

1. *What was your motivation for implementing plain language in your daily work?  
What inspired you?*

The exercise of public service involves a great responsibility to society in general. We must be accountable for our work and at the same time we are burdened with the lack of confidence in the people from the legal system. This can be seen in the relevant statistics (SHOW GRAPH) but also as a judge I, as well as all my team, perceive it in our daily interaction with people who are linked in some way to a criminal proceedings: whether as defendant, victim, witness or the general public.

In my daily work I noticed that there is a great distance between the judiciary and the citizens. It is noticeable in the fear with which people show up at the hearings; which, for example, is evident when I notice in their eyes that they do not understand what is happening in a procedural act that is precisely intended to resolve their procedural situation, perhaps to decide whether they will be released or go to jail at that very moment. This fear leads them not to ask questions or even if I ask them if they understood, they answer yes but in their body language they indicate that they did not understand and that they prefer to deny it in order to get out of this situation, which in itself is stressful, quickly.

This distance, this fear, led me to adopt changes in the way in which the jurisdictional activity is traditionally developed, basically in order to exercise my function well. As a judge, I cannot permit myself for someone not to understand what I am ruling because this has practical consequences, such as if I impose an obligation to comply with something, they might not carry it out because they did not understand and then their situation is aggravated by that non-compliance. This also has consequences for society in general because everything results in the lack of confidence of citizens in the judiciary, which implies, ultimately, delegitimizing one of the three branches of government.

2. *What challenges did you and the citizens face in the traditional court system?  
Can you tell us step by step how you became an open court?*

The judiciary in Argentina is known as "obscure" in the sense that it is closed, it does not give explanations about its functioning, the mechanisms of selection and administration of the judiciary are questioned by society. In addition, in general terms, there is no criticism from within, from the people who make up this branch of government.

There is a culture of "this is the way things are done", "it has always been done this way" which is difficult to modify, I believe that this is mainly for two reasons: because it is easier to repeat already established mechanisms and because changing them implies losing certain benefits or comforts on the part of the operators of the justice system. This generates reluctance to the proposal of practicing OPEN JUSTICE.

Open Justice is guided by the principles of transparency, accountability, open data, citizen participation, collaboration and co-creation, access and simplicity. Putting this into practice implies, for example, making known the resolutions that are issued or the agenda of hearings....

The challenge for us was to show how this new way of exercising the function brings benefits for citizens in general and for internal management as well. We have seen that we can resolve issues that used to take months to resolve with greater efficiency and speed.

This has a lot to do with a generational change, young people are more open to new practices, to use the technological tools available in judicial practice and to work as a team. This paradigm shift necessarily implies a new work dynamic and it has to be collaborative. Rethinking our old practices requires a discussion and construction of new forms with the participation of all team members. This is another novel issue for the traditional judiciary because it is guided by a hierarchical structure where orders are handed down from the top without considering the opinions of the other members. In addition, the work teams are usually composed of younger people than the officials and therefore have much to contribute because life has changed abruptly in recent years and we cannot allow the judiciary to be left out of this change; not adapting to change would be a lost opportunity to improve the response given to citizens.

- 3. Tell us about your court documents and communications. How did you change the court resolutions to be in plain language? Do you have any examples that make you proud?*

As soon as we realized that it was necessary to implement a change in the logic in which we exercised our function, that this must necessarily be guided by having the citizen at the centre of our management, it was impossible for us to stop the flood of ideas or practices that we had to modify.

The first step was to modify our communications with the citizen in oral proceedings. Because of our procedural system, many issues are resolved in oral hearings where the immediacy allows us to corroborate whether this communication is effective. In addition, all court personnel attend in person or on the telephone consultations with the parties and there we also changed our way of speaking. This direct interaction allowed us to learn about other issues that we needed to modify and the agenda of changes was built based on the demands of the citizens who were eager to be heard and to share their experience as users of the justice system, something really new in the region.

One of the first initiatives we undertook was to open the court's social media networks. We needed a platform to show our work as a form of accountability and

social media networks allowed us to do it in a free and friendly way, because people in general have access to them and know how to use them. So we created a Twitter account, a YouTube channel and, after two years, an Instagram account and then a Facebook profile. In addition, we created a website, also on a free platform, where we publish all the activity of the court with what we have been doing over the years.

Our main jurisdictional task is to solve criminal cases and to publish our resolutions we use social media networks and anchor them in an open data repository. To protect sensitive (personal) data so as not to violate the rights of the people involved in the trials, we developed an artificial intelligence tool. Thus, in a collaborative way with the Council of the Judiciary, we created an application that automatically anonymizes the resolutions that are then published. It is a tool that is open and available for anyone to use free of charge.

However, with the publication of the resolutions we did not guarantee real access to public information. Therefore, we started to train ourselves to write in plain language.

On the other hand, we took into account the criticism made of the judiciary that people who work there do so because they know someone there or as a political favour; so we decided to publish the CV of all the members of the court to show that the hiring process is made according to the professional skills of each one of them.

As I said before, we also publish the court hearings agenda not only as a form of accountability but also to encourage citizen participation; we invite citizens to attend the hearings, to watch them and get involved as a civic exercise.

Along the same lines, we encourage citizen education by creating explanatory videos of trials or the way in which the judiciary is organized and we publish them on our YouTube channel. In addition, we opened the courthouse for interested citizens or students to visit our offices to discuss their perception of the justice system and show them a day's work at the courthouse.

In addition, we were invited by the Magistrates Council to participate in pilot tests to implement improvements, use technological tools and incorporate them into our work, for example: digitalization of files, digital signatures, electronic documents, virtual hearings, among others. Without knowing it, all this allowed us to adapt smoothly to the pandemic that during the years 2020-2022 had us working from home because we already had everything digitalized and that allowed us to continue our work without the need to expose us to transit in the context of quarantine and continue providing the service of justice.

Parallel to the implementation of the different practices that I have mentioned, we decided to evaluate their efficiency and, to this end, we designed satisfaction surveys for citizens, lawyers and prosecutors who interact with the court in their jurisdictional work.

In addition, we also compiled statistics on the work we carry out in different areas, response times, and the evaluation of management in general. By analysing these statistics, we have been able to make decisions to improve management. For example, knowing the reasons for delays in the start of hearings allowed us to modify the way in which we set them in order to maximize the use of time not only of this court but of all those who are linked to us in the fulfilment of their functions.

All these implementations and their creation processes were first documented in a procedures manual that served as a guide for those who joined the court when we had already had a broad experience, but also so that other agencies that were already interested in replicating these practices could learn about our experience. Subsequently, we published the book "*Justicia Abierta. De la idea a la práctica*", (Open justice: from theory to practice) a manual that we were able to publish on paper and was very well received by the public who wondered how it is possible to modernize justice and be more efficient. We thought it was appropriate to share not only our successes but also the mistakes that led us to change course when things did not work or showed that it was a waste of resources from the response we received.

4. *Did you face any challenges or resistance to change? What keeps you going when facing challenges?*

As I mentioned before, the process arose from the need to communicate effectively with citizens. Therefore, we first realized that we needed to train ourselves to ensure that the entire court had a good level of grammar, a fundamental step to write clearly. Then, in a collaborative and staggered manner, we modified all the documents in which we had to express ourselves in writing. The first decision was to use common words known to the general public, so we decided to stop using Latin words and words that only those who work in the courts know their meaning (for example: *foja*) and that are easily replaceable by one in common use. At the same time, we chose to use technical vocabulary wisely or to present it and then clarify it for non-lawyers.

In addition, we learned to structure texts logically, to present arguments in paragraphs made up of short sentences, each one expressing a concrete idea.

Following this logic, we were able to be assertive in communication and work under the principle of economy of words, which allowed us to draw the attention of our interlocutors to what we really wanted them to understand, without bothering them with unimportant issues.

To achieve this goal of drawing attention to what is important, we incorporated the use of other design and presentation resources. Thus, we use in our texts: titles, subtitles, underlining, numbering, tables, links and images in the sentences, etc.

However, we not only work on clear language in the resolutions but also on clear expression; in short, the entire communication policy of the court is in clear language.

All this learning process and the way in which we believe we can produce legal texts in clear language are documented in the "*Manual de Lenguaje Claro y estilo*", (Plain Language Manual and Style) a book that was published by Jusbaire's publishing house in 2021 in paper and digital version which is available for free download. (IMAGE)

These changes in the daily activity quickly surprised us by the good reception we noticed in the citizenship. For example, modifying the communications that we send to people who need to appear in court and call them through a notification from the police, began to be more effective. Before the changes we had a low level of compliance, but when the message came through more clearly and in a more intimate tone that rate increased. We had a case in which a person told us that before he had not shown up because when he received our first summons (with the previous form) he had not even read it because it was a judicial notification so he had certain fears and, because of this, he asked the police officer to tell him what he had to do and the police officer had told him that he did not have to do anything, that everything was already resolved; when in fact we were urging him to show up in court or he would lose a benefit that had been granted to him. With our second communication, not only was he encouraged to read it, but he knew what he had to do and presented himself at the summons, thus resolving his legal situation.

5. *Tell us about the 'clarity test' that you introduced.*

The main challenge is to realize that our work not only requires us to be well-trained and up-to-date jurists, but we also need to envision a new generation of public servants who perceive their function in a different way and for this we must be trained in other skills such as writing, storytelling, ICT's, etc.

At this point we are no longer looking for extra motivations to continue on this path because now we see clearly that there is no other possible way. As public officers, it is our obligation to express ourselves clearly, to be accountable and to make our management transparent. It is a task inherent to the position and does not depend on our will. When I was telling you before that once we started it was not possible to stop it, this is what it is all about. To start listening to the citizens, to establish a dialogue and to realize that we can respond to this demand by facilitating access to justice and also by involving citizens in public affairs, requires a little creativity and willingness to think and rethink our work and our function, but it is possible to do it and the results show that it is worth it.

An example of this openness to dialogue is the way we have found to test the clarity of our texts. With so many years in the judiciary, we realized that we were a little bit hampered by having a biased view and certainly full of what we call “vices” or professional defects. The younger members of the team were a great driving force for change in this aspect because we saw their proposals for change as more radical, when in fact they were adjusted to the logic of our contemporary society. Once we agreed on a proposal for a text, communication or practice in court, we decided to test it on the public, with non-lawyers, with people outside of what we do every day. To do this, for example, we published texts on Twitter and invited people to give their opinion on them, to tell us what they understood or what proposals for improvement they would make, and we did the same with family, friends and acquaintances. It was a very gratifying work because in some way we were able to see with people we trusted that they were able to tell us bluntly this was not understandable at all and construct texts with non-lawyers that validated the final product but also showed us how to improve in the future.

6. *Tell us about the results ... is the court closer to its citizens? How do citizens now perceive the court? Did you carry out any surveys or implement user testing?*

With the first changes we perceived a change in the interaction with citizens, both with those involved in a trial and with the general public. In the first case, we noticed that a dialogue was indeed established, people could better present their claims before the court and prosecutors, official defenders were also encouraged to ask us for logical changes in the management because they knew we were receptive or willingly accepted some proposals such as the realization of collective hearings.

As all this was a perception that could not be measured or standardized, we decided to conduct surveys.

Since interaction with society is one of the central aspects of Open Justice, we decided to develop and implement an anonymous and voluntary survey to evaluate the quality of the service provided and to understand where we needed to make improvements. The citizen opinion survey is focused on capturing the perceptions of different people in relation to: 1) the clarity of the language; 2) the impact of the court's work on their view of the Judicial System in general; and 3) the timeliness of hearings.

In this way, we were able to gather information on the experience of users of the justice system, both from citizens and legal professionals. Once completed, this information was systematized to obtain an overview from which we can evaluate our work, the results of which have been published.

In addition, at the beginning of 2019 we added a survey to find out the opinion of prosecutors, official defenders and guardianship advisors about our work. In the latter cases, we disclosed it via email, to encourage greater participation we used an

online platform for free surveys, which guarantees the anonymity of those who complete it.

Thanks to the concrete feedback from citizens and justice system actors, we were able to adopt new changes in our dynamics. For example, we began to specifically report the reasons for delay in the start of the hearing, which is often due to a witness or another person outside the Judiciary, and only by making this information transparent can we avoid unfounded criticism of the institution, at least in terms of our performance.

7. *Often people cite lack of finances or resources in not being able to implement a sustainable plain language initiative. Yet [in your book...] you assert that 'no additional or extraordinary resources are needed to implement improvements'. What tips can you share in getting a working team on the same page and harnessing each member's talents?*

We formed a team that shares ideals and a vision of the justice system and that is the key to what we were able to build. Understanding that the work we do is focused on the citizen is our main driving force and the people who make up the court have the same idea. It was not an easy road because it requires extra work from all of us who are part of the court, but everyone shows a true vocation for justice and a desire to change things. The recognition of the people is also a great incentive because everyone is recognized in their place by the citizens, who send emails, WhatsApp messages or at the end of the hearings take a few minutes to recognize the employees of the court. This is a regular occurrence and it really means a lot to the court because it reaffirms the importance of what we do: that the people themselves point us out as innovative or are very appreciative of something that we believe should be the common core of all judicial services.

For the team to function as such, as a team, we had to dedicate time to working together, which is not a common practice in the justice system where, in general, each individual deals with a case and collaborative work is not consolidated. We held regular weekly meetings where we discussed ways of implementing open justice policies and also court management issues. We learned that collaborative work enriches everyone's training and the quality of what we produce.

In addition, when assigning tasks or thinking about the division of functions, we take into account the interests of each team member, the skills or strengths they show and also the weaknesses or points that need improvement. In this way, we try to make sure that doing extra work beyond what is required of a judicial employee results in a personal benefit in terms of training and development of skills, which is sometimes foreign to the traditional way in which work is understood in areas of law. Society is changing rapidly and we cannot remain with this old idea because new professionals must face numerous challenges related to technological issues, for example.

The fact that we do not need extra resources implies not only that it is an effort of the court but also that with the means at our disposal we try to be creative in order to make the most of them. The Council of the Judiciary has different areas of work, press teams, volunteer work in the neighbourhoods, statistics and we were fortunate that our initiatives caught the

attention of these teams and in particular of certain people who helped us learn to develop skills that our legal careers do not see. We worked collaboratively with them and provided feedback so that the projects in their areas and in the court found a way to come to fruition, with all of us learning in the process.

8. *What's your advice to legal organizations that want to start with plain language?*

As I have already mentioned, the axis of everything is the focus on the citizen. From this premise, the whole work logic starts to be reconfigured. An interdisciplinary approach helps a lot in this, if you have the opportunity to talk to linguists, sociologists, etc. All this feeds into the ideas you may have and fundamentally I think it is essential to try something similar to the clarity tests we did in the court because it not only allows us to validate the texts in plain language, but from the invitation to dialogue with the citizenship many things emerge that give new ideas to work and mobilize each one of the members of the work team, committing them from other aspects within the organization.

Everything that comes up can be overwhelming, so it will be essential to establish a line of priorities and not be afraid of making mistakes or going backwards.

Sometimes ideas can be projected that take time to prepare and implement and then do not work. Along the way you have to be open to learn from failed experiences and then evaluate what happened, why it did not work to discard the idea or reformulate it to improve the weaker points.

9. *We know you and a team of plain language practitioners and professionals from different fields have created the Observatorio de Lenguaje Claro... Can you tell us more about the work you do there?*

We believed that we had to take all this experience to the academic world in order to work with future generations to change the paradigm of a closed and obscure justice for an open and accessible one. With the understanding that the law faculty has a formative role in the language of legal operators and, consequently, is the appropriate and natural environment for the research of interdisciplinary studies and reports that are useful for the generation of proposals aimed at promoting the implementation of plain language in all areas of legal action in our country, we approached the Faculty of Law of the UBA through the Vice Rector of the University of Buenos Aires, Juan Pablo Mas Velez, with a proposal to create an *Observatory of Plain Language* ( *Observatorio de Lenguaje Claro* or OLC) .

The University of Buenos Aires was aware of the difficulties faced by citizens in understanding the language of law and, consequently, in understanding the rules that govern their life in society. Based on the recognition of the problem, the OLC was created by resolution of the Dean of the Faculty, with the purpose of exploring the academic study of plain language in-depth in the legal field in order to obtain consolidated and updated information on the state of implementation in our country of the different interactions of the citizen with the state, academia, civil society and the market.

In addition, the Law School was established as the initiating node to promote, energize and consolidate the development of a multidimensional approach to generate interdisciplinary studies to incorporate the contribution of the knowledge of the various faculties that make up the university.

Since its creation, in March 2021, a little over a year ago, the Observatory has developed studies in different research groups, such as: children and adolescents, gender, plain language (how to translate it so that its purpose is understood), public administration, easy reading, jury trial, technology, consumer relations, legal discourse. Each of these groups is made up of professionals from different disciplines from different parts of the country, some of them highly-qualified referents, recognized for their training and trajectory, other professionals interested in interacting with colleagues and also students, all with a true vocation for building collective knowledge. During 2021 they made a status study on the topics of their interest and outlined the work strategy, and this year we are moving forward with the research according to the priorities that were set out.