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Volume 105  
Issue 2 *Dickinson Law Review - Volume 105,*  
*2000-2001*

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1-1-2001

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### Recommended Citation

Anetta L. Cheek, *The Plain Language Experience of the National Partnership for Reinventing Government*, 105 DICK. L. REV. 233 (2001).

Available at: <https://ideas.dickinsonlaw.psu.edu/dlra/vol105/iss2/9>

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# Symposium on Federal Government Simplification Experiences

## The Plain Language Experience of the National Partnership for Reinventing Government

Annetta L. Cheek\*

Note: Since this speech, the work of the National Partnership for Reinventing Government has ended, since it was a part of then Vice-President Gore's office. Dr. Cheek continues to work on plain language issues from her current position in the Administrator's office at the Federal Aviation Administration. The government-wide Plain Language Group continues to meet monthly to advance the cause of clear communication from the Federal government.

### I. Getting the Federal Government to Write Better—June 1998 Presidential Memo

I am currently associated with something called the National Partnership for Reinventing Government, which is a task force under the Vice President's Office. My job is to get the federal government to write better. I do not expect to run out of work for a while. However, I think we have already made a lot of progress.

Our major achievement, I think we have many major achievements, was in June of 1998, when the President issued a memorandum telling agencies that they were supposed to write in plain language. We defined plain language in that memorandum as "something that your intended reader could understand the first

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time they read it.” This is a huge challenge, particularly for my attorney friends.

## II. Overview of Simplification Rules

We had a few other simple rules: active voice, reasonably short sentences, vertical lists, all the kinds of things you read in document after document about plain language. Sometimes I wonder why a lot of people are writing about it but not nearly enough people are doing it. We have had a lot of good progress in the federal government. However, it is really difficult to turn that huge ship of state even a degree or two. The most notable success is, of course, the Securities & Exchange Commission. We have also seen a lot of action from the Food & Drug Administration.

## III. Movement Towards Plain English

In a few months when you pick up an over-the-counter medication and look at the label, you will see that it is reasonably clear; that is one of our achievements. The IRS is working very hard on this. They are having a great deal of trouble. They are really struggling. The Nuclear Regulatory Commission is getting on board with this and the tiny little Farm Credit Administration, all three hundred people that regulate the farm credit banks in the nation, are moving toward plain language.

## IV. Instructional Function of Writings

But why are we doing this? Why is plain language important? Well, first off, writing really comes down to a set of instructions. I think most of what we all write is something designed to change people's behavior. Certainly that is what a federal regulatory agency is doing when it writes regulations. It is what the Veterans Benefit Administration does when it sends out a letter to veterans asking them to do something. They are trying to change behavior. If you want people to change behavior you are way ahead of the game if you make it really clear to them what you want them to do. Whenever I approach a document, my first thought is “Okay, to whom am I writing and what do I want them to do?” For years, regulatory writing incorporated lots of forms. The forms contained standard language and standard organization which generally did not contribute to the goal of getting people to change their behavior.

## V. Work of Veteran's Benefit Administration

One really good example of how an agency succeeded in changing behavior and thereby saving money, which is another goal of the federal government, was the Veterans' Benefit Administration. That Agency decided to write plain language letters to veterans asking them to update their beneficiaries. If you are a veteran and you get letters, you should be seeing a strong trend toward plain language. The Veterans' Benefit Administration wanted an answer to this particular letter because every time a veteran dies without a valid beneficiary, it costs the Agency lots of money to go out and research the beneficiary. The normal response rate to this letter, which the Agency sends out every several years, was 35 percent. They rewrote the letter in plain language and increased the response rate to 55 percent, thereby saving about \$8 million in one cycle. Accordingly, another reason to write plain language, besides the fact that you want to get people to do something, is that it saves money. It will save them time and it will save you money.

## VI. Lawyers and Judges Preference for Plain English

Since I am speaking, I assume, mostly to law school people, I think a little anecdote from Joe Kimble and the Thomas Cooley Law School might be in order here. He has been a very strong advocate of plain language for a lot of years. A few years ago he sent out some sample paragraphs from an imaginary brief to 1500 lawyers and judges in the state of Michigan. He did not label them as the plain version, or the legalistic version. He just labeled them A and B. He asked the judges and attorneys which they preferred. Eighty percent preferred the plain English version. More importantly, they said that they felt that the attorneys who wrote the plain language version were probably from more prestigious law schools, or worked for more prestigious law firms. There is apparently something in the mindset of attorneys that says if you write well, you came from a good law school. My challenge to you is to make sure that everyone who reads the products of your students thinks that your students came from a very prestigious law school.

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