



## **Tech Toolbox: 4 Ways to Transform Legal Contracts Into a Brand Experience**

**Commercial and Contracts**



Contracts are fast becoming digital experiences that reveal a company's personality. Far from the flat walls of dense text they used to be, today's digital contracts are often online encounters that display your organization's unique brand to consumers, employees, and business partners.

Information design, marketing, and legal professionals are now collaborating to transform contracts into stylish branding opportunities. Each contributes necessary skills and talents. Simplified language and brand-specific design elements empower viewers to feel, sense, and understand your company as a distinctive brand.

Few lawyers majored in marketing, art, or design as an undergrad. What do in-house lawyers need to know to help design digital contracts?

Here are four notable contract design elements to keep in mind as you develop attractive on-brand contracts.

## **1. White space: It's a thinker's place**

Contracts stay true to their brand identity when their look and feel is consistent with the company's website, advertising, and social media presence. Yet, introducing one element can benefit every organization, and that is adding more white space to contracts.

Don't subject viewers to the same endless streams of mind-numbing text that haunt your legal nightmares. Embrace the calm stillness of pure white space!

White space contrasts with text to give the reader's eye and mind a much-needed break. Viewers can focus on each sentence without feeling rushed or distracted. White space also helps to balance the rest of your design elements to make the overall viewing more pleasurable.



A place to think.

## 2. Simplify word choice and sentence structure

Whether wise and sophisticated, fun and witty, serious and academic, or anything in between, companies of all types now strive to write contracts using plain straightforward language.

Lawyers have typically written contracts with other lawyers and judges in mind as their audience. The results are pages of murky legalese. But using simpler, everyday language and helpful design principles in privacy policies, terms of service, and other contracts help more people understand the quality of your organization's services.

In 2020, Google updated its [Terms of Service](#) (TOS) to make its legal terms easier to understand. The updated TOS places commonly used words amid lots of white space to describe how people can use its products and what types of content people can post online. Google also added a helpful list of definitions and links to additional information to help curious readers learn more.

No, Google didn't write an award-winning novel. But its counsel did write what's more likely to be a business-winning contract. Google explained and clarified legal concepts while avoiding antiquated phrases such as "Now, therefore, in consideration of the foregoing..." and "Notwithstanding anything in this contract to the contrary..." that either scare or bore readers away.

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### 3. Use design to aid in finding answers fast

A lot of thought goes into writing and designing useful headings. To be useful, headings must help viewers navigate the contract and find what they need as quickly as possible.

You can incorporate visual guideposts and iconography as landmarks to help people find specific categories of information. Also, practice “proximity,” which is just a fancy way to say “group related elements together.”

Known as “[privacy nutrition labels](#),” Apple’s “App Privacy Details” program requires that app developers create brief summaries that show whether an app tracks users and how an app collects and uses data. Categories such as “Data Used to Track You” and “Data Linked to You” are listed as bold headings. Each category includes a list to describe the types of data collected such as “Contact Info,” “Purchases,” and “Location.”

As a brand, Apple’s app privacy labels are an outward demonstration of Apple’s dedication to user privacy. Consumers can quickly understand the relationship’s parameters after a single read-through. If questions arise later, useful headings help them navigate directly relevant details.

### 4. Create functional visuals that increase comprehension

Use imagery to help clarify complex concepts and strengthen understanding. Digital marketing firm August’s [privacy policy](#) announces, “You’re about to go on a privacy adventure with Fernando,” a digital fish who encounters multiple fish friends as he guides users through a metaphorical ocean of privacy details. The journey incorporates sensory elements of the brand’s image, such as shapes, colors, graphics, and movement.

August’s privacy policy is both fun and effective. But don’t let Fernando’s cuteness stress you. Legal contracts aren’t in line to win any contemporary art awards. Functional visuals can include tables and charts that categorize information, organize details, and provide context. Remember, you’re not competing with Picasso. You’re aiding comprehension and reading efficiency.

### There's demand for greater transparency in contracts

Companies that design easily accessible contracts proactively increase transparency. Nevertheless, the trend didn’t develop out of the goodness of corporate hearts. Laws and regulations increasingly demand corporate transparency, e.g., [GDPR, Article 12\(1\)](#) requires that communications be provided “in a concise, transparent, intelligible and easily accessible form, using clear and plain language.”

Making the effort to develop more accessible legal contracts is a testament to a brand’s dedication to incorporating transparency into its relationship management processes.

As lawyers, you’ll bring the required legal concepts. Marketers contribute branding guidance, and designers bring visual style. Together, you’ll choose language and design elements to create contracts that unfold as engaging, on-brand, digital experiences. You’ll also help your organization demonstrate its dedication to consumer empowerment while showing off its unique personality.

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Mack is also an award-winning (such as the prestigious ACC 2018 Top 10 30-Somethings and ABA 2022 Women of Legal Tech) general counsel, operations professional, startup advisor, public speaker, adjunct professor, and entrepreneur. She co-founded SunLaw, an organization dedicated to preparing women in-house attorneys to become general counsels and legal leaders, and WISE to help female law firm partners become rainmakers.

She has authored numerous books, including *Get on Board: Earning Your Ticket to a Corporate Board Seat*, *Fundamentals of Smart Contract Security and Blockchain Value: Transforming Business Models, Society, and Communities*. She is working on her next books: *Visual IQ for Lawyers* (ABA 2024), *The Rise of Product Lawyers: An Analytical Framework to Systematically Advise Your Clients Throughout the Product Lifecycle* (Globe Law and Business 2024), and *Legal Operations in the Age of AI and Data* (Globe Law and Business 2024).