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# DISPUTE RESOLUTION ALERT

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### Draw me a picture: Legal design thinking and the law

The law is often criticised for being turgid and inaccessible to the ordinary person. Those creating and engaging with the law have been regarded as scholars, wordsmiths and orators, but technology is threatening to change all that - changes that will see the world engaging with the law in a whole new way.

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CLIFFE DEKKER HOFMEYR

## Draw me a picture: Legal design thinking and the law

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The digital revolution takes the emphasis away from the written word - not replacing it but enhancing it through innovative structuring, visualisation, images, diagrams and even videos. The law is traditionally slow to embrace change but Legal Design Thinking or LDT is a concept with the potential to accelerate that change specifically because it brings creative solutions to everyday legal issues. LDT is a way to make the law more accessible by integrating legal concepts with technology and design.

In their article titled "*What is legal design?*" Emily Allbon and Dr Matthew Terrell highlight the presentation and communication of information in a fair, efficient and simple way that aids

understanding. They anticipate a new world where legal design specialists, artists and even psychologists will work alongside lawyers. An example they use is the recent empowering of street vendors in New York by providing them with a visual depiction of the most commonly violated laws and giving them an understanding of how to operate within those laws. They apply the same principle to contracts where people presented with a more visual explanation more readily understand to what they are agreeing to, language barriers are bridged and there is less chance of disputes arising. If there are disputes, the parties are more likely to understand whether the dispute is a legal one and how that dispute might be resolved. A popular example is the use of *comic contracts*, which adds to the contract a comic-strip type of explanation where the images are as important as the words and a binding contract is created that is understood by all parties involved.

Data transformation brings with it progressively more complex legal problems some of which cannot be easily solved with traditional problem-solving processes. Design thinking, already a

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## Draw me a picture: Legal design thinking and the law...continued

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well-established business tool, presents information by using, for example, icons and structured hierarchies to communicate complex issues in a richer more visual form that can cut across cultural and language barriers. LDT is intended to assist lawyers in their understanding and analysis of intricate issues and aiding their communication with clients and opponents.

Where artificial intelligence is generally aimed at automation of more mundane tasks, LDT introduces a multifaceted approach that can assist lawyers with their most complex tasks. It is not suggested

that lawyers abandon their traditional tools of critical analysis, logic and objective reasoning, but instead they can pair those skills with the richness afforded by the digital revolution and design thinking. In fact, universities should be incorporating these new skills into their curricula alongside all of the traditional skills.

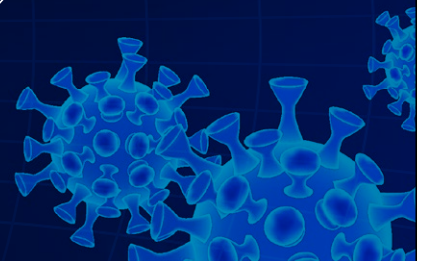
There will be those who stick to the traditional but for those who are prepared to embrace the change, these are exciting developments.

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*Tim Fletcher, Refiwe Makhema and Paige Winfield*

# CDH'S COVID-19 RESOURCE HUB

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## 2021 RESULTS

CHAMBERS GLOBAL 2017 - 2021 ranked our Dispute Resolution practice in Band 1: Dispute Resolution.

CHAMBERS GLOBAL 2018 - 2021 ranked our Dispute Resolution practice in Band 2: Insurance.

CHAMBERS GLOBAL 2017 - 2021 ranked our Dispute Resolution practice in Band 2: Restructuring/Insolvency.

CHAMBERS GLOBAL 2020 - 2021 ranked our Corporate Investigations sector in Band 3: Corporate Investigations.

Chambers Global 2021 ranked our Construction sector in Band 3: Construction.

Chambers Global 2021 ranked our Administrative & Public Law sector in Band 3: Administrative & Public Law.

Pieter Conradie ranked by CHAMBERS GLOBAL 2019 - 2021 as Senior Statespeople: Dispute Resolution.

Clive Rumsey ranked by CHAMBERS GLOBAL 2013-2021 in Band 1: Construction and Band 4: Dispute Resolution.

Jonathan Witts-Hewinson ranked by CHAMBERS GLOBAL 2021 in Band 3: Dispute Resolution.

Tim Fletcher ranked by CHAMBERS GLOBAL 2019 - 2021 in Band 3: Dispute Resolution.

Joe Whittle ranked by CHAMBERS GLOBAL 2020 - 2021 in Band 3: Construction

Tobie Jordaan ranked by CHAMBERS GLOBAL 2020 - 2021 as an up and coming Restructuring/Insolvency lawyer.



## Cliffe Dekker Hofmeyr's Dispute Resolution rankings in THE LEGAL 500 EMEA 2020:

**CDH's Dispute Resolution practice** is ranked as a Top-Tier firm in THE LEGAL 500 EMEA 2020.

**Tim Fletcher** is ranked as a Leading Individual in Dispute Resolution in THE LEGAL 500 EMEA 2020.

**Eugene Bester** is recommended in Dispute Resolution in THE LEGAL 500 EMEA 2020.

**Jonathan Witts-Hewinson** is recommended in Dispute Resolution in THE LEGAL 500 EMEA 2020.

**Pieter Conradie** is recommended in Dispute Resolution in THE LEGAL 500 EMEA 2020.

**Rishaban Moodley** is recommended in Dispute Resolution in THE LEGAL 500 EMEA 2020.

**Kgosi Nkaiseng** is ranked as a Next Generation Partner in THE LEGAL 500 EMEA 2020.

**Tim Smit** is ranked as a Next Generation Partner in THE LEGAL 500 EMEA 2020.

**Gareth Howard** is ranked as a Rising Star in THE LEGAL 500 EMEA 2020.

**CDH's Construction practice** is ranked in Tier 2 in THE LEGAL 500 EMEA 2020.

**Clive Rumsey** is ranked as a Leading Individual in Construction in THE LEGAL 500 EMEA 2020.

**Joe Whittle** is recommended in Construction in THE LEGAL 500 EMEA 2020.

**Timothy Baker** is recommended in Construction in THE LEGAL 500 EMEA 2020.

**Siviwe Mccetywa** is ranked as a Rising Star in Construction in THE LEGAL 500 EMEA 2020.



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### BBBEE STATUS: LEVEL TWO CONTRIBUTOR

Our BBBEE verification is one of several components of our transformation strategy and we continue to seek ways of improving it in a meaningful manner.

### PLEASE NOTE

This information is published for general information purposes and is not intended to constitute legal advice. Specialist legal advice should always be sought in relation to any particular situation. Cliffe Dekker Hofmeyr will accept no responsibility for any actions taken or not taken on the basis of this publication.

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