A NECESSARY UPGRADE OF TERMS OF USE: RE-BALANCING THE INTERESTS OF USERS AND SOCIAL NETWORK PROVIDERS

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1. Introduction

- “draft contracts in plain and intelligible language”

- “informed consent”

- ...

↔ highly complex documents which rarely take into consideration the heterogeneity of users and their needs
2. Challenges for transparency in SNS

• Overcoming the heterogeneity of users

• Improve accessibility of information

• Timing

• Not only providing information but also thinking about how information is presented
3. Re-designing legal information in a user-friendly manner

The importance of (web) design

• huge discrepancy in the web design of social media services and the design of the Terms of Use and privacy policies

• design may have an influence and impact users’ behaviour and understanding

  • E.g. evil or malicious design
4. Have you ever smoked marijuana (i.e. pot, weed)?
   - Yes
   - No

5. Have you ever "cheated" while in a relationship?
   - Yes
   - No

6. Have you ever driven when you were pretty sure you were over the legal blood alcohol level?
   - Yes
   - No
Incorporating information design into legal documents

Law + Design = More engaging, understandable legal documents

Haapio & Passera:
- Easier language (no ‘legalese’)
- Clearer structure
- Introducing visualisations and information design as supporting communicative strategies

Challenges!
CAN I WITHDRAW MY PURCHASE?

1. AM I WITHIN THE WITHDRAWAL PERIOD?
   - The withdrawal period consists of calendar days (not working days).
   - The applicable law of your country governs a longer period.
   - A longer period is mentioned on the website.
   - 14 days start after the trial period.

2. WHAT IS THE PRODUCT'S CONDITION?
   - The product should be returned in its original condition.
   - The return includes the original documentation.
   - The return includes the registration.
   - The return includes theinitial manuals.
   - The return includes the parts and components.
   - Return the product in the original packaging.

3. CONTACT US
   - +32 800 030 5594
   - If bought online: online
   - If bought in the retail store: in the retail store

Check:
http://legaldesignjam.com/
Participatory approaches
4. Conclusions

• Company policy documents in online environments: more user-friendly texts and formats are needed

  • Incentivize social media providers to adopt more consumer-friendly Terms of Use
  • Should courts take the design into account?
  • Only one of the steps!

• Need for more (social) media literacy

  • Policy makers: develop strategies and measures to ensure an appropriate level of social media literacy
Next?

Visual Law Lab

Cooperation between research groups in
• contract law
• consumer law
• financial law and
  • ICT law
Thank you!

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