

The ISO Standard on Clarity in Legal Communication

by Giovanni Acerboni, September 9, 2025

(www.scritturaprofessionale.it)

In August 2025, ISO issued the long-awaited standard on plain language in legal communication: ISO 24495-2, *Plain language. Part 2: Legal communication* (<https://www.iso.org/standard/85774.html>, 13+V pp., 98 CHF), which represents the first attempt to define international guidelines on the clarity of legal texts. following the general standard ISO 24495-1, *Plain language. Part 1: Governing principles and guidelines*, released in 2023 (<https://www.iso.org/standard/78907.html>, 98 CHF) and later adopted and translated by UNI: UNI ISO 24495-1:2024, *Linguaggio chiaro – Parte 1: Principi e linee guida* (<https://store.uni.com/uni-iso-24495-1-2024>, 14+IV pp., 60 €).

Before getting into the details, it must be noted that **if there is an international standard, then there is an international problem**. ISO's decision to address the issue of legal communication is significant: it establishes that the opacity of legal language is not a phenomenon confined to individual jurisdictions, but a global problem with significant social and economic consequences.

1. Aim and Structure

The problem and the aim of the standard are crystal clear and perfectly reasonable: “Good legal communication reduces costs, increases efficiency and improves effectiveness and compliance.”

The standard adopts the structure of the parent standard, which in turn adopts the structure of the W3C guidelines—particularly the Web Content Accessibility Guidelines (WCAG, <https://www.w3.org/TR/WCAG21/>): principles and guidelines, precisely.

The four principles are:

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

2. Key Guidelines

Principle 1

- Authors should consider who needs to be involved in the writing process. Legal professionals should work closely with experts from the start of the writing process. This work can involve experts in plain language, legal design, legislative drafting and the subject matter.
- Authors should consider providing information in layers, with each having a specific reader or purpose. This way they can avoid having different versions of the same document for different readers. Examples of layers: columns, notes, graphics.

Principle 2

- Write statements or question-style headings.
- Avoid legal terms of art in headings.
- Authors should consider adding a concise introduction at the beginning of the document and each section.

- Authors should consider the risks of readers missing important information. Authors should not leave out any content that readers need to know. They should identify which information they need to highlight to make it easy to find
- Minimize the need for knowledge of other documents.

Principle 3

- Use words and expressions that are familiar to the intended audiences.
- Use common words where they are compatible with the need for legal clarity.
- Use plain language equivalents instead of archaic legal terms such as “res ipsa loquitur” and “heretofore”.
- Define or explain words and phrases when their common meaning differs from the way they are used in a legal document.
- Define or explain legal terms of art.
- Use graphics where they clarify content (eg. flowcharts to explain complex processes).
- Eliminate ambiguity.

Principle 4 (identical to the parent standard)

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

3. The Prevalence of “Communication”

While acknowledging the value of the initiative, I must point out some generalities that may limit its applicability and utility.

Within the standard, the terms *communication*, *legal*, and *legal language* are not well harmonized: the first dominates the others.

Communication over Legal. First, **the standard does not distinguish between different types of legal texts**: it claims to apply equally to a regulatory measure, a contract, a court filing, a corporate policy, etc.

However, different legal texts do not share the same structure, the same style, the same purpose, the same audience, nor are they written by legal professionals with the same specific expertise. The first to object, rightly or strategically, will be jurists themselves, i.e., the very professionals who should comply with the standard. “This doesn’t apply to my case, for this, this, and a thousand other reasons,” they will say.

Second, the standard expects texts to **satisfy both expert readers (e.g., judges) and non-expert readers (e.g., a client)**.

This guidance seems realistic only for certain texts, but it is hardly applicable to documents intended for a specialized audience, which require technical rigor and conciseness. In other words, it could be applied to texts that have no legal value, such as a company policy, or to texts that do have legal value but are aimed at a non-expert reader, such as a contract.

However, the goal of making texts that have legal value addressed to specialized audiences, such as court filing, clear also to non-expert readers does not seem likely to win the favor of legal professionals. In fact, their texts would:

- become much longer (in Italy and elsewhere, lawyers' court filings are subject to length limits);
- contain non technical expressions that could conflict with technical ones and be open to multiple interpretations;
- expose the lawyer to the risk of appearing foolish for explaining to an expert reader things that are already perfectly obvious.

Communication over Legal Language. Finally, *legal language* is essentially absent from the **standard**, except for a few examples. There is not a single guideline addressing a feature unique to legal language or to the typical structure of legal texts.

The guidelines could apply to any specialized language. If 'legal' were replaced with 'financial', virtually nothing would change. As it stands, this standard is a valid model for the simplification of all specialized languages.

However, legal communication has particular importance, which would require a more detailed discussion.

From my side, I can contribute a couple of examples of Italian legal texts.

In legislative acts, **the grounds precede the operative part**, which ends up at the bottom of texts that are sometimes very long. This is done by convention. If the order of this information were reversed, nothing would change, except that the readers would immediately see what they are required to do.

The style of legal pleadings and judgments is characterized by **excessively long sentences**, within which there is an **excessive frequency of parenthetical insertions**: one every 29 words in lawyers' pleadings and one every 47 words in judges' decisions (according to my specific research, currently being published in the book *Sintetività e chiarezza degli atti processuali - Conciseness and Clarity of Court Filings*).

Nevertheless, this standard undeniably raises the level of attention on a real issue that has distorting effects on the social and productive system. It also represents a turning point: for the first time, ISO has formally recognized the need for standards on clarity in legal language.

4. The UNI Standard on Professional Writing

For once, things are not so bad for Italians. We have our own UNI standard on professional writing, which provides scientifically rigorous, concrete, usable (indeed, already used) solutions, validated by professional writers for over a decade.

This is UNI 11482:2013, *Structural elements and linguistic aspects of written organizational communications* (<https://store.uni.com/p/UNI21011931/uni-114822013-112397/UNI21011931> EIT, 16+IV pp., 40 €).

The UNI standard does not concern legal language, nor any particular type of specialized language: it defines clarity and indicates how to harmonize all the elements that make up a text so that it is clear. It is therefore applicable to any text, to any specialized language, including legal ones. To this end, the standard addresses text structure and linguistic formulation separately.

Regarding structure, it describes various elements of the text (and how to compose them):

Element	With index	Without index
Cover page	Mandatory	Optional
Author	Mandatory	Mandatory
Name of the document	Mandatory	Optional
Title	Mandatory	Mandatory
Subtitle	Optional	Optional
Publication date	Mandatory	Mandatory
Effective date	Optional	Optional
Expiration date	Optional	Optional
Identification code	Optional	Optional
Executive summary	Mandatory	Optional
Index	Mandatory	Absent
Page number	Mandatory	Optional
Sections	Mandatory	Optional
Notes	Optional	Optional
Attachments	Optional	Optional
Glossary	Optional	Optional
Highlights	Optional	Optional

Regarding language, the standard sets out precise parameters and indicators of clarity. For example:

Parameter	Indicator
Maximum sentence length	40 words
Parentheses/insertions	Minimum necessary
Ratio of indirect objects to verbs	Max 4:1
Technical terms	Translate if obscure to reader
Non technical terms	Replace archaisms, ambiguities, etc. with common terms

Let us take, for example, a passage from a lawyer's court filing rewritten in accordance with the standard:

Original and translation	Rewrite in Italian and translation
Con decreto n. 1 del 3 ottobre 2011 della Giunta –che non risulta essere stato impugnato – la Regione Tale, in attuazione delle norme del D. lgs. XY che prevedevano la regolarizzazione delle derivazioni abusive di acqua e dei pozzi non denunciati, in	Non risulta impugnato il decreto n. 1 del 3 ottobre 2011 ¹ con cui la Regione Tale ha emesso concessioni per la derivazione di acque sotterranee ² , compresa quella per la Società Pesce Palla. _____

<p>applicazione della procedura prevista dalla L.R. YZ e dalla deliberazione della Giunta (n. 2 del 25.02.2004), emetteva alcune concessioni di derivazione delle acque sotterranee (doc. 16), tra cui quella a favore della Società Pesce Palla.</p> <p>***</p> <p>By Decree No. 1 of October 3, 2011, of the Regional Executive Committee—which does not appear to have been challenged—the Region of X, implementing the provisions of Legislative Decree XY on the regularization of unlawful water withdrawals and unreported wells, and pursuant to the procedure set out in Regional Law YZ and Resolution No. 2 of the Executive Committee of February 25, 2004, issued several concessions for the extraction of groundwater (Exhibit 16), including one in favor of Pufferfish Ltd.</p>	<p>1. Il Decreto della Giunta n. 1, 3 ottobre 2011 attua il D. lgs. XY che regolarizza le derivazioni abusive di acqua e i pozzi non denunciati, applicando la procedura prevista dalla L.R. YZ e dalla deliberazione della Giunta n. 2, 25 febbraio 2004.</p> <p>2. Doc. 16.</p> <p>***</p> <p>Decree No. 1 of October 3, 2011¹, by which the Region of X issued concessions for the extraction of groundwater², including one granted to Pufferfish Ltd., does not appear to have been challenged.</p> <p>—</p> <p>1) Executive Committee Decree No. 1 of October 3, 2011, implements Legislative Decree XY, which regularizes unlawful water withdrawals and unreported wells, applying the procedure set out in Regional Law YZ and Resolution No. 2 of the Executive Committee of February 25, 2004.</p> <p>2) Exhibit 16.</p>
---	---

Let us compare the differences:

Feature	Original Italian	Rewrite Italian
Sentences	1	1 + 2 in footnote = 3
Words	77	16 + 45 in footnote = 71
Words per sentence	77	23.6
Parenthetical insertions	5 (47 words out of 77 = 61%)	0
Verbs	4	3 + 3 in footnote = 6
Indirect objects	20	4 + 5 in footnote = 9
Indirect objects per verb	5	1.5

In less technical legal texts intended for non-expert readers, such as corporate policies, following these “rules” results in an average 30% reduction in word count. This translates into a 30% saving of readers’ time. And time costs money. Based on ISTAT data and some projections drawn from my field experience, it turns out that the cost of communication in Italy amounts to €56.8 billion (4 percentage points of GDP). In fact:

- There are 8.4 million employees involved in reading within organizations (excluding citizens and clients);
- Each employee spends one hour per day reading, totaling 240 hours per year;
- The labor cost is € 28.2 per hour;
- $8.4 \text{ million} \times 240 \times 28.2 = \text{€ } 56.8 \text{ billion}$.

As for legislation, if written clearly it would increase GDP by 5%, according to Luigi Guiso, Massimo Morelli, Tommaso Giommoni, Claudio Michelacci, *The economic costs of ambiguous laws* (Bocconi University, Baffi Centre Research Paper no. 248, June 18, 2025, https://papers.ssrn.com/sol3/papers.cfm?abstract_id=5309098).

That confirms that the goal of the ISO standard is critically important: “Good legal communication reduces costs, increases efficiency and improves effectiveness and compliance”.

The final question is: how is it possible, at an international level, to integrate global guidelines with the regulatory and linguistic specificities of each country in order to provide useful and practical support, as well as a reliable reference?