# What is plain language (and why do we care)?

- Plain language is communication our patrons can understand the first time they read or hear it. It is writing that is clear, concise and accurate. It is not writing that has been "dumbed down."

- The more information we can convey clearly and accurately, the fewer questions we and the court will face on the phone, at the counter, at court service centers, in court libraries and in the courtroom.

-  It is easier to translate plain language for our limited English proficient patrons.

**What is readability?**

- Readability is a form, publication or web page design that makes it easier to comprehend the words on the page.

**What are some basic plain language rules?**

1.  Never use a long word where a short one will do. Use simple words. See table of examples on the last page.

2.  If it is possible to cut a word out, always cut it out.

3.  Readers want instructions, so a direct tone – a command – is appropriate (and easier to read). For example:

    - ~~You can~~ File your complaint with the Clerk's Office.

    - ~~You may~~ Contact an attorney by calling the lawyer referral service.

4.  Resist the urge to sound formal. Try for the same tone you would use if you were speaking to the reader in person.

5.  Never use a foreign phrase, a scientific word, or a jargon word if you can think of an everyday English equivalent.

6.  Write for the reading level of our audience; aim for 6 or lower. To find the reading level in a MS Word document:

    - Click on "File," "Options," "Proofing," and check the "Show readability statistics" box.

    - When you are done writing your document, under the "Review" tab, click on "Spelling & Grammar" and click "Next Sentence" or "Ignore all" until the "Readability Statistics box appears.  The "Flesch-Kincaid Grade Level" is your reading level. [This document's level is 7].

7.  Use the active voice wherever you can instead of the passive.

    a.  For example, say

        - "You must file the application before you leave the courthouse."
    instead of,
        - "The application must be filed by you before you leave the courthouse,"

**Some basic readability rules:**

1. Put important information at the beginning:

   - of the page,

   - of the paragraph,

   - of the sentence.



Eye-tracking studies show that readers skim in an F shape, and often skip over large blocks of text.
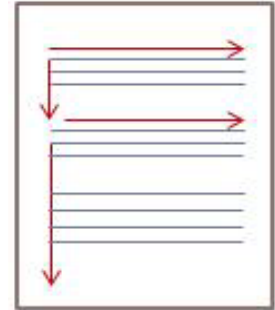
   - If you have to use difficult words, use an easier alternative first.  For example, instead of "indigent or unable to pay," use "unable to pay or indigent."

   - If you have to refer to a section of the General Statutes or the Practice Book, put the reference at the end of the sentence or paragraph.

     o For example, say

       ▪ "The court granted the defendant's accelerated rehabilitation application filed under section 54-56e of the Connecticut General Statutes."

       instead of,

       ▪ "Pursuant to C.G.S. § 54-56e, the court granted the application for accelerated rehabilitation filed by the defendant."

2. Write in columns and use bullets and numbers:

   - Columns are easier on the eyes and readers are more likely to absorb what you are trying to tell them.

   - When you write all the way across the page instead of using columns, readers have trouble keeping track of what you are trying to tell them.

     o When they get to the end of a line, it often takes some time to figure out where the next line starts.

   - Newspapers use columns and they know what they are doing.

   - Using bullets draws readers to text you want them to read.

   - Using bullets puts space between text and is easier on the eyes.

     o White space between text is a good way give the reader's eyes a break.

     o White space around text gives an uncluttered look.

3. Use **bold** or *italics* or ***both*** for emphasis.  AVOID USING ALL CAPITAL LETTERS. IT'S HARDER TO READ THAN REGULAR TEXT AND IS LESS LIKELY TO CONVEY WHAT YOU THINK IS REALLY IMPORTANT. Avoid using underlining, too.

4. Use headings to:

- Separate topics

- Draw attention to new topics

- Break up the page

  - Examples of headings:

    o What is plain language and why do we care?

    o What is readability?

    o Some basic readability rules and information

5. Use tables to break things up, like the table on the last page.

**Some websites with very helpful information on plain language and readability** (all last accessed on February 25, 2013)**:**

o http://www.plainlanguage.gov/index.cfm - The Plain Language Action and Information Network (PLAIN) (a group of federal employees from many different agencies and specialties who support the use of clear communication in government writing.)

o http://www.plainlanguage.gov/howto/quickreference/checklist.cfm - Document Checklist for Plain Language

o http://www.courts.state.md.us/mdatjc/pdfs/writingforsrls.pdf - *Writing for Self-Represented Litigants*, A guide for Maryland's courts and civil legal services providers.

o http://www.archives.gov/federal-register/write/legal-docs/ - Drafting Legal Documents, Office of the Federal Register, National Archives and Records Administration

**A good example of a Judicial Branch web page applying plain language and readability principles is:**

o http://www.jud.ct.gov/faq/represent.html - Representing Yourself, Frequently Asked Questions

# *And finally,* keep in mind that **Chief Justice Rogers said:**

"We're moving toward 'plain English.' In the past we've had brochures and flyers so full of 'legalese' that you needed a law degree to figure it out. Where possible, our forms and publications now use plain, everyday language that's easier for the average person to read and understand."

- The Newman Lecture on Law and Justice, reprinted in the *Connecticut Lawyer* May/June 2010.

**Use simple words.**

| Instead of using… | Use… |
|---|---|
| assist | help |
| C.G.S. § | Section … of the Connecticut General Statutes |
| commence | start, begin |
| e.g. | for example |
| expire, expiration | end |
| fail to | do not |
| for the duration of | during |
| for the reason that | because |
| hereby | |
| I., II., III., IV., V. | 1, 2, 3, 4, 5 |
| i.e. | that is |
| in order to | to |
| inquire | ask |
| in the amount of | for; of |
| in the event of | if |
| is unable to | cannot |
| manner | way |
| modify | change |
| obtain | get |
| on and after July 1, 20___ | after June 30, 20___ |
| on the part of | by |
| or, in the alternative | or |
| participate | take part in |
| permitted | allowed |
| pertaining to | about, of |
| portion | part |
| P.B. § | Section … of the Connecticut Practice Book |
| Practice Book § | Section … of the Connecticut Practice Book |
| prior to | before |
| prior | earlier |
| pro se | self-represented |
| release | give permission to |
| request | ask |
| retain | keep |
| § | section |
| / | or |
| subsequent to | after |
| such | the |
| the undersigned | I |
| until such time as | until |
| utilize | use |
| via | by |
| years of age | years old |