

Legal information abounds on the Internet: terms of use, privacy policies, accessibility policies, and more. Some web sites are all about legal issues; many provide access to legal documents.

Letting go of the words and writing in plain language are as applicable to legal information as to any other web content. Legal documents are conversations between your site visitors and your organization, just like everything else on your web site.

Accurate, sufficient, clear – You can have all three

A company's lawyers want information to be correct – accuracy. They want the information to cover the situations that might arise – sufficiency.

But, most of all, companies want people to follow the terms of use, to understand the company's policies, to not sue the company, and to not need to be sued by the company.

Clear writing makes that happen. Unclear writing contributes to problems. Clarity supports accuracy and sufficiency to achieve everyone's goals.



Do you agree that the plain language version in this example is more likely to inspire trust and make site visitors comfortable?



In the process of or following consultation of this web site, data pertaining to identified or identifiable persons may be processed.



When you use this web site, we may collect data about you or people you tell us about – for example, people to whom you are sending a gift. We may use that data to...

The plain language version is just as legal as the less understandable version. In fact, I would argue that the plain language version explains more. Therefore, it serves its legal purpose better.

In the United States, all new information from federal government agencies to the public must be in plain language: *Plain Language Act of 2010; Executive Order (for regulations), January 2011.* For requirements for plain language in other countries, see Asprey, 2010.

Avoid archaic legal language

Many words in legal information just shout, “This is legal stuff. You won’t understand it.” That’s because they aren’t part of regular English anymore.


“Heretofore,” “the said example,” “to wit,” and many other words and phrases that we see only in legal documents were plain language hundreds of years ago. People actually talked that way, so reading those words was easy for people – then.

Language changes over time. Words come into the language. Words leave.

We don’t talk with the words in [Figure Interlude 4-1](#). Why use them? They don’t make the information “more legal.”

PRIVACY

Information provided pursuant to section 13 of Italian Legislative Decree No. 196 of 30 June 2003 (Personal Data Protection Code, hereinafter referred to as “P.C.”)

 You don’t need to use legal language to tell people about the law.


 The acronym “P.C.” appears only once, at the end of the page. Site visitors will likely forget what it means by then. Better to drop the “hereinafter referred to” here and just repeat the full name when it comes up again.


Figure Interlude 4-1 Words like “pursuant to” and “hereinafter” make legal information difficult for people to understand.

www.benetton.com

If the company must tell people which law requires the information, they might write that the way I show in [Figure Interlude 4-2](#).

PRIVACY

The law says that we must give you this information. (Legislative Decree No. 196, *Personal Data Protection Code*, Section 13, 30 June 2003)

 Separating the message from the citation helps make the message clear.


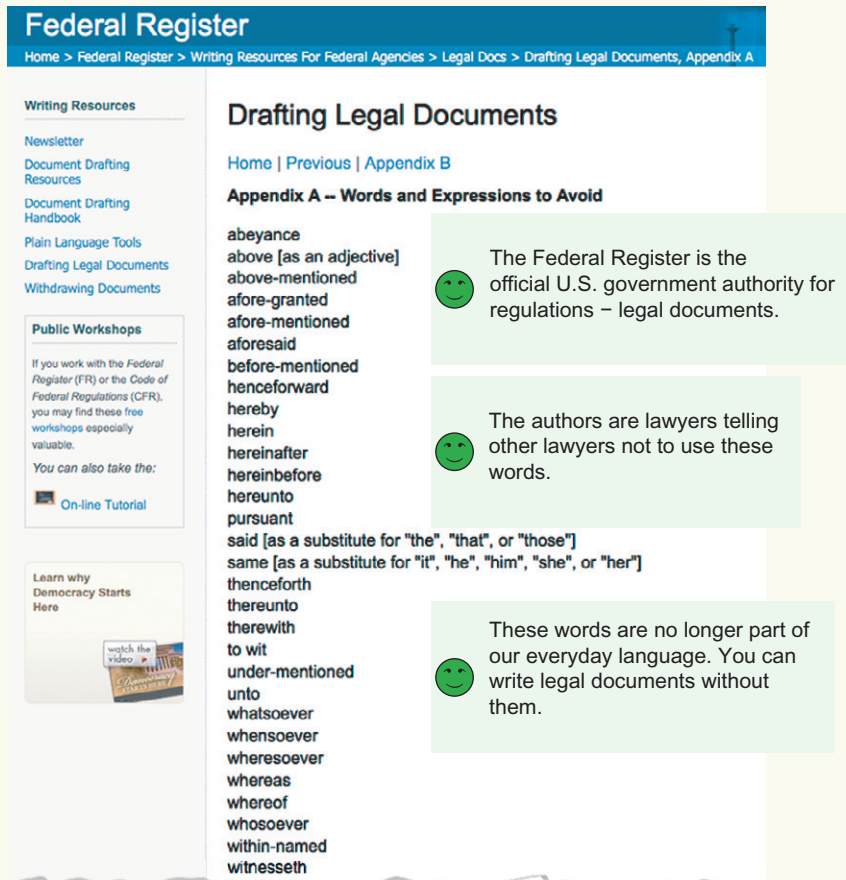
 The message is in plain language.

Figure Interlude 4-2 My suggested revision

The list in [Figure Interlude 4-3](#) from the U.S. Federal Register gives you a good start to writing with no archaic legal language.



Federal Register

Home > Federal Register > Writing Resources For Federal Agencies > Legal Docs > Drafting Legal Documents, Appendix A

Drafting Legal Documents

Home | Previous | Appendix B

Appendix A – Words and Expressions to Avoid

abeyance
above [as an adjective]
above-mentioned
afore-granted
afore-mentioned
aforesaid
before-mentioned
henceforward
hereby
herein
hereinafter
hereinbefore
hereunto
pursuant
said [as a substitute for "the", "that", or "those"]
same [as a substitute for "it", "he", "him", "she", or "her"]
thenceforth
thereunto
therewith
to wit
under-mentioned
unto
whatsoever
whensoever
wheresoever
whereas
whereof
whosoever
within-named
witnesseth

The Federal Register is the official U.S. government authority for regulations – legal documents.

The authors are lawyers telling other lawyers not to use these words.




These words are no longer part of our everyday language. You can write legal documents without them.

Figure Interlude 4-3 Words like these make legal documents difficult for your site visitors to understand.

www.archives.gov/federal-register/write/legal-docs/appendix-a.html

Avoid technical jargon

You can also explain technical information clearly in your legal notices.

-  We collect information to analyze our traffic patterns.
-  We gather information about how visitors navigate through our web site by using clickstream data.
-  We collect information to understand how people use our web site.

Words like “traffic patterns,” “navigate,” and “clickstream data” may be everyday language to you. But they aren’t to most of your site visitors. Think about your personas.

Use site visitors' words in headings

Headings help in legal information, just as they do in any content. All the guidelines from Chapter 9 on headings apply to your privacy policies, terms of use, and other legal information. Questions and statements are just as legal as noun-based headings. [Figure Interlude 4-4](#) shows you the headings that American Express uses.

Thanks to Carolyn Boccella Bagin, the plain language specialist who worked with American Express on this. And thanks to others who answered my request for examples.

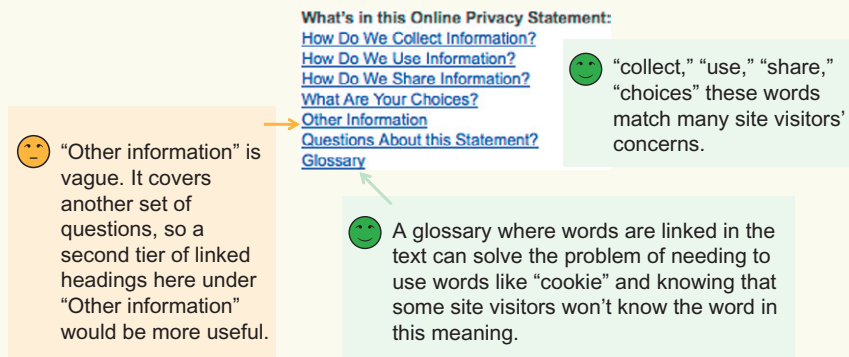


Figure Interlude 4-4 If you use your site visitors' words in the headings, site visitors are more likely to read your legal information.

www.americanexpress.com

Follow the rest of this book, too

All the guidelines for clear content apply to legal information.

You can use

- personal pronouns
- very short sections with a heading over each
- short, active sentences
- lists
- tables
- examples

For more on plain legal language, see the web sites of

- Clarity – www.clarity-international.net
- Center for Plain Language – www.centerforplainlanguage.org
- Plain Language Action and Information Network (U.S.) – www.plainlanguage.gov
- PLAIN Network International – www.plainlanguagenetwork.org

Case Study 4-1

Putting it all together

You may find this model privacy policy useful. With it, I show how you can have a successful conversation with your site visitors even about highly technical and legal matters.

Of course, you may need to modify the information based on the facts for your web site or app. You may need to add other information to cover situations that are special for your site or app. If you do, write in the same style – friendly, personal, clear, and also legal.

Our Privacy Policy

Updated: [date]

[Does \[...\] collect personal information about me?](#)

[What does \[...\] do with my personal information?](#)

[Does \[...\] share my information?](#)

[Does \[...\] store information on my computer? \("cookies"\)](#)

[Does \[...\] collect information about children under 13?](#)

[What if I have other questions?](#)

Does [...] collect personal information about me?

If you are just browsing our web site, we do not collect any personal information about you.

We may ask you for and collect personal information, such as your name, email address, postal address, phone number, and possibly credit card information, when you

- order something on our web site, by phone, or in one of our stores
- open an account with us
- subscribe to an email newsletter
- participate in a survey, contest, or other event

If you buy from us, we may also keep records of your purchases so that you can track your orders and so that we can serve you better by tailoring information for you.

What does [...] do with my personal information?

We use personal information related to an order to process the order. We may contact you by email, phone, or postal address to confirm the order or if we have questions.

We may also use your personal information and information about your product interests to send you emails about products and promotions or to ask you questions about your preferences. If you do not want us to send you these emails, [contact us](#).

Does [...] share my information?

We never tell anyone your email address or phone number. We may share your postal mailing information and your product interests with other carefully selected companies whose products may interest you. If you do not want us to share information about you, [contact us](#).



Be sure to let people know the date that the policy was last changed.



Put same-page links at the top to give site visitors a quick overview and let them get to specific questions easily.



Make it a conversation between "you" and "we." Many legal documents now use personal pronouns.



"collect" "do with" "share" – use words that resonate with site visitors.

Continued

Does [...] store information on my computer? ("cookies")

To recognize you as a returning customer and to show you information the way you want it, our computers put a small piece of information on your computer. This is called a "cookie."

A cookie tells us about your computer and lets our computers remember what you are currently doing or did in the past at our web site. For example, a cookie lets us track your shopping cart while you are on our web site.

A cookie does not give us any of your personal information, such as your name or email address.

Cookies also help us understand how people use our web site. They help us know which sections of the site are most popular and how people look for information on our site. We use this information to improve our web site and to serve you better.

Does [...] collect information about children under 13?

We never knowingly sell to or collect any personal information from children under 13. If you believe your child has given us personal information, please help us remove that information from our computers by [contacting us](#).

What if I have other questions?

Please contact us. We are happy to answer your questions.

[contact information]



Explain technical terms, like "cookies" in plain language.



Always give site visitors a way to continue the conversation.