

Legal Design Manifesto

What is Legal Design?

Legal Design is an interdisciplinary approach to apply human-centered design to prevent or solve legal problems.

It prioritizes the point of view of ‘users’ of the law – not only lawyers and judges, but also citizens, consumers, businesses, etc. The people who use legal information, documents, services, and policies are not being served well by their current design.

As legal designers, we believe that the legal system can be more straightforward, more engaging, and more user-friendly. We aim to make the legal system be more human: This includes how information is presented, how processes are set up, and how policies have been established.

Legal Design pushes us to improve how we communicate, deliver services, and make rules and policies — all with the aim of enhancing the experience, comprehension, and empowerment of the users.

We believe that design methods, principles, and visual disciplines can make communication of legal information better, and facilitate interactions between people and legal systems.

Legal Design as a Research Field

Legal Design bridges domains of academic research and professional practice. It links the business world and the academic world, the management world and the legal world, and the corrective/reactive law world and the proactive/preventive law world. It takes a big-tent approach: to welcome many different kinds of people from practice, academia, government, and the community, and to work closely with many other research groups — acknowledging the value of their work and mindsets. All are welcome to develop a strong practical and theoretical foundation for how law works currently, and how it can work better in the future.

For us, “Legal” does not only refer to the legislative system, but it includes also doctrine, jurisprudence, decisions, social norms, contractual provisions, policies. We move beyond the static positive law approach, as many other researchers have established. We take a proactive and preventive law stance, meaning that our focus is really about empirical reality and future ones— not just the law. We work alongside researchers in empirical legal studies, legal realism, law and society, law in action,

participatory action research, and others who are working on understanding the reality of law, and who are studying new interventions to improve this reality.

For us, “Design” is an approach of creating new interventions to make a social system more usable, useful, and accessible. Design is not content to understand the current reality, but it aims to experiment with what could be — and to drive towards social impact by creating new programs and policies. Design creates knowledge by building new things — documents, services, technologies, rules, and systems, piloting them, and evaluating them. Design also takes a wider perspective on what “law” is, by bringing more stakeholders’ perspectives into account, and by looking at an interdisciplinary set of tools and expertise to find promising solutions. With this design focus, we work alongside researchers in human-computer interaction, document and information design, the semantic web, research through design, ICT for development, and privacy and ethics in ICT.

Legal Design research methodologies range from the small and qualitative, to larger scale quantitative ones. These methodologies aim to better understand the current realities of the law and its users, with focus groups, surveys, service safaris, design workshops, and statistical analysis.. They also aim to generate and vet promising ideas for new interventions, with design jams, hackathons, field tests, lab tests, and pre-pilots and pilot observational studies. Finally, Legal Design researchers evaluate the outcomes of these new interventions, with randomized controlled trials and evaluations of procedural justice, usability, and user experience. These research methodologies are not exclusive, and this website will document these various methods in detail and provide examples with specific studies, datasets, and instruments.

Legal Design can contribute to better empirical realities, especially if we involve the builders, makers, and users of the legal system into making them. To paraphrase Dean Edward A. Dauer, litigation law is mostly law. Preventive law is mostly facts. And the critical time for Legal Design is when those facts are first being born. Please let us be involved in the making of those facts.

The Legal Design Manifesto

This Manifesto illustrates what we mean by a Legal Design approach to law. Want to propose changes to it? Check out our version 2 to contribute your comments.

The Manifesto aims to enhance the understanding of Legal Design and promote its use. Legal Design can help to create functional, inclusive and transparent legal documents, services, and systems. Legal Design requires a paradigm shift in lawyers' attitudes, goals, and approaches. It also requires the participation of a multidisciplinary community of doers (designers, coders, communicators, behavioral scientists, lawyers, etc.) to bring new perspectives and tools to improve the law.

ATTITUDES

- HUMAN-CENTEREDNESS: Create information, services and systems with their intended users, based on their needs and abilities, rather than only focusing on legal requirements.
- PROACTIVITY: Drive desirable outcomes, rather than just deal with the consequences of failure or punishment.
- PREVENTION: Prevent problems rather than intervene to resolve conflicts that have arisen.
- EFFECTIVENESS: Enable people to understand and do the right thing easily, rather than require considerable investments of time, money, effort or expertise.
- INTERDISCIPLINARITY: Establish a common language to collaborate across disciplines, rather than following just one perspective.
- LEARNING BY DOING: Generate knowledge and acquire transversal skills through experience and feedback (positive and negative), rather than rely on passive learning.
- THEORY-BASED: Research studies are based on robust scientific and theoretical method, following strong methodology and accredited criteria
- OPEN ACCESS: We encourage open access and open data, and we recommend to make research outcomes available for checking, validating, and replicating the results.

PURPOSES

- WIN-WIN: Seek to provide win-win solutions for all the actors involved rather than accept and perpetuate imbalanced relationships between the parties
- CLARITY: Communicate information that users can understand and act upon, rather than just striving for legal precision
- AWARENESS: Enable people to be aware of their rights, responsibilities and obligations, rather than being passive subjects of legal norms

- TRUST: Facilitate sustainable long-term relationships rather than just quick wins or one-shot connections
- VALUE ADD: Focus on aspects that generate value rather than just manage risk
- SCIENTIFIC-BASED: Our approaches, interventions, and the measurement of their results are evidence-based, grounded in scientific methods, and validated.

APPROACHES

- PROBLEM-BASED: Focus on real-life needs and problems to put aside differences and overcome disciplinary barriers
- DOMAIN-ORIENTED: Borrow approaches from different legal backgrounds, theories, and principles, depending on the problem at hand
- COMMUNICATION: Craft information and interactions with purposeful design rather than just drafting it
- VISUALITY: Rely on visual thinking and communication to secure shared understanding rather than just relying on text
- SIMPLIFICATION: By means of well designed interfaces, services, and experiences, users can only interact with simple and effective solutions rather than with the complexity of the underlying system
- PROTOTYPING: Solutions are developed through quick rounds of iteration and experimentation rather than being planned into existence or aiming at perfection from day 1
- EMPIRICAL EVIDENCE: Start with user research and finish with empirical evaluation to measure the impact of solution on the users
- STANDARDS and PATTERNS: Effective solutions are systematized and made reusable and extensible, rather than relying on a jungle of bespoke different solutions
- SEMANTIC WEB-ORIENTED: Digital solutions are made ready for the semantic web paradigm, supporting digital applications and multichannel-devices