

Draft Report of the ALL-SIS Task Force on Identifying Skills and Knowledge for Legal Practice

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Activities of the Task Force 2011-12

The ALL-SIS Task Force on Identifying Skills and Knowledge for Legal Practice (Task Force) convened on August 14, 2011. The Task Force has met monthly by conference call since that time, supplementing conference calls with email exchanges when necessary. During the first meeting, we reviewed our charge and set out a timeline of events to be met.

Charge of Task Force

“In conjunction with law firm librarians, identify the current and future research skills that law school graduates need to succeed in legal practice. This information will help law schools determine how to develop their curriculum to meet the research needs of their graduates. By May 1, 2012 deliver to the Executive Board a finalized report that will be made available to ALL-SIS members by the 2012 Annual Meeting.”

Timeline

September 2, 2011: First conference call to determine activities and timeline of the Task Force

October 18, 2011: Follow-up conference call to discuss assignments given during the September 2 conference call.

October-December 2011: Creation of survey:

- November 1, 2011: Conference call to discuss draft questions; review literature prior to conference call
- November 4, 2011: Draft questions should be complete and integrated into a single document; this document will then be sent to James Donovan, head of the ALL-SIS Statistics Committee, for review

- November 15, 2011: Draft should be complete and (hopefully) reviewed by Statistics Committee; disseminate to focus groups
- November 15-November 22,2011: Draft survey out to focus groups
- Week of November 28, 2011 (tentative): reconvene via conference call to discuss findings
- December 2011: Finalize survey

January 2012: Distribution of survey

February-April 2012: Collect survey results and use them to develop interim report

May 1, 2012: Issue interim report to ALL-SIS board

Future: Continue analysis of quantitative survey and provide additional dissemination of information

Drafting the Survey

The Task Force determined that lawyers as well as law librarians should be surveyed. The group assembled a bibliography of literature about legal research surveys¹ and each member agreed to review the literature and draft questions on a topic as follows:

- I. Introductory/demographic (Alison)
- II. Questions about access to resources (Toni)
- III. Questions about usage of the resources (Sheri)
- IV. Questions about the process of research (Susan)
- V. Questions about skills and training (Barbara)
- VI. Questions regarding observation of new associates and what law schools should be teaching (Shawn)
- VII. Analysis of the geographic distribution of the alumnae of our respective law schools (Jason)

From November to February, the Task Force met and reviewed survey questions. A test survey was sent out in late November to selected practitioners who were known to

¹ Judith Lihosit, *Research in the Wild: CALR and the Role of Informal Apprenticeship in Attorney Training*, 101 L. Lib. J. 157 (2009); Patrick Meyer, *Law Firm Legal Research Requirements for New Attorneys*, 101 L. Lib. J. 297 (2009); Patrick Meyer, *2011 Law Firm Legal Research Requirements for New Attorneys* (September 26, 2011), available at <http://ssrn.com/abstract=1953437>; Shawn G. Nevers and David Armond, *The Practitioners' Council: Connecting Legal Research Instruction and Current Legal Research Practice*, 103 L. Lib. J. 575 (2011).

Task Force participants in order to identify any potential weaknesses in our questions. For further validation, we submitted the survey to a librarian on the University of Chicago Library's Assessment Project Team and the ALL-SIS Statistics Committee. The University of Chicago Library's Assessment Project Team reviewed our survey twice, for bias and completeness. The ALL-SIS Statistics Committee reviewed our demographics and approved them, and reviewed the survey, making recommendations for change. After finalizing all of the changes suggested by our review committees, the Task Force had complete surveys for attorneys² and for law firm librarians³. Although both surveys features many of the same questions, there were slight changes made to the law librarian survey to reflect the role that librarians play in assisting with practitioner research and also their role in purchasing resources for practitioner use.

The Task Force selected SurveyMonkey as the platform for drafting and distributing the survey and collecting responses. SurveyMonkey was chosen for several reasons including: ease of use in creating the survey, its ability to manipulate the final data, and its ready availability for use. Access to SurveyMonkey was provided through the Fordham Law Library's subscription.

Distribution of the Survey

During initial brainstorming about the practitioner survey, the Task Force decided that distribution of the survey to alumni groups would yield the most responses. We reasoned that busy attorneys would more likely participate in a survey that had some affiliation with their alma mater than something that originated from another source. The geographic diversity of the law schools represented on the committee (Brigham Young, University of Colorado, University of Chicago, Fordham, Georgetown, Hofstra, Southern Illinois, and Texas Tech) also offered a good mix of potential survey participants.

² Available at

[http://www.surveymonkey.com/s.aspx?PREVIEW_MODE=DO NOT USE THIS LINK FOR COLLECTION&sm=guZdsWYXa5iHAfoPNgDDz25Ju8cwf4JMW9rFN8Y5QX4%3d](http://www.surveymonkey.com/s.aspx?PREVIEW_MODE=DO_NOT_USE_THIS_LINK_FOR_COLLECTION&sm=guZdsWYXa5iHAfoPNgDDz25Ju8cwf4JMW9rFN8Y5QX4%3d)

³ Available at

[http://www.surveymonkey.com/s.aspx?PREVIEW_MODE=DO NOT USE THIS LINK FOR COLLECTION&sm=ThFY94JavLUvSyXfX7bcM68zhBIeGLxVagONzoP\]v3w%3d](http://www.surveymonkey.com/s.aspx?PREVIEW_MODE=DO_NOT_USE_THIS_LINK_FOR_COLLECTION&sm=ThFY94JavLUvSyXfX7bcM68zhBIeGLxVagONzoP]v3w%3d)

As the Task Force finalized the survey, members began working with law school administrators to gain permission to distribute the survey to law school alumni. While each school's administrators were receptive to the idea of distributing the survey to alumni, there were a variety of opinions and policies about how the survey could be distributed. A few schools supported direct email to alumni and adjunct faculty, several allowed inclusion in an alumni newsletter, and others encouraged posting to an alumni LinkedIn or Facebook page.

Once the survey was finalized and a link was created, Task Force members began distribution through the means specified by their schools. Direct emails were sent to the alumni of BYU, University of Chicago and Southern Illinois. Direct emails were sent to adjunct faculty at Georgetown, University of Colorado, Hofstra and Southern Illinois. Survey information was included in alumni newsletters at Fordham, Texas Tech and the University of Colorado. Alumni Facebook pages were utilized at Fordham, Georgetown and the University of Colorado. LinkedIn pages were used at the University of Colorado and Hofstra. Surveys were first distributed on February 9, 2012 and distribution continued through February, March, and April. The practitioner survey closed on April 18, 2012.

After initial distribution of the practitioner survey by its members, the Committee reached out to other law librarians for help with distribution. This effort resulted in survey information being published in the University of Texas alumni newsletter and Harvard Law School's alumni LinkedIn page. Significant survey responses also came from the University of New Mexico alumni community.

Distribution of the law librarian survey occurred primarily through AALL listservs and newsletters. Survey information appeared in the March AALL eNewsletter as well as on the PLL-SIS, SCCLL-SIS, and FLLC listservs. Steve Lastres, Chair of PLL-SIS, and Barbara Fritschel, Vice-Chair of SCCLL-SIS, were particularly helpful in promoting the survey through multiple listserv messages. In addition to these AALL venues, the survey was posted on the Law-Lib Listserv, operated by the University of California at Davis. The law librarian survey was open from March 8, 2012, to April 10, 2012.

Preliminary Results of Task Force Survey

There was excellent participation in both surveys; 139 respondents completed the law librarian survey, and 603 respondents completed the practitioner survey. Because the results have only recently been gathered, the Task Force is still reviewing the data to determine how to proceed with the analysis.

However, the practitioner survey yielded some interesting demographic information which gave great hope to the range of possibilities for future analysis, including:

- One of the most exciting demographics this survey captured were the small firm practitioners: one-quarter (25.3%) of the practitioner responses came from practitioners working in a firm of 2-5 attorneys, and 18.7% responses were from solo practitioners. Practitioners working in large firms (201+ attorneys) accounted for 12.6% of the respondents.
- As for geographic distribution, the top 5 states where respondents indicated they conducted their practice were New Mexico (15%), Illinois (14.5%), Utah (11.1%), Texas (8.7%), and California (7.5%). We also received 8 responses from practitioners outside the United States.
- With regards to the type of work the respondents are involved with, 28.6% identified the majority of their practice as litigation, with 21.9% reporting that they regularly engage in both litigation and transactional services. An impressive 13% of respondents worked for a state government, and 5.9% worked for the federal government. Another unique demographic captured in this survey was in-house counsel, which accounted for 8.7% of the respondents.
- Length of practice also has been cited as affecting legal research habits, and our survey contains a very even distribution of years of practice, with the largest group (24.6%) of respondents reporting they had 10-19 years of experience, closely followed by practitioners with 0-4 years of experience (22.5%). A significant number (17%) had over 30 years of experience, which was similar to the number of attorneys who had 5-9 (17%) and 20-29 years (19%).

The law librarian survey featured an overwhelming response from large firm librarians (85.9%), but we were fortunate to have responses from court, government and in-house librarians as well.

Future Plans and Directions

The first round of data collection has been completed, and the Task Force next will begin its in depth analysis of the survey responses. Such analysis will include a closer review of the responses to individual survey questions as well as a cross-examination of responses by comparing and contrasting them with demographic data. One valuable aspect of the survey results is the numerous open-ended responses from many participants. The Task Force will want to spend concentrated time reviewing these remarks, identifying notable (and perhaps recurring) themes in the comments, and then coding them to discern significant trends.

Statistics Forum

The data will be submitted to the ALL-SIS Statistics Forum for a preliminary analysis and advice on what additional steps need to be taken for a more sophisticated statistical analysis of the data. Questions that the Statistics Forum may be asked to consider include:

- Do the survey responses constitute a geographically-diverse sample?
- Do the survey responses from different attorney-experience cohorts (e.g., on what type of resource they use first in legal research) show statistically significant differences?
- Which methods used for the publication of the survey (e.g., listservs, alumni Facebook pages, direct emails) were most effective in generating responses?

Additional Data Collection

If possible, the Task Force would undertake a second round of survey distribution to obtain additional responses and data, perhaps focusing on attorneys in states not represented in the initial results.

Individual Follow-Ups/Focus Groups

Many attorneys and librarians made substantial and interesting free-text comments as part of their survey responses. Accordingly, to follow-up on any research directions pointed at in the responses, the Task Force may endeavor to conduct individual interviews and/or focus groups with practicing law librarians and attorneys using standardized set of review questions.

Work with Other Organizations

Given our shared interest in identifying and improving practitioner research skills, the Task Force plans to reach out to other AALL Special Interest Sections such as the PLL-SIS and outside organizations such as the ABA Section of Legal Education and Admissions to the Bar to explore opportunities to reach additional groups of potential survey respondents and augment our existing survey data. The ABA's interest in legal education also makes it an ideal audience for the completed analysis.

Publication of Results

In addition to the Report required by the Task Force's charge, members of the Task Force have considered publication of both the statistical analysis and any conclusions suggested by the analysis as a journal article suitable for *The Journal of Legal Education* or the *ABA Journal*, in addition to the *Law Library Journal*.