



RESEARCH PAPER

Exploring the Efficacy of Plain English to Measure Legal Aspirants' Comprehension of Judicial Judgments

¹Iram Rubab* ²Ifra Batool ³Yaghsha Sahar

1. Assistant Professor, Department of English, GC Women University Sialkot, Punjab, Pakistan
2. MS Scholar, Department of English, GC Women University Sialkot, Punjab, Pakistan
3. MS Scholar, Department of English, GC Women University Sialkot, Punjab, Pakistan

***Corresponding Author** iram.rubab@gcwus.edu.pk

ABSTRACT

This study attempts to measure the linguistic adequacy of law students with reference to comprehension of judicial judgments and consumption of time. Data is collected in the form of test from the law students. Two tests are constructed comprising of five statements concerned with civil judicial judgments. Test 1 was carrying the original chunks of civil judicial judgments and test 2 was carrying the same test in plain version. Starting and ending of Timings were also essential to mention on the test. Tests were given to the 250 law students of five prestigious universities of Pakistan. The findings of the study revealed that the law students take less time while reading the plain legal language and raised the comprehensibility of judicial judgments.

Keywords: Accessibility, Judicial Judgments, Legal language, Plain Language

Introduction

After the partition of the sub-continent, the legal system of the British India was also partitioned. British legal system and common laws were implemented in Pakistan. The style, language, terms, statutory laws and writing style of judicial judgments with all respect are adopted from the legal system of the British India which were implemented by British the Colonialists. In the legal history of Pakistan, no changes are made in these enforced laws or statutes. Due to wide range of factors, the legal language has adopted a variety of complex features, terms and phrases which hinder the comprehensibility of the legal language.

They are necessitated to have enough comprehension of the complicated statutory laws, legal documents and judicial decisions. By having the command on the legal language, the law professionals may expedite the legal proceedings. The purpose of this study is to suggest *Plain English Language Movement* in academic and legal professional settings to make the justice speedy. Its aim is to measure the linguistic adequacy of stake holders concerning the comprehension level and required time of comprehending extracts from judicial judgments in original and simplified versions so that the problems regarding the complexity of legal language and consequently recommendations be given to improve comprehension and to save time.

It is considered the overpopulated and profitable profession of Pakistan. Every year hundreds of lawyers are being registered because it is very easy to attain the law degree. The private sector has been using the harmful approaches by ignoring the quality education, employing "no rules and regulations" in their colleges/institutes and selling their degrees. A popular phrase about this profession is that "a person who fails to do something joins this profession". After attaining the degree, the lawyers do not have the required competence to accomplish the challenging legal tasks, they have to spend a lot of years in learning under the senior and competent lawyers and many of them quit this profession. The major problem is to deal with the legal documents and drafting while case proceedings. When people

contact with these less competent low paid lawyers to solve their problems legally, who provide them semiprofessional services, they harm their concern and causes to delay the justice.

Ahmad (2015) quoted the speech by Barrister Zara Shaheen Awan in Express Tribune; regrettably, the situation of law profession in Pakistan is “extremely bleak”. No efforts are made to improve the legal education and legal system that are adopted by the British India. The present situation is embarrassing. The law professionals do not have adequate knowledge of English language to comprehend the legal documents. They are not able to apply the legal doctrines and laws for the proceedings of cases. The lawyers take large amount of time to make the files and to proceed the case. Mostly, they do not get prepare to appear in the courts; just they take the date of next hearing (adjournments). It keeps on for years and the judgment remains standby. She argued that “a lot of people are stepping into the field of law because it is very easy to enter into, but it is very difficult to sustain yourself for long”. She also stated that “the legal system itself becomes a source to drain the motivation in lawyers.” Sometimes judges force the lawyers to argue the case, even when they are not properly prepared, in such a way a wrong order can be announced and the client suffers.

Literature Review

Kotelawala (2017) carried out a research to determine the effects of plain language to reveal the rights embedded in Latin maxims by using survey method and making the comparison between the original and simplified version of clauses; by making the recommendation of being conscious of the real and intended meanings of the clauses while legal proceedings. Edgell & Rosenberg (2022) explored the jargon free summaries of the scientific research publications with different perspectives in order to make the text accessible for common man. By using the survey method, opinion was taken. The research was used for providing the supplementary material for the non-expert audiences. On the other hand, Smith (2021) explored the improvement and spreading of summaries in plain English of published medical reports for the better understanding of the people. Kirkpatrick, E., Gaisford, W., Williams, E. *et al.* (2017) carried out a research to enhance the quality of plain English of scientific research reports by using the comparison of three approaches: original summary, rewritten version and edited version. Shiflet (2017) investigated the impact of plain English Movement on the legal language. Silvagnoli, shepherd, Pritchett & Grdner (2022) carried out a research on optimizing readability, and format of pain language summaries for medical concerned articles by using the cross sectiona; survey method.

Riera (2015) executed a research by making the comparison between two acts of parliament of UK with the same subject with the difference of 41 years gap of implementation. The finding of the study revealed that in recent act, plain English language rules were embedded in light of the plain English language movement. Zodi (2019) put the limits on implementation of plain language for making it accessible for the common readers. He focused on the clarity and accuracy of the legal language with systematic manner. Wszalek & Turkstra (2019) executed a research to determine the comprehension level of written legal language of adults with and without traumatic brain injury. On the other hand, Rubab (2018), (2019), (2020) carried out a research on transformation of legal text into simplified account and impact of statutory laws to expedite the justice in Pakistan by using the survey method. She collected the data from law teachers and lawyers and the results revealed the positive efficacy on making the justice accessible for the readers. Tariq (2021) carried out a research by simplifying the banking language for the common man. By reviewing the different researches, the undertaken study will fill the gap of legal aspirants to raise their comprehensibility by implementing the plain language in legal texts.

Material and Methods

The aim of the undertaken study is to measure the level of linguistic adequacy of law students with reference to time consumption and comprehension of legal texts. Regarding this research, the comprehension level of law students with reference to extracts from judicial judgments in both versions that are original and simplified are measured. Data was gathered from following five universities of Pakistan: The Bahauddin Zakariya University, Punjab University, Peshawar University, Karachi University and Baluchistan University. The test was conducted among 250 students; fifty students from each university. Out of which, 231 respondents attempted the tests and returned it to the researcher. In order to investigate the comprehension level of law students, two tests (test 1& test 2) were given to the students. Test 1 was comprised of extracts from judicial judgments in original complex language, while in test two the extracts from judicial judgments in simplified language were included. Both tests were comprised of five statements. These five statements are concerned with extracts from civil judicial judgments. After reading each statement regarding civil judicial extracts, the respondents were supposed to answer the questions followed by each judicial extract. These questions were true/false and short questions. Each question carried equal marks. The instructions were given to the students in order to mention the starting and ending time of the test. After attempting the test 1, the same students were given 'test two'. For statistical analysis, SPSS was applied to analyze the data.

Results and Discussion

It presents the findings related to extracts from judicial judgments. It reveals students' comprehension, time spent and difference of time with reference to both versions of extracts from judicial judgments. Following is the analysis in relation to extracts from judicial judgments.

Law Students' Comprehension with Reference to Original Extract from Judicial Judgments

Out of total number of students, 231 law students attempted the test. From Bahauddin Zakariya University, fifty students responded and secured 4.43 average marks with standard deviation 1.55. Minimum and maximum scores obtained by the students were 1.00 and 8.00 respectively. On the other hand, out of 50 students, forty seven students responded from Punjab University by obtaining average marks 4.81 with standard deviation 1.59. Securing minimum and maximum scores regarding this, were 1.20 and 7.50 respectively. Similarly, 45 law students from Peshawar University attempted the test and secured 6.06 average marks with standard deviation 1.19. In this regard, the minimum score was 2.00 and maximum was 7.70. Conversely, 45 students attempted the test from Karachi University obtained 4.95 average marks with standards deviation 1.43. Minimum and maximum scores secured by the students were 2.20 and 7.70 respectively. However, 44 students from Baluchistan University attempted the test securing 3.59 mean marks with standard deviation 1.57. Minimum and maximum scores were 1.00 and 7.10 respectively. In conclusion, out of total, 231 law students appeared in the test, secured average 4.76 marks with standard deviation 1.66. Minimum and maximum scores were 1.00 and 8.00 respectively. (See table: 1)

Table 1
Descriptive Statistics: Marks Regarding Comprehension of Extracts from Judicial Judgments

	N	Mean	Std. Deviation	Std. Error	Minimum	Maximum
Bahauddin Zakariya University	50	4.4300	1.55973	.22058	1.00	8.00
Punjab University	47	4.8149	1.59755	.23303	1.20	7.50
Peshawar University	45	6.0600	1.19362	.17793	2.00	7.70
Karachi University	45	4.9533	1.43695	.21421	2.20	7.70
Balochistan University	44	3.5977	1.57295	.23713	1.00	7.10

Total	231	4.7693	1.66717	.10969	1.00	8.00
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Table ANOVA 2 shows that the comprehension ability regarding extracts from judicial judgments among the students of different universities was found significantly different. The table represents F-value 16.242 with P-value 0.000 that shows the average marks obtained by the students of different universities are significantly different.

Table 1
ANOVA: Marks Regarding Comprehension of Original Extracts from Judicial Judgments

	Sum of Squares	df	Mean Square	F	Sig.
Between Groups	142.737	4	35.684	16.242	.000
Within Groups	496.534	226	2.197		
Total	639.272	230			

Law Students' Comprehension with Reference to Simplified Extracts from Judicial Judgments

Out of total 250 law students, 231 attempted the test. From Bahauddin Zakariya University, fifty students participated and secured 7.102 average marks with standard deviation 1.012. Minimum scores obtained by the students were 4.7 and maximum 8.6. Similarly, forty seven law students participated in the test from Punjab University by obtaining average marks 7.15 with standard deviation 1.431. In this regard, minimum and maximum scores were 3.2 and 9.6 respectively. However, 45 students from Peshawar University attempted the test by getting 7.91 average marks with standard deviation 0.992. In this case, the minimum score was 5.7 and maximum was 9.2. Conversely, 45 students from Karachi University secured 6.75 average marks with standard deviation 1.35. Minimum and maximum marks achieved by the students were 3.7 and 9.2 respectively. On the other hand, 44 students attempted the test from Balochistan University. Mean and standard deviation was 4.84 and 1.77 respectively with minimum score 2.00 and maximum score 8.7. Overall, out of 231 law students, who attempted the test, secured average 6.74 marks with standard deviation 1.649. Minimum and maximum gained by them were 2.00 and 9.6. (See table 3)

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Descriptive: Marks Regarding Comprehension of Simplified Extracts from Judicial Judgments

	N	Mean	Std. Deviation	Std. Error	Minimum	Maximum
Bahauddin Zakariya University	50	7.1020	1.01207	.14313	4.70	8.60
Punjab University	47	7.1596	1.43188	.20886	3.20	9.60
Peshawar University	45	7.7822	.99277	.14799	5.70	9.20
Karachi University	45	6.7578	1.35118	.20142	3.70	9.20
Baluchistan University	44	4.8455	1.77888	.26818	2.00	8.70
Total	231	6.7494	1.64963	.10854	2.00	9.60

With reference to the extracts from the simplified judicial judgments, the comprehension ability among the law students of different universities was significantly different. Table ANOVA 4 shows F-value 30.975 with P-value 0.000. It shows that the average marks secured by the students of different universities are significantly different.

Table 4
ANOVA: Marks Regarding Comprehension of Simplified Extracts from Judicial Judgments

	Sum of Squares	df	Mean Square	F	Sig.
Between Groups	221.630	4	55.407	30.975	.000
Within Groups	404.268	226	1.789		
Total	625.897	230			

Law Students' Time Spent in Comprehending Original Extracts from Judicial Judgments

With reference to measuring the time in comprehending original extracts from judicial judgments, the test was executed among 231 law students. Out of which 50 students participated from The Bahauddin Zakariya University by taking average 14.98 minutes with standard deviation 2.86. Minimum and maximum time taken was 10.00 and 20.00 minutes respectively. Conversely, forty seven students took part in the test from Punjab University by spending average 18.12 minutes with standard deviation 4.18. In this regard, minimum and maximum time spent was 7.00 and 28.00 respectively. Likewise, from Peshawar University 45 law students participated by taking average 18.13 minutes with standard deviation 2.84. Minimum and maximum time spent was 12.00 and 23.00 minutes respectively. Similarly, 45 students from Karachi University by spending average 15.04 minutes with standard deviation 4.32. In this context, minimum and maximum time spent by the students was 7.00 and 25.00 minutes respectively. On the other hand, 44 students participated from Baluchistan University consuming 20.75 minutes average with standard deviation 3.17. Minimum and maximum time spent was 15.00 and 27.00 minutes respectively. On the whole, the students took average 17.34 minutes with standard deviation 4.12. Minimum and maximum time spent while comprehending the original extracts from judicial judgments was 7.00 and 28.00 minutes respectively as presented in table 5.

Table 5
Descriptive: Time Spent in Comprehending Original Extracts from Judicial Judgments

	N	Mean	Std. Deviation	Std. Error	Minimum	Maximum
Bahauddin Zakariya University	50	14.9800	2.86777	.40556	10.00	20.00
Punjab University	47	18.1277	4.18391	.61029	7.00	28.00
Peshawar University	45	18.1333	2.84125	.42355	12.00	23.00
Karachi University	45	15.0444	4.32727	.64507	7.00	25.00
Baluchistan University	44	20.7500	3.17787	.47908	15.00	27.00
Total	231	17.3463	4.12115	.27115	7.00	28.00

Time spent in comprehending the original judicial judgments among the students of different universities was found significantly different as indicated in table 6. The ANOVA table shows F-value 21.721 with P-value 0.00. It reflects that the time consumed in comprehending the original extracts from judicial judgments by the students of different universities is significantly different.

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ANOVA: Time Consumption in Comprehending Original Extracts from Judicial Judgments

	Sum of Squares	Df	Mean Square	F	Sig.
Between Groups	1084.719	4	271.180	21.721	.000
Within Groups	2821.575	226	12.485		
Total	3906.294	230			

Time Consumed in Comprehending Simplified Extracts from Judicial Judgments by Law Students

Pertaining to simplified extracts from judicial judgments, fifty students from Bahauddin Zakariya University participated in the test. They took average time for reading the simplified extracts from judicial judgments 7.34 minutes with standard deviation 1.81. Minimum and maximum spent time was 4.00 and 10.00 minutes respectively. Similarly, forty seven students from Punjab University attempted the test by consuming average 8.44 minutes with standard deviation 1.94. In this case, minimum and maximum spent time was

2.00 and 12.00 minutes respectively. Conversely, 45 law students from Peshawar University participated in the test who took average 8.53 minutes with standard deviation 1.67. Minimum and maximum time spent was 6.00 and 12.00 minutes respectively. Likewise, 45 students of Karachi University took 7.60 minutes average with 3.40 standard deviation. In this regard, minimum and maximum time taken by the students was 2.00 and 20.00 minutes respectively. On the other hand, 44 students from Baluchistan University participated by spending average 13.77 minutes with standard deviation 2.19. Minimum and maximum time spent was 10.00 and 17.00 minutes respectively. On the whole, 231 law students participated from the above mentioned universities; they took average 9.07 minutes with standard deviation 3.24. Minimum and maximum time consumed was 2.00 and 20.00 minutes respectively. (See table 7)

Table 7
Descriptive: Time Spent in Comprehending Simplified Extracts from Judicial Judgments

	N	Mean	Std. Deviation	Std. Error	Minimum	Maximum
Bahauddin Zakariya University	50	7.3400	1.81389	.25652	4.00	10.00
Punjab University	47	8.4468	1.94275	.28338	2.00	12.00
Peshawar University	45	8.5333	1.67332	.24944	6.00	12.00
Karachi University	45	7.6000	3.40721	.50792	2.00	20.00
Balochistan University	44	13.7727	2.19792	.33135	10.00	17.00
Total	231	9.0736	3.24891	.21376	2.00	20.00

The students from different universities exhibited significant difference with reference to time spending in comprehending extracts from judicial judgments as indicated in table 8. The following table ANOVA indicates F-value 60.083 with P-value 0.00. It shows the time spent in comprehending the judicial extracts by the law students of different universities is significantly different.

Table 8
ANOVA: Time Spent in Comprehending Simplified Extracts from Judicial Judgments

	Sum of Squares	Df	Mean Square	F	Sig.
Between Groups	1251.185	4	312.796	60.083	.000
Within Groups	1176.564	226	5.206		
Total	2427.749	230			

Difference of Time Regarding Comprehending Original and Simplified Extracts from Judicial Judgments

Regarding difference of time in original and simplified judicial judgments, the findings of Bahauddin Zakariya University reflect average time difference 7.64 minutes with standard deviation 3.06. In this context, minimum time consumed by the students was 1.00 minute and maximum was 15.00 minutes. Similarly, the results of Punjab University indicate average time difference 9.68 minutes with standard deviation 3.61. In this regard, minimum and maximum time difference was 3.00 and 21.00 minutes respectively. Conversely, Peshawar University presents average time difference 9.60 minutes with standard deviation 2.67. Minimum spent time was 1.00 and maximum time 14.00 minutes. Likewise, results of Karachi University indicate average time difference 7.44 minutes with standard deviation 3.72. Minimum and maximum time was 0.00 and 15.00 minutes respectively. On the other hand, the results of Baluchistan University reflect that the mean time difference was 6.97 minutes with standard deviation 3.00. Minimum and maximum time consumed by the students was 0.00 and 16.00 minutes respectively. On the whole, the findings indicate the average time difference is 8.27 minutes with standard deviation 3.40. Minimum and maximum time spent by the law students is 0.00 and 21.00 respectively as indicated in table 9.

Table 9
Descriptive: Time Difference Regarding Original & Simplified Extracts from Judicial Judgments

	N	Mean	Std. Deviation	Std. Error	Minimum	Maximum
Bahauddin Zakariya University	50	7.6400	3.06900	.43402	1.00	15.00
Punjab University	47	9.6809	3.61222	.52690	3.00	21.00
Peshawar University	45	9.6000	2.67480	.39874	1.00	14.00
Karachi University	45	7.4444	3.72678	.55556	.00	15.00
Baluchistan University	44	6.9773	3.00765	.45342	.00	16.00
Total	231	8.2727	3.40959	.22433	.00	21.00

The difference of time in reading original and simplified versions of judicial judgments among the students of different universities was significantly different. Table ANOVA 10 indicates F-value 7.065 with P-value 0.00. It indicates significantly difference of time with reference to comprehending the judicial judgments by the students of different universities.

Table 10
ANOVA: Time Difference Regarding Original & Simplified Extracts from Judicial Judgments

	Sum of Squares	Df	Mean Square	F	Sig.
Between Groups	297.197	4	74.299	7.065	.000
Within Groups	2376.621	226	10.516		
Total	2673.818	230			

T-Test

Table 11
Paired Samples Statistics

Pair 1	Mean	N	Std. Deviation	Std. Error Mean
Marks of Original Judicial Extracts	4.7693	231	1.66717	.10969
Marks of Simplified Judicial Extracts	6.7494	231	1.64963	.10854

Table 12 reveals a positive correlation in the marks secured for both types of problems. Positive correlation by the students is 0.752 that is highly significant with p-value=0.00.

Table 12
Paired Samples Correlations

Pair 1	N	Correlation	Sig.
Marks Regarding Original Judicial Extracts & Marks Regarding Simplified Judicial Extracts	231	.752	.000

By applying paired T-Test, the mean difference between the marks secured by the students is -1.98 with standard deviation 1.16. The value of t-statistics was obtained -25.73 with p-value 0.00 which is again highly significant as shown in table 13. It shows the significant difference among the students of different universities while attempting the test with reference to comprehension of original and simplified versions of extracts from judicial judgments.

Table 13
Paired Samples Test

		Paired Differences			t	Df	Sig. (2-tailed)
		Mean	Std. Deviation	Std. Error Mean	Mean	Std. Deviation	Std. Error Mean
Pair 1	Marks Regarding Original Judicial Extracts – Marks Regarding Simplified Judicial Extracts	-1.98009	1.16859	.07689	-25.753	230	.000

The combined analysis of both versions of judicial judgments is presented in the under given tables. In the case of original extracts from judicial judgments, the average time taken by the students is 17.34 minutes with standard deviation 4.12, while regarding simplified extracts from judicial judgments, the average time consumed by the students is 9.07 minutes with standard deviation 3.24 as mentioned in the table: 14.

Table 14
Paired Samples Statistics

		Mean	N	Std. Deviation	Std. Error Mean
Pair 1	Time spent in original Judicial extracts	17.3463	231	4.12115	.27115
	Time spent in simplified Judicial extracts	9.0736	231	3.24891	.21376

Table: 15 presents a positive correlation in the time taken for both types of problems. Positive correlation by the students is 0.594, that is highly significant with p value=0.00.

Table 152
Paired Samples Correlations

		N	Correlation	Sig.
Pair 1	Time Spent in original Judicial Extracts & Time spent in simplified Judicial extracts	231	.594	.000

When paired T-Test was applied, the mean difference regarding time consumption of the students while reading both versions is 8.27 minutes with standard deviation 3.40. The value of T-statistics was obtained 36.87 with p-value 0.00 which is again highly significant as indicated in the following table: 16.

Table 16
Paired Samples Test

		Time Spent on Comprehending Original Judicial Extracts - Time Spent on Comprehending Simplified Judicial Extracts			t	df	Sig. (2-tailed)
		Mean	Std. Deviation	Std. Error Mean	Mean	Std. Deviation	Std. Error Mean
Pair 1		8.27273	3.40959	.22433	36.877	230	.000

It indicates the significant difference with reference to time taken by the students of different universities while attempting the test with reference to original and simplified extracts from judicial judgments.

Conclusion

I have presented the findings related to the linguistic adequacy level of law students of different universities of Pakistan regarding extracts from judicial judgments. The findings are revealed regarding comprehension level, time spent and difference of time while reading

original and simplified extracts from judicial judgments. First, in the context of original extracts from judicial judgments, the students secured average 4.76 score with standard deviation 1.66, whereas in case of simplified judicial judgments, the students scored average 6.74 marks with standard deviation 1.64. That shows a positive correlation between the original and simplified judicial extracts regarding obtained marks of the students. Second, with reference to consumption of time while comprehending the original judicial extracts, the students took average 17.34 minutes with standard deviation 4.12, whereas regarding simplified statutes; the students took 9.07 minutes with standard deviation 3.24. That shows a positive correlation in consumption of time while reading both versions of extracts from judicial judgments. Third, by applying T-test, the mean difference between the times consumed by the students is 8.27 minutes with standard deviation 3.40. The value of T-statistics obtained was 36.87 with p-value 0.00 which is highly significant. It indicates a significant difference with reference to consumption of time while reading original and simplified versions of extracts from judicial judgments.

On the whole, it is concluded that the students secured more marks while comprehending the simplified extracts from judicial judgments as compared to the original extracts from judicial judgments. It reflects the students feel difficulty in comprehending the original legal text. As well, the students take more time while reading the original judicial extracts as compared to the simplified judicial extracts. A significant time difference is calculated by comparing both versions of judicial extracts. It shows that the simplified versions of the legal text should be encouraged in order to get better understanding and speed up the justice.

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