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Dimensions of Information Synergy between Legal Practitioners and Law Librarians in the Digital Age

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Abstract

The paper is aimed at exploring the dimensions of information synergy between legal practitioners and librarians in the contemporary digital age. The study reveals the advancement of digital technologies in the legal profession with respect to information synergy between the librarians and legal practitioners. However, dimensions of information synergy between legal practitioners and librarians was highlighted in connection to some services offered in the law library. The study concentrates on few library services that involve greater synergy in legal industry through the influence of digital technologies.

Keywords: Information Synergy, Legal Practitioners, Law Librarians, Digital Age

Introduction

Information Synergy constitutes a vital business asset for every organisation. The global legal practice no doubt relies on accurate and accessible information for delivering quality services. It is however, true that quality synergy and good relationship between legal practitioners and librarians are essential due to the interdependence of the two professionals driven by the forces of information demands and supply for effective legal service delivery. As a norm in legal institution, mutual respect, open communication, attention to institution’s mission, individual’s usefulness and responsiveness to
each other’s needs are part of what makes information flows successful. Information Synergy links the lawyers and librarians and creates opportunities for them to understand the information needed, the sources of the information needed and in what format, and how the information is to be disseminated. However, digital technologies are changing the dimensions of information synergy between legal practitioners and librarians. It has provided new resources and led to the development of new skills and approaches for meeting the challenges of the information age. As a result of digital advancement in legal profession and particularly in legal libraries, changes have been witnessed in lawyers-librarians’ information synergies in a number of ways, which this article reflects.

Revolutionism of Legal Profession in the Digital Age

A close look at the development in legal profession in the digital age is predicting the rise of a new dimension: Information synergy. In all ramifications of legal profession, this phenomenon is presented as a sustainable development of an already increasingly networked society of learned professionals, occasioned by a massive technological advances in the realm of communication and handling of data. There is little or no skepticism that the current technological advances in terms of digitalisation, big data, and artificial intelligence (AI) have resonated untold dimensions on the information synergy between legal practitioners and librarians.

One key societal institution that is likely impacted by these developments is law and, relatedly, the legal profession. Legal profession is concerned with enhancing human conduct through adjudication of justice. According to Schwab (2016), in whichever way a profession is perceived - a method of solving disputes, a tool to achieve justice, a superstructure in the hands of the powerful to protect their interests, or, more simply, an instrument to guide human behaviour, is at its core an intellectual endeavour that depends on handling, storing, interpreting, and sharing knowledge as well as information. Those in the legal industry including lawyers and librarians have witnessed tremendous breakthroughs that recent advancements in digital technology has brought, precisely on the ways in which information is created, stored, and transmitted. These developments are making inroads into
artificial knowledge production, thereby potentially entering the intellectual and human aspect of law (Caserta and Madsen, 2019). Obviously, the synergy between legal practitioners only becomes more demanding. The challenges associated with digital advancement in legal profession as an institution, practices, and value also offer dimensional changes in information corporation of the legal practitioners and legal professional.

The gravity of digital expedience in legal profession has raised some kinds of eyebrows as to whether artificial intelligence. For instance,

> *when neuroscientists and IT experts work toward refining the ways in which AI can be of practical use for lawyers, many are left wondering whether the latter will be effectively replaced by robots, computers, and new forms of machines not yet conceivable or whether the intellectual and normative elements of law will limit these influences simply because certain human faculties of judgment are unique and not (yet) digitalisable* (Katsh, 1995; Susskind, 1996, 2008, 2017, Susskind and Daniel, 2017; Staudt and Marc (2013)

No matter how much influence the artificial intelligence has exerted on legal profession, its complete replacement of librarian-lawyers cooperation will always be harmonised as long as legal information services remain an onus of librarians in complex research situations. Even though introduction of new digital technologies in the field of law is likely to alter balances of power and professional practices, one aspect of professional link such as information synergy between legal practitioners and librarians would remain indivisible. This is because, digital technologies have substantially eliminated the hassles hitherto faced by both librarians and legal practitioners which include physical barriers, difficulties in access, storage, retrieval and dissemination of information. Dimensional changes in information synergy prompted by the increased digitalisation of legal profession entail answering a
set of big questions on the professional contact between the legal practitioners and the librarians in the legal industry.

Nigerian Legal Practitioners

By Section 24 of the Legal Practitioners Act, Cap L11 2004, Legal Practitioner is defined as "A person entitled in accordance with the provisions of this Act to practice as a Barrister and solicitor either generally or for the purpose of any particular office or proceedings" Section 2(1) of the Act states thus: "subject to the provisions of the Act, a person shall be entitled to practice as a Barrister and solicitor if and only if his name is on the roll" (Laws of the Federation of Nigeria, 2004). As described in Atake v. Afejuku, a legal practitioner is a person that has been called to the Bar to practice as a barrister and solicitor of the Supreme Court of Nigeria as provided in section 2(1), (2), (3) and (4) of Legal Practitioners Act (LPELR-585(SC) 1994). The foregoing, in a nutshell is an effort to establish who is recognised by law as a legal professional. The first point to note is that for one to be qualified to be regarded as a legal practitioner, such a person must have fulfilled the provisions of the Act which include:

(a) Being called to Bar (after a degree in Law has been obtained)

(b) Being entitled in accordance with the provisions of the Legal Practitioners Act to practice as a Barrister and Solicitor

(c) If and only if the name of the person is on the roll

In the case between Hon. Emeka Okonji v. Hon. Peter Onwusanya & ORS, a legal practitioner was described as a minister in the temple of justice. His first duty therefore is to act in the interest and promotion of justice. This is what sustains his profession and makes it honourable. Meanwhile, a counsel must not knowingly mislead the court against the course of justice (LPELR-585(SC) 2014)

Similarly, in the case between Tony Anozia v. The Attorney General, Lagos State, the Federal Court of Appeal states “It is trite, that a legal practitioner has an onerous duty to uphold and observe the rule of law, promote and foster the cause of justice, maintain a high standard of professional
conduct, thus shall not engage in any conduct which is unbecoming of a member of the honourable and highly prestigious legal profession” (LPELR-585(SC) 2010)

**Librarians in the Digital Era**

Librarians simply refers to professionals in the field of Library and Information Science. They are those who received specialised training in the management of diverse information resources and services including acquisition, processing, organisation, storage, retrieval and dissemination of information. According to Black Law Dictionary (2009) defines librarian as an officer charged with custody of an organisation’s books, periodicals, and other published matter, and sometimes of the organisation’s own archives and files as well. Law librarians on the other hand, are librarians in charge of libraries within the legal institutions such as law firms, law schools, courts, legal research institutes etc. Some librarians in legal institutions possess degrees in both Law and Library Science while some do not have Degrees in Library Science only. However, librarians in Law libraries must have experience and adequate knowledge of the legal information resources, services and understands the culture of legal profession to be able to interact with the patrons effectively.

In the Digital Age, it is absolutely essential that the law librarians are digitally literate as well as possess an understanding and awareness of recent advancements and trends in information technology as they pertain to the library field. Law Libraries in the Digital Age offers a one-stop, comprehensive guide to achieving both of those goals. This go-to resource covers the most cutting-edge developments that face today’s modern law libraries including e-Books, mobile device management, Web scale discovery, cloud computing, social software, and much more (Kroski, 2013). The critical issues and concepts of Digital Age law librarians are concerned with repositioning librarians’ skills towards tech-savvy and translate traditional library practices such as circulation, reference, collection development, technical services, administration and other library operations into digital perspective.

**Concept of Information Synergy**
The term “information synergy” is increasingly used to describe the situation in which legal practitioners (lawyers) and librarians are required to work together in the provision of information needed in rendering legal services. In the digital age, Information synergy is the state of a company in which individuals pool their resources and collaborate across roles or boundaries through information technologies. Information synergy allows people from across the organisation to exchange information that could be of benefit to one another. According to Huang, Li and Che (2006), information synergy is a state of a company in which individuals pool their resources and collaborate across boundaries through information technologies. In their framework for investigating the impact of I.T capability and on firm performance in the industrial context, Huang, Li and Chen discovered that information synergy is the key for improving firm’s performance as presented by the level of innovativeness. Huang, Li and Chen (2009), opine that information synergy is how information technologies are being used for sharing timely information and making the right business decision.

The global presence of information technology in legal institutions, increased reliance on electronic resources, fast pace of innovation, and evolution in the digital world call for increased cooperation between librarians and legal practitioners. This simultaneous change occasioned by advent of digital innovation positioned librarians and legal practitioners at the crossroad where increased synergy is the true answer for effective information exchange leading to timely, accurate and effective service delivery. Information synergy between legal practitioners and librarians can enhance the value and quality of legal services as well as open up new possibilities in sharing ideas, resources and reaching patrons without them necessarily being physically present in the library. With prevalence of electronic database subscriptions in law libraries, increased information synergy is required in eliminating physical barriers between the library and her patrons. Meeting patrons’ demands for easy-to-access and retrieval, digital legal services requires synergy between librarians and legal practitioners, making efficient and friendly working relationships more result oriented. “It is neither easy nor comfortable to embrace innovation, but we must do so—now. As lawyers, we have so much to offer to those who need help, but millions cannot access our services. This has to change, and we
must drive that change. If we want to make justice for all a reality, we need to listen to different perspectives and open ourselves to new approaches and ideas, all while following our core value of protecting the public” (Klein, 2016)

**Dimensions of Information Synergy Between Lawyers and Librarians**

In this article, the researcher limits his investigation to assess the dimensions of information synergy between the legal practitioners and librarians in the presence of digital revolution in legal industries. Information synergy is the latest transformation of the cooperation system between lawyers and librarians in which digital technologies constitute “an important medium of information swapping and control apparatus of an increasingly supranational legal authorities”. In other words, information synergism in the legal profession of the digital age implies the introduction of librarian-lawyers digital bond and processes of outsourcing legal information resources, storage, automation, dispersion, and legal research in the practice of law.

Using the notion of information synergy in digital age as a framework for understanding the possible dimensions and impact of digital technologies allows us to explore how these developments may have consequences, not only for the practice of professional legal librarianship, but also for the underlying lawyers’ roles in the digital information era as legal information consumers. The objective of this work is basically, to explore the areas in which digital advancement in practices are having a deeper impact on the legal practitioners and librarians cooperation. The following reveals the dimensions of endless synergy between the layers and librarian in the delivery of legal services:

1. **Legal Practitioners and Librarians Synergy in Digital Lawyering Process**

This section explores information synergy as a necessary condition for effective practice of digitalised lawyering. With regards to recent developments in legal process outsourcing and alternative legal service provision, the librarians maximise new technological solutions, such as legal databases and other e-platforms to assist lawyers with their information needs. This is a development that is user-
centred and provides easy to access and affordable solutions for legal research for the purpose of rendering both offline and online legal advice. Librarians at the cutting edge in digital dispensation of legal information delivery caters for lawyers’ information needs with using digital technologies. As a gateway to sources of law, librarians maintain a stern relationship with legal practitioners by taking leads through databases and finding needed information with relative ease, speed and accuracy, therefore saving the time of the lawyer.

The emergence of this new form of legal practice which use digital innovations to offer online legal services has enabled librarians to combine knowledge of legal research skills with some insights in new information technologies to offer lawyers online efficient information services without barrier of distance. Although, not all digital lawyering is about offering legal services on-line, but in whichever way, the information synergy between lawyers and librarians remains undivided. The introduction of web-based software technologies to legal practice more generally has, in itself, a significant impact. It enables lawyers to work around the clock and out of the office and to meet their clients at any time and location (Caserta and Madsen (2019). Web and cloud based lawyering have the potential to trigger changes in the organisation of the legal profession and the dynamics of the legal field more generally. The impact of this development on information synergy has become an increased dependent on web technologies for achieving competitive edge in mainstream legal industry.

2. Legal Practitioners and Librarians Synergy in Collection Development

Collection development remains one aspect of librarians’ responsibility that involves legal practitioners’ participation to ensure that the information resources available for legal services are adequate enough in providing the right information. The principal mission of the law libraries in collecting and maintaining library resources is to support the instructional and research needs of our primary patrons (legal practitioners). the synergy between librarians and legal faculty members in academic setting
and that of law firms may require different approaches, however, the information synergy is main-
tained in both. For instance, the Legal Information Librarians in academic system may be required to
help identify faculty of law members to notify about specific new resources. Through the liaison
program, the Legal Information Librarians also regularly reach out to the clinical programs, LLM
faculty, and other special programs in the law school to notify them of resources. Faculty names are
noted during the order process and/or when materials have actually been received or activated by the
library. Faculty are notified of the acquisition after the titles have been cataloged. In a law firm setting,
legal practitioners play prominent role in collection development process. As the primary consumers
of the legal information resources, they make request for any information resources that would be of
relevance in delivering their legal services. The librarians, having identified the information needs of
the patrons proceed to acquire them. In some cases, the lawyers may come across the resources they
consider important to their job and help the librarians acquire them on behalf of the library. Legal
information in the digital age is published in a variety of electronic formats, as well as print and
microform. Increasingly, the law libraries rely on electronic resources in order to provide broader
access to information, and enhanced searching and retrieval capabilities (Boston University School
of Law, 2019). When reviewing resources, the law librarians should consider what format is most
appropriate for the resource. Factors to consider include ease of use in print and electronic formats,
user preference, cost, ease of access, and whether the resource can be used for distance education.
The synergy between the legal practitioners and librarians enhances decision making on which re-
sources and the format to acquire in the library. The cooperation of the two teams -lawyers and li-
brarians will also enhance easy identification of changing needs of the patrons and attitudes towards
material format and subject matter.

3. Legal Practitioners and Librarians Synergy in Legal Research

Research remains the bedrock activity in any kind of law library and librarians play important role to
facilitate such enterprise. In academic law library, faculty members have a liaison on the librarian.
The librarian will work with faculty research assistants to help them develop a research plan or to point out specialised resources suitable for their research topics. The legal assistants or researchers can also use “Chat platforms” or the “Ask the Librarian” button to ask a librarian questions regarding their information needs during library hours. The research synergy of legal practitioners in academic environment and those in the court or law firms remains paramount. The librarians provide researchers with research guides to enable them utilise specialised resources and maximise their research outcomes. Digitalisation has improved legal research as the researcher can stay at the comfort his home or office and get librarians assistance through digital referencing. The Legal Information Librarians with extensive experience in legal research use various digital platforms to create a synergy with legal practitioners.

4. Legal Practitioners and Librarians Synergy in Document Delivery

The librarian provides a fee-based document delivery service to the legal practitioners. The documents could be photocopies or pdf’s of articles, book chapters and other materials within the limits of copyright restrictions. In synergy, the legal librarian locate on request, the documents a patron needs and send them to the patron when and where he needs them. The document can be delivered to the patron through a variety of standard or special delivery options: pick-up, courier, standard or express mail. With the introduction of more digital technologies, delivering documents has become much more easier. Documents can be transferred with the use email, fax and even social media platforms such as WhatsApp and facebook depending on the nature of the document.

However, requests will generally be filled within specific time. The librarian reserves the right to limit the size of the copy request or decline a request if he deemed so. Photocopy or reproduction of documents is done according to the provision of the copyright law with regards to fair use.
5. Legal Practitioners and Librarians Synergy in Commercial Awareness

Commercialisation of library services in recent time has become an important practice in legal firm libraries especially, those with rich digital presence. For instance, Miyetti Law Library provides a variety of spaces for individual and collaborative study including individual study carrels and small group study rooms. Computers for research and study are available in the library with printing, scanning, and wireless access networks. The library provides access licensed electronic resources, including Lawpavilion, Legalpedia, Westlaw, Practical Law, Bloomberg Law, HeinOnline, LexisNexis and other major research platforms. The library’s resources include state and federal case law (Law Reports) of both foreign and local jurisdictions, statutes, legislative history, regulations and administrative law materials, significant legal periodicals (including legal magazines, law journals, law reviews) and a major collection of legal treatises (Textbooks and Monographs). The library has developed an international law collection with emphasis on materials dealing with the African Union, European Union, Economic Community of West African States, the United Nations and materials of various government agencies. The librarian opens to individual legal practitioners and institutions who pay certain amount as subscription fees for a specific time frame to be eligible users of the library. To market the library, there is a synergy between the librarians and the comity of legal practitioners, the latter being the chief consumers of the legal information. The lawyers play a prominent role in the commercial awareness of legal library resources and services.

Conclusions

In this article, what is commonly referred to as the information synergy between legal practitioners and librarians in the digital age is a complex set of activities by which cooperation between lawyers and librarians is enhanced using new technologies as useful business models, tools or on-line platforms to provide quality service delivery. It is however, a multidimensional development that involves a complex set of innovations and processes that in common have an increased reliance on effective team work as to fully utilise digital technologies and artificial intelligence in legal practice.
As this article has revealed, the developments prompted by these new technologies have improved the synergy between the lawyers and librarians in a greater measure. The information synergy is not a strange concept when considering the usual cooperation that has always been in existence between the librarians and legal practitioners in the legal institutions. The digital revolution only offers broader dynamics of the legal profession that introduce new expectations from the librarians on the ways in which information is acquired, stored, retrieved, disseminate including new innovations and products of the library. Traditionally, librarians have not only provided assistance to the patrons, but have played a central role in building a formidable collection. Today, librarians have gone out of their ways to market the product and services of the library and also become a partner in the research progress of the legal partitioners. Digital advancement in the legal library has created a dynamic information synergy in different dimensions as shown in this article.

References


