

The indispensable law librarian?

Using my skills (organising information to meet user needs) in a new way has really made a difference to the perception of my role within my institution. LawBore is the one place within the university where staff, students and alumni are linked and in turn it puts the library at the centre – where it should be! The students' perception of the library has changed in that they see it as somewhere dynamic, where their needs are being considered and they are more proactive in coming to me with problems in the belief that I'll be able to sort them out.

What has been achieved through the site has meant that the law school also appreciates what the library can do in many new areas. I have been invited to participate in matters I was not previously involved in including communication, marketing and careers provision. The informal nature of LawBore means that many things are

possible here which simply wouldn't be viable on the main www.city.ac.uk site.

For me it has meant that I can be much more proactive, picking up gaps in student knowledge via their questions, and then providing an answer extremely quickly which will reach lots of them at once, indeed often before many students even knew there was a gap.

Where next?

My main priorities include promoting the Forum more strongly to the new intake, and encouraging lecturers to play a more active role in its development. Also I hope to have a new area dedicated to hard copy resources – somewhere students can go for guidance on using items like Raistrick, *Halsbury's Statutes* and *Halsbury's Laws*. Finally I need to continue to concentrate on tracking down past students who are willing to share their experiences with our students.

Biography

Emily has been Law Librarian at City University since 2000, after completing her MSc at the same institution. Since then she has been busy creating the successful LawBore website and has just finished her CPE at Nottingham Law School which she undertook via distance learning, whilst continuing to work full-time.

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Small Jurisdictions...Big Ideas

Paper given by Nancy Matthews and Angela Otterwell at the 36th BIALL Annual Study Conference in Harrogate, June 2005.

Introduction

How do you get two solo information professionals in two separate small island jurisdictions to give one presentation, talking as one? Especially two who had never met together until the day before they were due to give the presentation at the 2005 BIALL conference in Harrogate. The way this came about neatly sums up what it is like to be an information professional in a small jurisdiction. You spend a long time on the telephone and email, you take the initiative, collaborate, share ideas and bring out the best in each other. In short, you reach out

beyond your little island, because not to do so means not to operate effectively.

The presentation we collaborated on tackled the freedoms and challenges of working in a small jurisdiction – the key aspects of what it means to be a law librarian/information professional in a law firm on a small island. First and foremost, small jurisdictions have to think big to survive; they have to be flexible in their government and legislation, stable in politics, and always consider their international reputation. This is at the forefront of the work of a law firm in a small jurisdiction, and is consequently vital in our work. It makes for a varied, challenging, and liberating career.

The Island context

The two islands where we work have many similarities, but also some differences, and the island context is important in understanding where we are and how we operate.

Jersey and the Isle of Man are both British Crown Dependencies, internally self-governed by their own parliaments. They are part of the British Commonwealth, but not of the UK or the European Union.

Jersey is situated in the Bay of Mont St Michel, just 14 miles from the coast of France, which can be usually be seen and 100 miles south of England, which cannot be viewed at all! The island is 45 miles square with a population of approx 87,200, only about one half of whom is locally born. Like the Isle of Man, there is much immigration and emigration mainly due to economics. Workers from Brittany came in the nineteenth and early twentieth centuries, and later from Madeira and Portugal and more recently from Kenya and Poland. Native Jersey people have emigrated to the far flung corners of the globe and local names such as Larbalastier, Poingdestre and De Gruchy can be found worldwide. There are 37 law firms with 227 locally qualified lawyers, both advocates and solicitors. (Advocates combine the role of barrister and solicitor in that they enjoy rights of audience). The judicial system is presided over by the Bailiff, who is also the head of Jersey's Parliament, the States of Jersey. The Bailiff and Deputy Bailiff (and part-time judges called Commissioners) sit as judges of law with at least two of the twelve Jurats. A Jurat is an ancient post dating from the twelfth and thirteenth centuries. Jurats sit as judges of fact. The highest court of appeal for Jersey is the Judicial Committee of the Privy Council. The laws of Jersey derive substantially from Norman customary law and whilst Jersey has its own statutes and customary or common law, in the absence of any domestic (or local) authenticity the Jersey court tends to look to England for persuasive authority. Much of the modern statutory framework dealing with commercial legislation is primarily based upon English statutes. The official language of Jersey is now English, but until the 1960's the official language was French and a few of the current Jersey laws are still in the original French.



Photo 1. Aerial view of Jersey. Courtesy of Jersey Tourism

The Isle of Man is 227 square miles in size, situated in the Irish Sea, with views of England, Ireland, Scotland and Wales (on a clear day). The Island is a common law jurisdiction, with its own statutes and its own Parliament – the Tynwald. The Island's population is around 76,000 and there is constant immigration and emigration with the economic flow of jobs and prospects on and off the Island. The judicial system is headed by two Deemsters, aided by a team of a Deputy Deemster, acting Deemsters and judges of appeal, and the High Bailiff. They operate in the Island's own system of courts, and like Jersey the highest court of appeal is the Judicial Committee of the Privy Council. There is a small legal profession by UK standards – around 141 practising members of the Manx Bar (advocates who are both solicitors and barristers in the Island courts), and 30–40 legal practitioners qualified in other jurisdictions. There is only a handful of legal information professionals, most of whom work for the government, so collaboration is informal. Contact is made most often with the librarians in the Tynwald Library and the Attorney General's Chambers.

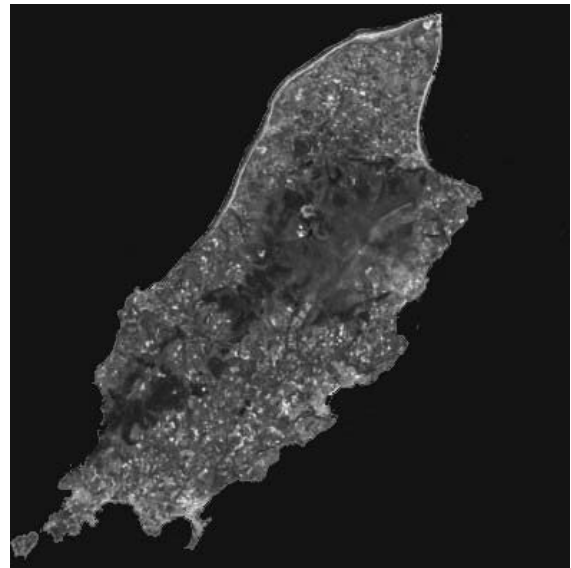


Photo 2. Aerial view of Isle of Man

This local context presents various challenges. We immediately feel the impact of any economic or political changes on the Islands and we are constantly updating our legislation to keep up with economic trends to maintain our competitiveness, and law firms have to react very quickly to any changes. The status of the Islands is extremely important in all work undertaken here, especially in our role as well-regulated international financial centres.

Being on an island does also limit training and career opportunities. There are only a handful of jobs to go round. Everyone knows everyone else, and this can be a two-edged sword in recruitment terms. Training usually has to be done off-island, which means travel expense, time and organisation.

But such drawbacks are outweighed by freedoms. Compact jurisdictions mean very close relationships with

other firms, government and the business community. You can have access to the senior people in government departments – you very often know them personally! It is therefore relatively easy to find out about new developments, new legislation in the offing, and local cases make big news. The small librarian population means our skills are highly valued as we are not easy to replace, and this gives us high professional status. There is very much a feeling of being at the heart of things, both in our firms and island-wide.

Day to day working life on an island

Day to day life in the small jurisdiction must be similar to that of a solo librarian in a law firm anywhere, but there are some local differences. Almost every piece of research requires cross-jurisdictional comparisons and compliance. In the Isle of Man and Jersey the legislation is local, but can be drawn from legislation in the UK and international sourcing of information is essential.

Jersey does not extend legislation by SI but implements its own legislation, looking to the UK for inspiration in the drafting of the law, but ideally waits a few years in order to heed any teething problems and then adapts it to a small offshore jurisdiction.

In the **Isle of Man** legislation can also be drawn from other Commonwealth or island jurisdictions, as well as the UK. Sometimes, UK legislation is extended to the island – either by its own legislation or by Order in Council - but with modifications and exceptions, and there is no short cut to knowing what these are other than cross-checking both the UK legislation and the Manx noted modifications.

The other major challenge is the paucity of published information about the law in the island, compared with large jurisdictions like the UK. There just isn't the material written, and research does involve a degree of detective work. Further, small jurisdictions need access to the wide range of quality, international information, just as larger jurisdictions do, but have smaller resources with which to purchase it, and creating local information can also be expensive without the economies of scale larger places enjoy.

The freedoms, though, can be very rewarding. The autonomy of a solo, with little line management, is liberating. The variety of work each day is stimulating – from routine tasks like cataloguing and preparing research to initiating new projects.

In the **Isle of Man**, the international work covers not only general corporate and commercial work, but work on the space satellite industry, a large and growing film industry, air transport and shipping, and major projects with the Manx Government. Enquiries range from tracking a major space satellite company and its interest in Isle of Man initiatives to looking for ancient sources on

the constitutional status of the island, from looking up local cases to sourcing legislation from New Zealand.

In **Jersey** the role involves supporting the lawyers across a wide range of practice areas such as funds, capital markets, commercial dispute resolution and private client litigation and helping our other offices in London and Cayman Islands. The diversity of information required can be anything from “Is Jersey signed up to the OECD?” to obtaining a Jersey judgment from 1716 and all points in between. The surprise element is part of the pleasure of the work.

With the international reach of the work small jurisdictions undertake, the profile of the jurisdiction to consider, the depth of work required and the unexpectedness of every day, life is not dull on the Islands!

New initiatives

As with all solo librarians, starting a major new initiative can be daunting on the islands. You can feel very much alone on a new project, lacking the face to face daily support of colleagues.

Isle of Man: I undertook to put all the unreported Manx judgments, from 2002 onwards, online and accessible to all lawyers on the island, in my capacity as Isle of Man Law Society Librarian. The project involved the selection of a suitable database package, negotiation and purchase agreement, and dealing with technical problems making this package available through the website, all of which were gradually overcome. However, I ran into local politics when I endeavoured to get copyright clearance for making the judgments available. It took 18 months to get clearance, lots of frustration and negotiation along the way. In a small community, this can be a drawback. However, the results were worth the wait. This small project made such a big impact, island-wide. All the lawyers were very appreciative, and the credit was mine. In a small jurisdiction, it is quite easy to make the difference between information provision or no information provision – the alternatives are not there.



Photo 3. Nancy Matthews and Angela Otterwell

Jersey: Some of my personal projects recently have been to look at disaster recovery; the implementation of new catalogue software, and the possibility of extending the library service to external clients. Copyright has been an ongoing project as there is a new draft law under construction and this is a concern that the Jersey Legal Information Professional Group are monitoring. This is an informal group of eight legal information professionals/law librarians who share information and concerns via e mail, telephone and occasional meetings. There has been a recent major revision of the Laws of Jersey and I have been happy to be an occasional sounding board for the webmaster of the Jersey Legal Information Board website, who readily accepts comments and suggestions.

IT and resources

Undoubtedly technology has increased our ability to be more efficient in our jobs. Catalogue software has improved the way we deliver internal information to our lawyers. We can track resources easier and faster. The freedoms enjoyed by the new technologies of the internet and searching the web for legal information across the globe have been further enhanced by photocopiers, faxes etc. Online subscription services such as Lexis Professional, Westlaw, Lawtel etc have increased our ability to access legislation, cases, journal articles and company information quickly, albeit at a cost. The importance of this efficiency cannot be underestimated when in the offshore financial legal world time and timing are all important.

There are a number of challenges however. Authenticity should be verified and copyright has to be considered. Originals are often requested for judicial

proceedings so a source for this then also has to be sought. The web per se does not have all the answers! Mailing lists such as Lis-Law and Int-Law are of great benefit, not just for finding resources and checking references but also for sharing information. The Institute of Advanced Legal Studies, other law firms, Law Society libraries and academic institutions can also be used, some requiring subscriptions which add to the financial burden of obtaining a wide breadth of material on a limited budget. Individual contacts, often made through BIALL and the conferences, are treasured. Membership organisations such as Lex Mundi can be utilised respectfully. As offshore librarians we have to think fast and in all directions, exploring every possibility in obtaining the information our lawyers require. We have found the legal information community to be incredibly supportive and we do our best to provide assistance should enquiries come our way for Isle of Man or Jersey.

In conclusion...

We hope that in this paper we have managed to convey the variety and quality of work undertaken in the small jurisdictions. Despite some geographical isolation, fewer information resources, and political pressures, the islands and their law firms think big, survive, thrive and provide their law librarians with varied and stimulating careers. We are conscious that we can be big fish in very small ponds, but the ponds refuse to be backwaters. They reach out, as I hope we have reached out to you, in sharing our resources and experiences. If all else fails, the islands are wonderful, beautiful places, and the beaches may attract you if we cannot!

Useful resources

Isle of Man

IOM Government has Acts of Tynwald from 2001 on website: <http://www.gov.im/infocentre/acts/welcome.xml>
Acts of Tynwald as amended and the Manx Law Reports can be purchased on CDrom for £150 for one user (updated twice a year) from Blackhall Publishing, Carysfort Avenue, Blackrock, Co. Dublin, Ireland
(email: info@blackhallpublishing.com)

For information about unreported Manx judgments contact Nancy Matthews, Isle of Man Law Society Library:
library@iomlawsociety.co.im

All legislation, including secondary legislation can be obtained from Tynwald Library: library@tynwald.org.im – not available as yet on the website.

Website: <http://www.tynwald.org.im>

Website: <http://www.iomlawsociety.co.im> For information on the Isle of Man Law Society

Website: <http://www.cains.co.im> for more information about Cains Advocates

Jersey

Websites: <http://www.gov.je/> links to all government websites including the States Assembly
<http://www.jerseylegalinfo.je> the Jersey Legal Information Board which has the New Revised Edition of the Laws, and reported judgments. Unreported judgments are available upon registration.

<http://www.judicialgreffe.gov.je> the Judicial Greffe, who provide the administration to the Jersey Court service.

<http://www.statesassembly.gov.je/> which has the Draft laws (called Projets)

Website: <http://www.jerseylawsociety.je/index.htm>

Website: <http://www.jerseyfsc.org/registry/> Jersey Companies Registry

Website: <http://www.mourant.com> for link to further information about Mourant du Feu & Jeune.

Biographies

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Portals: Where We Are and the Road Ahead

Paper given by Simon Drane at the 36th BIALL Annual Study Conference in Harrogate, June 2005.

Introduction

This article aims to give an overview of the current position of the legal portal market (primarily law firms) and to offer some predictions for the road ahead. The key areas covered will include:

- What are portals? Some basic definitions
- Why might you need a portal?
- What can you do with a portal?
- Where we are at present with portals: technologies and usage
- Key considerations for portal projects
- Future predictions for legal portals



Simon Drane

Intranet – a privately maintained computer network that can be accessed only by authorised persons, especially members or employees of the organisation that owns it.

Extranet – an extension of an institution's intranet, especially over the world wide web, enabling communication between the institution and people it deals with, often by providing limited access to its intranet"

Portals can comprise any or all of the above components. They can be a combined internet, intranet and extranet or they may just be an intranet.

Although a portal may in many cases start life as a purely internal tool, many law firms have subsequently extended the usage as an extranet to work with clients as phase two of a project. An obvious further step in such a scenario would be to extend usage externally via an internet site.

The following quote from Gartner sums up the essence of what makes up a generic portal, stating that portals offer

"Access to and interaction with relevant information, applications and business processes, by selected target audiences, and in a slightly personalised manner".

The first notable point is the potential for "interaction" rather than just access, and this is often a key distinguishing factor of a portal project.

The second point is that portals are not just dealing with information, unlike many intranet and internet projects, but are also providing access to and interaction

What are portals?

One of the most important factors is an understanding of what is meant by the word "portal". The term is frequently used in different contexts which can make it confusing. Often portals are seen as the next generation of intranets, which were previously so popular. Although technically not incorrect the full definition should go further. To consider what a portal is, one must step back and consider the constituent parts and also cover some other commonly used terminology in this field. The definitions below are taken from Dictionary.com and could equally be taken from many other reference points:

"*Internet* – an interconnected system of networks that connects computers around the world...."