



YOUR BRAIN: NO MORE THAN 7 MB

In the 1980s, the Australian educational psychologist John Sweller developed the cognitive load theory. According to this theory, we each have a working memory with limited storage space.

More precisely: our brain has space for processing seven pieces of information. Let's call them 7 MB, for the same of convenience. If those 7 MB are exceeded, the system will be overloaded, i.e. the brain can no longer process the information, never mind remember.

Without going deeper into this theory, lawyers might benefit from giving a thought to what this theory means. Just think about what you, as a lawyer, are supposed to digest every day or what you ask others to digest. Is this actually realistic?

The answer to this is simply: no. We are not able to process and remember all that information, which is why you cannot assume that every reader fully understands your legal advice, links the information given to information stored before and interprets it in the manner you wish or intend them to.

Cognitive load theory laid the foundations for the legal design field of expertise as legal design uses design to convey legally complex information effectively and correctly. The fact is that our working memory consists of two 'channels': the visual memory and the auditory memory. And at least 60% of us have a strong preference for a visual learning system. Because of this, we help our stakeholders by using design when we present complex legal information. This means their working memory will not be overloaded. The information will be better received, remembered and will have a higher chance of being interpreted correctly. What's more, when images and words are combined, the capacity of the working memory is almost unlimited...

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— Author: S. van Hecke

Miller, 1956, The Magical Number Seven, Plus or Minus Two: Some Limits on our Capacity for Processing Information
Ayers P., Paas F. (2012), Cognitive Load Theory: New Directions and Challenges. Applied Cognitive Psychology