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Lausanne, and Digital Law Center (DLC),
University of Geneva

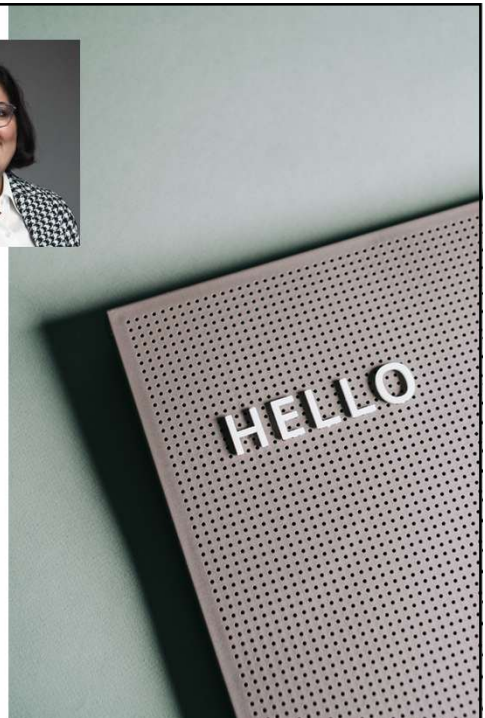# Breaking the Complexity Curse:
The Legal Design Revolution

Ebru Metin, Tallinn University of Technology & Helena Haapio, University of Vaasa | Lexpert Ltd

May 13th, 2025

Who's talking?
Ebru Metin

- PhD Candidate in Business Administration (Tallinn University of Technology School of Business and Governance)
  - *Reducing regulatory complexity with legal design for corporate sustainability*
- LL.M. in International Financial Law (King's College London); LL.M. in Business Law (Istanbul Bilgi University)
- Founder, Legal Design Turkey
- Ambassador, European Legal Technology Association

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Who's talking?
Helena Haapio: a lawyer on a mission

Helena Haapio, LL.M. (Master of Laws), MQ (Master of Quality),
DSc (Doctor of Science (Econ.) in Business Law)

- Associate Professor of Business Law, **University of Vaasa,** Senior Researcher, **Tampere University** JARGONFREE Research Group, Docent of Proactive Law and Contract Design, **University of Lapland**

- Contract Strategist, **Lexpert Ltd**, Helsinki; formerly corporate counsel in Europe and the US; arbitrator in contract disputes

- A pioneer of **Proactive Contracting** and **Contract Design**, merging proactive contract & legal thinking with design thinking & doing

  – co-founder of the **Nordic School of Proactive Law**, the **ProActive ThinkTank**, the **International Network for Proactive Law** (INPL), and the **Legal Design Alliance**; co-creator of **WorldCC Contract Design Pattern Library**

  – **on a mission** to change the way contracts and law are designed, communicated, perceived and taught, to make them actionable. legally and operationally functional, and business- and human-friendly

- Awardee, European Women of Legal Tech 2020 (Category: Academia/Education); Hogan Lovells, Bryter & European Legal Technology Association

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Who's talking, too? Uninvited:
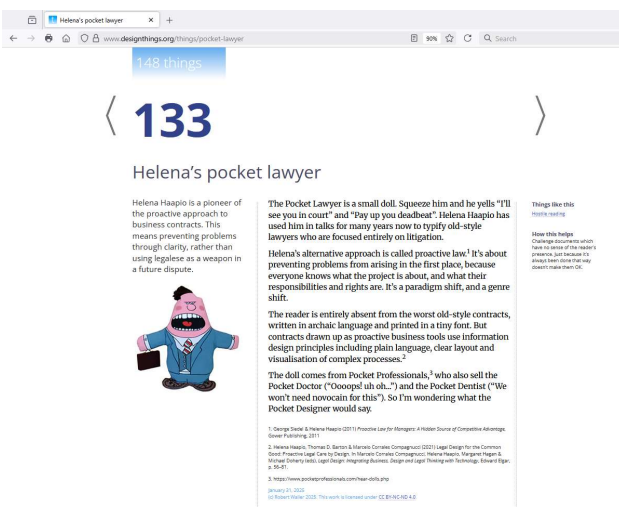## The Pocket Lawyer, Esq. ☺

Rob Waller, Things an information designer should know.
https://www.designthings.org
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148 things

⟨ **133** ⟩

Helena's pocket lawyer

Helena Haapio is a pioneer of the proactive approach to business contracts. This means preventing problems through clarity, rather than using legalese as a weapon in a future dispute.

The Pocket Lawyer is a small doll. Squeeze him and he yells "I'll see you in court" and "Pay up you deadbeat". Helena Haapio has used him in talks for many years now to typify old-style lawyers who are focused entirely on litigation.

Helena's alternative approach is called proactive law.[1] It's about preventing problems from arising in the first place, because everyone knows what the project is about, and what their responsibilities and rights are. It's a paradigm shift, and a genre shift.

The reader is entirely absent from the worst old-style contracts, written in archaic language and printed in a tiny font. But contracts drawn up as proactive business tools use information design principles including plain language, clear layout and visualisation of complex processes.[2]

The doll comes from Pocket Professionals,[3] who also sell the Pocket Doctor ("Oooops! uh oh...") and the Pocket Dentist ("We won't need novocain for this"). So I'm wondering what the Pocket Designer would say.

1. George Siedel & Helena Haapio (2011) *Proactive Law for Managers: A Hidden Source of Competitive Advantage*, Gower Publishing. 2011

2. Helena Haapio, Thomas D. Barton & Marcelo Corrales Compagnucci (2021) Legal Design for the Common Good: Proactive Legal Care by Design. In Marcelo Corrales Compagnucci, Helena Haapio, Margaret Hagan & Michael Doherty (eds), *Legal Design: Integrating Business, Design and Legal Thinking with Technology*, Edward Elgar, p. 36-81.

3. https://www.pocketprofessionals.com/hear-dolls.php

January 21, 2025
(c) Robert Waller 2025: This work is licensed under CC BY-NC-ND 4.0

Things like this
Home reading

How this helps
Challenge documents which have no sense of the reader's presence, just because it's always been done that way doesn't make them OK

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Overview

Introduction

- European businesses are increasingly overwhelmed by complex regulations *(EESC, 2023)*.

- Compliance challenges divert resources from innovation, competitiveness, and sustainability *(Draghi, 2024)*.

- Ambiguous, fragmented, and excessive regulation exacerbates these difficulties. Studies on regulatory complexity indicate that environmental and sustainability laws frequently suffer from vague wording, overly technical phrasing, and inconsistent definitions across legislative instruments *(Vivo et al., 2024; Mora-Sanguinetti, & Pérez-Valls, 2021; Ghashim, et al., 2023)*.

- Legal design offers a transformative, human-centred approach to reducing regulatory complexity and enhancing accessibility *(Metin & Haapio, 2024)*.

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Better Law-Making:
Key Priorities for EU legislation

- In the **Interinstitutional Agreement on Better Law-Making** (OJ L 123, 12.5.2016, pp. 1-14), the European Parliament, the Council and the Commission agreed to promote **simplicity, clarity and consistency** in the drafting of Union legislation.

- The three Institutions agree that Union legislation should be comprehensible and clear, 'allow citizens, administrations and businesses to easily understand their rights and obligations, include appropriate reporting, monitoring and evaluation requirements, avoid overregulation and administrative burdens, and be practical to implement' .

- Recital 2 states that the three Institutions:

    "recognise their joint responsibility in delivering high-quality Union legislation and in ensuring that such legislation focuses on areas where it has the greatest added value for European citizens, is as efficient and effective as possible in delivering the common policy objectives of the Union, is **as simple and as clear as possible, avoids overregulation and administrative burdens** for citizens, administrations and businesses, especially small and medium-sized enterprises ('SMEs'), and is **designed with a view to facilitating its transposition and practical application and to strengthening the competitiveness and sustainability** of the Union economy."

Regulatory Complexity

- We understand **regulatory complexity** as the difficulty of understanding, implementing and managing legal norms. This complexity may stem from the content, language, structure, presentation or simply the volume of regulation *(Metin & Haapio, 2024).*
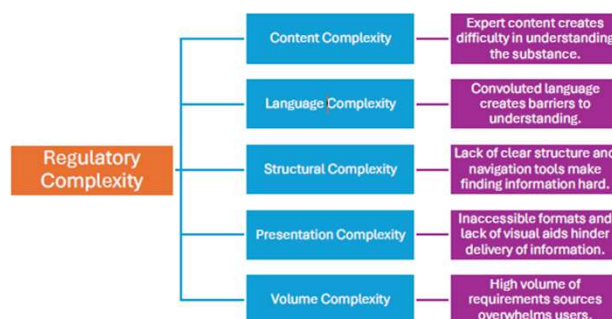
Figure 1. Different Dimensions of Regulatory Complexity[iii]
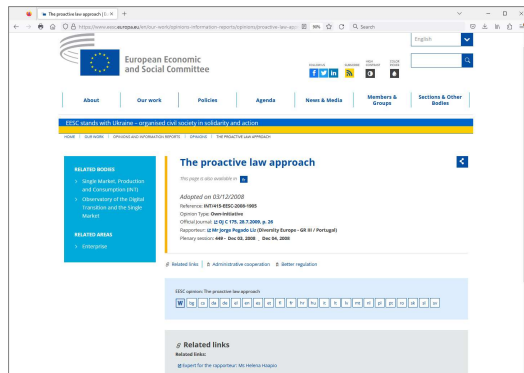© 2024 Ebru Metin & Helena Haapio

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Impact on Business

All these dimensions of regulatory complexity are present now, affecting more than **32 million** enterprises in the EU *(Eurostat, 2024)*.

- **Innovation and Competitiveness**
  - Resources redirected from innovation to compliance efforts.
- **Compliance & Contractual Challenges**
  - Difficulties interpreting evolving and ambiguous requirements, underperforming contracts.
- **Increased Costs**
  - Higher compliance costs due to inefficiencies and administrative burdens.
- **Reduced Predictability**
  - Legal fragmentation across jurisdictions complicates compliance strategies.
- **Sustainability Barriers**
  - Complexity hinders proactive corporate engagement with sustainability goals.

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Introduction to Legal Design

- Legal design is an interdisciplinary and **proactive** approach that uses **human-centered design** to enable desirable outcomes and prevent the causes of problems from arising and developing into conflicts and disputes *(Legal Design Alliance, n.d. & Rossi & Haapio, 2019)*.
- Core Principles:
  - **Human-Centricity:** Prioritizing user needs and understanding.
  - **Proactive Approach:** Promoting what is desirable and preventing what is not.
  - **Interdisciplinary Collaboration:** Integrating insights from law, design, technology, and business.

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Special Focus on Proactive Law

Focus not just on	Focus also on
• rules, legal tools: helping the parties to comply with the rules	• goals, managerial tools: **enabling the parties to reach their objectives**
• minimizing risks, problems, disputes, losses	• maximizing opportunities, desired outcomes, benefits
• preventing causes of failure and negative effects	• promoting drivers of success & positive effects
• lawyers as advisors, practicing preventive law; the law office as a preventive law laboratory	• **lawyers as designers** and coaches, working with clients as part of **cross-professional teams**

http://www.eesc.europa.eu/en/our-work/opinions-information-reports/opinions/proactive-law-approach

Helena Haapio: *Next Generation Contracts: A Paradigm Shift*. Lexpert Ltd, 2013.

Legal Information Design

• Legal design, particularly **legal information design**, can play a transformative role in simplifying complex legal information and communication by applying **human-centered design** principles to make regulations and contracts more **accessible** and **actionable**.

Content

Structure

Language

Presentation
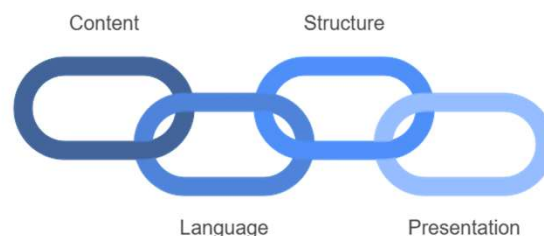
Four Elements of Legal Information Design
© 2024 Ebru Metin & Helena Haapio

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Contract Design

- First, there was a vision:

  - Next Generation Contracts: **Better contracts and better business through proactive legal thinking and design.**

- Now there are strategies and tools to make it happen:

  - ISO Standard on Plain Language: a follow-up on Legal Communication soon

  - Contract & legal design tools: e.g., design patterns

  - AI tools to automate them: e.g., OpenAI's ChatGPT & our own customized GPTs.
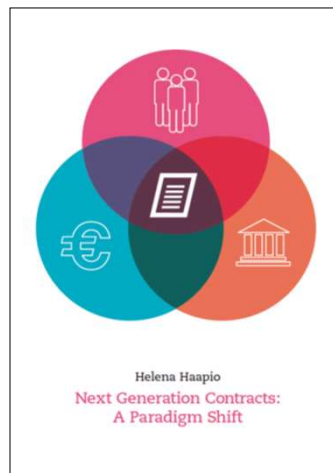
Helena Haapio
Next Generation Contracts: A Paradigm Shift

Doctoral dissertation, University of Vaasa
Lexpert Ltd 2013, contact@lexpert.com

Cover: Stefania Passera

© 2025 Helena Haapio
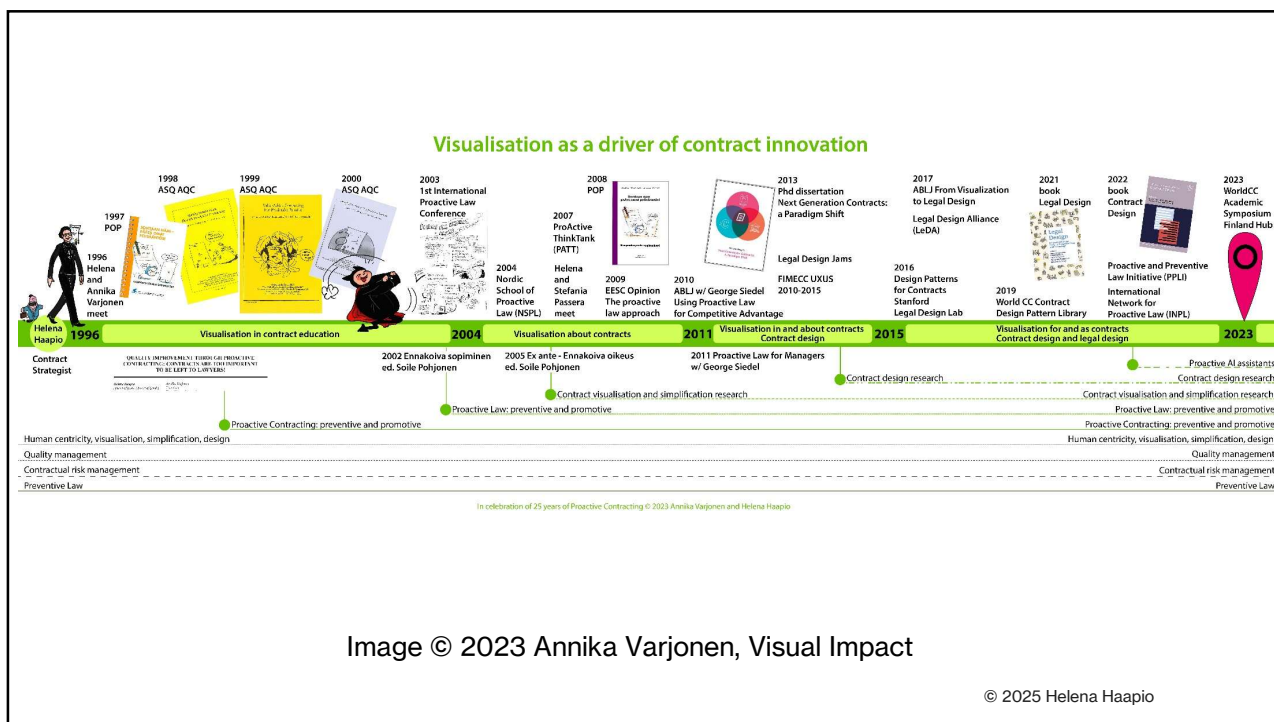
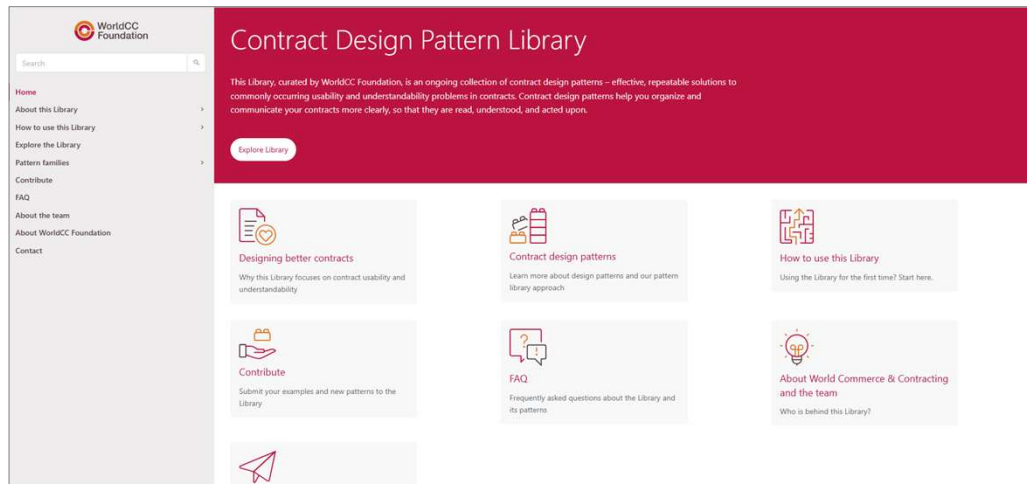Image © 2023 Annika Varjonen, Visual Impact

© 2025 Helena Haapio

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Strategies for Implementation

- **Adopt Plain Language Principles**
  - Implement ISO Plain Language standards (ISO 24495-1:2023) to ensure users can find, understand, and use the information they need *(Haapio et al, 2024)*.
- **Use Visualization and other Design Tools and Patterns**
  - Integrate summaries, icons, diagrams, infographics and navigation tools *(Haapio & Barton, 2016)*.
- **Engage Stakeholders Iteratively**
  - Establish feedback loops to refine clarity and usability continually *(Metin, Forthcoming 2025)*.
- **Leverage Technology**
  - Employ AI-powered, human-verified tools for clarity, simplification and analysis *(Haapio et al, 2024)*.
- **Modularity**
  - Structure content into reusable, adaptable, and updateable modules to simplify complexity and support user-centered navigation and updates *(Passera & Haapio, 2011)*.

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Practical Examples

SATO, Code of Ethics

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WorldCC Contract Design Pattern Library

https://contract-design.worldcc.foundation/

WorldCC Contract Design Pattern Library

https://contract-design.worldcc.foundation/

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WorldCC Contract Design Pattern Library

https://contract-design.worldcc.foundation/

Example of information design / EMCs:
The effect of adding graphic structure

Before

This paragraph includes a 93 word sentence.

The EU's clear writing guide recommends 20 words per sentence as a suitable average.*

With graphic structure

The new version makes no changes to the wording – the only difference is to the graphic structure.

Line breaks, bullet points and bold type make the structure of the text easy to see, reducing the reader's cognitive load.

International Institute for Information Design (IIID), "Suggestions for improving the communication of the European Model Clauses for Responsible and Sustainable Supply Chains". Comments submitted in response to the consultation co-ordinated by the Responsible Contracting Project, 2 December 2024.

For more information, see https://www.simplificationcentre.org.uk/blog/suggestions-for-improving-the-communication-of-the-european-model-clauses

For the European Model Clauses (EMCs) Zero Draft, see https://www.responsiblecontracting.org/emcs

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Example of information design / EMCs - before:
The effect of plain language and graphic structure

Before

Most EMC clauses are presented in this form. There are some headings, but the text is presented in quite dense paragraphs.

1.1 Human Rights and Environmental Due Diligence (HREDD)

(a) Joint commitment to HREDD: Buyer and Supplier each covenants to establish and cooperate in maintaining a HREDD process in connection with the Goods governed by the Agreement, in accordance with the standards set out in the OECD Guidance. The HREDD process shall be appropriate to each party's size and circumstances. If Supplier is an SME, Supplier can opt to establish its own HREDD process or to participate and cooperate in Buyer's HREDD process as clearly requested and instructed by Buyer.

(b) Stakeholder engagement: Buyer and Supplier must engage Stakeholders at each step of the HREDD process set out in Clause 1.1. Such Stakeholder engagement must be on-going, responsive, effective and conducted in a culturally appropriate format and in a manner that is free of manipulation, discrimination, interference, coercion, and intimidation. The parties shall provide Stakeholders with the information necessary for them to meaningfully engage in the HREDD process. Buyer and Supplier may prioritize types of engagement according to severity and likelihood of Adverse Impacts. Buyer and Supplier shall adequately document the Stakeholder consultation process and outcomes to enable Buyer to comply with the relevant reporting requirements under applicable law.

International Institute for Information Design (IIID), "Suggestions for improving the communication of the European Model Clauses for Responsible and Sustainable Supply Chains". Comments submitted in response to the consultation co-ordinated by the Responsible Contracting Project, 2 December 2024.

For more information, see https://www.simplificationcentre.org.uk/blog/suggestions-for-improving-the-communication-of-the-european-model-clauses.

For the European Model Clauses (EMCs) Zero Draft, see https://www.responsiblecontracting.org/emcs

Example of information design/EMCs - after:
The effect of plain language and graphic structure

After

1.1 Human Rights and Environmental Due Diligence (HREDD)

(a) **Joint commitment to HREDD:** For the Goods governed by the Agreement, Buyer and Supplier will create and maintain a HREDD process:
- appropriate to their size and circumstances; and
- using the OECD Guidance standards.

SME Suppliers can either:
- establish their own HREDD process; or
- participate and cooperate in Buyer's HREDD process.

Each party is independently responsible for upholding its HREDD Obligations under this Agreement, and a failure to do so by one party will not relieve the other party of its HREDD Obligations.

(b) **Stakeholder engagement:** Buyer and Supplier must engage Stakeholders at each step of the HREDD process in a way that is:
- ongoing, responsive, effective, and culturally appropriate; and
- free of manipulation, discrimination, interference, coercion, and intimidation.

The parties will provide Stakeholders with all information necessary for them to meaningfully engage in the HREDD process.

Buyer and Supplier:
- may prioritize engagement types according to severity and likelihood of Adverse Impacts, and
- shall adequately document the Stakeholder consultation process and outcomes to enable Buyer to comply with the relevant reporting requirements under applicable law.

Unnecessary words deleted.

BEFORE

'If Supplier is an SME, Supplier can opt to...'

AFTER

'SME Suppliers can...'

Bullet lists reveal the structure of the sentence, and make reading easier and quicker.

A graphically structured text will be easier to adapt and integrate into existing contracts. This is because each element of the content sits on its own, rather than being embedded in a complex sentence or paragraph.

International Institute for Information Design (IIID), "Suggestions for improving the communication of the European Model Clauses for Responsible and Sustainable Supply Chains". Comments submitted in response to the consultation co-ordinated by the Responsible Contracting Project, 2 December 2024.

For more information, see https://www.simplificationcentre.org.uk/blog/suggestions-for-improving-the-communication-of-the-european-model-clauses

For the European Model Clauses (EMCs) Zero Draft, see https://www.responsiblecontracting.org/emcs

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Chattable Contract Companion – A Prototype

Image created using OpenAI's GPT Builder.
Chattable Contract Companion is a prototype
based on OpenAI's GPT technology.

Anne Ketola, Helena Haapio & Robert de Rooy, Chattable Contracts: AI-Driven Access to Justice.
Paper presented at the JURIX Workshop on AI and Access to Justice on 18 December 2023
available at https://drive.google.com/file/d/1k4tyhjYS80vuj2655run69DxgUL1OsCm.

AI tools

Example: Adobe Assistant – summarizing and explaining the EMCs

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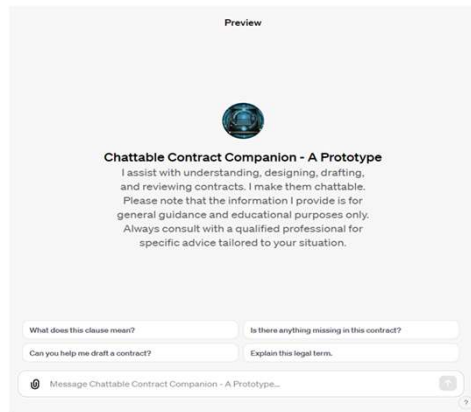Legal Design & Code Lab, University of Lausanne, and Digital Law Center (DLC), University of Geneva

Stakeholder Engagement

- **Participatory Design Process**
  Involving users, businesses, policymakers, designers, and lawyers.

- **Co-Creation for Practicality**
  Ensures legal texts meet real-world needs and are easier to implement.

- **Diverse Perspectives**
  Encourages inclusivity and enhances the usability of legal tools.

- **Feedback Loops**
  Iterative testing and refinement improve communication and effectiveness.

(Metin, Forthcoming 2025)
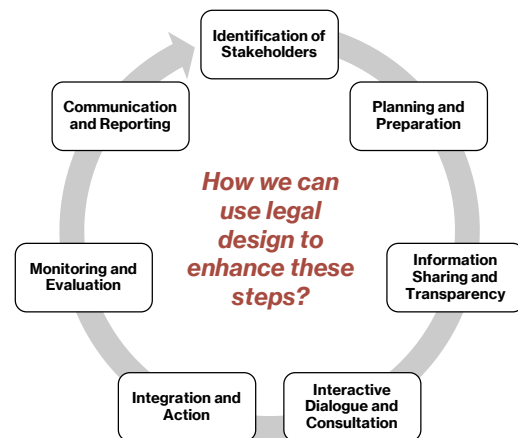
Figure 1. Steps of Meaningful Stakeholder Engagement Process under CSDDD.

Source: Author's own compilation.

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Technological Integration

- **AI-Powered Tools**
- Smart readers and writers help analyze, summarize, and simplify legal texts *(Compagnucci et al, 2022)*.

- **Machine-Readable Formats**
- Automate monitoring, reporting, and compliance processes *(Haapio et al., 2017 & Salo-Lahti et al., 2023)*.

- **Digital Prototypes and Interfaces**
- Treat contracts as user-centered interfaces by developing interactive, visually structured prototypes that enhance navigation, understanding, and practical usability for all stakeholders *(Haapio & Passera, 2017)*.

- **Human-Verified Outputs**
- Combine the precision of AI with the contextual judgment of legal experts *(Haapio & Passera, 2017)*.

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Challenges and Considerations

- **Resistance to Change**
  Traditional legal culture may hesitate to adopt new methods.

- **Balancing Clarity and Precision**
  Simplification must maintain legal accuracy and enforceability.

- **Interdisciplinary Barriers**
  Collaboration between law, design, and tech requires shared understanding.

- **Scalability and Standardization**
  Ensuring legal design approaches can be applied broadly and consistently.

- **Regulatory Inertia**
  Institutional processes may be slow to integrate innovative methods.

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Key Points

- **Regulatory Complexity** is a major barrier to innovation, compliance, and sustainability.

- **Legal Design** offers a proactive, human-centered solution to this complexity.

- **Key Elements** include plain language, visual aids, modular design, and digital tools.

- **Successful Implementation** requires collaboration, iterative feedback, and technological support.

- **Impact:** Clearer, more actionable laws and contracts that serve all stakeholders more effectively.

SUMMARY

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Future Directions

Mainstreaming Legal Design
Integrating legal design into legislative drafting, corporate compliance, and legal education.

Policy Alignment
Supporting EU goals of simplification and sustainability with user-friendly legal frameworks.

Standardization Efforts
Expanding the use of plain language (ISO 24495-1) and information design in regulatory texts, contracts, Codes of Conduct, etc.

AI & Legal Design Integration
Developing adaptive tools for real-time simplification and personalized compliance support.

Expanding Research & Collaboration
Building interdisciplinary networks to co-create evidence-based legal design strategies.

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163 things

12

DESIGN & TRANSFORMING

Complexity is not the enemy

The usual opposite of simplicity – complexity – is not in itself a bad thing

Complex systems are rich, powerful, and capable, while simple ones may be useless outside of the limited context for which they were designed.

For example, a map of my town is more complex and more confusing than the set of specific directions I give you to help you walk from the rail station to my house. But if you make a wrong turning, my simple directions quickly become useless.

In many, perhaps even most, cases, the process of simplification doesn't reduce the underlying complexity and richness of content, but improves our ability to navigate it – it produces a simpler experience, or a simpler understanding.

How this helps
A simple experience can be about clear routes through complexity, as much as reducing it.

Things like this
Easification

Search
what for?

Rob Waller:
"Complexity is not the enemy"

Rob Waller, Things an information designer should know https://www.designthings.org. © Robert Waller 2025. Licensed under CC BY-NC-ND 4.0

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Questions & Discussion

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