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Plain Language in Legal Communication: Principles, Functions, and Practical Value

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Abstract

The article examines plain language as a practical means of improving legal communication between institutions, professionals, and the public. Plain language preserves legal concepts and terminology while presenting accurate information through reader-oriented vocabulary, syntax, structure, and design. Key principles include audience awareness, familiar wording, active constructions, clear expression of rights and duties, concise sentences, informative headings, and logical organization. Their application is considered in legislation, contracts, administrative notices, digital public services, and multilingual communication. The article emphasizes that simplification must not compromise legal precision and offers practical recommendations for legal writers and translators. Clear legal writing can reduce misunderstanding, improve transparency, support informed decisions, and facilitate access to rights and obligations.

Key Words: plain language, legal communication, legal English, legal drafting, legal terminology, document structure, administrative communication, contracts, legal translation.

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Introduction

Law operates through language. A legal rule is effective only when it is expressed accurately, interpreted by institutions, and understood by those it regulates. Legal language must therefore preserve rights, duties, procedures, and consequences while making them accessible to the intended reader. An imprecise text may fail legally; an unnecessarily complex text may fail communicatively.

Legal complexity has historical and professional causes, including inherited formulas, technical terms, long sentences, repeated qualifications, and impersonal constructions. Some preserve doctrinal consistency or define legal categories; others survive mainly through convention. Traditional formality should therefore be distinguished from genuine legal precision.

Plain language removes avoidable barriers between law and its readers without reducing legal content. It asks whether readers can find, understand, and use the required information. This involves vocabulary, sentence structure, content order, audience needs, and document design [19].

This descriptive study draws on legal linguistics, drafting, public communication, and document design. It examines legislation, contracts, administrative notices, digital public services, and legal translation. The aim is to explain how legal communication can be clarified without sacrificing accuracy.

Digital government has increased the importance of this issue. Legal information now appears in electronic forms, applications, automated notices, consent statements, and screen instructions. Texts transferred from print without adaptation may become difficult to use. Clear communication is therefore essential in both traditional drafting and digital public services [17].

Legal language as professional and public communication

Legal language contains specialized concepts that ordinary vocabulary cannot always express precisely. Terms such as jurisdiction, liability, legal capacity, negligence, and judicial review derive their meaning from legislation, doctrine, case law, and institutional practice. Plain language does not eliminate such terms; it requires writers to determine whether they are necessary and whether readers need an explanation.

Necessary terminology must be distinguished from unnecessary professional display. A technical term may identify a precise category, while an archaic connector or inflated phrase may add no legal value. Conventional complexity should therefore be evaluated rather than reproduced automatically.

Legal genres also differ by audience. A judgment, commercial contract, administrative notice, and public licensing website require different levels of detail, terminology, and explanation. Plain language is audience-oriented, not uniformly simple [10].

The public dimension is crucial because legal texts produce consequences even when readers do not understand them. Dense wording may cause a person to miss a deadline, accept an unfavorable term, or fail to comply with a requirement. Clear communication therefore supports transparency, procedural fairness, and meaningful participation.

Legal linguistics treats legal language as social action. Legal texts authorize, prohibit, oblige, permit, define, and classify. Plain language makes the actor, action, condition, and consequence more visible without reducing legal formality [1].

The meaning of plain language

Plain language is not elementary, informal, or non-technical language. It is communication designed so that intended readers can find, understand, and use the information they need with reasonable effort [19].

Not every sentence must be short, and not every legal concept should be replaced with an everyday expression. Complexity should arise from the subject, not from drafting habits. Where rules contain several conditions and exceptions, plain language can divide information into manageable parts, state the general rule first, identify the responsible actor, and present decisions in a logical order.

Plain language also differs from summary. A summary removes information, whereas a plain version may preserve all necessary content while organizing it more clearly. Several labeled paragraphs may be easier to understand than one compressed paragraph.

Precision does not depend on formality or length. Expressions such as before, if, and must may be as precise as prior to, in the event that, and longer passive constructions. Plain language and legal accuracy are compatible when wording is selected carefully [3; 11].

International standards define plain language through relevance, findability, understandability, and usability. Guidance on legal communication applies these principles to the exercise of rights and obligations [19; 21]. Plain language is therefore not merely a stylistic preference but a reader-oriented method of organizing legal information.

Core principles of plain legal communication

Audience and purpose

Before drafting, the writer must identify the audience, its knowledge, the required information, and the expected action. Reusing earlier documents may reproduce content and language unsuitable for the new reader. A public notice should not resemble an internal legal memorandum, and a consumer explanation should not assume professional legal knowledge.

Purpose determines content. Licensing instructions should state who may apply, the required documents, submission method, deadline, fees, processing time, and appeal procedure. Background information should not obscure the reader's task. Clarity therefore depends on

both language and the prioritization of relevant information.

Tone should also suit the audience. Direct address can clarify responsibility in forms and notices. “You must submit the application by 30 June” is clearer than “The application is required to be submitted by the applicant no later than 30 June.”

Vocabulary and terminology

Plain legal writing uses familiar words when they express the same meaning accurately: use instead of utilize, help instead of render assistance, about instead of with regard to, before instead of prior to, and if instead of in the event that.

Archaic expressions such as herein, hereinafter, aforesaid, and thereof should be replaced when an explicit reference is clearer. “The obligations in this agreement” is preferable to “the obligations contained herein.” Repeating the name of an authority may also be clearer than using a vague backward reference.

Necessary technical terms should be retained and, where required, defined or explained. Definitions must clarify the category rather than restate it in equally difficult language. Essential meaning should appear near the term, although glossaries may support longer documents.

Unnecessary synonym variation should be avoided. Using applicant, requester, and interested person for the same participant may imply a distinction that does not exist. Terminological consistency supports both clarity and legal accuracy [5; 13].

Sentence structure and visible agency

Sentence length alone does not determine clarity. Difficulty arises when one sentence combines a rule, conditions, exceptions, instructions, and sanctions. Separating these elements can reveal the legal logic without changing the substance.

The actor should usually precede the action, and the general rule should precede qualifications. Conditions should remain close to the rule they modify, while exceptions should be clearly marked. Lists are useful for parallel requirements and can show whether conditions are cumulative or alternative.

Active constructions make responsibility visible. “The application may be rejected” conceals the decision-maker, whereas “The licensing authority may reject the application” identifies it. Likewise, “The buyer must pay within ten days” is clearer than “Payment must be made within ten days” when the responsible party matters.

Excessive nominalization also creates distance. Apply, examine, notify, and pay are often clearer than make an application, conduct an examination, provide notification, and effect payment. Verbs make both the action and its performer easier to identify.

Document structure and information design

Legal documents should support both continuous and selective reading. Readers often search for a deadline, required document, payment term, appeal

right, or consequence. Informative headings, short sections, descriptive labels, and predictable organization help them find this information.

Headings should answer likely reader questions. “How to appeal a refusal,” “Payment date,” and “Ending the agreement” are more useful than abstract or general headings.

White space, paragraphs, numbering, tables, and lists can display relationships hidden in continuous prose. However, visual design cannot repair unclear legal reasoning; it must support rather than decorate the message [10].

Digital documents require shorter sections and clearer sequencing. Important conditions should appear before the user takes an action. Links need descriptive labels, and error messages should explain how to correct the problem. Copying long legislative passages into an online service rarely provides effective guidance.

Illustrative drafting choices

The following examples compare traditional wording with clearer alternatives. They are not universal substitutions: the appropriate form depends on the legal context, governing law, and function of the document.

Traditional wording	Plainer wording	Main improvement
In the event that the applicant fails to provide the documents, the application may be rejected.	If the applicant does not provide the documents, the authority may reject the application.	The condition and the decision-maker are stated directly.
The tenant shall be responsible for the payment of all charges.	The tenant must pay all charges.	The duty is expressed through a direct verb.
Prior to the commencement of the service, verification shall be carried out.	Before the service begins, the agency must verify the information.	The time relation and responsible actor become visible.
Notification of termination must be effected in writing.	A party must give written notice to end the agreement.	Nominalizations are replaced by actions.
The documents referred to herein shall be retained for a period of five years.	The organization must keep the documents listed in this agreement for five years.	The backward reference and passive construction are removed.
Failure to comply with the foregoing may result in the imposition of a penalty.	If you do not follow these requirements, the authority may impose a penalty.	The condition, reader, and consequence are easier to identify.

These examples show that plain language results from several small choices: replacing formal connectors, using active verbs, identifying actors, and placing conditions near consequences. Together, these changes substantially reduce processing effort.

Plain language in major legal genres
 Legislation and regulations

Legislation regulates general and future situations and therefore requires precise definitions, structured conditions, and consistent terminology. Plain drafting removes difficulty not required by the legal policy through direct syntax, clear paragraphs, limited archaism, and disciplined definitions [15].

The main rule should normally precede its conditions, exceptions, time limits, and procedural details. Definitions are justified when a term has a special legal meaning or requires consistent use. Excessive, circular, or obligation-bearing definitions create unnecessary complexity.

Contracts and consumer documents

Contracts define parties, duties, payments, risks, remedies, and termination. Precision does not require ceremonial wording. Clear structure helps parties locate these matters before signing and during performance.

Consumer contracts require particular clarity because their terms are usually prepared by one party. Automatic renewal, cancellation, fees, data use, liability, and dispute resolution should not be hidden in dense paragraphs. Legal inclusion does not guarantee meaningful communication.

Online terms are often accepted without being read. Layered communication can provide a short explanation of key effects, links to details, and access to the full contract. A summary may support understanding but does not automatically replace the legal text [16].

Administrative notices and digital public services

Administrative notices should clearly state the decision, reasons, required action, deadline, remedy, receiving authority, and appeal procedure. A legally complete notice may still be ineffective if essential information is difficult to find.

Digital services must guide users through each step. Instructions should specify acceptable documents, formats, and limits. Error messages should identify the problem and explain how to correct it. "The passport file is larger than ten megabytes" is more useful than "Invalid submission."

Institutions should use consistent terminology across websites, forms, electronic messages, and formal decisions. Plain language therefore depends on institutional coordination as well as individual drafting.

Legal education and professional communication

Plain language requires writers to understand a rule before explaining it. Rewriting a complex provision can therefore function as legal analysis.

Legal opinions should present the issue, facts, law, analysis, and conclusion logically. Client communication should explain practical options, costs, risks, and next steps. Clear advice strengthens professional authority.

Legal English teaching should combine terminology with modality, conditions, reference, and document structure. Comparing traditional and clearer versions develops both legal accuracy and communicative responsibility.

Plain language and legal translation

Legal translation requires attention to the legal system, document function, translation status, and target audience. Mechanical reproduction of long sentences, archaic formulas, and ambiguous references may preserve form while reducing clarity [4].

The translator should identify the actor, action, condition, deadline, right, duty, and consequence, then express these relations naturally in the target language. However, legally authoritative texts cannot be freely simplified. Certified, legislative, and treaty translations may require close formal and terminological correspondence, while explanatory texts allow greater adaptation.

Multilingual institutions should ensure equal accessibility across language versions through terminology databases, drafting guidance, translator consultation, and parallel review.

Legal accuracy and the limits of simplification

Technical terms should not be replaced without considering their doctrinal function. Ordinary language is preferable only when it expresses the legal meaning accurately.

Some repetition is necessary to prevent referential ambiguity or incomplete interpretation. Likewise, dividing a rule into too many short sentences may obscure whether provisions are cumulative, alternative, or independent. Explicit connectors, numbering, and punctuation should preserve logical relations.

Clarity does not guarantee fairness. A clearly written contract may still allocate risk unfairly, and a clear notice may still lack adequate reasons. Plain-language assessment must therefore consider both form and legal substance.

Reader needs also vary according to education, language proficiency, disability, experience, and circumstances. Important documents may require user testing, translation, alternative formats, or professional assistance.

Practical recommendations for legal writers and translators

Identify the audience, required action, decision, and legal consequences.

State the main message, decision, or duty early.

Identify actors and express actions through direct verbs.

Use one term for one concept and explain necessary technical terms.

Remove archaic, inflated, and legally empty expressions.

Present the general rule before conditions and exceptions.

Use headings that answer reader questions.

Check whether deadlines, fees, duties, remedies, and contact details are easy to find.

Test forms, instructions, and digital messages with representative users where possible.

Conduct a final legal review to ensure that no condition, exception, definition, or consequence has changed.

Revision may be organized in three stages: legal completeness, communicative clarity, and presentation. This prevents a false choice between accuracy and readability.

Conclusion

Plain language combines legal accuracy with reader-oriented presentation. It preserves necessary expertise, terminology, and substantive complexity while removing avoidable barriers. Its main principles are audience awareness, consistent terminology, direct syntax, visible responsibility, logical organization, and usable design.

In legislation, plain language clarifies rules and exceptions; in contracts, duties, risks, and remedies; in administrative communication, decisions and appeal procedures; in digital services, actions and error correction; and in translation, legal function across languages.

Plain language requires professional judgment. Technical terminology, repetition, and complexity may be necessary. The goal is not maximum simplicity but appropriate clarity: the intended reader should be able to find relevant information, understand its legal effect, and act on it without avoidable difficulty.

Clear legal communication supports the effective implementation of law, reduces burdens on citizens and institutions, and promotes transparency, informed participation, and reliable legal relationships.

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