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Plain language —

Part 2: Legal communication

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Foreword

ISO (the International Organization for Standardization) is a worldwide federation of national standards bodies (ISO member bodies). The work of preparing International Standards is normally carried out through ISO technical committees. Each member body interested in a subject for which a technical committee has been established has the right to be represented on that committee. International organizations, governmental and non-governmental, in liaison with ISO, also take part in the work. ISO collaborates closely with the International Electrotechnical Commission (IEC) on all matters of electrotechnical standardization.

The procedures used to develop this document and those intended for its further maintenance are described in the ISO/IEC Directives, Part 1. In particular, the different approval criteria needed for the different types of ISO documents should be noted. This document was drafted in accordance with the editorial rules of the ISO/IEC Directives, Part 2 (see www.iso.org/directives).

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For an explanation of the voluntary nature of standards, the meaning of ISO specific terms and expressions related to conformity assessment, as well as information about ISO's adherence to the World Trade Organization (WTO) principles in the Technical Barriers to Trade (TBT), see www.iso.org/iso/foreword.html.

This document was prepared by Technical Committee ISO/TC 37, *Language and terminology*.

A list of all parts in the ISO 24495 series can be found on the ISO website.

Any feedback or questions on this document should be directed to the user's national standards body. A complete listing of these bodies can be found at www.iso.org/members.html.

Introduction

This document addresses international recognition of the benefits of using plain language in legal communication.

The ability to understand legal information helps individuals and organizations protect their rights. For individuals, these include the ability to earn a living, obtain housing, make sound medical and financial decisions, and pursue and defend legal rights. Understandable legal information also makes it easier for individuals and organizations to meet their legal obligations and participate in legal processes.

Good legal communication reduces costs, increases efficiency and improves effectiveness and compliance (see Reference [2]). Other benefits include increased trust, reduced litigation as well as easier digitalization and translation.

Legal communication practices vary widely, from author to author, across legal systems, within legal specialities and within pockets of the profession. But too often, the profession communicates in ways that can unintentionally leave the most important stakeholders on the outside and interfere with the communicators' goals. While many legal professionals communicate effectively within their own area of practice, the profession lacks consistent standards to also communicate effectively with clients, the public and other professionals.

This document helps authors communicate in plain legal language. Even complex legal information can be expressed clearly, effectively and accurately. Plain language makes information accessible to both legal professionals and non-expert readers.

Plain language —

Part 2: Legal communication

1 Scope

This document addresses legal communication, and it builds on the foundation for plain language in ISO 24495-1. It provides guidelines and techniques to help authors make sure that readers can readily understand legal communication in order to exercise their legal rights and fulfil their legal obligations.

This document explains how to apply principles from ISO 24495-1 in legal contexts that require authors to achieve these goals:

- reach multiple audiences with different needs;
- adhere to specific structural and design requirements;
- explain complex and nuanced legal concepts;
- explain processes that readers must navigate to exercise legal rights and obligations.

This document applies to legal documents and sectors, including the legal, governmental, non-governmental and health sectors. Similarly to ISO 24495-1, it aims to work for most languages, but it provides examples only in English. It reflects research on plain legal language and the experience of experts in the field (see Reference [3]). To the extent possible, this document allows for differences in legal systems.

Although this document applies mainly to written communication, it can in some contexts apply to oral communication, such as discussions with clients and explanations in court proceedings.

2 Normative references

The following documents are referred to in the text in such a way that some or all of their content constitutes requirements of this document. For dated references, only the edition cited applies. For undated references, the latest edition of the referenced document (including any amendments) applies.

ISO 24495-1, *Plain language — Part 1: Governing principles and guidelines*

3 Terms and definitions

For the purposes of this document, the terms and definitions given in ISO 24495-1 and the following apply.

ISO and IEC maintain terminology databases for use in standardization at the following addresses:

- ISO Online browsing platform: available at <https://www.iso.org/obp>
- IEC Electropedia: available at <https://www.electropedia.org/>

3.1

plain legal language

legal communication (3.2) in which wording, structure and design are so clear that intended readers can easily

- find what they need,

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- understand what they find, and
- use that information

[SOURCE: ISO 24495-1, 3.1, modified by adding “legal” before “communication” in the definition and by adding “legal” before “language” in the term.]

3.2

legal communication

transmission or exchange of information in the form of a *legal document* (3.3) or oral information that concerns a legal matter

3.3

legal document

document that concerns a legal matter and that establishes legal rights or obligations or that explains them

EXAMPLE Treaty, code, act, directive, judicial or tribunal decision, contract, will, consumer guidelines, correspondence, agency guidance.

3.4

legal term of art

word or phrase that has a distinct technical meaning when used in a *legal document* (3.3), which can be different from the ordinary meaning of the word or phrase

3.5

legal design

application of design principles and methods to create more human-centric legal products and services

4 Governing principles

The guidelines in this document are based on the four governing principles in ISO 24495-1.

- Principle 1: Readers get what they need (relevant).
- Principle 2: Readers can easily find what they need (findable).
- Principle 3: Readers can easily understand what they find (understandable).
- Principle 4: Readers can easily use the information (usable).

The principles and guidelines in ISO 24495-1 apply to creating all documents, including legal documents, in plain language. [Clause 5](#) of this document adds guidelines that are specific to legal communication. When creating plain legal documents, authors should follow ISO 24495-1 and [Clause 5](#) of this document.

5 Guidelines

5.1 Guidelines for Principle 1: Readers get what they need (relevant)

5.1.1 Initial steps

Principle 1 focuses on what authors should do before they start writing. Authors should consider the general guidelines outlined in ISO 24495-1, 5.1. These are the guidelines:

- Identify the readers.
- Identify the readers’ purpose.
- Identify the context in which readers will read the document.
- Select the document type or types.

- Select content that readers need.

In addition to these general guidelines, authors should consider the specific guidelines for legal communication that are in this document.

5.1.2 Use a collaborative writing process from the start

Authors should consider who needs to be involved in the writing process. When legal professionals work together with experts they should do it closely as a team from the start of the writing process. These include experts in plain language, legal design, legislative drafting, and the subject matter. They should discuss the content of each document so that it is both legally correct and easy to understand.

A collaborative approach from the start can be more efficient for the writing team and can produce a more effective document.

5.1.3 Layer information for multiple readers

Legal documents usually have readers with diverse backgrounds and needs. Only some readers have legal training. Too much detail can make legal documents confusing for non-experts.

Layering is a way for authors to present information that suits different readers in the same document.

EXAMPLE 1 A business contract is read by lawyers responsible for protecting their client from risk, and also by managers who need to implement specific provisions concerning quality assurance, pricing, personnel and other practical matters.

The same person can have different needs at different times when reading a document depending on the circumstances. A reader's emotional state can also affect how and when they seek or select information, or their ability to comprehend information when they read or hear it. They can be considered as multiple readers of the same document.

EXAMPLE 2 When choosing an insurance product, a customer focuses on price and what is covered. Occasionally they refer to the policy to check its rules, such as who may drive their car. Later they need to make a claim.

EXAMPLE 3 When first seeking legal advice, a person is experiencing stress, fear or confusion. Later they feel more confident and revisit the document to answer specific questions.

When formal drafting requirements allow it, authors should consider providing information in separate layers, each intended for a particular class of reader, or a particular reading purpose. This way they can avoid having different versions of the same document for different readers.

The layers are part of the same document, so they are written, approved and maintained together. They should be visibly different, so each reader can find the information they need. Visible differences can take these types of forms:

- separate columns;
- panels, footnotes, side-notes;
- colour-coding, icons;
- separate sections with clear guidance to navigate between layers.

EXAMPLE 4 A column containing bold headings with simple summaries, with a more detailed text in a second column. Readers scan the summary column to get a clear overview of the document, then move to the detailed text as they need to.

EXAMPLE 5 The non-lawyer's perspective is presented in one section, with links to a more detailed annex written for lawyers.

5.1.4 Identify necessary related content

Authors should guide readers to relevant legal information. Whenever possible, that information should appear in the same document. If authors need to reference an external source, they should help readers navigate to that source (see also [5.2.6](#)).

5.1.5 Use templates and other existing documents with caution

It is common practice to use existing documents as a starting point for new ones, or to use templates or models. Reusing templates can be efficient and effective, but authors should consider revising them to follow the guidance in this document.

5.2 Guidelines for Principle 2: Readers can easily find what they need (findable)

5.2.1 Initial steps

Principle 2 ensures that readers can easily find what they need. Authors should consider the general guidelines outlined in ISO 24495-1, 5.2. These are the guidelines:

- Structure the document for readers.
- Use information design techniques that enable readers to find information.
- Use headings to help readers predict what comes next.
- Keep supplementary information separate.

In addition to these general guidelines, authors should consider the specific guidelines for legal documents that are in this document.

5.2.2 Use headings that convey meaning to the reader

Readers often scan legal documents to find answers to questions. To help readers find those answers, authors should consider using the following techniques:

- a) Write statements or question-style headings.

EXAMPLE 1 Can my landlord raise my rent?

EXAMPLE 2 Filling out the application.

EXAMPLE 3 What your policy doesn't cover.

- b) Avoid legal terms of art in headings. If a legal term of art is required, place it after the key message (at the end of the heading).

EXAMPLE 4 Our right to cancel your plan (termination).

5.2.3 Use introductions to help the reader understand scope and purpose

Authors should consider adding a concise introduction at the beginning of the document and each section. This introduction should help the audience understand the document's or section's scope and purpose, how to read the document or what to do with the document.

5.2.4 Use design techniques to highlight information from multiple perspectives

Readers often use legal documents only when a problem arises or when they have a question about legal rights or obligations. Authors should identify the content that will be most important to readers and use information design techniques to help them easily find the information in the document.

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5.2.5 Evaluate the consequences of readers missing important information

Authors should evaluate risks that occur if readers do not find important information. Authors should not leave out any content that readers need to know. They should identify which information needs to be highlighted to make it easy to find.

Authors should identify information associated with the following risks:

- a risk that readers will not notice it or search for it;
- a risk of harm if they do not read the information.

Authors should make sure that such content is prominent.

5.2.6 Minimize the need for knowledge of other documents

Many legal documents refer extensively to information in other documents. While this is useful for keeping a document concise or because it is required for legislative acts, this practice makes it difficult for readers to find all the information they need. Authors should consider the following techniques to minimize the need to refer to other documents and the risk of circular and serial references:

- Summarize the information concisely in the primary document.
- Repeat the information if it is brief.
- Move references to the end of a text.
- Use design techniques to present referenced content as visually separate.

The choice of technique will depend, among other things, on the type of legal document.

5.2.7 Use numbering systems for easy cross-referencing

An essential feature of many legal documents, such as contracts and statutes, is to cross-reference other documents with utmost accuracy and precision. Authors should use a consistent and coherent numbering system that will accommodate future amendments.

The numbering system can also be used to convey the hierarchical structure of the document and clearly identify the different parts. Authors should select the numbering system that is most familiar to the broadest intended audience.

EXAMPLE In many languages, letters of the alphabet (A(a), B(b), C(c), etc.) and Arabic numerals (1, 2, 3, etc.) are more familiar than Roman numerals (I(i), V(v), etc.).

5.3 Guidelines for Principle 3: Readers can easily understand what they find (understandable)

5.3.1 Initial steps

Principle 3 focuses on the clarity of language. Authors should consider the general guidelines outlined in ISO 24495-1, 5.3. These are the guidelines:

- Choose familiar words.
- Write clear sentences.
- Write concise sentences.
- Write clear and concise paragraphs.
- Consider including images and multimedia.

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- Project a respectful tone.
- Ensure that the document is cohesive.

In addition to these general guidelines, authors should consider the specific guidelines for legal documents, specifically on the use of words and syntactical structures, as well as the organization of information.

5.3.2 Choose familiar, legally accurate words

Clear legal communication benefits all readers. Legal authors often write with litigation in mind. For that purpose, they tend to rely on words and expressions taken from statutes and regulations, judicial precedents and formalistic phrases. Old-fashioned phrases, Latin words and unnecessarily repetitious expressions often contribute to convoluted language referred to as “legalese”.

Although legal professionals generally understand legalese, many do not, just like non-expert readers. These are the guidelines that the authors should follow to prioritize clarity and precision:

- a) Use words and expressions that are familiar to the intended audiences.
- b) Use common words where it is compatible with the need for legal clarity.
- c) Use one comprehensive term instead of the doublets or triplets, such as “null and void” and “ordered, adjudged and decreed”.
- d) Use plain language equivalents instead of archaic legal terms such as “res ipsa loquitur” and “heretofore”.

5.3.3 Define or explain words and phrases that can be unfamiliar or confusing to readers

In general, words should be understood in their ordinary dictionary meaning. Legal language, while based mostly on ordinary language, contains specialized or technical terms known as “legal terms of art”. Authors should use specialized terms only if needed for their intended readers or if readers must know or use them to achieve their goals (see ISO 24495-1, 5.3.2 c).

Authors should also consider the following:

- a) Define or explain words and phrases when their common meaning differs from the way they are used in a legal document. A familiar word can have a different meaning in law or within different legal sectors.

EXAMPLE 1 A common meaning of “aggravating” is “annoying.” But in English criminal law, an “aggravating” circumstance is one that increases the severity of a crime and possibly its punishment.

- b) Define or explain legal terms of art.

EXAMPLE 2 “Burden of proof” is replaced with “duty to provide evidence (burden of proof)”.

- c) Inform the reader of any specific meaning in some legal or technical contexts.

EXAMPLE 3 Modal verbs such as “shall”, “must”, “will”, and “may” imply distinct obligations, promises, rights, or choices.

- d) Write definitions as simply as possible and insert them in a way that helps readers understand. Define or explain unfamiliar words or phrases in a concise way where they are first used, ideally within the same paragraph or section. Alternatively, definitions can be listed in a glossary, marked by a hyperlink, or placed in a box next to the main text.

- e) Avoid definitions that do the following:

- 1) disguise legal rights or obligations;
- 2) unreasonably narrow or broaden the common meaning of a term in a way that limits or expands legal rights or obligations;
- 3) include complex or confusing cross-references;

- 4) include sub-definitions within the definition.

5.3.4 Use graphics where they clarify content

Authors of legal documents have historically relied on using words alone. However, graphic formats help readers understand complex ideas or text structures. Authors should consider using formats such as these:

- a) flowcharts to explain complex processes, or sets of multiple conditionals;
- b) timelines to clarify the order and timing of events (which can be combined with flowcharts);
- c) parallel columns to show the legal rights and obligations of different parties to a contract;
- d) formulas or equations to clarify calculations;
- e) text tables to systematically show how concepts apply to a range of situations;
- f) checklists to help readers to ensure they have not forgotten something required.

5.3.5 Use consistent terms and concepts

Authors should verify that terms and concepts are consistent within and across related documents.

5.3.6 Use an appropriate degree of precision

Although a legal document should be precise enough that it can be understood by those it may affect, a lack of precision in words, phrases and texts can sometimes be justified. This is known as vagueness.

Authors should identify justifiable vagueness and shape it for the specific context. Examples 1 and 2 show intentional vagueness. Example 3 shows a situation where more precision is required.

EXAMPLE 1 A national law that will be clarified and further developed by a local government, agencies or other entities can be drafted in general language rather than specific language. Its intentionally vague stipulations can then become more precise later.

EXAMPLE 2 A contract term that will be clarified later by the parties' actions or other circumstances can be drafted in general language rather than specific language. General terms can be clarified as the terms are applied in different contexts.

EXAMPLE 3 A criminal law with progressive degrees of punishment must be very specific in differentiating between the severity levels of the underlying crime. In some jurisdictions, a law may be void if found to be unconstitutional due to its vagueness.

Authors should consider the following techniques to communicate the appropriate degree of precision for the context and reader:

- Use a more precise or a less precise term.
- Add context to the text.
- Define concepts.
- Provide examples both of what is intended to be covered and of what is not; this helps to show the dividing line.

5.3.7 Eliminate ambiguity

Ambiguous text can be reasonably interpreted in two or more ways that cannot be true at the same time. Authors should avoid any kind of ambiguity.

Ambiguity can arise in a variety of contexts:

- the multiple meanings of words (lexical ambiguity);

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- the way sentences are structured (syntactic ambiguity);
- inconsistent information across different parts of a document (patent contextual ambiguity) or confusion only apparent when the document is used (latent contextual ambiguity).

Ambiguity is generally easy to eliminate once identified. [Table 1](#) presents different kinds of ambiguity.

Table 1 — Examples of ambiguity

EXAMPLE 1	Lexical ambiguity	“The buyer must pay the seller one hundred dollars.” In an international contract, the word “dollars” can be reasonably interpreted to mean US dollars, Canadian dollars or another country’s dollars. The ambiguity can be eliminated by specifying the currency.
EXAMPLE 2	Syntactic ambiguity	“It is a felony to knowingly transfer property in a manner not authorized by law.” The placement of “knowingly” in this sentence can be reasonably interpreted to require (1) knowledge of the transfer or (2) knowledge of both the transfer and its illegality. The ambiguity can be eliminated by restructuring the sentence.
EXAMPLE 3	Patent contextual ambiguity	One part of a contract requires a buyer to pay \$36,000; another part of the contract requires the buyer to pay five monthly payments of \$6,000, which is only \$30,000. The ambiguity can be eliminated by making the amount consistent or by explaining the inconsistency.
EXAMPLE 4	Latent contextual ambiguity	A contract requires a builder to comply with a specific industry standard that is otherwise not mandatory; later, the standard changes. Which standard applies? The one that was in place on the date of the contract or on the date the builder starts the work? The ambiguity can be avoided by stating the requirement with more precision.

5.4 Guidelines for Principle 4: Readers can easily use the information (usable)

Principle 4 focuses on evaluating documents so that authors can ensure that readers can use the document. Authors of legal documents should consider the general guidelines outlined in ISO 24495-1, 5.4. These are the guidelines:

- Evaluate the document continually as it is developed.
- Evaluate the document further with readers.
- Continue to evaluate readers’ use of the document.

Annex A

Overview of plain language guidelines

[Table A.1](#) presents an overview of general and specific guidelines grouped by the plain language principle they belong under.

Table A.1 — General and specific plain language guidelines

Plain language principles	ISO 24495-1 General guidelines	ISO 24495-2 Guidelines specific to legal communication
Readers get what they need (relevant)	<ul style="list-style-type: none"> — Identify the readers (5.1.2) — Identify the readers' purpose (5.1.3) — Identify the context in which readers will read the document (5.1.4) — Select the document type or types (5.1.5) — Select content that readers need (5.1.6) 	<ul style="list-style-type: none"> — Use a collaborative writing process from the start (5.1.2) — Layer information for multiple readers (5.1.3) — Identify necessary related content (5.1.4) — Use templates and other existing documents with caution (5.1.5)
Readers can easily find what they need (findable)	<ul style="list-style-type: none"> — Structure the document for readers (5.2.2) — Use information design techniques that enable readers to find information (5.2.3) — Use headings to help readers predict what comes next (5.2.4) — Keep supplementary information separate (5.2.5) 	<ul style="list-style-type: none"> — Use headings that convey meaning to the reader (5.2.2) — Use introductions to help the reader understand scope and purpose (5.2.3) — Use design techniques to highlight information from multiple perspectives (5.2.4) — Evaluate the consequences of readers missing important information (5.2.5) — Minimize the need for knowledge of other documents (5.2.6) — Use numbering systems for easy cross-referencing (5.2.7)
Readers can easily understand what they find (understandable)	<ul style="list-style-type: none"> — Choose familiar words (5.3.2) — Write clear sentences (5.3.3) — Write concise sentences (5.3.4) — Write clear and concise paragraphs (5.3.5) — Consider including images and multimedia (5.3.6) — Project a respectful tone (5.3.7) — Ensure that the document is cohesive (5.3.8) 	<ul style="list-style-type: none"> — Choose familiar, legally accurate words (5.3.2) — Define or explain words and phrases that can be unfamiliar or confusing to readers (5.3.3) — Use graphics where they clarify content (5.3.4) — Use consistent terms and concepts (5.3.5) — Use an appropriate degree of precision (5.3.6) — Eliminate ambiguity (5.3.7)

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Table A.1 (continued)

Plain language principles	ISO 24495-1 General guidelines	ISO 24495-2 Guidelines specific to legal communication
Readers can use the information (usable)	<ul style="list-style-type: none"> — Evaluate the document continually as it is developed (5.4.2) — Evaluate the document further with readers (5.4.3) — Continue to evaluate readers' use of the document (5.4.4) 	

Annex B

Sample checklist for authors of legal documents

Authors of legal documents can use the checklist in [Table B.1](#) when developing a document in plain legal language.

The checklist is organized by the plain language principles. Under each principle are questions that help authors apply the guidelines. The questions cover both the general guidelines in ISO 24495-1 and the specific guidelines presented in this document. Each question has a reference to a relevant section in ISO 24495-1 or this document.

Table B.1 — Sample checklist

Principles	Questions to consider	Section in ISO 24495-1	Section in ISO 24495-2	Check
Readers get what they need 1 RELEVANT Focus on reader and content	Have you identified the readers?	5.1.2		<input type="checkbox"/>
	Have you identified the readers' purpose?	5.1.3		<input type="checkbox"/>
	Have you identified the context in which readers will read the document?	5.1.4		<input type="checkbox"/>
	Have you selected the appropriate document type or types?	5.1.5		<input type="checkbox"/>
	Have you selected the content that readers need?	5.1.6		<input type="checkbox"/>
	Are you using a collaborative writing process involving all experts from the start?		5.1.2	<input type="checkbox"/>
	Are you layering the information for multiple readers?		5.1.3	<input type="checkbox"/>
	Have you identified all related content that the reader needs?		5.1.4	<input type="checkbox"/>
	If you are using templates or other existing documents, have you considered adjusting them to follow plain language principles?		5.1.5	<input type="checkbox"/>
Readers can easily find what they need 2 FINDABLE Focus on structure and design	Have you structured the document for readers?	5.2.2		<input type="checkbox"/>
	Are you using information design techniques that enable readers to find information?	5.2.3		<input type="checkbox"/>
	Are you using headings to help readers predict what comes next?	5.2.4		<input type="checkbox"/>
	Have you kept the supplementary information separate?	5.2.5		<input type="checkbox"/>
	Do your headings convey meaning to the reader?		5.2.2	<input type="checkbox"/>
	Have you included an introduction to help readers understand the scope and purpose of your document?		5.2.3	<input type="checkbox"/>
	Are you using legal design techniques to highlight information from multiple perspectives?		5.2.4	<input type="checkbox"/>
	Have you evaluated the consequences of readers missing important information and made such information prominent?		5.2.5	<input type="checkbox"/>
	Have you minimized the need for the readers to refer to other documents?		5.2.6	<input type="checkbox"/>
Are you using the numbering systems for easy cross-referencing?		5.2.7	<input type="checkbox"/>	

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Table B.1 (continued)

Principles	Questions to consider	Section in ISO 24495-1	Section in ISO 24495-2	Check
Readers can easily understand what they find 3 UNDERSTANDABLE Focus on language	Have you chosen words that are familiar to the reader?	5.3.2		<input type="checkbox"/>
	Are your sentences clear and concise?	5.3.3 5.3.4		<input type="checkbox"/>
	Are your paragraphs clear and concise?	5.3.5		<input type="checkbox"/>
	Have you included images where appropriate?	5.3.6		<input type="checkbox"/>
	Are you projecting a respectful tone?	5.3.7		<input type="checkbox"/>
	Is your document as a whole cohesive?	5.3.8		<input type="checkbox"/>
	Have you chosen words that are familiar and legally accurate?		5.3.2	<input type="checkbox"/>
	Have you defined or explained words and phrases that may be unfamiliar or confusing to readers?		5.3.3	<input type="checkbox"/>
	Have you used graphics to clarify content?		5.3.4	<input type="checkbox"/>
	Have you used consistent terms and concepts?		5.3.5	<input type="checkbox"/>
	Have you used an appropriate degree of precision?		5.3.6	<input type="checkbox"/>
Have you eliminated ambiguity?		5.3.7	<input type="checkbox"/>	
Readers can easily use the information 4 USABLE Focus on evaluation	Have you evaluated and changed the document as it was developed?	5.4.2 5.4.3		<input type="checkbox"/>
	Have you considered re-evaluating the document periodically and measuring the outcomes of its use?	5.4.4		<input type="checkbox"/>

Bibliography

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