

From gibberish to clarity: combining plain language and legal design for better communication and greater impact



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Legal Design aims to make the law more accessible and human-friendly, with plain language and legal information design playing a central role. This article explores the interplay between these two components and their impact on reducing cognitive load for users.

Law as communication

Law can be considered as a particular type of communication. Law communicates what is “legal” or “illegal”, in other words, what “ought to be” or what “ought not to be”. This communication produces trust and predictability in society, helping people to plan their future and prepare for risks in an otherwise unpredictable world. Predictability also supports the realization of aims and objectives that are considered valuable in society, such as protecting the vulnerable or enabling sustainable growth.

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In addition to upholding normative expectations, law can also serve as an instrument for change. By designing policies, enforcing new rules, and entering into contracts, public and private actors can co-regulate, set goals, and guide behavior. This transformative aspect of law is particularly important in the context of promoting sustainability. Transformative law seeks not only to maintain order but also to drive progress by addressing systemic issues and encouraging better practices. Through this lens, law becomes a tool for achieving societal change and improvement.

Just like any human communication, law depends on the use of language. And just like any human communication, law can succeed in conveying its message only if that language is understandable, accessible, and functionally effective.

By default, law takes the form of written language. That is, legal texts written by lawyers, typically for other lawyers to read. Considering the purpose of legal communication in producing predictability and support for desirable behaviors,

this traditional approach to legal communication doesn't seem fit. Legal Design, an emerging interdisciplinary approach to law, and a movement, is on a quest to change this.¹

Improving legal communication by design

Legal Design can be considered an umbrella term for different ways to apply design thinking and doing in the context of law. Therefore, there can be various ways to understand and practice Legal Design. In this Special Issue we focus on legal information design, which refers to making the user-interface of legal information, such as regulatory texts, legal documents, and contracts, more understandable and accessible by information design principles and practices.

However, Legal Design can also be about designing the content of the legal information to be more rational, acceptable, and fit for purpose for the needs of the users and society, particularly by using participatory design methods.² Further, it can encompass everything in between, from creating better court services to developing apps that help access to and use of legal information. Despite their different emphases, however, all Legal Design approaches aim at improving the communication-based legal system as well as legal instruments to better serve people, businesses, and organizations.

“Legal information design and plain (legal) language ultimately share the same goal.”

Legal Design builds on many knowledge traditions that share the same understanding of how law should work. Legal Design integrates ideas from Proactive Law, Law and Strategy, socio-legal research, and access to justice. There are many common denominators for these approaches in the context of Legal Design: human-centricity instead of legal centricity; promoting goals and preventing problems, instead of merely resolving conflict and minimizing risk; and engaging and serving a wide audience instead of only lawyers. As the focus in design discourse has recently started to shift from designing for humans to designing for the entire ecosystem of humanity,³ the Legal Design approach can be expected to increasingly draw from theories of sustainability law, transformative law, and rights of nature. Regarding its theoretical background, Legal Design has particular potential in supporting the achievement of the sustainable development goals.

Considering that law is essentially communication, it is only logical that also improving law happens by improving that communication. Therefore, different approaches that aim at developing the way legal information is produced and presented form the methodological foundation of Legal Design.

Between language and design

Of the areas of Legal Design introduced above, plain language is perhaps most often discussed in connection with legal information design. This is not surprising since legal information design and plain (legal) language ultimately share the same goal: to reduce the users' cognitive load and allow users to process information more efficiently. There is, in fact, so much overlap between the two that one is often regarded as a subcategory of the other. Interestingly, the categorization is done both ways: many Legal Design practitioners and scholars view plain language as one of the useful tools in the larger legal information design tool kit. The same is true for



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1 Michael Doherty, Marcelo Corrales Compagnucci, Helena Haapio and Margaret Hagan, "A new attitude to law's empire: the potentialities of legal design", in Marcelo Corrales Compagnucci, Helena Haapio, Margaret Hagan and Michael Doherty (eds), *Legal Design. Integrating Business, Design and Legal Thinking with Technology*, Edward Elgar Publishing 2021, <https://doi.org/10.4337/9781839107269.00008>.

2 Nina Toivonen and Santiago de Francisco Vela, "Exploring the dimensions of participation in legal design", in Rossana Ducato, Alain Strowel and Enguerrand Marique (eds), *Design(s) for Law*, Ledizioni 2024, <https://zenodo.org/doi/10.5281/zenodo.10829514>.

3 Don Norman, *Design for a Better World. Meaningful, Sustainable, Humanity Centered*, The MIT Press 2023.



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4 Hilja Autto, Helena Haapio and Jouko Nuottila, "Contracts rethought and redesigned: A new era with AI". *Journal of Strategic Contracting and Negotiation*, OnlineFirst 14 August 2024, <https://doi.org/10.4337/9781839107269.00008>. See also Marcelo Corrales Compagnucci, Helena Haapio and Mark Fenwick, "The many layers and dimensions of contract design", in Marcelo Corrales Compagnucci, Helena Haapio and Mark Fenwick (eds), *Research Handbook on Contract Design*, Edward Elgar Publishing 2022, <https://doi.org/10.4337/9781839102288.00009>.

5 Available at <https://www.simplificationcentre.org.uk/resources/technical-papers>.

6 ISO 24495-1:2023. Plain language – Part 1: Governing principles and guidelines.

Contract Design. For instance, Autto, Haapio and Nuottila⁴ build on the categories of clear documents introduced by Rob Waller and the Simplification Centre in several reports⁵: *content*, *language*, *structure*, and *presentation* (document design), with plain language as the recommended standard for the language dimension. Discussion around plain language, on the other hand, often describes information design as a basic step in the process of producing plain language texts (see, for instance, sections 5.2.2–5.2.4 of the ISO Plain Language standard⁶).

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Both of these views are justified. The different viewpoints reflect, perhaps, disciplinary differences and different traditions of thinking. Yet, both views emphasize the importance of joint efforts: in order to get the most understandable and accessible results, content expertise needs to be complemented by both language expertise and design expertise. User engagement, too, requires both: we need design to create documents that capture the users' attention, but we need plain language to keep the users' attention. The integration of plain legal language and information design creates a synergy that enhances the clarity, accessibility, and usability of legal or legally relevant documents. By working together, they make the law more comprehensible and approachable for everyone, ultimately supporting a more equitable and efficient society and legal system.

From gibberish to clarity: How generative AI can transform legal communication

There are many words and metaphors used to describe bad legal language – many more than there are for good legal language. Contract templates and boilerplate are notorious for containing particularly hard-to-read, downright bad language. “Alien vomit” is a catchy term that Professors Choi and Gulati and their co-authors use for such language in their recent article.⁷

As readers and writers grapple with the pervasive problem of “alien vomit” – the dense, convoluted language that plagues many contracts and legal documents – generative AI offers a promising solution for transforming this gibberish into clear, actionable communication. A good example in this area is Open AI's Generative Pre-trained Transformer (GPT) technology, which has been used to help both readers and writers. On the reading side, Yonathan Arbel and Samuel Becher were among the first to explore what they called “smart readers”, AI-powered tools that can read, evaluate, simplify, personalize and benchmark contracts, disclosures, and privacy policies – for example, reading complex text and explaining the content in plain language to people who do not “speak legalese”. With a smart reader, anyone can pick up their phone, scan any contract clause and click “explain”. The smart reader then responds with a concise, personalized summary. In their 2021 article,⁸ Arbel and Becher provide several examples of contract clauses with summaries and explanations generated by GPT-3.

Since then, new versions of GPTs have been released. They can now help convert text to speech, allowing users to listen to the text like an audiobook. And you can now talk to them when you do not want to type. Early on, we asked the question: If anyone can easily get and use such tools to clarify the language of complex documents, why

should readers do the work and get smart readers? What if we, as writers, did the work for them?

Example: Clarifying the ILO Minimum Age Convention with ChatGPT 4o

With OpenAI’s GPT Builder, it is now possible for anyone to build their own GPT reading or writing assistant. We have done so and have written elsewhere about our homemade AI assistants *Chattable Contract Companion* and *Finance Friend*.⁹ Suffice it to say that we were amazed at what you can do without knowing how to code. These assistants are actually capable of “understanding” and producing human-like text, translating legalese into everyday language, answering questions about complex text, and many other things that can play a critical role in streamlining and improving legal language for greater understanding and utility. Perhaps most promising for the theme of this Special Issue on Legal Design is the fact that these tools can help not only with content and language but also with structure and design.

In order to demonstrate this, we requested OpenAI’s ChatGPT 4o to help us clarify the contents of an ILO Convention. The *ILO Minimum Age Convention* sets international standards for the minimum age of employment to prevent child labor and ensure that young people are not employed in work that could be harmful to them. It does not impose direct obligations on companies but, rather, influences national legislation and business practices by requiring countries to enact laws to prevent child labor. We wanted to focus on Article 4 of the Convention, which allows for limited exclusions of certain job categories from the Convention, requires countries to report on these exclusions, and prohibits the exclusion of hazardous jobs.

The text is a typical example of unnecessarily complex jargon. We requested ChatGPT 4o to simplify it by presenting the three paragraphs of the article in a table, with the original text in the right-hand column and a plain-language explanation in the middle column. In the left-hand column, we requested an FAQ-style heading describing the paragraph. Figure 1¹⁰ shows the result.

FAQ-Style Heading	Plain-Language Explanation	Original Paragraph Text
When can certain jobs be excluded from the Convention?	The government can exclude certain jobs from this Convention if there are serious issues making it hard to apply the rules. They must talk to employers and workers before doing this.	1. In so far as necessary, the competent authority, after consultation with the organisations of employers and workers concerned, where such exist, may exclude from the application of this Convention limited categories of employment or work in respect of which special and substantial problems of application arise.
What must be reported about excluded jobs?	Countries that agree to this Convention must report any excluded job categories in their first report, explain why they are excluded, and update on their status in later reports.	2. Each Member which ratifies this Convention shall list in its first report on the application of the Convention submitted under article 22 of the Constitution of the International Labour Organisation any categories which may have been excluded in pursuance of paragraph 1 of this Article, giving the reasons for such exclusion, and shall state in subsequent reports the position of its law and practice in respect of the categories excluded and the extent to which effect has been given or is proposed to be given to the Convention in respect of such categories.
What jobs cannot be excluded?	Jobs that are harmful to children (covered by Article 3) cannot be excluded from the Convention.	3. Employment or work covered by Article 3 of this Convention shall not be excluded from the application of the Convention in pursuance of this Article.

Figure 1: An unedited AI-produced explanation table of Article 4 of the ILO Minimum Age Convention containing a layered layout and FAQ-style headings generated by ChatGPT 4o.

7 Tara Chowdhury et al., “Consequential damages: Alien vomit or intelligent design?” Virginia Public Law and Legal Theory Research Paper No. 2024-14 / Virginia Law and Economics Research Paper No. 2024-8, last updated 7 May 2024, <http://dx.doi.org/10.2139/ssrn.4709386>.

8 Yonathan A. Arbel and Samuel Becher, “Contracts in the age of smart readers”. 90 *George Washington Law Review* 83 (2022).

9 Anne Ketola, Helena Haapio and Robert de Rooy, “Chattable contracts: AI-driven access to justice”, <https://drive.google.com/file/d/1k4tyhjYS80vuj2655run69DxgUL10sCm/view>, and Nina Toivonen, Marika Salo-Lahti, Mikko Ranta and Helena Haapio, “Beyond debt: the intersection of justice, financial wellbeing and AI”, https://drive.google.com/file/d/1bAjbRC1YVwEwOf2_RqsLHElfugYXz2r/view. Papers presented at JURIX Workshop on AI and Access to Justice, 18 December 2023.

10 Produced with OpenAI's ChatGPT 4o. The following prompt was used: "I'll paste an article of the ILO Minimum Age Convention. The text is complex, so I'd like you to simplify it by doing the following: present the three paragraphs of the article in a table with the original paragraph text in the right-hand column, a plain-language explanation in the middle column, and an FAQ-style heading, describing the paragraph, in the left-hand column." The interaction with ChatGPT 4o is available at: <https://chatgpt.com/share/60949fad-aa4c-43f1-8382-5ac40be11cb1>.

11 WorldCC Foundation, Stefania Passera and Helena Haapio, "WorldCC Contract Design Pattern Library", <https://contract-design.worldcc.com/>. For layering, go to: <https://contract-design.worldcc.com/library/layering>; for FAQ-style headings, go to: <https://contract-design.worldcc.com/FAQ-headings?/>.

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In this experiment, ChatGPT 4o did what we asked it to do: in a few seconds it produced explanations of the paragraphs with question-like headings for each and placed them together with the original texts in a table – thus producing a workable first draft of plain language text and what information designers call design patterns: a layered layout and FAQ-style headings. Both of these are presented – with real-world examples – in the WorldCC Contract Design Pattern Library¹¹.

Bridging the gap to clarity and impact

AI tools hold great promise for improving the usability of legal texts. Nevertheless, they also come with significant downsides, including potential biases, privacy concerns, and the risk of misuse. We need trustworthy technology and trust-building regulations that ensure responsible design, implementation, and use of AI. By integrating plain language, thoughtful design, and the responsible use of AI, we can effectively engage diverse audiences and transform complex legal texts into communications that are relevant, findable, understandable, and actionable for all.

In the past, making complex legal texts more accessible required a lot of manual effort. Advances in AI have made it much easier to move from gibberish to clear language. While AI can provide valuable first drafts, we humans remain in charge of refining and ensuring the quality of these communications. With new tools, the combination of plain language and design is now more achievable than ever. Not only can we improve communication, we can also drive meaningful change. We can ensure that legal texts have a broader and deeper impact on society.