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Availability and Access to Legal Information Resources in Law Libraries in the Electronic Era.

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Abstract

The influence of law libraries and librarians in the advancement of legal profession cannot be over emphasized. Law libraries are often said to be the 'heart' of legal profession. This is drawn from the fact that no lawyer, can strive in his profession without having recourse to the legal information resources. Law libraries are known for the promotion of legal research and the administration of justice all over the world. As such, this paper discusses the concept of legal information resources, and presents print and electronic sources where legal information resources can be accessed. The paper further highlights some obstacles that hinder effective provision and access to legal information resources and proffers solutions to them. The paper concludes that in order for the law libraries to render effective services to legal practitioners, and for them to make adequate use of the library resources, knowledge of and skills in modern information and communication technology are necessary.

Keywords: Information Availability, information access, Information Resource Utilization, Legal Information Resources.

Introduction

The history of law libraries cannot be separated from the history of the legal profession in every country. As such, legal professionals from time immemorial have been keenly associated with the idea and ideals of the law library resources and services. According to Amusa and Atinmo (2016), law is a profession that thrives on books and derives its sustenance from the power of the written word. From time immemorial therefore, the library and the legal profession have played mutually inclusive roles with each other, become very indispensable complement, the former being an acknowledge workroom for the latter. This submission underscores the relationship that has existed between the law library and the legal profession. This relationship is symbiotic drawing from the fact that the latter establishes and finances the former, while the former ensures that the latter gets what it requires to perform its duties and carry out its obligations effectively. Dada (2007), emphasizing the relationship that exist between the law library and legal profession, states that law is a profession which is literally unable to exercise its work without the use of books. In another submission, Dada (2011), posits that law libraries are the 'heart' of legal profession. They are the pillars upon which the profession stands to attain its fame. An excellent submission in court is dependent on a well-balanced law library collection. Mugisha, (2015), submits that because of the position of law as a rapidly growing discipline, the use of law library by legal professionals is an important way for updating their knowledge and competence.

All people who earn their living by practicing the law are called lawyers, including judges, magistrates, advocates, attorneys, and university lecturers. Public sector lawyers work with governments at all levels (Yeda, 2014). The potential link between workforce quality and effective governance is made particularly clear in the case of government lawyers. Public-sector attorneys play critical roles in the formulation and implementation of nearly all of government's policies. Moreover, when legal disputes arise between government and non-government entities, public-sector lawyers are forced to compete directly with their private-sector counterparts (Winston, Karpilow and Burk, 2014). It is therefore imperative for the public sector lawyers to engage themselves in extensive reading in order to compete favourably and creditably in the performance of their duties. In other word, good lawyer is not the one who memorizes all the law but the one who knows where and how to find the law with relative ease whenever the need arises. Thus speed matched with accuracy is the essence of law library services

Law Libraries information resources and services

Law libraries are special libraries. They represent those units of libraries that are responsible for the acquisition and systematic arrangement of published and non-published information directly concerned with the work of a specialized institution. They are service units that devote to the information requirements, both present and future, of a specialized institution -legal institutions. Therefore, law libraries keep more specialized

subject collections that seek to serve a more homogenous group of users-the legal practitioners.

Why do legal professionals use law library resources?

Aforo and Lampitey (2012) carried out a study on information seeking behavior of law lecturers in Kwame Nkrumah University of Science and Technology, Kumasi, Ghana. This study revealed that lecturers sought information to obtain useful materials for research work, background reading and to keep update with knowledge in their field of specialization. Similarly, the study conducted by Madukoma, Onuoha and Ikonne (2014), on electronic information use behaviour of faculty of law members at Babcock University, Ogun State, Nigeria, indicated that faculty members use electronic information for their various activities. Haruna and Mabawonku (2001) did a study on the relationship between information resources utilization and professional effectiveness attributes of legal practitioners in Lagos, Nigeria. The study found that acquisition and utilization of relevant, precise and timely information had contributed to effective legal practice of the practitioners. But a study of 12 university law libraries in Nigeria by Mostert and Olorunfemi (2013) showed that there was low utilization of ICT facilities and databases in the universities investigated. The study recommended, among other things, that law students should be encouraged to use ICT resources regularly for up-to-date legal information. Other purposes for utilizing law libraries include:

Keeping abreast of law: Legal professionals use the law library for knowledge development. They search current affairs for the state of the art in legal happenings. New decrees, orders, edicts and legislations are been passed in different countries which are of interest to the professionals. Law libraries have the duty to acquire these materials for this category of users.

Legal drafting: There are legal professionals who engaged in drafting legal documents like wills and trusts; public legal documents like notices; legal agreements and instruments. Others are legal advisers, legal drafters. This category of users needs up-to-date information on the procedure for drafting the various legal instruments.

Legal research: Legal research is another important aspect of legal engagement. It is associated with specific tasks inherent in the practice of law (Wilkinson, 2001). This category of users, having realized that it impossible for them to acquire all the necessary materials the need for research and study, visit the law library for their information needs.

Education purpose: Legal professionals engage in different jobs, some of which require further education. As such, they visit law libraries to access and utilize resources they need to complete their education requirements. Academic law libraries must provide this category of users with adequate and relevant information that support study and learning.

Preparing a court case: A quite number of legal professionals are judges, prosecutors, lawyers and attorneys.

These categories of professionals play significant role in case management. The prosecutors are known for their representation of the state before all courts in relation to the prosecution of offences; judges interpret laws and decide cases in accordance with the laws; the state attorneys are responsible for the provision of legal advices to the government as well as representing the state in civil cases; and the lawyers give legal advice and assistance to clients and represent them in courts or in other legal matters (Mugisha, 2015). These categories of users also require up-to-date library resources. As such, law libraries should provide both print and electronic case law and other relevant materials to meet the needs of these professionals.

Legal Information Resources

Legal information, simply put, refers to both print and electronic information required by legal professionals for the advancement of their profession. Legal information can be categorized into 3:

- Public legal information (laws that govern relationship between the citizens and the state of those within the state, e.g. criminal and constitutional legal information);
- Private legal information (pertains to relationships between citizens, e.g. family, inheritance, business, etc.);
- International legal information (involves relations among nations with the legal framework as provided

by United Nations) (Tuhumwire and Okello, 2010).

Legal information resources are basically grouped into two: primary and secondary legal information resources. The primary resources consist of Acts of parliament, Gazettes, Indexes, Digests, etc. The secondary resources include commentaries, journals, textbooks, encyclopedias, dictionaries, directories and other reference materials.

Availability of Legal Information Resources

The Black's Law Dictionary defines 'resources' as "any property that can be converted to meet needs or supply necessary want". In law library, 'resources' is taken to mean library information resources that consist of human resources (the group or personnel in both skilled and unskilled workers) and material resources that comprise of the information sources, equipment and facilities (Owushi and Emasealu, 2016). Availability of information resources is defined by Stevenson (2005) as information being able to be obtained and used. Uhegbu (2001) affirms that information needs to be available for accessibility to take place. Without available information, accessibility is difficult and utilization is virtually impossible. The law library is a collection of legal information for use of those seeking to qualify as, or who have qualified as lawyers and those enacting or administering law. The ability of the law library to meet the diverse information needs of its clientele depends on among other things, the availability of an array of documentary and non-book materials (Ukpanah and Afolabi, 2011). Hence, the success of

any law library depends largely on the availability of information resources, equipment and utilization of the information therein. According to Tuyo (2007), a law library that intends to be relevant in academic institution must ensure that its resources are adequate.

Access to Legal Information Resources

Access to information is a human right endowed upon global citizens through Article 19 of the Universal Declaration of Human Rights which states that “Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers”. One of the conditions for information use is accessibility (Oyeboade, 2009). The chain of information retrieval and use begins with availability; awareness, accessibility and utilization. Resources may be available in the library and even identified bibliographically as relevant to one’s subject of interest, but the user may not be able to lay his or her hands on them. Therefore, the more accessible information resources are, the more likely they are put to use (Ugah, 2008). Access to information is the mode through which information is made available to the public. It accelerates the level of individual advancement and corporate educational development (Oyeroke, 2012). Libraries are to contribute to the advancement of knowledge through both provision of resources and ensuring access and effective use of the resources (Adeleke, 2005).

Information and Communication Technology Resources for Legal Practitioners

ICT refers to technologies that provide access to information through telecommunications. It encompasses any product that is capable of storing, retrieving, manipulating, transmitting or receiving information through electronic means. Hence, the application of ICTs to

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library operations has remained inevitable, incontestable, and incontrovertible. This is because ICT has had a great impact on provision and utilization of information through variety of platforms. It has enabled law libraries to automate their operations for effective service delivery. Different automation software such as koha, Netlib, Liberty, EverGreen, etc. are used to automate library resources. As a result, many libraries have developing OPAC or Web OPAC, for effective dispensation of information.

ICT has also enabled some open access movement on the Internet which the law libraries in Africa can take advantage of. An example of such initiative is the Free access to Law Movement (FALM) which is an endeavour at global level to form an international network of Legal Information Institutes (ILLs) (Greenleaf, 2008). Furthermore, Legal practitioners contend with every day challenge ranging from gearing up for court, writing briefs and in-house meeting. Their success in their carrier depends largely on their ability to locate the right books, documents and files when they are needed. According to Theresa and

Jerome (2010) “a good lawyer is one that knows how to find the law, a better one lawyer knows the law and where to find it”. In order to know and where to find the law, legal practitioners approach the law library. Unfortunately, the process of searching the traditional law library for information resources is usually cumbersome and unattractive. Hence, the legal practitioners become uninterested and disappointed. It is only an effective electronic library that can guarantee adequate information resources for the legal practitioners. These resources are available on the internet and can be accessed either by subscription or free. For instance, the Internet Legal Research Group (2004) claims that they have more than 4000 selected websites as well as locally stored web pages, legal forms and downloadable files which serve as a comprehensive resource of the information available on the internet concerning law and the legal profession. Research has also shown that law libraries are beginning to subscribe to

knows where to find the law but the best online databases to be made available to their patrons. Table 1 is a list of online databases for legal information.

Consequently, if the legal professional must perform his duty diligently and effectively, he must abreast himself with current and relevant online legal information resources. There are many legal databases. Presented in Table 1 is a table containing some major databases, their websites, owners/producers and information content:

It is imperative to mention that awareness of the presence of information resources is directly linked to use of the resources. Madukoma, Onuoha and Ikonne (2014) identify lack of awareness as major contributing factor to non-use of electronic resources. Hence, librarians are duty bound to notify their users the presence of any additional information acquired into the library.

Table 1: List of Online Databases For Legal Information

S/N	Database	Proprietor /Publisher	Content
1	Heinonline	William S. & Co. Inc	Heinonline is useful for its law journal collection. It contains collection of US and UN materials. Selected journals, Guides and Tutorials.
2	LexisLibrary	LexisNexis	This is one of the UK major legal databases. It is a subscription database available to Oxford University members via Oxlip+. It contains law reports and cases, legislation, journals, commentary, guides and tutorials.
3	Westlaw.uk	Thomson Reuters	Westlaw is produced by Thomson Reuters. It is also one of the UK's major legal databases. Contents include: law reports and cases, legislation, journals, books, guides and tutorials.
4	BAILII	http://www.bailii.org/	The British and Irish Legal Information Institute provides access to very vital British and Irish primary legal information materials. These materials are available at one place on the internet and are free.
6	La W Pavilion	Grace InfoTech Limited	Provides current cases decided in the Court of Appeal and Supreme Court
7	Law Companion (Server Version)	FunmiQuadri & Co.	Provides judgments of the Supreme Court from inception to date; judgment of the Court of Appeal; selected laws of Nigeria; Rules of Court and updates of recent judgments and legislations
8	Legalpedia	Legalpedia	Legal Research Tool (A digital compendium of legal resources that gives instant access to thousands of legal judgments and materials; Digitization of Court Library (Deliver the latest in digital library services to users). Verbatim Reporting (A very needful solution to transcribing exact verbal communication on real time basis by professional stenographers, while participants speak in court); Practical training for lawyers, legal officers in the Ministry of justice, judges and court officials; etc.
9	MyCase	https://www.mycase.com/	MyCase is easy-to-use practice software that helps you manage cases, track time, automate billing, and communicate with your clients.
10	Clio	https://www.clio.com/eu/	Clio helps legal professionals manage their operations, information, schedule, and others with a string of features and capabilities that streamline almost all office processes. Trusted by tens of thousands of lawyers and other workers in the legal industry, Clio enables users to perform information management, documentation, client and case management
11	Cheetah	https://wolterskluwer.com	The Wolters Kluwer Cheetah legal research platform provides access to federal and state primary law, regulations, reporters, treatises, commentary, news and analysis. Practice areas include business and finance, cybersecurity and privacy, health and human resources, intellectual property, labor and employment, litigation, practice of law, securities, federal, state and international tax law and more.
12	Bloomberg Law	https://www.bna.com/bloomberglaw/	Provides comprehensive access to up-to-date legal content as well as daily business news and market information. Includes legal citation, cases, statutes, news, commentary and analysis, docket searching and transactional information.
13	Legal Trac	http://library.uakron.edu/record=e1000175~S24	Indexes major law reviews, legal newspapers, bar association journals, and international legal journals.
15	SCCOnline	https://www.sccoonline.com/	The Law Library may provide Supreme Court Cases online with the help of SCC Online commercial software.

Impediments to Availability and access to Legal Information Resources

Availability and utilization of legal information resources are often affected by some factors. These factors hinder libraries from rendering effective services, and the legal professionals from taking advantage of the enormous resources housed by law libraries. These impediments include:

Inadequate current awareness services: Law libraries engage in current awareness services such as current awareness service (CAS), selective dissemination of information (SDI), abstracting and indexing services, as ways of increasing the use of their resources. These services are sometimes inadequate or completely lacking. The adverse effect is poor utilization of the library resources.

Opening Hours: It is obvious that opening hours of libraries can affect their usage. Some law libraries open from 8.00am to 4.00pm (example, Nigeria). Only few private law firms open till 6.00pm. They are usually closed on weekends and public holidays when some readers may be less busy to use them.

Lack of variety of information formats: A law library should be stocked with both print and non-print materials. On the contrary, some law libraries only stock print resources. Electronic resources like Law Pavilion, Law companion, LexisNexis and other legal databases that provide current information are often missing.

Irrelevant resources: It is common practice in library profession to accept

donations. Some donated resources may be irrelevant to the users of the library. However, it is imperative for librarians to note that library resources are purchased or received as donations to satisfy the needs of users. Donations are appreciated, but not at the expense of the satisfaction of library users. One of the measures that could be adopted to stop these unnecessary acceptances is by having a clear collection development policy that supports the mission of the parent organisation.

Outdated collection: Law libraries that keep outdated collection often face problems of underutilization. Defence Counsels need up-to-date case law materials to be successful in courts. Brief writing requires current and relevant resources. This does not in any way undermine the importance of precedents. But it is important for the law libraries to move with time in their acquisitions.

Insufficient collection: Legal professionals often complain of insufficient collection in their libraries. This has been a major concern to African libraries generally

The obstacles against effective utilization of legal information resources listed above can be partially or wholly eliminated through the implementation of the following strategies.

Strategies for Improving Availability and access of legal Information Resources

- Collections must be updated regularly through constant weeding and browsing.
- There should be integration of ICTs in information provision

- Governments should set standards for law library services and ensure adherence to them
- Legal professionals must be carried along when selecting library materials
- More library resources should be acquired
- Government and other parent bodies of law libraries should encourage librarians to take courses in law
- It is imperative for law libraries to have written collection development policies to guide their selection and acquisition of resources.
- Regular training, attendance on conferences and workshops by librarians and legal professionals on the use of libraries is highly recommended
- There is need for legal professionals to develop their reading habits. Law libraries are often underutilized because of low reading culture being exhibited by

legal professionals. Establishment of law libraries consortium

Conclusion

It is incumbent on librarians to ensure speedy access and utilization of both print and electronic resources. Legal professionals must be made to know the availability of these resources and be guided as to their access and eventual utilization. This is the motive behind the establishment of any library. However, to be able to achieve the best, both in information assemblage and utilization in the present era of information technology, librarians and legal professionals must endeavor to equip themselves with modern techniques for information identification and retrieval. The obstacles identified as insufficient and outdated collection; irrelevant resources, lack of variety of resources, etc., can be eliminated by the provision of adequate funds, training and retraining of both the librarians and legal professionals, and of course steady supply of electricity.

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