

Article: Improving Access to Justice: Plain Language Family Law Court Forms in Washington State (Dyer, Fairbanks, Greiner, Barron, Skreen, Cerrillo-Ramirez, Lee, Hinsee 2013)



From the Abstract:

About 65 percent of family law litigants in Washington State come to court without a lawyer. Plain language forms will give many of these pro se litigants the ability to conduct their lawsuits without legal representation or with limited assistance. Such forms also reduce costs for litigants and the courts. As part of the implementation of the Washington State Plan for Integrated Pro Se Services (Pro Se Project), a joint

initiative of the Washington State Access to Justice Board, the Washington State Administrative Office of the Courts, and the Washington State Office of Administrative Hearings, work has been underway to translate 211 mandatory family law court forms into plain language. This article describes some of the ethical justifications for, and practical benefits of, plain language forms. It also discusses basic linguistic principles that underpin clear, concise, and plain language. The latest version, as of this writing, of one of the most important plain language forms, the Parenting Plan, is appended. This article also examines the broader aspects of plain language adoption nationally. Legal forms have taken on new relevance after the US Supreme Court's decision in *Turner v. Rogers*, which obliges judiciaries to take steps to ensure that unrepresented litigants' rights to due process are adequately protected. Plain language forms are an effective means of dispelling the due process concerns noted in *Turner*, and a necessary element of a genuinely accessible justice system.

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