



Clearer language,
greater efficiency and
effectiveness

17 – 20 September

Plan for the Modernization of Legal Language Sponsored by the Spanish Ministry of Justice

Estrella Montolío



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MINISTERIO
DE JUSTICIA

Informe de la Comisión de modernización del lenguaje jurídico

2011



GOBIERNO
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Estudios del discurso académico y profesional

Academic and Professional Discourse Studies

<http://www.ub.edu/edap>



What are the main characteristics of our research work?

- It is a report based on an analysis of a large corpus of texts.
- The research team is interdisciplinary, and includes linguists and jurists.
- The study's approach is holistic. We have focused on different levels: discursive, paragraphic, sentential and lexical.
- It includes a great many examples.
- Many of the “pathological” examples are accompanied by alternative versions.
- The examples also include cases of good practices for legal professionals.
- It contains a number of recommendations, all of which are to be found in the *Final Report of the Interministerial Commission*.



The Corpus

- Covers a wide spectrum of different Legal Contexts.
 - Focus on Judgment
- Much smaller sub-corpus: The responses to a survey questionnaire.
 - 1,100 valid responses analyzed



Theoretical perspective

- Interdisciplinary
- Existing Literature on Legal Language.
- Studies on Discourse
- Professional Discourse Analysis
 - *Manual de escritura académica y profesional (Handbook for Academic and Professional Writing)*
- Works in the Line of the *Plain Language Movement*
- Discourse Optimization



What have we achieved with our research?

- From the Linguistic point of view
 - Less noticed linguistic pathologies often obscure the text.
 - The faulty structuring of narrative fragments
 - Confusing use of citations
 - The misuse of mechanisms retaining the reference



From the social, academic and professional point of view

- A degree of public awareness
- The study syllabus for judges includes 10 hours of training in drafting judgments.
- Four-month course on communication skills training as part of the degree of Law.
- First international conference held in Spain on clarification of legal discourse (University of Barcelona, 2011).
- The project is not limited to Spain.
- Argentina, Brazil, Chile and Mexico
- Next Ibero-American Judicial Summit



Thank You / *Muchas gracias*

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