



A movement to simplify legal language

Patron: Lord Justice Staughton

## Newsletter

No 39: Spring 1997

### Annual meeting 1997

As mentioned in journal 38, we are hiving off the meeting from the supper this year, to prevent the festive atmosphere from interfering with business.

The committee suggests holding the meeting somewhere in Central London on the morning of Saturday, 15th November, from 10.30 to 1pm. Members' views about this are invited (promptly, please) before firm arrangements are made.

We understand that His Honour Judge Paul Collins of Wandsworth County Court has agreed in principle to speak on *Clarity in pleadings in the light of the Woolf report* but the arrangements have not been confirmed as we go to press.

The approximate timetable would be:

- 10.30 Formal business and discussion of CLARITY issues.
- 11.15 Coffee break.
- 11.30 Judge Collins' talk.
- 12.00 Questions and discussion.
- 1.00 Casual lunch at a convenient pub or restaurant.

### CLARITY seeks treasurer

We thought Nick O'Brien's libel lawyers would be interested in this example of ambiguity, caused by over-contraction. We are in fact looking for a new treasurer, not the old one.

Unfortunately, pressure of work has

obliged the Grahams to withdraw from the committee, undermining the plan for Christine Graham to take over the UK accounts this summer. We are looking for someone with experience of keeping accounts, to relieve Nick O'Brien, whose two-year stint has already been involuntarily extended by 12 months.

For more details about what is involved please contact Mr O'Brien at his chambers:

Tel: 0171 797 7766 (fax 7700)

### Membership

In the last 12 months membership has increased from 600 to 765. This is largely due to the efforts of Professor Joseph Kimble in the USA and Christopher Balmford in Australia, each of whom has doubled his country's membership since last April. An article by Richard Oerton in *STEP*, the trust and probate journal, generated a lot of interest in Britain, and other members have been attracted by a free advertisement kindly allowed us by the London-based *Bar News* on Simon Adamyk's initiative. Meanwhile Christopher Wallworth has been publicising us with a regular drafting column in the *Solicitors Journal*. Prof Roberta Studwell of the Thomas M. Cooley Law School library recently helped Joe Kimble contact all the 175 odd law school libraries in the States, as a result of which over 20 have so far subscribed, with applications still coming. Our thanks go to all those involved.

We now have 465 members in England and Wales, 122 in the USA, 71 in Australia, 32 in Canada, and 75 in some 20 other countries around the world. We regret that Chris Balmford failed in his brave attempt to recruit 100 Australian members before Joe Kimble reached the same target in America (but we welcome his mother, Judge Rosemary Balmford, to membership).

We hope *Clarity* 38 will generate new Canadian members. It was a Canadian issue excellently edited by Phil Knight and Peg James in Vancouver, and professionally produced free of charge by Peg's husband, Alan James. The Canadian Institute for the Administration of Justice kindly copied and distributed it to the 150 delegates at its recent annual conference on legislative

*Clarity* appears as a single-sheet newsletter each spring and autumn, and as a full-length journal each summer and winter.

This issue is accompanied by a complimentary bound copy of Professor Kimble's article *Answering the critics of plain language*, reprinted from *The Scribes Journal of Legal Writing* (Vol 5 1994-1995). A short form of the article was published in *Clarity* 32 (March 1995, pages 8 - 14). We are grateful to Joe Kimble for enabling us to distribute this copy without recourse to CLARITY funds.

drafting, for which we would like to express our grateful thanks. The journal was widely read at the conference. Recruitment has so far been slow, but Phil Knight plans a further drive using that issue to attract local members.

## Other conferences

We also been given permission to distribute copies of *Clarity* 38 at the annual **International Legislative Drafting Institute** organised jointly by Tulane and Loyola Universities in New Orleans. This is to be held from 16th to 27th June, and details were given on p. 27 of *Clarity* 38. The programme includes a session on plain language drafting, given by CLARITY members Professors Richard Wydick and Joe Kimble.

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Plain Language Consultants is sponsoring another **Plain Language in Progress** conference, to be held in Calgary, Canada, from 24th to 26th September. The organisers plan a more ambitious event than the 1995 conference, and reported in March that they had received expressions of interest from 17 different countries. They hope that between 100 and 200 people will attend, and they are incorporating a trade show into the conference. For details contact:

Janet Dean  
Tel: 1 604 521 5473 (fax 8066)  
jde@web.net

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The **Plain English Campaign's** fifth international conference is to be held in London from 16th to 18th July. Several of our members will be speaking. For details contact:

Tel: 01663 744409 (fax 747038)  
(from outside UK: 44 1663)  
info@plaineng.demon.co.uk

## US web sites

Below are some US web sites that members might like to look up. The first two addresses were misprinted in *Clarity* 38 (for which we apologise), and we correct them now:

### National Performance Review

The home page of the Clinton Administration's effort to simplify and streamline federal rules and the regulatory process (see issue 38, pages 19-23). Follow the links and you'll find quite a few references to plain English.

<http://www.npr.gov>

### The Securities and Exchange Commission

The SEC's initiatives have been remarkable (again, see *Clarity* 38, pages 19-21). The site below has two main parts. First, it gives the text of a rule to require the use of plain English in certain parts of prospectuses. The rule contains a strong defence of plain English, with references to the literature. Second, the site has the draft text of *A Plain English Handbook — How to Create Clear SEC Disclosure Documents*.

<http://www.sec.gov/news/plaineng.htm>

For comments on the proposed rule and the handbook see:

<http://www.sec.gov/rules/s7397.htm>

### The Federal Register

The *Federal Register* publishes all the proposed new and amended federal rules. The site below contains the recently revised *Federal Register Document Drafting Handbook*. The *Handbook* offers guidance on drafting rules — and is strongly and explicitly on the side of plain English.

<http://www.nara.gov/nara/fedreg/ddh/ddhout.html>

## CLARITY

Websites have kindly been donated by members Cheryl Stephens and Carol Wilson at:

<http://www.web.apc.org/~raporter/English/Organizations/clarity.html>

<http://www.compassnet.com/legalsec/clarity.htm>

## Centre for Plain Legal Language

We are very sorry to report that the Centre for Plain Legal Language at the University of Sydney is closing at the end of June.

We hope to publish a fuller report in *Clarity* 40.

## Improving Clarity

We are forming an international editorial board to help produce future issues of the journal. (The newsletter will not be affected.) The board will comment on the last issue and on the contents of the next one as proposed by its editor. Mark Adler is to continue as editor-in-chief, and will be responsible for each summer's issue. The winter issue will be guest-edited as in recent years. We will try to include material of interest to all our diverse members in each issue, and members are invited to submit suggestions.

## CLARITY in Singapore

Hwee-Ying Yeo, senior law lecturer at the National University of Singapore, has kindly agreed to act as our representative in Singapore to boost membership there beyond the current 5.

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