

**INNOVATIONS IN THE LEGAL
SERVICES SUPPORTED BY THE USE
OF VISUAL LAW: THE REALITY IN
FINLAND AND BELGIUM***

*INOVAÇÕES NOS SERVIÇOS JURÍDICOS
APOIADOS PELO USO DO DIREITO
VISUAL: A REALIDADE NA FINLÂNDIA E
NA BÉLGICA*

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*Interview with legal professionals and researchers: Hele-
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Introduction

This research aims to answer a few questions about embracing visual and digital technologies to write uncomplicated simple contracts, policies, ordinances, and laws, making them accessible to everyone. Laws are addressed to citizens, but the truth is that their interpretation and knowledge are not citizen-centered. Contracts have complicated clauses only comprehended by a legal expert. In many cases, the parties bound by a contract have little idea about the content (HAAPIO & PASSERA, 2021).

The accelerated advances in technology also demand modernization, improvement and simplicity in our relationships, communications, and the legal field. The legal field can adopt and use digital technologies to communicate legal terms through visual law, visualization, and smart contracts in a manner that even the average citizen can understand (BARTON, THOMAS, HAAPIO, HAZARD & PASSERA, 2021).

For the present purposes and the sake of simplicity, visual law is defined here as the visual representation of legal rules and legally relevant information. The visual representation (visualization) combined with words (text) offers clarity and better understanding. The term visualization has an extensive concept and applies to representing information combining words, colors, icons and images (i.e., a flowchart, a chart, a graphic). According to Nick Szabo, who created the term smart contract, it is “a computerized transaction protocol that executes the terms of a contract” (SZABO, 1994).

Visual law, visualization, and smart contracts can be applied in a multitude of different ways, with highly variable goals and situations. The advancement of technology is affecting every area and every way humans communicate, including the law. A few years ago, it would not be possible to imagine a lawyer sitting at his office or even at home to send a petition or appeal to the court. Also, it would not be possible that an in-text writing appeal would contain colors, hyperlinks, links, icons, infographics, and images. It would not conform to the traditional and expected way of writing (SIEDEL & HAAPIO, 2016).

Technology brought several changes and continues to transform the scenario of human interactions and communication. In particular, it is transforming how law and lawyers can be perceived. Instead of being the masters of expertise, lawyers can be seen as friendly educators to empower people. Instead of using outdated jargon, complex and complicated terms only understood by legal peers, using simple language and visual communication is understood by non-legal people. The idea is to simplify without losing the traditional sense of binding the parties involved, also called end-users (MASSON, ROBINSON, 2021).

Simplicity seems to be an innovative concept, but the American philosopher Henry David Thoreau in 1854 once said, “Our life is frittered away by detail. Simplicity, simplicity, simplicity! I say, let your affairs be as two or three, and not a hundred or a thousand; instead of a million count half a dozen, and keep your accounts on your thumb nail”. That quote can be translated to modern days, and instead of bringing too much complexity to our lives in our interactions and legal documents, we need to simplify them (THOUREAU&CRAMER, 2004).

Two experts and pioneers in the field share the idea of keeping waves of simplicity alive in contemporary times by using and teaching concepts of visual law, visualization and bringing the smart contracts to discussion. They were interviewed to discuss all these aspects – how they got involved, how to bridge the gaps between two paradigms (classic vs. digital), the advantages and challenges, the future of visual law, visualization, and smart contracts.

The thought-provoking ideas and innovation of two women, two legal professionals in Europe, from different countries with one ideal: a future of cooperation, simplicity, proactive/preventive law, and the use of visual communication accessible to everyone. Both embodied with the same model - simplicity without oversimplification.

The first interview was with Dr. Helena Haapio (Figure 01), who works as an Associate Professor of Business Law at the University of Vaasa in Finland, and as a Contract Strategist at Lexpert Ltd. Dr. Haapio is an author and editor, with several articles published and two books co-authored with Prof. George Siedel: (a) A short guide to contract risk, and (b) Proactive law for managers: a hidden source of competitive advantage (HAAPIO & SIEDEL, 2013; SIEDEL & HAAPIO, 2016; HAAPIO-LEXPRT, 2021).

Figure 01. Expert - Helena Haapio.



Source: LEXPERT (2021).

The expert divides her time between her firm Lexpert Ltd based in Helsinki, the capital of Finland, where Dr. Haapio works as a Contract Strategist, and the University of Vaasa, where the expert works as an Associate Professor of Business Law. In Figure 02 below, an image of the University of Vaasa, as Dr. Haapio informed, “is a multi-disciplinary University with more than 5,000 students offering degrees at all academic levels from Bachelor to Master and Doctorate.”

Figure 02: The University of Vaasa in Finland (Maritime Campus).



Source: UNIVERSITY OF VAASA (2021).

Through a proactive approach, Dr. Haapio proposes a profound and essential change in how contracts and any legal documents are designed, discussed, and seen - going from complexity to simplicity and enacting human participation. According to Haapio, it is more appropriate to use the word crafting or designing instead of drafting a contract. Designing a contract at its best is a multi-disciplinary, engaging, and interactive process where all parties affected have a voice and participation. It reaches for clarity and simplification without oversimplifying or losing the scope of a contract. Haapio started to work with simplification and visualization in contract training, reflected in how she presents her workshops herself (Figure 03).

Figure 03: Haapio in self-presentation.



Source: LEXPERT Real-Time Visualization ©1997 Annika Varjonen, Visual Impact.

The second interview was with Ms. Dominique Meert, a Belgium legal professional working at her legal design agency in Antwerp. A dedicated expert in legal information and visual designer, combining an academic background in Economics and Law, with additional certificates in Business Design Thinking, Digital Strategy, and successful innovation. She is the founder of the Visual Lawyer Office, helping communicate complex legal information with visual language.

The second expert interviewed, Dominique Meert, is a non-conformist and innovative lawyer. Before opening her own legal design agency, she worked 13 years in law firms as a lawyer, knowledge officer and manager, and marketing and business development manager. Before that, she was involved in private equity and gained thorough financial insight into the banking environment. With her extensive background in many fields, such as marketing, law, management, banking, she uses her knowledge in cross-disciplinary fields.

Meert is also the founder of 2KnowHow2, which helps legal service providers optimize their knowledge to deliver more innovative services and products to internal and external clients. Her legal design agency provides Visual Law and Legal Design training in English, French, and Dutch. Figure 04 depicted the image of the expert interviewed.

Figure 04: Dominique Meert – Visual lawyer.



Source: MEERT (2021).

The interviews with experts Haapio e Meert were conducted by videoconference. On May 6, 2021, the interview took place with Dr. Haapio by the virtual platform Zoom, beginning at 4:00 pm Helsinki time, 9:00 am New York Time, and 10:00 am Brasilia time. The interview had a duration of 22min02s, and the audio was recorded with the interviewee’s permission. Interview information in the table 01:

Table 01: Interview information Dr. Helena Haapio.

Expert	Dr. Helena Haapio
Date	05.06.2021
Digital platform	Zoom
Title	Associate Professor of Business Law at the University of Vaasa (Finland) and Contract Strategist at Lexpert Ltd
Duration	22min02s
Pages transcribed from audio to text	7 pages

Source: AUTHORS (2021).

On May 12, 2021, the interview took place by the virtual platform Zoom, beginning at 6:00 pm Antwerp time, noon New York Time, and 1:00 pm Brasilia time. The interview had a duration of 29min35s, and the audio was recorded with the interviewee’s permission. Interview information in table 02:

Table 02: Interview information Dominique Meert.

Expert	Dominique Meert
Date	05.12.2021
Digital platform	Zoom
Title	Legal professional with expertise in legal information and visual designer
Years	15 years in legal practice. The last 5 years dedicated to Legal and Information Design, Visual Law and Visualization
Duration	29min35s
Pages transcribed from audio to text	11 pages

Source: AUTHORS (2021).

The experts received emails with interview questions and an official letter of invitation from Nupedia-UFMT-Brazil before the videoconference with the scope to address how the innovation in the legal industry can and may affect legal and non-legal professionals.

The answers of both experts were a highly scientific contribution to this research paper because the experts shared their vision, perceptions, and experiences, either teaching the power of visual communication to future practicing lawyers or working daily with contract design and visualization - the best selection of their answers is presented in this paper.

Experts perceptions

The experts were asked about their careers and how they got interested in visualization, visual law, and smart contracts.

Dr. Haapio experience and perceptions of devoting many years as in-house counsel preparing contracts and other legal documents made her realize that contracts are not papers to put in the drawer but to empower people and involve everybody. She understands the transition from the traditional, complex, text-only-written contracts and legal documents to a more empowering visual world. Her interest in visualization, visual law, and smart contracts arose from her experience as a lawyer dealing with engineers and conducting contract-related training workshops.

Dr. Haapio reported that at the beginning of her career as an in-house lawyer, when she worked as part of cross-professional teams with engineers, it was not enough for her to know the law. She wanted to communicate with and contribute to people from other professions and make them understand the importance of law and contracts. She soon realized that what was relevant for her was not relevant for engineers, for example, because they were communicating in different languages. In her words:

“[...] But much of what I did was something that I thought was important, but the engineers wouldn't really think that contracts and law mattered much. And for me, when I found the power of pictures and visuals, I saw that now I can really speak to these people. Engineers love flowcharts, engineers get engaged when you draw something on a flip chart and I

learned the power of pictures in a hard way. My words, my texts weren't engaging or of interest for them.. [...] It would help if we would also use images like flowcharts or timelines, they would clarify things so that we would be on the same page”.

She continued to state that drawings and images were the common language she could share with engineers. Once she realized the power of visual communication, she felt that it could be applied to other situations, and even people would be more comfortable negotiating contracts in a foreign language.

Dr. Haapio reported that the use of images engages people: “I found that people would get the big picture and some details even and be more interested”. She also understands that instructions can be given to people, but she also comprehended that we also need to give instructions to computers. Instead of using smart contracts, she coined the expression “wise contracts”, meaning a contract that people and machines can understand. So the computers can follow and execute, implementing some parts of contracts”. (HAZARD & HAAPIO, 2017)

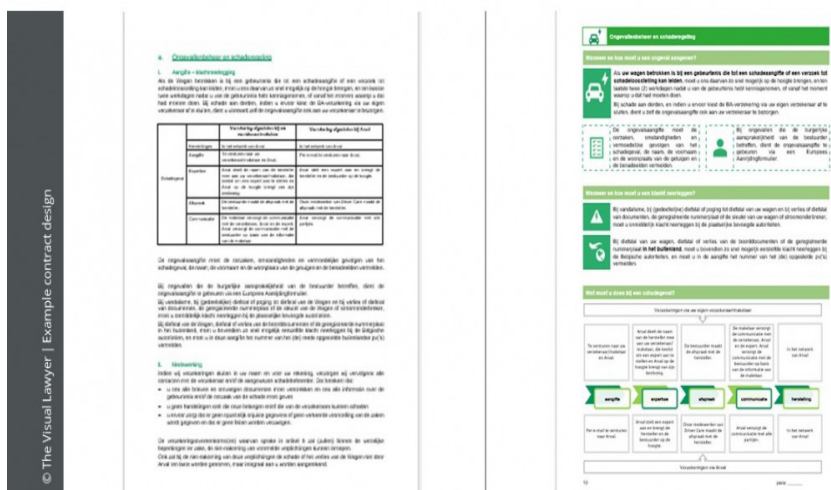
As for Dominique, besides being interested in visual law works, she always defined herself as a visual thinker. She also used it, without knowing it formally as visual law, and applied visualization not only to assist her in retaining knowledge but also to study faster and better during her Law School years. Now, with all her expertise in the area, she offers training to students, corporations, and anyone else interested in the subject, but she also recognizes that visual lawyers are still a small community in Belgium.

Dominique Meert combines her experience and knowledge to create contracts that are easier to read with an entire scope: generate a better understanding for the client. She continues about her primary goal:

[...] And basically what we want to achieve [...] is yeah, better client relationships with our internal clients, the people who have to negotiate contracts like account managers, sales managers, people from the risk and compliance who don't necessarily have a legal background.

Meert explained the basic differences between a traditional contract and a contract using visual law, as demonstrated in the figure 05 below.

Figure 05: Traditional contract x visual contract.



Source: MEERT (2021).

Dr. Haapio, when answering how to bridge the gap between the classic paradigm of text-only-written contracts and a new one with more usable contracts and communication, is convinced that the transitional process has started already.

“[...] Revolution has already started from text to image. And it’s been a while, it’s not been very fast, but it is it’s happening still. [...] It’s not just about pictures. It’s about helping people in businesses reach their goals and enjoy what they’re doing”.

Dr. Haapio emphasizes that there are many benefits in visual communication, and people will be more receptive when seeing the difference between a traditional contract, for example, and a smart (wise) contract. Also, she understands that the more people practice, more examples are produced, resulting in more researches being done about the subject. These elements combined will bring more credibility, more evidence, and acceptance of visual communication.

The expert believes that there are still challenges and suggests, referring specifically to smart contracts, that building and creating tools for automation are still necessary for writers and readers. Visual communication, visual law, and smart contracts also require the evolution and maturity of digital platforms to be widespread. These instruments and tools will prepare the environment for the transformation of law and its practice, and according to Dr. Haapio, “that will help us bridge the gap that currently exists.”

Dominique Meert also understands that using visual law, visualization, and smart contracts have already begun and are still early stages. She also argues that two are the main points to bridge the gap between the old and new model, and they are: a) shifting the mindset; and b) altering the very traditional curriculum at Universities. Textually: “I think a shift in mindset that we need because the law is always perceived as something very traditional.”

Talking about the curriculum at Universities in Belgium, Dominique Meert observes the biggest issue of all:

“I think one of the biggest issues, but is that [...] we teach people the old school way. [...] It’s focused only on the content, the law and the different things that you have to know to practice law, but [...], it would be much better if there was also some more things [...] like, for instance, the basics of design thinking, the basics of visual thinking, etc. So that, that is one of [...] the biggest issues but is that [...], we teach people the old school way.

When professors invite Dominique Meert to the local university to give workshops and train students about legal design and visual law in workshops, she claims that students are very enthusiastic about learning more; however, they are only exposed to the subject for a limited time, two to three hours maximum. Referring to her workshop techniques, she teaches simple and effective methods like working with words to design a better document:

“I show them some examples, and I teach them, but it’s not so difficult to break up extended documents with simple techniques like extended documents divided into two columns, then it already breaks the text down, works with color blocks, [...] to highlight what is important and things like that. And those are very small things that are technically not difficult. But if you combine them, your result is really visually appealing contracts or any other legal document”.

The experts explained the main advantages of using visual communication in contracts and legal documents, and according to Dr. Haapio: “people will be empowered.” Remembering her early days when working with engineers, she mentioned that:

“They will be more in charge. They will take ownership and not delegate too easily to lawyers only, because they themselves need to be involved so that we get better results. We, lawyers, cannot be subject matter experts on everything. So we need to work together with other people”.

Following the people’s concept of engagement and empowerment, Dr. Haapio also thinks that other advantages are clarity, ability to make better and faster decisions, better results for the business, and less time spent in contract negotiations. Instead of frightening and intimidating, the contracts or legal documents using visual communication will be accessible resulting in contentment for the users.

Dominique Meert aligns with the same perception of Dr. Haapio as she thinks that the main advantage of visual communication in contracts and legal documents is “to solve this communication barrier [...] between legal and non-legal parties.” Meert continues to add that:

“I think the main advantages is (sic) bridging communication barriers between legal and non-legal and then, [...] better client understanding to create more trust and finally better client relationships with your internal clients, your business partners, and also with your end clients, the end-user, the one who signs the contract”.

When asked about what are the main challenges of using visual communication, smart contracts for legal and non-legal parties, Dr. Haapio summarized her answer in one word: “mindset”. Transforming the law and its practice requires a profound change in the way of thinking. Why Dr. Haapio thinks that the main challenge is the mindset? Textually: “[...] it’s different. So it feels risky for those who haven’t done it before”.

Dr. Haapio urges and conveys a change in the mindset. Changes are inevitable, and adaptability is the best key to thrive. *Dominique Meert thinks that the most significant challenge in the big spectrum is still a change in the mindset. In her opinion, it is the greatest challenge of all and also, at the same time, the bridge to connect two worlds. She reinforces that even the most complicated contracts can be simplified. “You can simplify everything,”* affirms Meert. On a more practical level, Dominique Meert questions about a subtle but very present concern of how lawyers will be perceived and how they will charge for services in an uncomplicated and less adorned legal environment.

“Can we charge still the amount of money that we charge today from a business perspective? Because everything is going to be clear, [...] no more questions [...] we’ll have [...] actually all crazy arguments that doesn’t make any sense, but yeah, we are all human”.

Meert is curious how the legal scenario will evolve, but she is convinced that “someone will come up with a kind of software to also create visual contracts”. At this stage, she also voices a relevant concern and an issue: “how judges will react to contracts that are not text-heavy anymore?” She continued to explain that visual contracts, for example, are still 80% text and the visual language is an addition to the language, not a replacement.

Moreover, questioned about the future of Visual law, visualization, and smart contracts, Dr. Haapio sees a bright future.

“I am a believer, I definitely am because evidence shows that it works and I will also see happy people”. I think that the future looks good and it looks particularly promising. Now when we have these new movements like legal design or contract design movement inside law, or with law and, and tools being developed, technology tools, I’m really excited about the open access, open sourcing tools and templates”.

Dominique Meert is also optimistic about the future of visual law, visualization, and smart contracts, as she concludes:

“I’m a firm believer I think the possibility that we have to go to court [...], it’s smaller than [...] when you use a traditional contract, because we already wrote it in a more simple language, [...] in plain language and it’s also one of the purposes that there are less misunderstandings and also therefore less discussions about contract clauses”.

The interview with the experts ended with their last considerations about relevant information to share concerning visual law, visualization, and smart contracts. Dr. Haapio mentioned GPT-3 - an artificial intelligence algorithm - “it can generate text. It can simplify and summarize it and personalize. It can translate legalese to ordinary language and vice-versa”.

Dr. Haapio last notes about the innovations in the legal field are very encouraging. In her last considerations, Dominique Meert renews her appeal to professors and universities to “start educate people really and teach people what is really about and work with multi-disciplinary teams”.

“I think that can open the minds of people and people now often, especially in law firms, only work with legal people [...], when you are going to, [...] involve, [...] user experience designers, graphic designers, [...] people from marketing, [...] et cetera. [...] they will take a look at the contract from a different perspective. So, I think it would be good to do opening minds”.

Both experts Haapio and Meert see a future where legal professionals adopt simplicity, clarity and integrate with other professionals to benefit and learn from one another.

Summary of interviews

The interviews aimed to observe the perceptions and opinions of two experts, Dr. Helena Haapio and legal professional Dominique Meert, about visual law, visualization, and smart contracts in the current legal industry and their vision for the future. Two experts in Europe working with visual law, legal design, and visualization, one located in Finland and the other in Belgium, answered six questions about the subject. They were interviewed virtually by Zoom due to the physical distance and travel limitations imposed by Covid-19. Their answers were recorded and the audio transcribed to text with the literal content of the experts’ responses.

Answering how both experts got interested in visualization, visual law, and smart contracts, Dr. Haapio replied that she sought to communicate with engineers. She found the power

of pictures and visuals as a common language to engage and communicate with people about contracts and law-related matters. Dominique Meert got interested in works from legal designers from the Netherlands, and being a visual thinker herself, she saw it as the normal evolution of the law. She also applied visuals elements to study faster and to remember informations for a longer period of time during her Law School days.

Regarding how to bridge the gap between the classic paradigm (text-only-written contracts and way of communication) and the new one with more precise and usable contracts/communication, Dr. Haapio understands that the revolution has already begun from text to image, and she added that it is more than pictures, but the goal is helping people in business to achieve their objectives while enjoying what they are doing. She conveyed that more examples, more practitioners, more research and more tools are needed to bridge the currently existing gap. As for Dominique Meert, the gap can be bridged with changing curriculums at law schools to teach visual law and altering the mindset, since law and lawyers are still perceived as somewhat very traditional professionals.

Pointing to the main advantages of using visual communication in contracts and legal documents, Dr. Haapio thinks that people: a) are empowered; b) take ownership; c) get involved; d) get better results; e) make better decisions; and f) negotiate faster. Dominique Meert thinks that the main advantage is: a) lessening communication barriers between legal and non-legal parties; b) achieving a better understanding; c) the involved parties are most trusting with one another; and d) accomplishing better long-term relationships.

Addressing the most significant challenges of using visual communication and smart contracts for lawyers, judges, managers, and parties involved in a contract, Dr. Haapio believes that it is necessary to have a change in the current mindset, because the new way is different and feels risky for those that have not done it before. Dominique Meert agrees about the mindset and wonders how the courts will react upon analyzing the visual contract.

When asked how the experts see the future of visual law and smart contracts based on their research and expertise, Dr. Haapio sees a promising future with more lawyers practicing proactive/preventive law. Dominique Meert is also optimistic about seeing a future of more understanding amongst the involved parties and consequently fewer discussions about contract clauses.

In their last considerations about any additional and relevant information the experts wanted to give concerning visual law, visualization, and smart contracts, Dr. Haapio encourages lawyers, designers, and tech people to work together, develop, experiment, and share different tools to make the world a better place. Dominique Meert pledges professors at universities to dedicate time to educate and teach students about visual law, visualization, smart contracts, work with multi-disciplinary teams, and look at a different perspective with an open mind.

Table 03: Summary of interviews.

Expert	Helena Haapio	Dominique Meert
<i>How the expert got interested in visual law, visualization, and smart contracts?</i>	To communicate with engineers, engage and communicate with people about contracts and law-related matters	Thinking as the normal evolution of law and to study faster and remember longer at law school
Bridging the gap between two paradigms - classic (text-only) vs. more usable precise communication	Through more examples, more research, more practitioners and more tools	Mindset shift

Advantages of legal visual communications	To empower people, get involved People take ownership. To obtain better results, better decisions and faster negotiations	To reduce communication barriers between legal and non-legal people Better understanding and more trust of all involved for better long-term relationship
Challenges of legal visual communication	Mindset Risky for being new	Mindset Acceptance at courts
The future perspective of visual law and smart contracts	Promising More lawyers practicing proactive / preventive law	Optimistic More understanding Fewer discussions about contracts clauses
Additional considerations	Use of AI tools (GPT-3) Legal and non-legal people to work together, to develop, experiment, and share different tools	Change in the educational system Visual law, visualization, and smart contracts as part of the university curriculum Lawyers working with multi-disciplinary teams

Source: AUTHORS (2021).

This research contributed to foment the discussion about the opportunities of using technology and new tools to change the legal industry to cooperate and empower people, making the legal verbiage simple and accessible to everyone, eliminate communication barriers, and seeing lawyers as dynamic educators working to prevent conflicts rather than being the experts of litigations.

This research was possible due to the kindest collaboration of two experts from Europe who work on a daily basis in close contact with the subject researched. The physical distance between researchers and interviewees and restrictions imposed by travel limitations only allowed this research to be conducted virtually.

Future research proposes investigating how courts in different countries in Europe will accept visual contracts and how judges, in particular, will correctly interpret illustrated contracts. The future research aims to examine any dispute involving visual contracts, and to conduct interviewees with judges, mediators, and visual law experts.

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