

# User-Centered Legal Design

## Making the Law More Accessible, Usable, and Engaging

by Margaret Hagan, November 2015 ([mdhagan@stanford.edu](mailto:mdhagan@stanford.edu), <http://legaltechdesign.com>)  
fellow at Center on the Legal Profession at Stanford Law School and lecturer at d.school

## What is user-centered design & why bring it into legal services?

Human-centered design is the practice of building things that are useful, usable, and engaging to people. It is based in the notion that products and services should be built in response to the needs, preferences, and behaviors of the people who will be using them. To create innovative solutions that people will actually want to use -- if not also enjoy using -- we must take an approach that is user-centered, experimental, and agile.

User-centered design means being intentional about how we create and improve our service-offerings: with a focus on getting our target audience's voice into the process, brainstorming a wide variety of solutions, and then quickly prototyping and testing these ideas with users and experts to find the most promising and valuable ideas to build out. Rather than a traditional 'waterfall' method of creating new technology or service offerings -- in which a group of professionals scope out a project that they think will be successful, and then try to implement it over a long time period, the design-driven approach spends more time experimenting with possible solutions, building and testing them quickly with stakeholders, and then gradually refining the design through quick cycles while scaling it up. It allows for more user input, more creativity, and more agility.

The design process has been developed and incorporated into many professions over the past decades, including in industrial design, software development, product design, policy-making and health care. Now it is being brought into legal and government services. For law, this is taking place in Stanford's Legal Design Lab, Northeastern's NuLawLab, the Gensler group's Legal Innovation Lab, Carnegie Mellon's Cylab Usable Privacy & Security Lab, the Consumer Finance Protection Bureau, and the European project of Legal Design Jam. It focuses on several streams of innovations:

- better legal communications to people about policies, options, and processes;
- improved technology products -- websites, apps, and beyond -- that people actually want to use and can use to access legal services and navigate the legal system;
- more navigable and holistic services, that make it easy for a person to go through the journey of identifying their problems, finding the right resources and processes, and then following through on these processes;
- systems with rules, procedures, and staff that offer more human-centered experiences -- that are more intuitive, streamlined, transparent, and supportive.

# 6 Orders of Legal Design

## Plain Language

Using words and phrases that are jargon-free, comprehensible to laypeople

## Visual Composition

Laying the information out in clean, consumable formats, balancing text & visuals

## Interactive Tools

Making customized, responsive tools that help focus and make sense of information

## Smart Assistance

Providing predictions and advice that give specific guidance for decision-making

## Complete Journey

Coordinating providers & tasks to give a seamless experience through a process

## System Redesign

Making the actual procedures, rules, forms, and organizations more usable & intuitive

types of interventions to make the legal system more user-friendly, from least ambitious to most

## Organizations working on legal design

Stanford Legal Design Lab: <http://legaltechdesign.com>

NuLawLab: <http://www.nulawlab.org/>

Legal Innovation Lab of Gensler consultancy:  
<http://www.gensler.com/design-thinking/research/legal-innovation-lab>

Legal Design Jam: <http://legaldesignjam.com/>

Carnegie Mellon's Cylab Usable Privacy & Security lab: <http://cups.cs.cmu.edu/>

## Readings

### On Legal Design generally

Margaret Hagan, "Design Thinking and Law: A Perfect Match," Law Practice Today, January 2014. Available at  
[http://www.americanbar.org/content/newsletter/publications/law\\_practice\\_today\\_home/lpt-archives/2014/january14/design-thinking-and-law.html](http://www.americanbar.org/content/newsletter/publications/law_practice_today_home/lpt-archives/2014/january14/design-thinking-and-law.html)

Tanina Rostain, Roger Skalbeck, and Kevin G. Mulcahy, "Thinking Like a Lawyer, Designing Like an Architect: Preparing Students for the 21st Century Practice," Chicago-Kent Law Review, Vol. 88, No. 3, 2013.

### On a Design-Approach to Innovations in Legal Services

Charles L. Owen, Ronald W. Staudt, and Edward B. Pedwell, "Access to Justice: Meeting the Needs of Self-Represented Litigants," Institute of Design and Chicago-Kent College of Law, Illinois Institute of Technology (2001).

Mark Szabo, "Design Thinking in Legal Practice Management," Design Management Institute, 2010.

John A. Clarke and Bryan D. Borys, "Usability is Free: Improving Efficiency by Making the Court More User-Friendly," Future Trends in State Courts (2011).

Ginnifer L. Mastarone and Susan Feinberg, "Access to Legal Services: Organizing Better Self-help systems," Professional Communication Conference, 2007.

Jamie Young, "A Virtual Day in Court: Design Thinking and Virtual Courts," RSA Projects, December 2011.

Paul Lippe, "Do lawyers have the 'design mojo' needed to re-think the delivery of legal services?" ABA Journal: Legal Rebels, December 2013. Available at [http://www.abajournal.com/legalrebels/article/legal\\_by\\_design](http://www.abajournal.com/legalrebels/article/legal_by_design)

Leo G. Anthopoulos, Panagiotis Siozos, and Ioannis A. Tsoukalas. "Applying participatory design and collaboration in digital public services for discovering and re-designing e-Government services." *Government Information Quarterly* 24.2 (2007): 353-376.

## On Legal Communication Design

Paul Roberts, "In Practice: Bring Your Trial Ideas to Life," *The Recorder*, November 14, 2013.

Stefania Passera and Helena Haapio, "Transforming Contracts from Legal Rules to User-Centered Communication Tools: a Human-Information Interaction Challenge," *Communication Design Quarterly*, 1.3, April 2013.

Gerlinde Berger-Walliser, Robert C. Bird, and Helena Haapio, "Promoting Business Success Through Contract Visualization," *Journal of Law, Business, and Ethics*, Vol. 17, 2011.

Colette R. Brunschwig, "On Visual Law: Visual Legal Communication Practices and Their Scholarly Exploration," 2014.

Jay A. Mitchell, "Putting Some Product into Work-Product: Corporate Lawyers Learning from Designers," September 2013.

## On User-Centered Redesigns of Legal Systems

Alan Preston, "Designing the Australian Tax System," *Managing as Designing*, edited by Richard J. Boland, Jr. and Fred Collopy (2009).

Nina Terrey, "Managing by Design -- A Case Study of the Australian Taxation Office," University of Canberra PhD thesis in Philosophy of Management, June 2012.

W. David Ball, "Redesigning Sentencing," 46 *McGeorge L. Rev.* 817 (2014). Available at [http://heinonline.org/HOL/Page?handle=hein.journals/mcglr46&div=50&g\\_sent=1&collection=journals](http://heinonline.org/HOL/Page?handle=hein.journals/mcglr46&div=50&g_sent=1&collection=journals)