



LegalWriting
institute

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September 17, 2008

Hon. Bob Bennett,
United States Senator, Utah
431 Dirksen Building
Washington, DC 20510-4403

Dear Senator Bennett:

I am writing on behalf of the Legal Writing Institute, an organization of over 2100 members, including law professors, attorneys and judges. In this country, we are the second largest organization of law professors. The Legal Writing Institute sponsors many programs including conferences about pedagogy and practice, journals and outreach missions to legal writing professionals across the world.

I understand some of your staff are opposed to S. 2291, the Plain Language in Government Act. I ask that you support this bill. It would be a great benefit to both the American public and the government.

Bureaucratic legal writing, including government writing, has long been difficult to read. It is convoluted and dense. Even those of us who are legal writing professors are challenged by it – and it is challenging for us to teach our law students how to properly read and interpret it. The government would benefit from paying more concern to the efficacy and readability of its communications. We teach our students to be reader-friendly rather than writer-centered. Unfortunately, government documents are too often writer-oriented rather than reader-oriented.

The costs of unclear communication are huge. Convoluted or overly complex legal writing causes delays, denial of benefits, inadequate compliance with legal requirements, and time-consuming questions addressed to government staff by people who are trying to understand the documents.

Plain language is the answer to many of these issues. Although critics contend that plain language sacrifices terms of art, in fact, the plain language movement is simply an effort to convince technical writers to make their documents more accessible by the intended reader audience. For example, a legally-trained audience will understand legal terms of art. A layperson, on the other hand, will better understand documents written without the unnecessary legalese.

Executive orders have called for the need for clear communication from the government, but they have had little impact. The advocates of plain language—and many of them are inside the government—need this bill as a tool to get their agencies to move toward a better communication model. The bill address specifically documents that the public needs to get a benefit or service from the government. I do not understand why you would have any problem with putting such documents into plain language. Please support this important bill.

Thank you very much for your consideration of the bill.

Very truly yours,


Ruth Anne Hobbins
President, Legal Writing Institute