



KLEIMANN

COMMUNICATION GROUP, INC

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05-CV-012

Secretary of the Committee on
Rules of Practice and Procedure
Administration Office of the U.S. Courts
Washington, DC 20544

Dear Sir or Madam:

I am writing today to lend support to the proposed style amendments to the Civil Rules and to encourage even further changes to convert remaining passive voice to active voice and remove legal jargon.

As a private sector plain language consulting firm, we commend the work of the Advisory Committee. These proposed rule changes will help Civil Rules meet the goals of plain language. They will make it easier for judges, lawyers, and the public to find the information they need, understand what they find, and be able to use that information effectively.

While the stylistic changes make the Civil Rules more readable, we encourage further changes to make the language active. Active voice helps readers identify the "doer"; it is a critical component of plain language. For example, in Rule 23, passive voice makes it unclear to the reader who must serve the notices or who must verify the complaint (Rule 23 (h) (1) and Rule 23.1(b)). Changing the passive voice to an active voice reduces ambiguity and expresses a more exact meaning.

We also support the Advisory Committee in any further work in reducing legal jargon to make a clearer meaning. For example, what exactly does "manifest injustice" mean in Rule 26 (b)(4)(C)?

Again, we support the adoption of these proposed style changes to the Civil Rules and congratulate the Advisory Committee on a job well done.

Sincerely,

Susan Kleimann
President

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