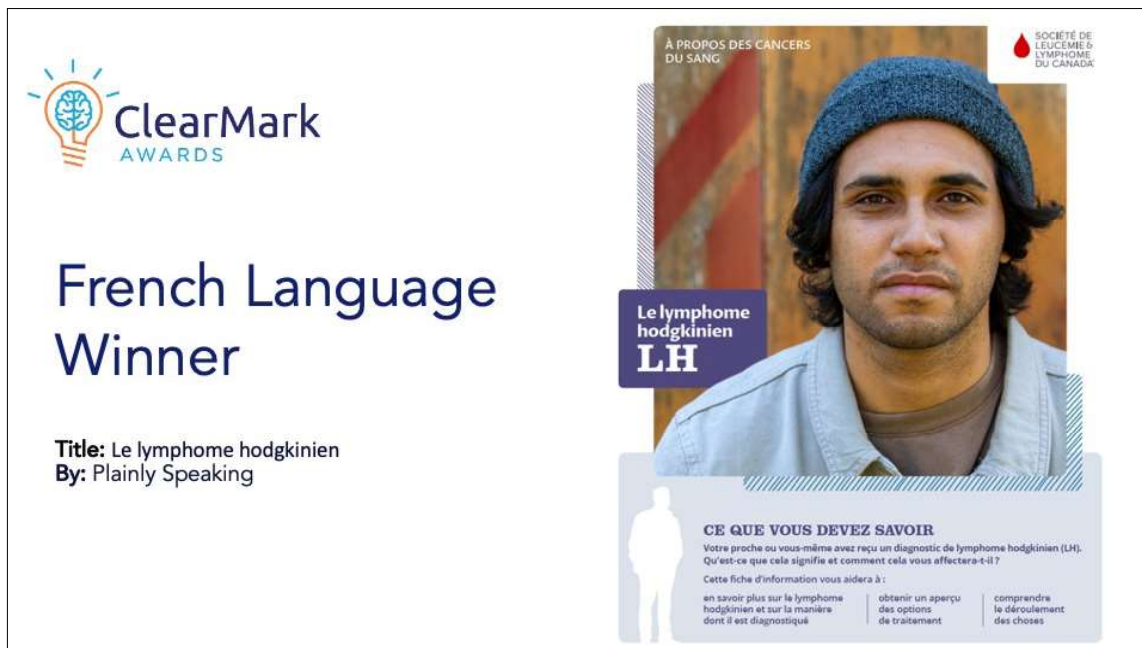*2020 ClearMark category winner Before & After— Digital: Autrement dit*
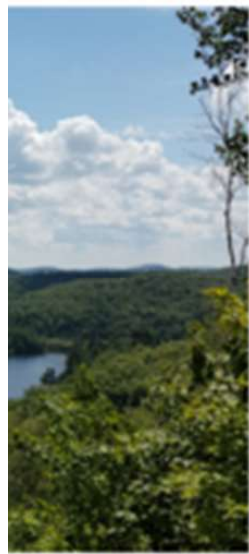
2022 ClearMark category winner

Alberta

The Legal Services Division (LSD) of Alberta Justice and Solicitor General launched a training program. Three workshops provided plain language training for:

- paralegals, legal assistants and other support staff;
- lawyers; and,
- lawyers who had taken a writing workshop before.

Taking plain language beyond the written words

The legal navigators in Canada are great examples of taking plain language beyond the written words. Plain language is about more than understandable writing. It's about making information accessible and usable by those who need it. Here in Canada we enjoy learning from our colleagues around the world and applauding our plain language achievements at home.

Join us!

ARGENTINA
September 27-29

Clarity Sessions

PLAIN Conference 2023

01 Welcome
– *Julie Clement & Mariano Vitetta*

02 Writing for Dollars, Writing to Please:
second edition – *Joseph Kimble*
Enhancing quality through clarity:
the power of the ISO plain language
standard – *Angelika Vaasa*

03 Plain legal language as a tool to build a
bridge between the insurer and the client
– *Sarah Slabbert*
Making legal information work for users:
integrating proactive law with legal design
– *Helena Haapio*

04 Plain legal writing and drafting – ISO part 2
– *Julie Clement*

Is legal terminology forbidden in plain
language? – *Mariano Vitetta*

05 Clarity's 40th anniversary celebration
– *Evening event for Clarity members*

lenguaje claro uba DERECHO

PLAIN **Plain Language Association International**