

LexisNexis LegalWeb – Online Sources for Learning Legal Research

Abstract: In a response to issues raised at User Groups on the research capabilities of young lawyers, Tom Laidlaw of LexisNexis looked into the current legal skills environment and as a result LexisNexis have introduced the LawCampus website for students and are planning a programme for trainee solicitors involving “virtual mentors”.

Keywords: online services; legal research; law students; trainee solicitors

Introduction

Over the last couple of years, LexisNexis has been receiving comments from law firm librarians and information managers about the legal research abilities of trainee solicitors and junior lawyers, that they are unable to deliver properly structured research to their principals. This is putting pressure back on the firm’s information managers to both do the research and then advise trainees how to present it to senior lawyers. Further, the senior lawyers are complaining directly to the information managers that their trainees are not properly equipped for the workplace.

Academic legal education, at both undergraduate and vocational stages, is very concerned with imparting the correct legal skills to students to help them both in their immediate studies and in their future careers. The first question to investigate therefore was “Are there clear areas where trainees and junior lawyers demonstrate a lack of necessary skills?” Or is this a case of senior members of the profession expecting too much of their junior staff and forgetting their own lack of skills at the start of their professional careers?

Research skills required for practice

At a recent User Group meeting, LexisNexis decided to investigate these concerns further with the help of 40+ attendees and try to identify specific issues that could then be shared and used by LexisNexis to support customers in developing their staff effectively. Out of that meeting, the following issues were identified:

- Trainees are good at the mechanics of getting information out of legal databases, but have difficulty



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answering a question arising from a commercial scenario.

- Research skills decline with lack of use especially in the period between leaving law school and starting work.
- Trainees expect to be able to find the definitive answer quickly with the minimum of effort.
- A limited range of information resources are used to find the answer and there is insufficient checking against the full range of materials available.

- An inability to present the results of research to principals correctly so that the principal can understand the route taken to get to the answer.
- Lack of understanding of primary and secondary sources of legal information and when to use them.
- Not knowing which standard works support which practice areas and how to use them.

These were the common threads coming out the various conversations at the User Group, so it was clear to us that there were real issues that need to be addressed. However, as Head of Academic Development for Lexis Nexis, I was surprised by some of the conclusions above. I am very aware of the efforts of universities and law schools to provide students with the skills to allow them to progress through their education, but also to make them effective lawyers once in practice. The changing information landscape of universities could be a factor in creating these issues.

Changing student study methods

Most, if not all, universities in the United Kingdom now have federated search engines and e-journal

management tools supporting research across the majority of subjects. The aim is to make sure that staff and students can easily find and access all of the subject resources their institution subscribes to. Many of these tools provide a similar research experience to Google – phrase/word searching via a single box or a list of links. Students are being directed to the materials they have to read and also given the links that send them directly to the document that they need to read, resulting in less need for developing independent research skills.

Many universities also have an e-first policy i.e. if a publication is available online and in print, then the university will purchase it online. The primary driver is to ensure that the maximum number of users can access the content at any one time. This does mean that the knowledge of and understanding of how to use print research resources is in decline. This is borne out by information in the annual law student survey that LexisNexis runs in February and March each year (Fig. 1). Law firms expect trainees to have this skill so that they can be sure the trainee has looked at all relevant resources to answer a question.

Students are not only using electronic resources to find the information they need to support their studies, they are also being taught electronically and expect to engage with learning materials via the web to provide them with the flexibility to work when and where they want. As an example, BPP Law School offers a Legal Practice Course that delivers all lectures online and students then attend the small group sessions in person. All of their lectures are in MP3 and MP4 format so that students can review the material after the initial delivery of the lecture.

While students are using different technology to find out the answers to the questions posed to them, the information that they need to find has not changed over the years (Fig. 2).

Why should we care?

The student information environment has changed markedly over the last few years and student expectations about ease of access to information and flexible learning are providing suppliers of information with challenges. The first question for information providers is ‘Why should we care?’ We should care for the following reasons:

- Customers are investing a significant amount of money in electronic resources and want to be sure that these resources are meeting user needs and being used effectively.
- Users want as simple a research experience as possible. Otherwise they will find another resource to support their learning if their first research tool does not provide them with the information they need.
- Information providers need to deliver accurate information about their resources to users.
- We should help customers avoid duplication of effort when producing training materials to distribute to users.

What should we do?

The second question for information providers is ‘What should we do?’ We have to provide a range of support materials that takes account of this changing information landscape and learning practices. If we do not then users will not use research resources in the most effective manner to support their studies. Further, students are taking these practices into their legal careers and will expect to learn new skills and

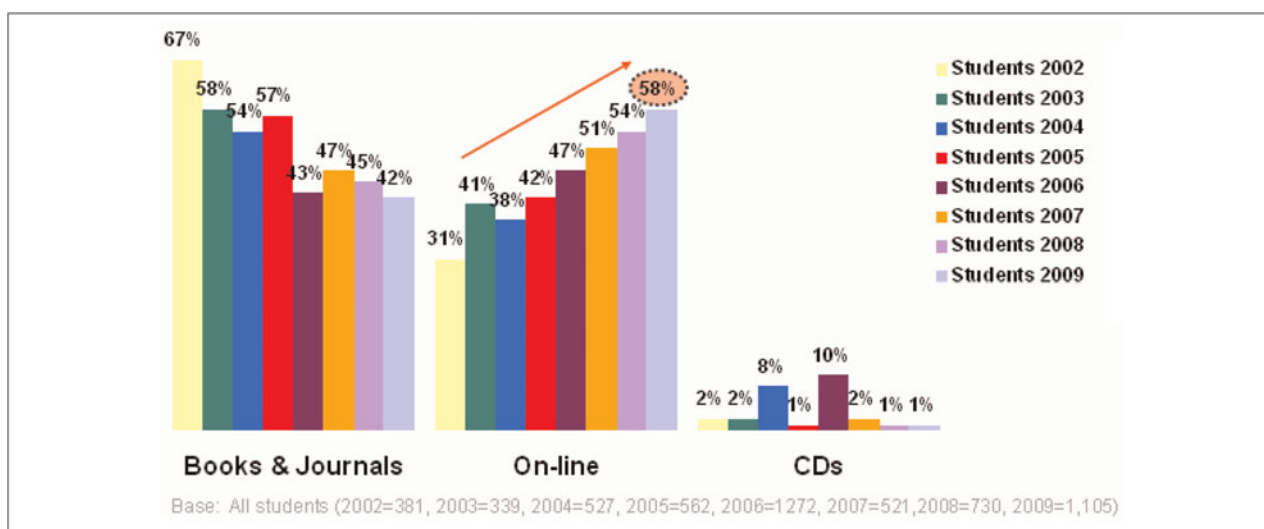


Figure 1: Proportional Allocation of Time Spent on Legal Research

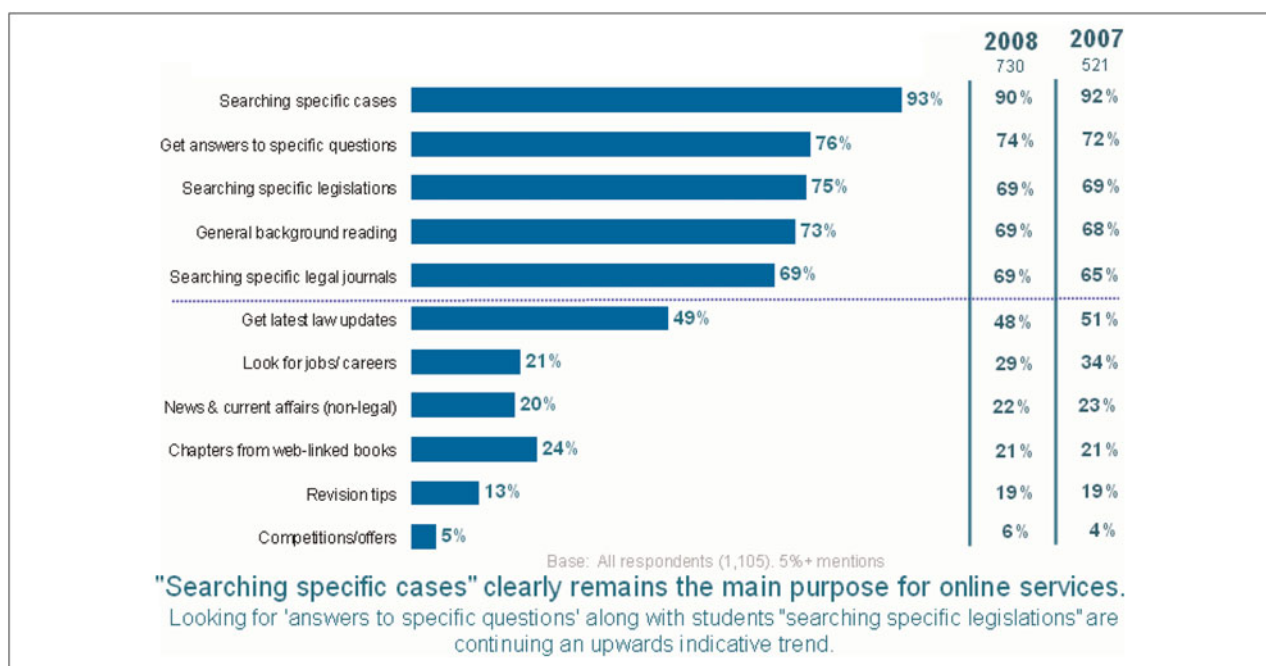


Figure 2: Purposes of the Use of On-line Legal Information in 2009

information in this way. Again if we do not provide flexible learning materials then junior lawyers will not be as effective as they could be.

LexisNexis support for research and training

Student Associates

LexisNexis has been working to support student training on LexisNexis online research services since 2002. We launched the "Student Associate scheme" in that year with a trial at eight institutions. This has now grown to 60 students employed by LexisNexis at universities and law schools across the UK. The role of the Student Associate is to provide that first level of support to their fellow students and answer those simple questions that students might not want to ask library staff for fear of looking ignorant. The scheme has been a success and sits well alongside the increase in peer-assisted learning and collaborative learning that are an increasing feature of tertiary education in the UK. From our annual survey we know that these Student Associates do have a positive impact on product usage which should lead to improved legal research skills (Figure 3 below).

Research Certification

This was followed up by the LexisNexis Research Certification scheme¹ to allow students to test their own

research abilities by answering 15 questions about LexisLibrary set by the LexisNexis Academic training team. The aim of the scheme was and is to provide students with a certificate that demonstrates a level of research ability to potential employers. The original aim was to provide committed law students with a method of showing that they understood the need for good research skills in a trainee and were motivated enough to study and take the test in their own time. A small number of institutions do now require students studying the Legal Method course to pass the Certification test as a requirement for passing the module. There is also at least one UK law firm that requires its entire new trainee intake to take and pass the test to benchmark their level of research ability.

LawCampus

We have also been receiving comments from customers over the last couple of years that we needed to provide more product training materials external to the research services themselves and use technology and the web in better ways to match the ways that students now want to engage with learning materials. Linked to this, our customers were also looking to LexisNexis to take some of the burden from their shoulders of producing training materials. To that end, we have recently developed a new LawCampus website² which is part of the broader LexisWeb offering. The site provides students with access to a range of product training videos that have been created with the student market specifically in mind. The videos last about five minutes and currently focus on the tasks and content that most

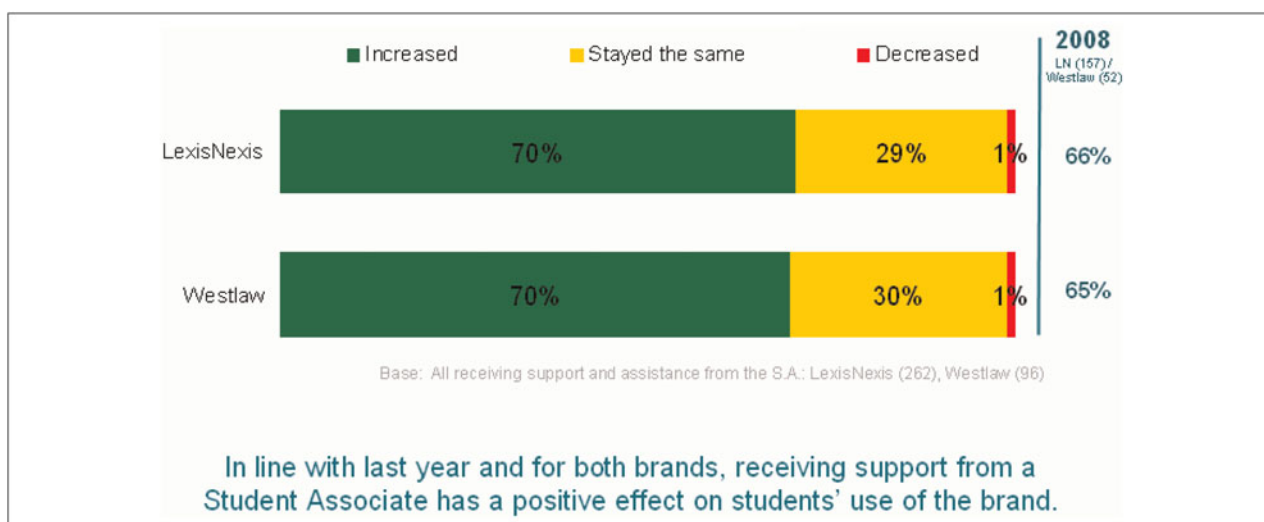


Figure 3: The effect of LexisNexis and Westlaw Student Associates on usage

students need to access as part of their undergraduate courses. The site has also been designed to provide more and flexible access directly to the Lexis Academic training team. Students can email the team directly to ask product-related research questions. A member of the team is also available once a month to be contacted by Instant Messaging so a student can get an immediate answer to a question via the web.

Bridging the skills gap

All of the above developments aim to improve students' abilities to understand the mechanics of legal research, but they do not address many of the concerns raised by law firm information professionals listed earlier in the article. LexisNexis has recognised the need to help bridge the skills gap between study and practice and are developing a range of training materials that will support the transition. The first change has been to move from the mechanics of research to research in context. We have produced a number of training modules for Nabarro built around case studies written by their senior practitioners. We are also creating a "welcome back" pack for law firm trainees that will provide scenario-based training modules and information about the publications that are relevant to particular practice areas. There will also be online materials to provide practice area updates so that trainees are aware of the legal and business issues that have affected their first training seat between leaving law school and entering the workplace. In order to track trainee engagement with this material, it will be delivered by LexisNexis through a Learning Management System. There will also be refreshers for trainees every time they move seat.

Early Qualification

LexisNexis will also be providing support for firms and junior lawyers at the next major career transition, from trainee to junior solicitor. The aim is to try and provide these new practitioners with a virtual mentor. A new e-learning platform will provide legal and business development skills modules. All learning will be task-based and designed to facilitate the immediate application of skills in practice. Importantly, these modules also provide practical insight, the tips, tactics and knowledge checks that junior lawyers usually ask partners, to make themselves better lawyers. The information will be delivered electronically, so that users can engage as and when it suits them and to allow tracking and CPD hours allocation.

Conclusions

- Students and junior lawyers look for and engage with legal information in very different ways to previous generations of lawyers and their learning styles must be accommodated in any training they receive.
- Employers expect their trainees and junior lawyers to be even more productive even earlier in their careers and expect them to have the necessary skills to support productivity.
- Information providers must do more to support the use of, and engagement with, their online research services to ensure their customers get the maximum return on investment.
- Information providers should have a coherent training strategy that supports students and junior lawyers all the way through their education and early careers.

Footnotes

¹www.lexisnexis.com/uk/lawschool/certification

²www.lexisweb.co.uk/lawcampus

Biography

Tom Laidlaw is the Head of Academic Development for LexisNexis. He has over 10 years of experience supporting university law departments in the UK.

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Current Topics

The Cobweb Campaign

Abstract: Tax, national insurance, tax credits and the minimum wage are often difficult to understand. Those with questions frequently turn to HM Revenue & Customs (HMRC) for answers, but the HMRC website is often out-of-date and confusing. Last year, Anne Redston launched the Cobweb Campaign to sweep out the dusty corners of this huge information database.

Keywords: websites; taxation

Introduction

“Tax doesn’t have to be taxing” say HM Revenue & Customs, as they encourage you to file your tax returns on time. This is, however, an over-optimistic jingle. Tax is almost invariably taxing: it is complex, changes frequently and can be counter-intuitive.

The obvious place for non-specialists to find answers to their tax questions is the HMRC website: www.hmrc.gov.uk. Too often this site is out of date, confusing or just plain wrong. These deficiencies can cause taxpayers to take incorrect decisions, make mistakes in their tax returns, or miss opportunities.

Last year, I began a campaign to encourage HMRC to clean up its site. I asked other tax specialists to email me when they found any gremlins and combined their findings with research of my own, publishing the results in *Taxation* magazine, a long-established authoritative journal for tax practitioners. I called it “The Cobweb Campaign”.

This article explains the Cobweb Campaign, why I believe it is important and outlines its progress so far.



Anne Redston

First, though, it is important to understand the role of the website and why it matters.

In the old days

There are three reasons why the website matters. The first is the growing reach of HMRC. In the old days, the Inland Revenue dealt only with tax. National insurance contributions were handled by the Department of Social Security, while VAT and duties were under the aegis of Customs & Excise. Now these are all managed by a single body: HM Revenue & Customs (HMRC). Its reach even extends into welfare, as HMRC also administer tax credits and enforce the minimum wage.

Once upon a time, too, tax information was provided to the public via leaflets, sent out with tax returns, or collected from local tax offices or public libraries. Few of these leaflets survive today and most local tax offices have closed. HMRC’s preferred contact point is their website, backed up by call centres.¹

Until recently, tax was assessed by the local inspector, based on information provided by individuals and companies. Now it is self-assessed, so the burden of getting the