

Investing in Support for Academic Research

Abstract: Alissa Sputore from the Melbourne Law School describes the groundbreaking Law Research Service which the Law Library runs for its staff and students as part of an effort to improve the quality of research and publication in the Law School.

Keywords: legal research; academic law libraries; Australia

Introduction

Research productivity and quality enhancement are major priorities for higher education in the current environment and faculties are looking to leverage all possible sources of research funding. A key challenge for academic law libraries, therefore, is to align the library closely to the research of the faculty. In particular, how can law libraries add value to the research process?

The research context

Research is increasingly important as a source of funding in universities. It is also used as a measure of the quality of a university or faculty, albeit controversially, through activities such as the Research Assessment Exercise (UK)¹ (RAE; which will be replaced by the Research Excellence Framework (REF) in 2014), or the Excellence in Research for Australia initiative (Australia)².

In the research sphere, a university has several defined measures or criteria which contribute to performance in research assessment exercises and league table rankings. These include:

- Growth in citation counts
- Increased research funding
- Increased research outputs
- Research with high impact
- On time completion of higher degrees

In addition to these measures, research success has many benefits that cannot easily be quantified. Success attracts the best students and the best staff to the law faculty and positions the law faculty more advantageously, both within the university and amongst other law faculties. An enhanced reputation creates increased opportunities for engagement with government, industry and other researchers.

A crucial challenge for academic law libraries is the delivery of information and services that support

institutional goals and contribute to national and international research performance measures.

Supporting research: current challenges for academic libraries

Whilst institutional goals may be clearly defined, the challenges facing researchers are many and varied³. The research environment is changing and trends in scholarly communication, such as the growing open access movement and the increasing availability of scholarship in electronic format, have fundamentally altered the way researchers undertake and publish their work.

Academic law libraries have generally been quick to respond to these changes, despite the ongoing uncertainty in the legal information environment. Many have chosen electronic over print subscriptions to maximise delivery of content to the research community and offer institutional repositories to showcase their institution's own research. New opportunities have emerged: some academic libraries are offering innovation relating to e-research support, including data management, which is a challenge of particular concern to researchers⁴.

Despite the responsiveness of libraries in providing electronic research material and enabling the preservation of electronic scholarship via repositories, there is a growing disconnect between faculty and librarian perceptions of the role the library plays in supporting research and scholarship⁵. One reason for this perception is that the academic library is increasingly being "dis-intermediated" from the information discovery process, which has previously been a core function for the academic library⁶. Faculty members once heavily relied upon library services and tools to help them find information. Now, they are end users of databases and free websites and repositories.

Further, although researchers often feel their information retrieval skills are in need of improvement, many rank this low in their priorities⁷. Younger researchers are

confident in their own research abilities in the electronic environment, but closer examination suggests that practices amongst this group may be random, unsuccessful and “lazy” (ignoring material that is not available in electronic format)⁸. Law researchers prefer solutions that are easy to use and capture broad amounts of information (such as Google Scholar or the Legal Information Institutes – AustLII, BaiLII, etc), even if this means settling for less than optimal results. This notion of ‘satisficing’⁹ is at odds with a library’s generally accepted mission to collect high quality information and to help others to find it.

Meanwhile, academic law libraries are unable to provide similar seamless access to their database subscriptions, due to the legal and technological barriers imposed by commercial publishers and vendors and the silos of information often prevalent in large institutions. New discovery tools, such as Serials Solutions’ Summons, or Ex Libris’ Primo offer possible, if expensive, solutions by harvesting data out of silos into a massive central index¹⁰. However, crucial legal databases remain incompatible with these products.

In addition to changes in the fundamental nature of scholarly information and communication, most academic libraries are currently operating in an environment of budget cuts and redundancies¹¹. Law libraries must make difficult decisions between funding collections and funding services and the former may well be the safest choice, with immediate, tangible benefits for the widest possible audience. Collections are crucial research infrastructure, but can we do more to enable connections between the collection and current research projects?

Long-term viability for academic libraries requires the active support of faculty, a factor which will be most effectively obtained by playing a prominent, valued, and essential role in the research process. An understanding of the faculty’s unique needs, interests and priorities must guide the academic law library’s information strategy. Law libraries must seek to do this in new ways, which assert the librarians’ expertise in legal information and the value they can bring to the research process¹².

The Law Research Service model

In becoming Australia’s first fully graduate law school in 2008, Melbourne Law School (MLS) sought to involve more students in its research mission. The Law School Executive also saw the Law Library playing a larger role in providing pro-active research support to increase the quantity, quality and impact of MLS academic publications.

The Law Research Service model adopted at MLS offers support to academic staff by undertaking discrete research tasks and facilitating access to information for the purposes of research. The service is based in the Law

Library and makes use of the University’s significant print and online library collections.

Research assistants are drawn from the law student body (at all levels of study) and supervised by law librarians. They undertake sophisticated legal and interdisciplinary research and provide detailed research memos and relevant materials.

The Law Research Service aims to free more academic staff time to think and write, thereby contributing to the quality, quantity and impact of faculty publications.

In addition, it provides high quality personalised research training to its own research assistants, to research assistants or fellows employed by MLS academic staff and to PhD candidates.

Whilst this model is well established in several law schools in the United States¹³, the Law Research Service model is an innovative approach to research support in Australia, being the first of its kind amongst Australian universities.

The nature of legal research

In considering the nature of the work a research service like this might undertake, it is useful to have an understanding of the research process of legal scholars. There have been very few studies on this and Davidson¹⁴ suggests research questions which would usefully inform evidence-based decision making with legal research support.

Legal scholarship can be categorised broadly as:

- Doctrinal – studies of the state of the law, or of interesting questions of law (this is also commonly done by practitioners), or a synthesis of developments in the law and their possibly trajectories;
- Normative – analysis of the law in relation to an ideal state, or normative analysis with suggested reform proposals;
- Legal theory – covers a range of different types of scholarship, including jurisprudence, the nature of law and legal institutions. It may consider problems internal to law and legal systems, or problems of law as it relates to the larger political and social situation in which it exists;
- Interdisciplinary studies – “Law and” studies not only to engage legal theory, but also to translate other relevant disciplines into legal contexts in order to engage legal theory in broader normative applications;
- Empirical studies – the study of legal institutions or empirical studies of law’s impact on society¹⁵.

The type of research being done and the nature of the approach dictate the sources needed. Law academics use a very wide range of materials in their work, from pre-prints to articles, to books, archival materials, government documents, cases and legislation. Interdisciplinary studies

are an increasingly significant part of legal research scholarship¹⁶ and require expertise in non-legal databases. There are many opportunities for a Law Research Service to support parts of this process.

Law Research Service as essential research support

The Melbourne Law School experience over the last 18 months suggests that a wide range of approaches to research work for different people and different projects. A legal researcher may start with a topic and then use scattered sources in a fairly random manner. They will also use a lot of non-library sources, such as their networks and colleagues in the same field. Scholars often feel the research process could be more orderly if only they took the time to learn the resources¹⁷.

The Law Research Service can add value to the researcher's own methods by undertaking research in a more systematic manner, ensuring all relevant information sources are checked, using advanced search strategies for maximum efficiency and by compiling the results into a format that best suits the nature of the question and the research goals.

We offer a flexible service, designed round those parts of the research process that cause researchers the most frustration and difficulty¹⁸. This is illustrated by the fact that the majority of requests to the Law Research Service require literature reviews, which are the most time-consuming and complex legal research tasks, often requiring use of up to a dozen different databases.

It is also an integrated service, pulling together other potentially disparate aspects of academic library and research support services, such as inter-library loan, remote access to services, current awareness, and advice on new publishing options. It co-ordinates empirical research assistance into one seamless delivery of information to the researcher. A researcher at MLS may have previously had to go to half a dozen different web pages or email several different people to get help with all these tasks.

Over 70% of the Melbourne Law School faculty engaged the Law Research Service in 2009 and many were repeat users. This level of use suggests that researchers have eagerly accepted assistance and advice in performing research tasks and using the library to its full capacity.

The service is closely aligned with research outcomes in the faculty. We can measure our impact on grant

applications and publications produced by faculty members. Whilst there are many factors potentially affecting the quantity and quality of faculty publications, the Law Research Service can legitimately be described as a broad enabler of research performance.

New opportunities

The Law Research Service enables law librarians at Melbourne Law School to have a more authentic relationship with faculty. We hear from them more of the time, about more of their needs, and therefore we have a more comprehensive understanding of our academics' information requirements. We can make better connections between research and the collection by engaging more deeply in the process of finding and selecting the appropriate information for the researcher.

The Law Research Service does not work in isolation. Collaboration with colleagues in the library who focus on teaching and learning support, collection development and electronic service delivery builds on insights gained through the Law Research Service and is beneficial for the law library as a whole and for all user groups. Greater engagement with faculty positions the law library to work proactively in serving a growing range of faculty needs into the future.

Law students working as research assistants benefit from honing their information finding, analytical and communication skills, whilst applying their legal knowledge in new ways. They develop deeper relationships with the faculty members and, for some students, their greater appreciation of, and interest in, research and academia suggests new career paths. Improved technical abilities with a wide range of databases and a sound methodical approach to research tasks can help the students in law firm internships and other work environments.

Conclusion

The focus of the Law Research Service model provides many benefits for the law faculty. At Melbourne Law School, this model has changed the way the faculty engage with the library. It has improved the relevance of the library to our academic researchers and has enabled the library to more accurately and authentically demonstrate greater value to the research mission of the law school.

Footnotes

¹<http://www.rae.ac.uk/>

²<http://www.arc.gov.au/era/default.htm>

³Jo Webb, Pat Gannon-Leary, Moira Bent, *Providing Effective Library Services for Research* (Facet, 2007), see in particular Chapter 2 "Current challenges for libraries and research support", and Chapter 8 "Facing the future"

⁴Susan Kroll and Rick Forsman, *A Slice of Research Life: Information Support for research in the United States* (OCLC, 2010)

⁵Roger C. Schonfeld and Ross Housewright, *Faculty Survey 2009: Key Strategic Insights for Libraries, Publishers and Societies* (Ithaka, 2010) <http://www.ithaka.org/ithaka-s-r/research/faculty-surveys-2000-2009/Faculty%20Study%202009.pdf>

⁶Schonfeld and Housewright, above.

⁷Kroll and Forsman, above.

⁸Lotta Hadlund & Per Olsson, 'The impact on University Libraries of changes in information behaviour among academic researchers: a multiple case study' (2008) 34(1) *The Journal of Academic Librarianship* 52

⁹<http://en.wikipedia.org/wiki/Satisficing>

¹⁰For more information on discovery tools see Marshall Breeding, 'Automation Marketplace 2010: New Models, Core Systems', *Library Journal* 1 April 2010 <http://www.libraryjournal.com/article/CA6723662.html>

¹¹Research Information Network (RIN), *Challenges for academic libraries in difficult economic times: a guide for senior institutional managers and policy makers* (RIN, March 2010)

¹²Richard A. Danner, 'Supporting scholarship: thoughts on the role of the academic librarian' (2010) 39 *Journal of Law and Education* 365

¹³For discussion on faculty research services in US law schools see Margaret Schilt, 'Faculty services in the 21st century: evolution and innovation' in Barbara Bintliff & Lee F Peoples (eds), *Public Services in Law Libraries: Evolution and Innovation in the 21st Century* (Hawthorn, 2007); Kevin D Gerson, 'Faculty Research Services at the UCLA Law Library' (2008) 18 *Trends in Law Library Management and Technology* 55

¹⁴Stephanie Davidson, 'Way beyond legal research: understanding the research process of legal scholars' (2010) (available on SSRN abstract 1537336)

¹⁵Based on J. B. Ruhl, *The hierarchy of legal scholarship*, <http://jurisdynamics.blogspot.com/2006/09/hierarchy-of-legal-scholarship.html>

¹⁶Jackie G Woodside, 'Interdisciplinary trends of law faculty: possible implications for reference librarians' (2009) (available on SSRN abstract 1424287)

¹⁷Judith M Nixon, 'How scholars work: panning for gold in libraries' (2010) 49(3) *Reference and User Services Quarterly* 231

¹⁸This approach to library service is advocated in a recent OCLC report: *Support for the Research Process: an academic library manifesto* (OCLC, 2009)

Biography

Alissa Sputore joined the University of Melbourne in 2009 as manager of the Melbourne Law School's Law Research Service. She was awarded Law Librarian of the Year by the Australian Law Librarians' Association in 2009. Alissa previously held the position of Associate Business and Law Librarian at the University of Western Australia. In addition to her academic law library experience, Alissa has been Library Services Manager at the Perth office of law firm Blake Dawson.

Melbourne Law School

Melbourne Law School is Australia's oldest law school and has been teaching law and undertaking research for the past 150 years.