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DIRECTIVE 07-22

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FROM: Glenn A. Grant, Administrative Director 

SUBJ: New Jersey Judiciary Policy on Accessible & Inclusive Communications

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In its [2021 Action Plan for Ensuring Equal Justice](#), the Supreme Court committed to reexamine Judiciary communications as part of ongoing efforts to ensure equitable access to information, as well as fairness and quality service. Accordingly, the Judiciary engaged in a comprehensive review of court communications in all contexts -- written and spoken, formal and informal, individualized and system-generated, and in real-time as well as recorded. The Conferences of Presiding Judges, as well as managers in practice and operational divisions, participated in a broad reexamination of the clarity and understandability of court communications and the inclusivity -- or unintended barriers -- associated with word choice, document structure, and aspects of formatting.

Following that vetting process and on the recommendation of the Judicial Council, the Supreme Court has approved the New Jersey Judiciary Policy on Accessible & Inclusive Communications set forth in this directive. The policy addresses foundational elements of court communications: format and technology; understandability; and alignment with the Judiciary's values with respect to diversity and inclusion principles. The policy is effective

immediately and applies at all levels of the courts, including Supreme Court, Appellate Division, Superior Court, Tax Court, and the Municipal Courts.

Starting Premises

Consistent with the organizational principles of fairness and quality service, Judiciary communications should be accessible, understandable, and inclusive.

- A. Accessible communications enable court users to find what they need in a format they can use.
- B. Understandable communications enable court users to make sense of what they find and use it to meet their needs.
- C. Inclusive communications consider diverse identities and experiences, avoid and reduce barriers, and address the individual needs of each court user.

The above pillars of court communications intersect and overlap. Yet they also proceed in a logical sequence: as a threshold matter, information must be easy to find in a usable format; once found, content must be presented in a way that can be understood and applied to the intended purpose; and the overall process of finding and using information should be inclusive of the diversity of all court users.

A. Accessibility

1. Court information should be easy to locate in places and formats available to court users.
 - Publicly available information should be posted online and not only in print.
 - Information on the Judiciary website should be easy to find on intuitively titled pages, by using the website search function, and through inquiries to the Judiciary Information Attendant (JIA) chatbot.

- Web-based content should be designed for use by the more than 50 percent of users who access Judiciary online resources using a smartphone rather than a device with a large monitor.

2. Printed and digital materials should be provided in appropriate formats.

- Hardcopy communications should be printed in 14-point Times New Roman or comparable font for readability.
- When possible, materials posted on the website should be available in HTML format, which is readable on a smartphone and by the assistive technologies used by individuals with visual impairments. However, court opinions and other historical resources should continue to be preserved in PDF or other more fixed format.

3. The process of finding information -- and the content itself -- should be simple and uncluttered.

- Digital and print resources should prominently display the most needed content, including resources for the more than 70 percent of court users who are self-represented, in addition to legal information for attorneys. Content of interest to specialty audiences, such as researchers and historians, should be separated and labeled.
- Black-and-white fact sheets, ideally no more than a single page, should be available for download and printing as needed.
- Like words, illustrations should be used to communicate meaning but should not be incorporated in a way that distracts or detracts from a message or that unnecessarily consumes resources, including paper and color ink.

B. Understandability

1. All Judiciary communications should implement the following principles of plain language.

- Write for the intended audience, using language the audience will understand. Conduct regular user-testing to confirm or correct expectations about readability and understanding.
- Address the reader or audience directly; use active voice whenever possible.
- Use short sentences and separate ideas into brief paragraphs.
- Organize information logically, based on consideration of how much the audience knows about the subject.
- Use clear language. Avoid words with multiple meanings, contractions, idioms, double negatives, and unfamiliar terms. Such language is difficult to understand, awkward to translate into other languages, and sometimes has a problematic history.
- Design printed documents and web pages for readability with short, clear chunks of text with informative headers.

2. Legal terminology and acronyms should be avoided when possible. When a legal term is necessary, it should be clearly defined.

- Plain-language descriptions should be used whenever feasible in materials designed for self-represented litigants and members of the public.
- Unavoidable legal terms should be defined promptly, using a floating pop-up for online content or a parenthetical definition in printed materials.
- All legal words and Judiciary acronyms should be defined in a universal glossary so that terms are defined

consistently. However, users should not be required or expected to review the glossary to understand court forms or other materials.

C. Inclusivity

1. Gender inclusive language should be used whenever possible.

- Inclusive descriptions should be substituted for exclusionary gender-based terms. For example, court forms should not presume that a couple includes a “husband” and a “wife” and should instead include fields for each “spouse or partner”.
- Outdated gendered references should be eliminated. For example, “ladies and gentlemen of the jury” should be “members of the jury” or “jury”.
- Titles or full names should be used instead of gendered honorifics. For example, correspondence should be addressed to Attorney Smith or Sam Smith rather than Ms. Smith. A court user who has not indicated how they want to be addressed should be addressed by their full name.
- Efforts should be made to retain clarity while avoiding gendered language.
 - For example, an entire sentence can be made plural (A litigant should list his or her current address. Change to: Litigants should list their current addresses.).
 - Or alternate phrases can be used (An individual may seek additional discovery ~~so that he or she may~~ in order to exercise his or her the statutory right.).
 - Or a noun can be repeated (A person subject to involuntary commitment and ~~his or her~~ the person’s counsel may inspect certain documents.).

- In addition to court forms, public-facing communications including model jury charges and Court Rules should be reviewed to identify exclusionary and unnecessary gendered language for potential amendment by the Supreme Court.
2. Person-centered language should be used in all areas.
- Court communications should focus on the person rather than their circumstances. For example, an individual should be referenced as “a client of probation” rather than characterized as “a probationer”. A person should be described as “receiving guardianship services” rather than defined “an incapacitated person”. A court user should be considered as “living with a disability or a different ability” instead of labeled as “a disabled person”.
3. Court communications should consider the effect on the reader, listener, or third-party and not just the intent of the speaker or writer.
- Everyone who writes and speaks for the Judiciary should work to consider differences in experiences and perspectives. We should all strive to communicate with court participants in a way that maintains neutrality, prioritizes quality service, and welcomes opportunities for learning and improvement.
 - Errors and miscommunications should be acknowledged promptly, proportionally, and without defensiveness.
 - Language that is deeply rooted in biased historical usages should be avoided to the degree feasible and appropriate.

Questions on the Judiciary Policy on Accessible & Inclusive Communications should be directed to the Office of the Administrative Director of the Courts at (609) 376-3000.

cc: Chief Justice Stuart Rabner
Associate Justices