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As the legal industry has been talking about innovation for the last several years, we have simultaneously witnessed the rise of the Chief Innovation Officer (CINO) role (which several of our AALL members have assumed) within law firms, as highlighted in a recent *AALL Spectrum* article. (Read the Ask a Colleague column at bit.ly/MA20innovation.) However, until COVID-19, the adoption of new technology had been painfully slow and uneven, at best.

Innovation was more of a buzzword that organizations used to tout their technological superiority to clients and prospective new hires, including law school students. With six months of working remotely in a completely digital environment now under our belts, the legal industry has adjusted to new ways of working and servicing our clients more efficiently by adopting and using many of the tools that had been acquired but were underutilized, and by investing in new tools, such as Zoom, which have become industry standard must-haves within a short period of time.

It should come as no surprise that as law librarians have become their organizations’ technology gatekeepers, they are also leading the way in teaching faculty, judges, lawyers, and students how to use these tools and navigate this new digital world. By ensuring that our clients have the tools they need to perform their jobs, our profession is more relevant than ever. As law librarians, we must continue to embrace innovation and ensure we continue to serve on the front lines of the technological changes coming directly at us, including those intertwined with knowledge management, artificial intelligence, and data analytics. As Toby Brown suggests in his article on page 13, we should envision new roles for the next generation of law firm information professionals, roles that actually enable them to participate in direct client-facing activities. Doing so will help law firms take the next logical step in the evolution of how they repackgage client services.

So that we leave no member behind and help our community continue to successfully navigate the long- and short-term effects of COVID-19, AALL has created a new forum on My Communities, “COVID-19 Community Forum,” where members can share information, best practices, ask questions, and check in with one another. Join the new community at bit.ly/MyComCOVID.

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TECH-SAVVY LAW LIBRARIANS FOR THE NEW ERA
Building relationships with IT, participating in outside associations, and embracing legal tech can help law librarians in their new roles as knowledge management and business development professionals.

BY STEPHANIE GODLEY

LEGAL INFORMATION PROFESSIONALS: THE NEXT GENERATION
Law librarians can be the change that will transform legal services.

BY TOBY BROWN

THE POWER OF LITIGATION ANALYTICS PLATFORMS
How legal information professionals can help attorneys and law firms adopt this new tool.

BY RICK MERRILL
TALKING TECH: ALIGNING SYSTEMS DESIGN & SERVICE DELIVERY IN A TIME OF GREAT CHANGE

Law librarians can help end users experience a smooth journey from discovery to access.

BY COURTNEY McALLISTER

MEMBER PROFILE
Meet Allison Reeve Davis, library manager at Littler Mendelson P.C. in Kansas City, Missouri.

NEWS & NOTES
Notable 2020-2021 dates.

LEADING PROFILE
Holly M. Riccio discusses the role the COVID-19 pandemic has had on her institution, the importance of libraries demonstrating their value, and how being involved in AALL has helped her career.

ASK A DIRECTOR
How has COVID-19 impacted your organization’s technology plan? Are you accelerating the adoption of AI technologies? Advice from June Hsiao Liebert and Edward Hart.

ADVOCACY
COVID-19: THE PERFECT STORM OF ISOLATION & LACK OF REPRESENTATION
Improving access to legal materials in the U.S. territories.

BY AESHA DUVAL, GERALDINE CEPEDA & GINA GUTIERREZ

COMMUNITY
VOICES ACROSS THE SPECTRUM: COMBATING SYSTEMIC RACISM
Compassion, empathy, and reaching out to others are key to addressing discriminatory implicit bias.

BY ANDRE DAVISON

TECHNOLOGY
TALKING TECH: ALIGNING SYSTEMS DESIGN & SERVICE DELIVERY IN A TIME OF GREAT CHANGE
Law librarians can help end users experience a smooth journey from discovery to access.

BY COURTNEY McALLISTER

BUSINESS EDGE
VENDOR VOICE
An inside look at Lexis+: A new legal research experience.

PRACTICAL COMPETITIVE INTELLIGENCE: MANAGING EXPECTATIONS IN THE AGE OF WORKING FROM HOME
Why the reference interview is your key tool for creating timely CI reports.

BY MARK GEDIMAN

REFERENCE DESK
Taking the next step in your career.

BY MARIBEL NASH & SCOTT VANDERLIN
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The Economics of Legal Relationships Series


The author performs a rigorous, systematic analysis of common law, contract law, property law, agency law, partnership law, trust law, and corporate statutory law using judicial rulings that prove shareholders do not own corporations, that there is no separation of ownership and control, directors are not agents of shareholders, and shareholders are not investors in corporations. This book will appeal to researchers and upper-level and graduate students in economics, finance, accounting, law, and sociology, as well as attorneys and accountants.

"During the last decades, many areas of the law have been tainted by simplistic economic analyses. Nowhere is this truer than in corporate law, where property rights and agency relationship have been identified when they are absent. Shareholders do not own corporations; they own shares. And directors and officers are not the shareholders’ agents; they are the agents of the corporation. Dennis Huber has written a serious book evidencing these contradictions and the need to bring back corporate law’s lost logic. It is a must for business lawyers and for economists willing to address the complexity of the legal structure of the firm."
Jean-Philippe Robé, SciencesPo Law School

"Huber’s book is one of the most interesting discussions of the relations between law and the economics of the firm to appear in decades. It asserts, in some key respects, the primacy of the law and argues that most of the economics of the firm literature pays too little attention to the law...the book is surely an impressive undertaking that should be of significant inspiration to economists and other social scientists."
Nicolai J. Foss, Copenhagen Business School.
I write this column from my home “office,” (i.e., my dining room table), as we enter our sixth month of continued unease, constant transition, and strife. Since the early days of the pandemic, law librarians have been at the forefront of tackling, embracing, and supporting change in our organizations. As a personal example, our library used the opportunity to prioritize and improve services, such as canceling much of our print collection. In this issue, we will learn how some of our colleagues are faring and what they are doing to increase communication, address a heightened reliance on virtual access, and—a personal favorite—collaborate with peers (both within and outside their organizations). If you or your institution are exploring issues, perspectives, or resources related to diversity, inclusion, and equity, we ask you to consider submitting an idea for a future Voices Across the Spectrum column, which aims to foster communication around these important topics.

Innovation is the overarching theme running through this issue of *AALL Spectrum*. Given my personal interest and AALL’s emphasis on showcasing law librarians’ versatility and value, I am not surprised that this issue’s articles highlight how law librarians and legal information professionals once again exemplify that we are agents of change, nimbly addressing and accepting new challenges. Whether or not your job title or your department name includes the term “Innovation,” it continues to be a focus and obligation for many of us.

I have had the pleasure of connecting virtually with many of you through recent AALL events. Since the end of our first virtual conference, we have welcomed a new round of AALL Leadership Academy Fellows, the Annual Meeting Program Committee (AMPC) Team Leaders have met to discuss must-have topics, and we have had a chance to meet the candidates running for the Executive Board. In addition, there has been progress on this year’s Special Committees, including the continuing Librarianship as a Career Guidance Review Special Committee, State of the Profession Report Special Committee, and our newest addition, the Inclusion, Diversity, Equity, and Awareness (IDEA) Special Committee.

While we remain physically apart, I find solace in the strength of our virtual community. Be safe and well.

P.S. A special congratulations to the Black Law Librarians (BLL) Special Interest Section (SIS), our newest SIS, and to the recently renamed Library Systems & Resource Discovery (LSRD) SIS.

Emily R. Florio
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A recent survey that was sent to legal professionals sought to understand the current state of technology use in the legal sector. Of those surveyed, 700 legal professionals working in the U.S. and Europe responded. The report covers five areas related to the future-ready lawyer and performance drivers: top trends and readiness across the legal profession; successful client-firm relationships; the changing legal department; the changing law firm; and a focus on technology investments and advantages. Below are some highlights from the survey.

**TOP TRENDS**

Of respondents across Europe and the U.S., 76 percent identified “increasing importance of legal technology” as the top trend that will impact the profession over the next three years. The survey also revealed a number of gaps in understanding, expectations, experience, and capabilities between law firms and corporate legal departments that inhibit top performance.

Lawyers predicted the following top trends will have the most impact on their organizations over the next three years:
- Increasing Importance of Legal Technology – 76%
- Meeting Changing Client / Leadership Expectations – 74%
- Emphasis on Improved Efficiency / Productivity – 73%
- Ability to Acquire and Retain Talent – 73%
- Coping with Increased Volume and Complexity of Information – 72%

**TECHNOLOGY’S ROLE**

For all respondents, technology is the key driver of change:
- 82% predict that greater use of technology will change how they deliver service.
- 63% expect Big Data and predictive analytics to have a significant impact on the industry within three years.
- 56% expect to increase spending on legal technology solutions over the next three years.

The strategic importance of technology has become even more evident since the onset of the COVID-19 pandemic. Adoption of legal technology in the legal sector has gained greater momentum. Overall, the survey found that 39 percent of organizations identify themselves as technology leaders, 54 percent as transitioning, and 8 percent as trailing.

**TREND IMPACT & READINESS TO ADDRESS**

More than two-thirds of lawyers indicate their law firms or legal departments will be impacted by these trends; but fewer than one-third believe their organizations are very prepared to address them. Are you seeing a similar trend in your organizations? Let the AALL Spectrum Editorial Board know you thoughts on this trend. Send your comments to AALL Spectrum Editor Steven A. Lastres at salastres@debevoise.com.

![Bar Chart: Trend Impact & Readiness to Address](chart.png)

**ALLISON REEVE DAVIS**
- LIBRARY MANAGER
- LITTLER MENDELSON P.C.
- KANSAS CITY, MO

**WHAT INSPIRES YOU MOST?** My colleagues inside and outside of my own institution have always inspired me. I’m impressed by their writing acumen, successful projects, and mentorship. I’ve received a lot of trust and room to learn outside the box of current positions. This helped me realize the kind of information professional I wanted to be, and I hope I can pay this type of mentorship forward.

**FAVORITE THING ABOUT YOUR JOB?** First, the library team, attorneys, and collaborators in other departments and at other institutions. The collective efforts put forth are very rewarding. Second, my job pushes me all the time to try something new, leap into the unknown, or tackle a new opportunity. All of these make me a better manager and person.

**IF YOU WROTE AN AUTOBIOGRAPHY, WHAT WOULD ITS TITLE BE AND WHY?** Let’s Try It Out. There are a lot of times in life and work that we think something will be hard, out of our comfort zone, or out of our knowledge base. I’ve surprised myself many times with my own successes, but, of course, even more so by what I’ve accomplished with support from family, friends, and colleagues.

**ADVICE TO YOUR 20-YEAR-OLD SELF?** Don’t let not knowing limit your opportunities. Accept what you still have to learn, learn it, and next time come to the table informed.

**FAVORITE QUOTE?** “Opportunities are usually disguised as hard work, so most people don’t recognize them.” – Ann Landers
## NEWS & NOTES

### 2020-2021 CALENDAR

**NOVEMBER 2020**

- **02** AALL Executive Board election results announced
- **03** Lexis+ Partner Webinar: Be at the Forefront of the New Era in Legal Research—An In-Depth Look at Lexis+  
- **04** Trellis Partner Webinar: How State Trial Court Research & Analytics Will Save Your Firm Time and Bring in More Money  
- **05** AALL Fall Finance & Budget Committee Meeting  
- **06-07** AALL Executive Board Fall Meeting  
- **12** AALL Executive Board nominations due  

**MARCH 2021**

- **05-06** AALL Executive Board Winter Finance & Budget Committee Meeting

**APRIL 2021**

- **01** AALL Annual Meeting grant applications due  
  - AALL LexisNexis Research Grant applications due  
  - AALL Scholarship Program applications due for:  
    - AALL Educational Scholarship  
    - George A. Strait Minority Scholarship & Fellowship  
    - LexisNexis John R. Johnson Memorial Scholarship  
    - Marcia J. Koslov Scholarship  
- **08-09** AALL Executive Board Spring Meeting

**MAY 2021**

- **13** AALL/Bloomberg Law Continuing Education Grants proposal due

**JULY 2021**

- **TBD** AALL Chapter & Jury Leadership Training
- **16** AALL Executive Board Summer Meeting
- **17-20** 114th AALL Annual Meeting & Conference, Cleveland, OH

### COMING SOON

**AALL’S NEW ONLINE COURSE:**

**INTRODUCTION TO LAW LIBRARY BUDGETS**

**PROFESSIONAL DEVELOPMENT AT YOUR FINGERTIPS**

This course will introduce law library professionals to the budget process and prepare them to ask informed questions about funding, allocations, and how the library supports its strategic goals.

This course will assist members new to the budgeting process to:

- Prevent and solve problems
- Explain day-to-day operations
- Connect financial resources to meet goals.

### QUICK LINKS

- **AALL GRANTS**  
- **AALL SCHOLARSHIPS**  
TECH-SAVVY LAW LIBRARIANS FOR THE NEW ERA

Building relationships with IT, participating in outside associations, and embracing legal tech can help law librarians in their new roles as knowledge management and business development professionals.

BY STEPHANIE GODLEY
The role of the law librarian continues to evolve in exciting and challenging ways. In the mid-2000s, we saw many librarians in the law firm and corporate world expand their work beyond traditional legal research to include responding to marketing and business development requests. The work of legal research began to encompass what we now call competitive intelligence (CI), with a significant focus on current awareness. Helping attorneys build their book of business, monitoring industry trends, and providing information for client meetings and pitches is now an integral part of our work. Over the past 20 years, there has been increasing interest in and focus on knowledge management (KM), and in many cases this has come under the purview of the library. If not strictly a library function, many law librarians now have direct roles in working with knowledge management attorneys and IT personnel to harness a firm’s internal knowledge through systems and search tools. The latest shift in our role as law librarians has been to be formally tasked with overseeing the needs of end users and to be the ones who communicate those needs with our vendors or technical partners. Often, we become the go-between. Rather than rejecting this role or, at worst, ignoring it, seize this opportunity to be a trusted, knowledgeable advisor. You can and should be at the forefront of these technologies, which are coming at us fast and furiously, whether we want them or not.

Association Participation
Participating in professional development associations can be beneficial on many levels and is certainly a great way to become more of a technologist. Whether attending events, reading magazines, or listening to webinars, the goal is always to learn something new, develop an idea, and be exposed to a new concept or strategy. Professional associations such as the American Association of Law Libraries (AALL), as well as the Strategic and Competitive Intelligence Professionals (SCIP) and the International Legal Technology Association (ILTA) offer opportunities to enhance and expand your skill set and connections and can supplement the benefits of organizations that are purely library-focused.

A Focus on Tech
As the role of the law librarian has evolved, the need for understanding technology has only increased. Products are now implementing artificial intelligence and offering services that include data analytics components. Understanding how these platforms work and what data they are leveraging is key to helping with successful deployment and adoption of these technologies. As a librarian, you can play a key role as you are uniquely positioned to understand the content, the use cases, and what attorneys are looking for, and you are able to communicate and collaborate with the attorneys. If your firm wants to integrate a product into your internal system, you bring the understanding of which practice groups would use the tool and how. Ask yourself: How does this content help your attorneys? What are the attorneys’ pain points and how can this assist in their tasks? How could this service integrate with your internal systems? Having a basic knowledge of some key IT concepts will help you. While you may not need to know how to code, you may very well need to understand what the implications are for using a service hosted in the cloud versus on-premises. Do you understand the basic concepts of how to feed services to an internal system? Key to your success in this process is building relationships and partnering with people within your organization’s IT department. Sometimes it can be intimidating, and you may feel like they are speaking a different language. Take the time to find a buddy or someone in Desktop Engineering, Applications Development, or another department who you can turn to. Do some research on your own and get familiar with terms or processes. Perhaps you have a vendor or rep who can walk you through the back ends of how some systems work. Taking the time to ask thoughtful questions will pay off in the long run. You don’t need to know the nitty-gritty technical details, but you do...
Engaging with these outside associations “provides the opportunity of networking, making connections, and sharing ideas with people who have experience using some of these tools or who are facing the same challenges as us. It is a sure-fire way to broaden your professional horizons and help develop the knowledge you need to take services to the next level.”

Lessons Learned
As a participant in ILTA, you gain access to a wealth of programs, literature, discussion boards, and of course the major annual conference, ILTACON. Over the past few years, as my own involvement in ILTA has increased, I’ve seen a growth in programs that are more and more relevant to law librarians and those who specialize in knowledge management. I see this as being both a reflection of ILTA adapting to the needs of its audience and a natural result of our changing roles.

Amy Eaton, director of library & research services at Perkins Coie LLP, has attended ILTACON for the past few years. She notes that after both conferences she was able to bring back ideas or work process changes that she and her staff could almost immediately implement in their department. She notes, “The 2018 keynote by Lisa Bodell inspired us to conduct a Kill a Stupid Rule session at our next staff retreat. We were able to eliminate multiple processes and simplify others, creating a more efficient workflow, allowing us to centralize work in a single location with no increase in staffing. I also attended a presentation by Meredith Williams-Range on leveraging technology to harness data and drive efficiency in your firm. Her presentation prompted us to rethink how we present resources to attorneys and what we could do to increase adoption of the resources we have using existing technology, such as our integrated library system (ILS).” These are just a few examples of how programming from an outside association can greatly impact law firm libraries by helping them improve their workflows and processes.

The traditional role of the law librarian has changed over the years, agrees Loyita Worley, director of EMEA library operations for Reed Smith. Worley explains, “As competition for business grows and the firms themselves become more client-focused and tech aware, our roles too have changed. The challenge now is very much on information and how we facilitate making this available to our lawyers. This requires different skills and knowledge within areas where we may not previously have been involved—legal tech being a prime example.” Being involved in technical associations such as ILTA has provided Worley and her team with better awareness of the tools and applications available in the market and helped her see how those tools could potentially be applied to challenges within their own environment. Engaging with these outside associations “provides the opportunity of networking, making connections, and sharing ideas with people who have experience using some of these tools or who are facing the same challenges as us. It is a sure-fire way to broaden your professional horizons and help develop the knowledge you need to take services to the next level.”

Going Forward
In short, embrace the change. As librarians we are on the front lines with knowledge management, artificial intelligence, and data analytics. Our vendors and our attorneys are pushing us to use these platforms. One of the best relationships I have developed in my time at my firm is with a member of our applications development team. Moving into a more tech-focused role, I was suddenly overwhelmed with being in meetings with application developers and engineers. I had a seat at the table, but wasn’t sure how to contribute and constantly worried I was just there providing the fluff, not the substance, for the projects we were working on. Gaining confidence in my technical knowledge, through self-education and by participating in outside associations, allowed me to realize that my work as part of these teams was just as important. I didn’t need to understand all the details, just as they didn’t need to understand all the legal terminology. Communication was key, and I frequently found myself in high-level meetings being the one who could actually be the “translator” between the attorneys and the technologists. I have my “phone a friend” lifeline when I need a quick explanation of how a back-end system works, or how a change we are contemplating in one of our systems may have trickle-down effects. Legal tech will continue to have a significant impact on the work of law librarians, and it will be interesting to see what comes next. This represents a huge opportunity for us to expand our skill sets, grow our professional networks, and be at the forefront of bringing new, next-generation services to our firms.
Law librarians can be the change that will transform legal services.

BY TOBY BROWN

C hange, change, change. Blah, blah, blah. How many times can we hear that the legal industry is going through dramatic changes? Frankly, I lost count about five years ago.

For your convenience, I will not drag you through the typical recitation of how things are changing. Instead, I want to talk about how you can actually be an effective agent of change.

What is emerging in the industry are new roles for law firm information professionals that actually enable them to participate directly in the delivery of legal services to clients. By that, I mean that these are client-facing roles involved in reducing the cost of delivering legal services to clients.

Now that we’ve set the focus of the story, let’s step back to where it begins so you can look for ways to get involved in this new world.

It All Starts with Conversation
The pricing function at law firms can and should be focused on meeting client needs. At its highest level, this means talking with clients about their pricing pains and goals. Many times, these conversations are explorations, helping the client better understand which pricing approaches will bring them more value and make them look better internally.
Over time, these new pricing approaches have led firms to realize that investments in efficiency-driving processes and technology accrue to the firm’s bottom line.

Guess what? We have already arrived at the point where it becomes obvious that legal information professionals are in a great position to help meet these challenges. Let’s walk down a path for how this all might come together in a practical fashion. We will of course, start with a client.

In this scenario, the client has a problem. The problem is first raised via a request for some type of alternative fee approach. The client explains that they have an annual volume of contracts that needs to be reviewed. The client is struggling to understand exactly how many contracts are being reviewed, what type of contracts, and how much it costs them per contract.

One obvious pricing option is an annual portfolio fee deal, tied to the volume and complexity of the contracts involved. However, to make this truly work, a deeper scoping conversation needs to occur.

We are now at a critical juncture in our journey where the conversation with the client needs to extend out past the pricing factors and into the service delivery space. This is also the point where things start to get interesting for legal information professionals. The law firm needs to develop a game plan for how they will manage the work in a new way. This new way will need to actually become part of the pricing proposal. If it is not built into the deal, you should expect lawyers to default to their existing ways of performing tasks.

The game plan, to be effective, will need to include new (and not yet existing) law firm roles.

A New Opportunity for Legal Information Professionals

The first order of business is identifying people within the firm who can make this new approach work. The old saying, “People, Process, and Technology” will serve as our beacon. We need people who understand a wide spectrum of issues. People who can gather and assimilate a large quantity of information from a variety of sources. Then they will need to take this information, synthesize it, and add their thoughts to how it can be best acted on. Luckily, law firms already have these people. Yes, we are talking about you.

With all the insights you generate, the team can then move on to process. In our example, what is needed is a process, a built-in cooperation with the client that enables a new way of initiating engagements. This new process effectively extends matter intake into the client’s workspace. Instead of the laborious, inefficient, no-process email exchanges that traditionally occur, we need an actual process that has the client providing all of the necessary (and some additional) information needed to initiate a matter for the law firm. The emailed data currently acquired is not captured in the sense that it can be added to a database.

With the new approach—via an intake form the client completes—the data is actionable. It can now be used to track the progress of a matter, report on the number of matters, and track their status through completion.

Your Role Is Very Valuable

This new role includes direct client interaction. This is the new world, the real change everyone talks about, actually happening. Our solution comes about by expanding the engagement team to include legal information professionals who become part of the client-facing aspect of the work. You will need to go on site with clients to understand their needs, dialogue with them about how to solve those needs, then collaboratively design the solutions that put this into action.

You will also need deep support from the technology team, since helping our processes come to life and connecting the various technologies will be challenging. Yes, again you, the legal information professional, will be key in developing the list of requirements that technology will need to address.

Once we have the new approach designed, it is time to execute it. To actually manage a new, changed environment, we will need to assign new roles. Some have been identified already, such as legal project management (LPM). With defined scope and process, a role to manage this process will be very valuable. Some legal information professionals may already be shifting in this direction.

After an LPM is in place, a plethora of new roles will need to appear. I believe legal information professionals will not only be suited for these new roles, but that they are also well positioned to help define and build them. Who is going to manage the on-boarding process for new engagements? Who is going to support the new systems once they are online? Who is going to assist the partners as they expand their relationships with key clients?

All of these new roles require people steeped in information and process. People willing to adapt to a changing landscape. I strongly believe legal information professionals have the right skills, are in the right positions, and are best suited to take this on. The real question is: Are you ready and willing?

The Future Is Bright

Today is the day you, our highly valued legal information professional, can take this tiger by the tail. Look for the opportunities within your firm, with your clients, to make the change happen. You can be the ones who create the new future everyone else likes to talk about. I look forward to seeing you there—on the other side. Safe travels my friends.

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A TIME TO LEADigailens.com/Profile/2075

Professionalism + Leadership at Every Level

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One of the primary responsibilities of legal information professionals in a law firm setting is to assist in preparing cases for trial. Law librarians help support litigators by thoroughly researching, analyzing, and evaluating the quality, accuracy, and validity of sources of legal information.

Another critical component to preparation is to learn as much as possible about other individuals involved in the case, such as opposing counsel, and especially the judge, arbitrator, or mediator hearing the case. What are their strengths, weaknesses, tendencies, preferences, and points of disfavor? Which arguments and strategies are likely to work, and which are not?

To this end, there is a compelling case for a new and fast-evolving line of products designed to offer trial attorneys a competitive advantage, now and in the future. Welcome to the world of litigation analytics, which offers litigators the technology to collect all the reported and relevant decisions of a particular jurist, and then tailor a litigation strategy accordingly.

The challenge for legal knowledge (information) professionals and law librarians is that attorneys must integrate this new technology into their practices, which means not only accepting a change in the way they prepare...
cases, but also learning how to use this new tool. Attorneys are not always comfortable with new technology and may resist putting in the time it takes to train in these new products. While the value inherent in litigation analytics products is quickly apparent, the key to a successful integration strategy is to slowly and properly maintain the attorneys’ interest and enthusiasm by creating a supportive learning environment.

Three Main Use Cases

Law librarians can introduce litigators to the value of adding an analytics platform to their suite of knowledge tools by emphasizing three main use cases.

1. ANALYTICS HELP WIN CASES

Analytics offer the ability to come to court equipped with granular information about rulings. For example, some analytics offer real and detailed evidence of a judge’s prior rulings that can be used to support or contradict a particular legal argument. In addition to helping develop a legal strategy in advance for arguments made at the bar of the court during the course of a trial. Analytics arm attorneys with detailed information about rulings that can be expected from a particular judge.

2. ANALYTICS HELP ANTICIPATE STAFFING AND LITIGATION COSTS

Managing client expectations and cost predictability in litigation is critical to maintaining a sustainable and lasting client relationship. The use of analytics opens the door to greater transparency and the opportunity to offer meaningful options for clients. This is because analytics help to manage clients’ expectations by quantifying how long a case is likely to take to resolve, how it should be staffed, and the probability of success of filing or defending certain pretrial motions. Moreover, because analytics help anticipate costs and staffing expectations, law firms are able to offer viable, value-based alternative fee agreements that both clients and counsel will appreciate.

3. ANALYTICS PROVIDE A COMPETITIVE ADVANTAGE

Litigation analytics is a maturing technology that is developing quickly and is being incorporated in firms of all sizes. In this context, it is a competitive disadvantage not to use analytics, especially when it is likely that opposing counsel is using the technology. The reality is that it is expected that most firms engaged in meaningful litigation will be fully invested in analytics over the next five years. The sooner a protocol of using this technology is incorporated into a law firm’s culture, the better. Analytics is a tool, and like any sophisticated tool, it needs to be learned and implemented with care. Waiting to initiate this process will not save time or money.

Benchmarking

A number of different analytics products are on the market. Before advocating for the purchase of any particular one, it is highly advisable to engage in an initial conversation with a provider about how their product collects, organizes, and normalizes their data. Essentially, every analytics product is counting data and organizing the results into a report that gives meaning to the numbers. Therefore, it is critical to understand what specific information is (and is not) being considered by the software, so a report can be fully and properly evaluated.

The reports generated by every analytics program on the market produce pretty charts and pictures, which seem brilliant at first blush. However, transparency is key. The provider must be able to fully demonstrate what their software is counting and what data sets are included in their reports for you to evaluate how effective that particular metric is going to be in understanding the true landscape.

Implementation

The best way to introduce analytics products to litigators is to show them how the product works in an actual case. Start with a single product and identify a practice group leader who is likely to appreciate the value of the tool. One of the practice areas that has seen broad acceptance and immediate use of analytics is labor and employment, followed by construction litigation, intellectual property, and...
corporate law, including mergers and acquisitions (M&A). Once other litigants see the value created in these groups, what follows is usually a domino effect, with others gaining interest and acceptance.

The best initial approach is to choose an active case in the target group and run an analytics report profiling the judge assigned to the case. Show the report to a practice leader and let them see how this judge rules in all cases, but then drill down to demonstrate how this judge rules in cases like theirs, specifically. That is the “wow” moment for the technology, where you give a seasoned litigator the opportunity to see something they haven’t seen before that offers them a real competitive advantage. Once that light goes on, this individual will share the experience and become a champion for using analytics to a larger group within the firm.

The key to gaining traction with other attorneys in the firm is to avoid overwhelming them. Start with one analytics program and show them the reports it is able to generate. This is usually enough to pique their curiosity and generate interest in learning how to use the program, see what else it can do, and investigate other complementary programs.

It is critical, however, that this integration be done in measured steps, starting with a less complicated program. Most attorneys want every piece of software to operate like Google, where an inquiry is typed into a blank field and an answer is provided. While many analytics programs are very intuitive, they also are complex. The solution is to move slowly and deliberately. Make sure the attorneys understand each step fully before moving on to another level of the program.

Ultimately, all implementation should be done with an understanding of the inherent limitations of current litigation platforms. No litigation analytics tool on the market is 100 percent accurate. Librarians are entitled to ask their service providers how they check and measure accuracy, and then the librarians can decide how best to relay these limitations or caveats to their attorneys. In short, while these tools represent tremendous advantages, they also have inherent limitations that must be communicated to attorneys as well.

Constant Messaging

To achieve integration of analytics into the litigation culture it is vital for firm leadership to commit to communicating the value of the tool. Staying on message and repeating the importance of the value created by analytics increases the likelihood that an attorney will hear the message at a time of need. Full product integration often takes up to three years to achieve, so it is important to remain committed to the message, while being as supportive and patient as possible.

To this end, many firms will even offer their attorneys different but similar analytics products to accommodate the personal preferences of the individual users. Management at these firms is so committed to the importance of incorporating litigation analytics that they make it as easy as possible to accommodate the attorney’s comfort level with a particular program.

Adoption Tracking

Technology is only effective if it is being used. To get maximum value from a software investment, the firm needs to understand how attorneys are using a particular analytics product. Many firms use Research Monitor to track their technology investments, and two of the metrics it measures should be closely examined. The first is that the attorneys demonstrate a slow and steady increase in overall use. A proper measure of success is more and more attorneys and staff accessing the tool over time.

The second metric to look at is repeat usage. It is desirable to see an attorney use an analytics program once and then return to the software on a consistent basis. This is the clearest indication that when the attorney used the product the first time, they found something valuable, leading to subsequent usage, showing a desire to collect additional information and develop their own research, knowledge, and practice skills.

If both of these metrics are positive, it is safe to say that your firm has experienced a successful launch of this powerful new technology.

Moving Forward

Many different analytics products are on the market and they do not all address the same needs. In fact, most are complementary, which supports the strategy of starting your firm with an intuitive platform and then expanding with other platforms as use and comfort dictate.

The law is constantly changing, as is the technology that attorneys use to practice. If analytics teaches us anything, it is to be prepared.

Nick Merrill is the founder and CEO of Gavelytics. Prior to founding Gavelytics, Merrill spent the better part of a decade as a “big law” litigator, working primarily on large real estate and other commercial disputes. He received his law degree from the UCLA School of Law, where he was the senior articles editor of the Journal of Law and Technology and also a judicial extern for the California Superior Courts. Merrill completed the Executive Program at the UCLA Anderson School of Business and received his undergraduate degree from the University of Southern California.
Holly M. Riccio is the daughter of two librarians—her dad was a high school librarian and her mom worked at the Hastings College of the Law Library for many years, so her path to law librarianship seemed likely. "I used to visit my mom at work, so perhaps putting cards and pockets in books as a teenager—and thinking it was fun—had a subliminal effect," said Riccio. She worked as a law library filer during her summers home from college and also at the NYU Law Library her last few years of undergrad, both of which introduced her to law librarianship. "The head of circulation knew I had an interest in law librarianship and gave me projects that introduced me to basic law library concepts whenever possible," recalls Riccio. "From there I decided that I wanted to go to library school and choose law librarianship as my career." A member of the American Association of Law Libraries (AALL) for 28 years, Riccio is a leader in technology, leadership, and innovation.
While working toward her MILS at the University of Michigan, Riccio applied for—and was accepted as—head librarian in the campus Housing Division Residence Hall Libraries program. The program served to provide library school students with a robust practicum opportunity of running a library in an undergraduate dorm in exchange for room, board, and a small stipend. “The real-world experience of doing everything it takes to run a library—hiring, budgeting, acquisitions, cataloging, collection development, outreach, training—in the program’s safe, supportive environment was invaluable,” notes Riccio.

Her first job was as a reference librarian at the New York County Lawyers’ Association, a membership library in downtown Manhattan. The job served as a formidable training ground, due to its vast print collection, as well as the wide variety of patrons’ questions—no two research requests were ever the same. She then went onto a law firm (Hughes Hubbard & Reed LLP) to gain experience performing corporate/transactional research. Then, the historic blizzard of 1996 happened, and the Northern California native decided to return home to San Francisco. She served as librarian at Long & Levit LLP for two years before serving as a librarian/marketing research specialist at Davis Wright Tremaine LLP for four years. She then spent almost 12 years at O’Melveny & Myers LLP, serving as director of library innovation and library manager. She then took on the role of director of knowledge management at Nossaman LLP for two years before shifting gears to working as a senior manager for HBR Consulting. Riccio is now director of the California Judicial Center Library, a position she has held since January 2020.

A member of AALL since 1992, Riccio has been incredibly active, including serving as President from 2014-2015, Chair of the Appointments Committee, Executive Board Strategic Directions Committee, and Chapter Summit Planning Committee. Riccio has also been active within her local AALL chapter, the Northern California Association of Law Libraries (NOCALL), serving as its president in 2011-2012. She is a member of several special interest sections, including the Government Law Libraries Special Interest Section (GLL-SIS) and Private Law Librarians & Information Professionals Special Interest Section (PLLIP-SIS), to name a few. She became an AALL Leadership Academy fellow in 2009, serving as a mentor in subsequent years. In addition to her Association activity, she is also an active member of the International Legal Technology Association (ILTA). She is a frequent speaker and writer, and most recently spearheaded and co-edited AALL’s 2016 digital white paper “Defining ROI: Law Library Best Practices.” She is currently co-authoring a professional development chapter for the upcoming book Introduction to Law Librarianship.

Here, Riccio discusses the role the COVID-19 pandemic has had on her institution, the importance of libraries demonstrating their value, and how being involved in AALL has helped her career and leadership development.

**What are some of the major differences in going from a law firm to a government law library?**

I keep coming back to the French saying “plus ça change, plus c’est la même chose,” meaning the more things change, the more they stay the same. While there are distinct differences between law firm and government law libraries, there are so many core skills of law librarianship that are transferable and universal—budgeting, talent development, collection management, communication, and leadership skills, just to name a few. The differences are often in the nuances, such as superseded and historical materials being a collection development priority here, given the timeline of cases often coming before the court, which differs from most of my previous law firm experience of constantly shrinking linear feet and physical library real estate.
Words to live by?
Emily Post said, ‘Manners are a sensitive awareness of the feelings of others. If you have that awareness, you have good manners, no matter what fork you use.’ The world needs less judgment, and more kindness.

Best book you recently read?

Guilty pleasure?
Makeup and skin care products, as well as Caffeine-Free Diet Coke.

Favorite quarantine activity?
Definitely cooking and baking—and, as a side benefit, I’ve finally overcome my fear of my Instant Pot.

Favorite movie?
Alfred Hitchcock’s thriller Strangers on a Train. Everything about it is just perfection—the cast, the music/score, the operatic nature of the cinematography, Hitchcock’s amazing attention to detail—this movie has it all! “Crisscross.”

Song or musician that always lifts your spirits?
Anyone who knows me well has already answered this question: Tori Amos. Her talent as a pianist and songwriter is undeniable and her songs serve as a personalized life soundtrack.

You have held a number of leadership positions in different settings. What’s your leadership philosophy?
I would say that I lead with optimism. What I mean by that is that I believe in everyone’s potential to do great work and succeed in their role, whether that is in their job or volunteer position. In the volunteer context, I always trust that people want to contribute and will do so when and how they can. When I was president of AALL, I would often be calling people to ask them to run for office or serve in a particular volunteer role, and most of the time, people would say yes, but sometimes they wouldn’t. While I hated to hear someone say they couldn’t take on a certain role or agree to run for a specific position, I always knew they were doing what was right for them and, consequently, right for the Association. Our Association is comprised of passionate individuals who give so much, but who also know their own boundaries and limitations, and I’ve always respected and appreciated that.

In the work context, optimistic leadership manifests itself in two central ways. First, I empower my staff to do their jobs by trusting in their expertise and knowledge—I don’t micromanage or get involved in the details of their day-to-day work. They know what they are doing and, when we all do what we do best, the aggregate results are amazing. Second, I make sure my staff know I am there to support them and back them up. When someone knows you believe in them, trust in their abilities, and are there when they need you—that is truly a recipe for success.

How has COVID-19 impacted your organization? What are the biggest challenges?
The pandemic impacted our organization early, as the Bay Area was one of the first to implement shelter-in-place orders. The court quickly responded with a broader telecommuting policy, allowing those that could work remotely to do so. The library staff moved to this remote work model, and some staff have gradually returned to the office to handle work and tasks that cannot be performed remotely—namely, print collection maintenance. I think the biggest challenge is really the people part. Unlike law firms where a library team is often geographically dispersed and sometimes serving users in other offices, we are all in one location together—library staff and our users, the judicial officers and court personnel. The close-knit nature of this type of environment is one that is challenging to replicate in a remote setting. We have leveraged technology to keep that connection alive, and created new ways to engage and communicate, but there’s nothing quite like that in-person interaction.

I started my position here at the very beginning of the year (literally, on January 2nd), so I had three and a half months in the office with my staff before we transitioned to remote work. Thank goodness I’m the “unapologetic connector” that I am, because I had no idea how important it would be to build trust so quickly, both with my staff as a whole and with each staff member individually. To keep connected during the pandemic, we started having weekly staff meetings and transitioned in-person conversations (and some email traffic as well) to Microsoft Teams. We even created a few social channels in Teams—one called Watercooler Chat, to replicate those hallway interactions, and another titled Watch, Read, Do, where we share the things that are keeping us entertained at home.

Due to the pandemic, what new challenges are government law libraries facing?
I think the biggest immediate challenge is continuing to provide service to public patrons when either the library is still closed to the public or...
partially re-opened. Our core purpose here is to serve the judiciary, so I have not had to contend with this, but I have observed how so many of my GLL-SIS colleagues have pivoted quickly to provide remote access to library resources, often working with information vendors to come up with innovative service models to meet this moment. And, of course, the ongoing challenge for so many government law libraries will be increased budgetary constraints, since the pandemic will likely have effects on our budgets for years to come. On the flip side of the challenges—again, to be the optimist that I am—the opportunity I see is for government law librarians to have the potential for increased visibility in their organizations and communities, and for a bigger spotlight to be shone on their creativity, innovative spirit, and passionate leadership and dedication to the public as well as access to justice. To quote Einstein, “In the midst of every crisis, lies great opportunity.”

It’s always important for law librarians to be able to demonstrate their value—particularly now. You served as co-editor of AALL’s 2016 white paper on ROI. What tips can you share?

The return on investment (ROI) white paper encouraged members to take on the “value challenge,” and also stated that it is a journey, not a destination. I think all law librarians have been on this journey, and our current situation is just another stop on the route, so to speak. I think that shifting to a remote work environment really plays to a lot of strengths that law librarians have, and it validates many continued efforts to do things such as shifting from print to digital and becoming involved with knowledge management and intranet content development. Over time, many law libraries have become less about place and more about service, and now entire workplaces and organizations are having parallel experiences. Who better than law librarians to step in—and up—to help lead the way to whatever the new normal of work will be, right?

How do you stay on top of developments in legal technology?

First, by being an active member of both AALL and ILTA. The formal communications and informal community discussions from both associations keep me updated and informed. I also get a vast amount of daily eNewsletters that I scan for interesting articles. I attend an eclectic mix of webinars and other virtual events and scan social media (particularly LinkedIn) for news on trends and developments. I try to stay on top of things so that I know a little bit about a lot of different things, and then when I need to know more about something, I go back and take that deeper dive. I never know where great ideas or inspiration will come from, so I always keep my eyes—and mind—open.

How has participation in AALL impacted your career and/or leadership capabilities?

It’s been such a significant part of both my career development and my leadership development. I was encouraged to get involved in AALL at the outset of my career, and the opportunities I was afforded allowed me to take on incremental leadership positions over time and to develop and hone my leadership skills. At the beginning, it gave me a chance to do things I couldn’t do as part of my jobs—public speaking, running meetings, managing teams, planning events, etc. Then, over time, demonstrating leadership in the volunteer environment allowed my employers to see me as a leader, and afforded me opportunities to take on new work roles and responsibilities.

Also, my AALL volunteerism has given me exposure to so many leaders in our profession. Getting to know past presidents and other leaders that I’ve admired, watched, and considered mentors in my career has been invaluable.

What can law librarians do to showcase their contributions and accomplishments?

We need to take steps to let those outside of the law library know about our accomplishments and promote ourselves as thought leaders. I recently participated in a webinar on building your professional brand, and I think taking all of the small steps that add up to one’s brand accomplish this goal. Doing things like making sure your LinkedIn profile showcases all of your accomplishments or taking opportunities to share your expertise by writing a blog post or article are actions that start to establish you as an expert and thought leader.

One timeless resource I’ve turned to frequently is Peggy Klaus’s book *Brag! The Art of Tooting Your Own Horn Without Blowing It.* Her book discusses the nuances of promoting yourself without over promoting yourself, and there’s definitely an art to that. It’s so important that we own our expertise and accomplishments in an authentic way that allows us to get comfortable in our own success.
The Impact of COVID-19 on Organizations’ Tech Plans

**Question:** How has COVID-19 impacted your organization’s technology plan? Are you accelerating the adoption of AI technologies?

Our world changed dramatically this year, and everything we thought we knew about work was suddenly inadequate as we shifted to working from home. At O’Melveny & Myers, we are using this time as an opportunity to innovate and rethink our goals. The firm’s remote working group—which I am a member of—has been focused on finding new ways technology can improve our work and maintain our inclusive and collaborative culture.

Fortunately, the firm’s technology infrastructure already supported a robust remote work environment, and omnni, the firm’s intranet platform, had extensive internal and external information about every client matter. IT was able to accelerate the implementation of new tools for video conferencing and online teamwork.

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The firm has also worked hard at preserving our unique culture through virtual town hall meetings, diversity and inclusion discussions, cookie exchanges, and partner office hours. Internal teams, such as the Library, have held regular virtual team meetings to keep everyone engaged and in the loop.

I oversee both the Library and Records operations, and our biggest challenge was meeting the sudden demand for more online access to people, resources, and documents.

On the Records side, we are expanding the use of Relativity, an eDiscovery tool that utilizes artificial intelligence (AI) to speed up the records review process. We are creating a process to file more electronic documents automatically, so our attorneys can quickly find them within omnni. Our staff also spent countless hours learning how to use these new technologies.

In the library, data analysis helped us better understand how our remote services and resources were being used, and the changes we made included:

- Creating targeted research guides
- Adjusting staff scheduling and balancing work loads
- Restructuring the on-boarding process
- Adding more direct links to the library catalog
- Providing easier access for mobile devices

While the future of COVID-19 is unknown, it is clear that some version of remote work is here to stay in most legal organizations. We are keeping an eye on new technologies that may help address the many challenges of remote work. For example, virtual reality conferencing may provide people with a stronger sense of connectedness and community, once it becomes a feasible option. Whatever efforts we put in now to understand and improve remote work will only help prepare us for the future.

EDWARD HART
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Before the COVID-19 pandemic, the University of North Texas – Dallas (UNT Dallas) College of Law was already in the vanguard of technology adoption for legal instruction, using Canvas as our course management system to tie together our lecture capture recordings, classroom response tools, and the secure student assessments that we administered using ExamSoft. We were also already using a recording service, Panopto, that could be connected to Canvas. Launching from this platform, our faculty were able to take flight with very short notice, delivering distance learning to our students.

The biggest change for the faculty, like that for nearly all law schools and everywhere else, was adding Zoom to the mix. Zoom raised challenges, such as how to get the correct login information to students for their many different classes, and faculty struggling to move videos over to Panopto. Zoom was overwhelmed and slow to provide Pro accounts. As the spring semester ended, planning moved to launching the fall semester, when life should be easier by our having integrated Zoom with Canvas and Panopto. Recordings made to the cloud will be automatically moved to the user’s folder in Panopto, which will allow us to move the recordings into their class folders quickly and easily. In addition, the Canvas integration provides easy and uniform access to remote class sessions.

One of the gaps identified concerning our students was reliable internet access. Using seed money from student technology fees, we subscribed to a cellular data service that provides Alcatel JOY TAB tablets to serve as Wi-Fi hotspots for our students with the most urgent need.

Another gap, from the faculty’s point of view, is an audience response system separate from Zoom that can be used by both in-person and remote students.

Artificial intelligence (AI) technologies have long been integrated into the delivery of legal information through research databases, such as Westlaw and LexisNexis products. The pandemic has led us to integrate multiple products and technologies, some of which include AI tools, into one platform, a trend in which Canvas has a solid lead. We are not, however, focusing on AI tools in particular.

Professionalism + Leadership at Every Level

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The United States Territories have been systematically forgotten when it comes to understanding the challenges and issues regarding access to legal information, availability of reliable and historical legal sources of information, and access to, among others, legal services. With the advent of the COVID-19 pandemic crisis in the island protectorates, the situation has become a perfect storm of isolation and lack of representation.

American Samoa, Guam, the Northern Mariana Islands, the Commonwealth of Puerto Rico, and the U.S. Virgin Islands are the five permanently inhabited U.S. territories. They are classified by incorporation and whether they have an organized government in place through an organic act passed by Congress. In this article, we focus on the U.S. Virgin Islands, Guam, and Puerto Rico.
U.S. Virgin Islands (VI)
The U.S. Virgin Islands, located about 45 miles east of Puerto Rico and about 1,000 miles southeast of Miami, Florida, were still recovering from the wrath of Hurricanes Irma and Maria in September 2017 when the coronavirus pandemic struck earlier this year. Like libraries everywhere, the law libraries of the U.S. Courts Library of the District Court of the Virgin Islands closed, and librarians began teleworking and responding to legal research queries via email and Skype and hosting training sessions using Microsoft Teams, Zoom, and other platforms.

Prior to the storms, the records of the Legislature of the Virgin Islands were being stored on the island of St. John. When Hurricane Irma plowed through St. John and St. Thomas on September 5, 2017, the facility where the records were being stored was damaged by flood waters, and the records were later discarded. Those records, which included original copies of legislative acts, hearing testimony, and other reports, were never digitized. It is unclear how much was damaged, but an official in the Legislature’s Archives division confirmed that several years’ worth of legislative documents were lost.

A recent research request from a Virgin Islands attorney for the legislative history of Virgin Islands Act 5649 is one example. This statute, signed into law on November 9, 1990, established penalties for illegal drug and narcotic offenses, authorized electronic surveillance, and created the territory’s own Criminally Influenced and Corrupt Organizations Act. The attorney wanted to know if the law library had hearing testimony and voting records for that bill. It did not. And neither did the VI Legislature. Those records were among the undetermined number of documents lost in the 2017 storms.

The U.S. Courts Library is the only law library in the Virgin Islands. It is imperative that there be increased awareness of the importance of preserving and digitizing legal records, developing collaborative relationships with the National Archives (which has some Virgin Islands historical documents), and building commercial databases for improved availability of Virgin Islands records.

Guam
The island of Guam is an unincorporated territory of the United States, but it’s very likely that many people have never heard of the island nor could find it on a map. (It’s that dot between Hawaii and the Philippines.)

Guam became part of the United States in 1898 at the end of the Spanish-American War, and for the next five decades was wholly under the purview of the naval commander who served as governor. Post-World War II Guam saw the end of military governance and the establishment of a civilian government by the Organic Act of Guam of 1950, a federal law and the source of the island’s three-branch government.

Guam’s unique history poses significant challenges when researching Guam’s legal resources. This is especially true for executive orders issued during the Naval administration, as original publications are placed in off-island federal and military institutions. Moreover, Guam’s first official codification of U.S.-based law—the Civil, Penal, Civil Procedure, and Probate Codes published in 1933—are’t readily available on government websites or commercial research databases. Researchers must make an in-person visit to the Guam Law Library to view photocopied or digitally scanned versions. However, when the library was closed to the public during the height of Guam’s coronavirus pandemic, access to these historic codes was impossible.

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The U.S. Territories are American Samoa, Guam, the Northern Mariana Islands (in the Pacific Ocean), the Commonwealth of Puerto Rico, and the U.S. Virgin Islands (in the Caribbean). There are several other protectorates in the Pacific included among the U.S. territories. These unincorporated territories exercise self-governance, while still sitting subject to the U.S. Congress’ plenary power. The territories all have unique histories and political perspectives, and their legal relationships with the U.S. vary accordingly.
ADDITIONAL RESOURCES

GUAM
- Guam Compiler of Laws — The official online publication of the Guam Code Annotated, Guam Administrative Rules & Regulations, Supreme Court Opinions, and court rules. It also includes links to Executive Orders, Legislative Session Laws, and Attorney General Opinions. bit.ly/ND20Guamcourts
- Guam Legislature — Legislative material for the sitting legislature, including session laws, bills, resolutions, and committee reports. bit.ly/ND20Guamlegislature
- Guam Legislature Archives Website — Historical legislative material, including session laws from the first Guam Legislature. bit.ly/ND20Guamlegindex

PUERTO RICO
REFERENCE ASSISTANCE
- Office of Legislative Services for the Legislative Assembly of the Commonwealth of Puerto Rico bit.ly/ND20LegPR
- General Archive of Puerto Rico bit.ly/ND20archivePR

LOCAL COMMERCIAL DATABASES
- LexJuris bit.ly/ND20Lexjuris
- Microjuris bit.ly/ND20Microjuris

FREE ACCESS

ARTICLES OF INTEREST

U.S. VIRGIN ISLANDS
- Legislature of the Virgin Islands Bill Tracking — This page allows you to locate bill and amendment text for current and past legislation. bit.ly/ND20govtrack
- VI Legislature (homepage of the Legislature of the Virgin Islands) — Use this page to locate recent legislation, identify legislators, view the legislative calendar, access VI statutes and livestream legislative hearings. bit.ly/ND20legVI
- Judicial Branch of the Virgin Islands (home for the U.S. Virgin Islands judicial system) — Includes links to the Supreme Court of the Virgin Islands and the Superior Court of the Virgin Islands. It also includes a unified docketing system for the appellate and territorial courts, as well as VI judiciary annual reports, opinions, and legal news. bit.ly/ND20judicialVI
- District Court of the Virgin Islands — A federal court that has jurisdiction over the territory of the Virgin Islands of the United States. It was established by the Organic Act of 1936. It is comprised of two divisions: the St. Thomas-St. John Division and the St. Croix Division. Appeals of the court’s decisions are heard by the United States Court of Appeals for the 3rd Circuit. bit.ly/ND20districtVI

HISTORICAL RECORDS
- Danish National Archives — Search the records of the Danish West Indies. bit.ly/ND20Danish
- National Archives — Search the records of the Government of the Virgin Islands. bit.ly/ND20archivesVI

VIRGIN ISLANDS RESEARCH GUIDES
- Georgetown Law Library — Virgin Islands Resources bit.ly/ND20GeorgetownVI

VIRGIN ISLANDS STATUTES
- Virgin Islands Code Unannotated, Free Access by LexisNexis bit.ly/ND20VILcode
- Virgin Islands Session Laws — LLMC Digital bit.ly/ND20LLMCVI
- Colonial Laws (Coverage 1925-1936) — Virgin Islands Supreme Court website bit.ly/ND20coloniallaws
- Code — Virgin Islands Supreme Court bit.ly/ND20codeVI
- Bill Tracking — Virgin Islands Legislature bit.ly/ND20billVI
Lessons learned from the temporary closure have led the Guam Law Library to take a multi-pronged approach. Library management and staff can critically analyze the materials that were most in-demand during the closure and make them available in different formats, including digital, to send by email, to post online for download from the library’s website, and to even print copies for users without internet service.

But real progress can happen by working with outside entities. By collaborating with Guam’s Office of the Compiler of Laws, the official publisher of Guam’s primary laws, and the non-profit LLMC, more historical materials can be made available online.

Further, American Association of Law Libraries (AALL) members can be more vocal about including territorial material in commercial databases. Although the Guam Law Library has been a longtime subscriber of both Westlaw and LexisNexis, coverage of Guam materials is limited to statutes, rules, and court opinions; neither vendor includes legislative session laws, even though the Compiler’s Office regularly sends this material.

Puerto Rico

Like the U.S. Virgin Islands, when the pandemic hit, Puerto Rico was still recovering from damage caused by Hurricanes Irma and Maria in 2017, and it is still reeling from the continuous seismic activity that began on December 28, 2019, and peaked with a 6.4 earthquake on the island’s southwest coast on January 7, 2020. The region continues to experience tremors daily.

In these last three years, the Judicial Branch of the Commonwealth of Puerto Rico has had to close several courthouses, mitigate flood and earthquake damage, overcome extended power outages, and manage partial closures to prevent contagion. The Court never shutdown completely. In response to the COVID-19 outbreak, the Court continues to conduct essential hearings, maintain auxiliary services, and provide in-house trainings by utilizing online collaboration technology and implementing a telework protocol.

As the only law library system serving the public, the Court library system provides access to legal materials for self-represented litigants, students, researchers, and attorneys who are increasingly unable to afford private access. While the 15 courthouse libraries did not lose significant material due to the disasters, these essential materials have become inaccessible to all but the Court’s internal users due to the partial shutdown.

Early lessons learned during the pandemic include persuading database providers to create Spanish-language online support for the Court’s internal users, extending patron access to off-site external users, and modifying guides to include instructions in Spanish now that users cannot receive in-person librarian support. The database companies should expand on these initiatives and examine the gaps in coverage for Puerto Rico and all other U.S. territories. These gaps are especially problematic when access to libraries is more limited, since users may not know how to mitigate shortcomings by using other online services, which, in Puerto Rico, include local companies such as Microjuris and LexJuris. These services provide access to hyperlocal materials such as municipal regulations, administrative norms, and legislative histories, as well as civil law material from Spain.

Looking Ahead

Although government entities should provide access to these materials from their websites, the lack of funding, continuity, and accessibility standards renders materials inaccessible. By supporting local companies, territorial law libraries can help to ensure the availability of these essential materials. Law librarians and other researchers can also support these efforts by demanding that larger legal databases increase their coverage to meet the needs of users, and to make sure that national coverage really means national by including the U.S. territories. In short, claims to “national coverage” of the law are not meaningful until databases include material from the territories.
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visit www.aallnet.org/careers
Compassion, empathy, and reaching out to others are key to addressing discriminatory implicit bias.

The tragic incident this summer with George Floyd in Minneapolis brought back memories of my experience with law enforcement 26 years ago that could have dramatically changed my life and the trajectory of my career. My two uncles, my best friend, and I were headed to the beach for the day after my younger uncle’s high school prom. As we made our way through the beach entrance, we were pulled over by the Galveston beach patrol for suspicion of an open container violation.

Unbeknownst to me, my best friend, and my younger uncle, my older uncle had a joint in his possession and was reaching to hide it as the officers approached the car. The officers immediately drew their weapons, and I immediately feared we were going to get shot. Only 16 years old, I was terrified as we were ordered out of the car and placed in handcuffs. Fortunately, my younger uncle was able to diffuse the situation through a conversation with the officers. We were able to leave the beach without any repercussions.

I learned two valuable lessons that day: always keep your hands where police officers can see them and always address police officers with respect.

As I reflect, I realize how fortunate we were to leave those circumstances alive. As our nation saw with George Floyd, Breonna Taylor, Philando Castile, Sandra Bland, Michael Brown, and others, so many
I am an African American man who manages the Library Research Services team for an AMLaw 100 law firm. I personally know of only one other African American man who is a director at an AMLaw 200 law firm and have met only a handful of African American men that are law librarians at law firms.

African American men and women don’t live to survive similar encounters with law enforcement.

Ironically, two weeks later, I was set to start an internship working for a law firm that would launch my career in law librarianship. I still wonder: If I had been arrested, would I have lost the internship opportunity that changed my career trajectory?

I asked my uncle what he said to the officers that convinced them to release us with a warning. He said that he told them that he was graduating high school in a couple of weeks and planning to attend college in the fall on a scholarship. I am thankful for the compassion and empathy the officers provided that day. We all need to have compassion and empathy to understand and combat systemic racism.

Looking at the Stats
I have worked in law firms for over 20 years. To accurately describe my perspective, we need to look at data that provides insight into diversity in law firms. The 2019 Vault/MCCA Law Firm Diversity survey helps measure and track diversity progress in the legal industry.

- More than 17 percent of law firm attorneys are Black, indigenous, or people of color (BIPOC).
- Summer associates have the largest BIPOC representation, at 33 percent.
- Twenty-six percent of associates are BIPOC as well.
- Sixteen percent of the partners promoted in 2018 were attorneys of color, compared to 14 percent in 2017.
- Minority attorneys now represent 10 percent of all partners and 9 percent of equity partners.

This data demonstrates that law firms are slow to improve diversity and inclusion in the hiring and promotion of minority attorneys. This situation is similarly reflected in the hiring and promotion of administrative and law librarian professionals.

A Solitary Path for Black Men in Law Librarianship
I am an anomaly in law firm libraries. I am an African American man who manages the Library Research Services team for an AMLaw 100 law firm. I personally know of only one other African American man who is a director at an AMLaw 200 law firm and have met only a handful of African American men that are law librarians at law firms. Data I could ascertain from the American Association of Law Libraries (AALL) Membership Directory show that 9 percent of AALL membership that self-report as minority attorneys work at law firms, and only two percent of minorities that self-report and work at law firms are male. That is not a good representation of people like me who work as law librarians in law firms.

I started working in a law firm library at the age of 16. When I graduated from college, I decided to pursue a career in law librarianship. I was not hired for any of the positions I interviewed for. I assumed I was disqualified because I did not have a master’s degree in library science. In 2011, I went to library school to obtain my master’s degree. I remember being the only African American man in my Library School orientation. I graduated in 2014, and I started to apply for positions at law firms. I thought I would immediately find a job opportunity, as I had 15 years of law firm library experience, a master’s degree, and corporate experience with a legal information vendor. I interviewed with multiple law firms but was not selected.

Finally, I was able to secure a position with my current firm after one year of searching. I had worked with one of the librarians at a previous firm and would like to think my professional network was an important factor in getting my foot in the door.

At the time I did not think I had experienced any racial bias in my job search, but my perspective changed after reviewing information and analyzing data.

I interviewed at one local law firm three times in my career—once as a library paraprofessional and twice as a library professional. After meeting the staff at the law firm, I realized I was passed over for each position for a Caucasian female. Was it a coincidence? Maybe. But the lack of diversity in law firms and the lack of African American male law librarians in law firms is an indicator of racial bias.

Racial bias is a form of discriminatory implicit bias that clearly impacts the hiring process and supports systemic racism. We can help to eliminate systemic racism in law library employment practices by building bridges and becoming allies through supporting diversity, inclusion, and equity initiatives in law librarianship.

Moving Ahead: R.E.A.C.H
I was fortunate that my reach provided me with an opportunity at my current firm that has allowed me to flourish in the profession. When I say reach, I am referring to my professional network. Merriam-Webster has multiple definitions of the word, but I want to focus on three.

- To stretch out
- To get up to or far as
- To communicate with
The foundation of my reach is encapsulated in the principles that make up the acronym R.E.A.C.H.:

- Respect
- Empathy
- Accountability
- Compassion
- Hope

My charge to you is to make a commitment to get up, stretch out, and communicate about systemic racism via your R.E.A.C.H.

- Stretch out through Respect and Empathy for minority colleagues who’ve experienced systemic racism.
- Get up and exercise Accountability by getting involved in your organization’s and AALL’s diversity and inclusion efforts.
- Communicate with Compassion and Hope for the difficult conversations that are required in discussion of systemic racism.

- Join the new Black Law Librarians Special Interest Section (BLL-SIS). BLL-SIS provides a forum for the professional development, exchange of ideas, and information on recruitment and social interests of Black law librarians.
- Support the AALL Resolution for a Pipeline Program to Improve Racial and Ethnic Diversity in the Law Librarian Profession and the Resolution to Improve Racial and Ethnic Diversity in AALL & the Law Librarian Profession. As of this writing, these resolutions have been reviewed by AALL counsel and AALL President Emily R. Florio, Diane Rodriguez, AALL president-elect, and Vani Ungapen, AALL executive director, are working with the submitters to incorporate recommendations.

As mentioned earlier, I am an anomaly in the profession, but what is not an anomaly is the support of legal information professionals who constantly motivate and inspire me. I am thankful for the R.E.A.C.H. of all law librarians in AALL who have invested time and resources in helping advance my career. I hope to motivate and inspire a diverse and inclusive group of law librarians who will continue to pay it forward.

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Professionalism + Leadership At Every Level
Marketing + Outreach
A decade ago, when I worked my first reference shift, I sat at a desk in the center of our public library branch, surrounded by shelves of useful tomes—indices, directories, two encyclopedia sets, and some other more obscure volumes that we probably kept “just in case” there was a need for them. While the books on those shelves covered different topics and spoke to distinct specialties, there was an underlying logic to how the information in them was organized. As librarians, we could unearth a reliable answer quickly and efficiently.

From the library visitor’s perspective, the dynamic between information architecture and library service supported a streamlined path to knowledge: call or visit the library, explain the need or question, wait a few moments for the librarian to “work their magic,” and then move on with one’s day with the answer in hand. There were not a lot of decision trees or complexities. Obscure questions might have needed to be referred to another librarian with more expertise, but that was as elaborate as things got from the end user’s standpoint.

New Systems, Services, and Pathways

The information retrieval process is understandably more variegated and complex now. Even if we wanted to emulate the direct service dynamic, the rapid rate at which information is created and disseminated demands a different pace and new models of both service delivery and systems design.

When you think of reference or information services now, databases and
Within the dizzying array of e-resource options, there are additional levels of variation and possibility—the algorithms of each system might be different, their predictive search or auto-correct features might be based on unique criteria, and their general usability can vary widely.

**Aligning Systems and Service Philosophies**

E-resource acquisition is one area where the dynamic between systems and services can become more complementary. Selection and curation decisions involve careful evaluation and often reflect underlying ideals about user experience and the library’s role in the research process. Each library would approach this from their own vantage point, since many local variables determine whether a database or discovery layer is useful or not. Given the role of local needs and use cases in defining a “good fit” for an e-resource collection, it’s beneficial to apply the same strategic thinking we use elsewhere in our organizations to the way we evaluate research systems, such as databases, discovery layers, and e-resource collections.

One way to align systems and services is to articulate your collection philosophies or priorities. Some collection policies already have a philosophy or “statement of purpose” built in, which is excellent. Some policies might focus on more functional aspects of the acquisitions process, such as retention plans, handling of donated materials, and so on.

For electronic research and discovery, some questions to ask at the local level might cover the following:

- Should all users be able to access the same materials? Are we subdividing permissions based on status or role?
- What standards and protocols do we need to uphold at the institutional/campus level (i.e., security standards)?
- What information literacy skills are we expecting our users to have before they engage with our systems/services? (In other words, are we curating systems for primarily beginning, intermediate, or advanced researchers?)
- How are we gaining insight into the end users’ engagement/satisfaction with this resource?

Once you have established your priorities at the local level, it might be helpful to craft a script or list of questions to guide your evaluation of new or ongoing e-resource acquisitions. Templates can be especially useful, and I suggest keeping a copy of your completed questionnaires, regardless of the eventual outcome. These documents can preserve a vital snapshot of the institutional memory that might otherwise be lost.

If your service priorities were Easy Access, Usability, Accessibility, and Privacy, your evaluation template might look something like this:

**ACCESS:**

- How are users going to get to this content?
- Can they leverage campus/institutional credentials?
- Are there seat limits or different permissions based on status?
- What’s the Return on Investment for their effort to access this resource?

**USABILITY:**

- How user-friendly is this interface?
- Can we make it clear this is being provided by the library, so users know we can offer assistance?
- How much experience or background knowledge does this system assume a user is bringing with them?
ACCESSIBILITY:
- Does this vendor have a Voluntary Product Accessibility Template (VPAT)?
- Is there an accessibility clause in the license agreement?
- How does this platform interact with assistive technologies such as screen readers?

PRIVACY:
- What happens to our users’ data?
- Can individuals opt out of any personalization or data gathering?
- What does this license agreement say about privacy?

Vendor and Librarian Collaboration
Having worked as both a librarian and a vendor, I suggest communicating with your vendor about your priorities. Customer-focused organizations value librarian feedback, and emerging trends often get embedded in product road maps and/or development priorities.

If you decide to keep or discontinue an e-resource or tool based on its relationship to your service priorities, it can be helpful to let your vendors know that as well. If a vendor’s accessibility compliance made the acquisition especially attractive, mention that it had a positive impact on the eventual decision. Similarly, if your users generally like a platform, but it falls short in one of your key areas, let them know what the deal breaker was. This can have a greater impact on the future of our e-resource landscape than a cancellation without comment. These interactions point to landmarks that inform the vendor’s own journey to developing better systems.

Parting Thoughts
Legal information professionals have an established reputation for responding to user needs and adapting to change. As both information systems and services continue to evolve, it’s important to leverage ongoing, healthy dialogue to keep systems and services in alignment. If there are tensions between the two, the landscape can be fragmented and disorienting. However, when systems and services complement one another, the pathways converge, and the end user experiences a smooth journey from discovery to access.

Save the Date

AALL VIRTUAL INNOVATION BOOTCAMP
SPRING 2021

First introduced as an in-person workshop, the Innovation Bootcamp is now being offered virtually. As the effects of the pandemic continue to impact us all, they’re revealing new challenges and opportunities to rethink the way we work. This virtual course is designed specifically for legal information professionals—to create new value, gain momentum for your ideas, and foster a culture of innovation.

Learn more at bit.ly/AALL-innovation
Your Blueprint for Success

The AALL Body of Knowledge (BoK)—designed to serve as a blueprint for career development—defines the domains, competencies, and skills today’s legal information professionals need for success.

LEARN MORE
Visit www.aallnet.org/bok.
MEMBER-GET-A-MEMBER PROGRAM

ENRICH OTHERS + ENRICH YOURSELF

We are stronger, smarter, and more successful together. Invite your peers, colleagues, and staff to join AALL through the AALL Member-Get-a-Member (MGAM) Program.

For each member recruited receive:
› A $15 Amazon gift card

After three members recruited, receive:
› A MGAM lapel pin

All recruiters receive website recognition:
› MGAM Leaderboard
› My Communities MGAM digital badge

learn more at bit.ly/AALL-mgam
LexisNexis had planned to launch its new Lexis+ offering—which includes a set of premium features and advanced capabilities powered by advanced technologies such as machine learning—in mid-July at AALL’s Annual Meeting & Conference.

Due to the COVID-19 pandemic, however, the conference became a virtual event, and the company decided to instead introduce the product in early July so law school faculty who may have been making remote learning-related changes to their course plans had time to incorporate its use into their curriculum.

Starting in September, commercial and government customers also had the option of upgrading to Lexis+ from the standard Lexis offering—which will remain available for organizations that feel it’s the best match for their legal research needs and budget.

We recently spoke with Jeff Pfeifer, chief product officer at LexisNexis North America, about building a new solution amidst the unexpected changes the coronavirus outbreak prompted this year, the new features Lexis+ provides, and the future plans the company has for the new offering.

**What was the initial inspiration for creating Lexis+?**

There were three main objectives. First, when talking to clients, we heard frequently about the design of the product—the user experience. One of our major goals was to introduce a more modern design experience. Clients, including AALL members, expressed sentiments like, “I understand legal research is a professional experience, but does the product experience need to be dull or boring?” An increasing number of individuals mention consumer product experiences and compare the experience of traditional legal research tools to those product experiences. Lexis+ represents...
Second, we emphasized deeper integration among previously separate capabilities. Many AALL members ask for clearer direction to key content in our products. Which product contains what content is something they want to think about less. As an example, our legal research product and practical guidance tools were separate products; in Lexis+, they are fully integrated.

And third, we believe in the power of data-driven insights. In Lexis+, there’s extensive use of machine learning capabilities. The introduction of those capabilities is really designed to drive a deeper level of insight into legal research, and at the same time, include a level of user control over what’s happening.

Information professionals describe a frustration when advanced technology is applied to data; there can be a feeling of loss of control by the user. Lexis+ includes technology-driven insights—but also offers users new tools to provide more control in the search experience.

We will continue adding even more capabilities to the Lexis+ experience throughout the year, starting with litigation analytics later in the year, and in early 2021, a legal news experience. We will share more details on that later this year, but it will include information from Law360.

The new Lexis+ solution from LexisNexis utilizes advanced technology such as machine learning to assist with research and integrates solutions that previously were accessed separately.

How does Lexis+ differ from the standard LexisNexis offering?

Lexis+ is a completely new product experience. The imagery and graphics are much bolder than you would typically see in a legal research application. To settle on the most optimal visual design, we spent a lot of time with clients—interviewing more than 2,000 for this product development effort.

We streamlined the experience in some areas to make data more readable, more accessible, and easier to navigate; and we have leveraged extensive data visualization and machine learning to drive better insights for the user. For example, the Search Term Maps feature, previously available in cases only, is now applied to 35 content types, including statues and news. In addition, a new Codes Compare feature allows users to compare versions of federal and state statutes.

Did legal information professionals help develop any Lexis+ features?

Librarians and legal information professionals were involved throughout the entire process. We maintained various methods to involve them—including our Librarian Advisory Board, which is comprised of approximately 20 legal information professionals.

We also ran traditional research where professionals gave us feedback on developments in a real-time sense as we worked throughout the development process. A group of librarians and legal information professionals were involved in the development of features and feedback—things such as design choices and user design elements.

AALL MEMBER JEAN O’GRADY SAID:

“Some of the new features such as the brief analyzer are simply demanded by the market. There are also features that could be viewed as a bit esoteric such as the ’search tree’ and ’must include.’ I consider these to be brilliant strategic additions because they appeal to the power users in the law firm. Make no mistake, librarians wield a lot of influence on the purchase and positioning of products in law firms.”

How did the current pandemic affect the development process?

We were well into the development cycle when the COVID-19 pandemic started. With clients working remotely, we had to adjust how we acquired customer feedback and the overall timing. Last summer, I had the opportunity to speak at an AALL’s Innovation Bootcamp about how techniques such as design thinking and design sprints help us develop product concepts; and those concepts, which are all designed for working together in person, are things we had to revisit and rethink in a COVID environment. Yet we’ve found our clients have been really willing and interested to offer their feedback.

We are also seeing users interact with our product in new ways. For example, when clients were in the office, printing documents was very common. Since the COVID period started, printing has fallen off and been replaced by online document storage that exists in our folder features. We’ve worked to enhance folders in Lexis+ as a result.

What type of functionality fuels Lexis+?

We have extensively leveraged modern technology and machine learning capabilities to drive a new level
of technology-aided data insights that enhance the overall research experience.

LexisNexis customized an advanced machine learning technology from Google called BERT. It’s an advanced language model that we highly customized for legal text analysis. We are able to mine data and extract new insights for users, which are presented in multiple Lexis+ features.

We’re now able to directly answer a query that’s entered into a search. For example, if a user asks, “What are the elements of res judicata?” Lexis+ leverages the latest in machine learning technology to deliver an answer to the question. Lexis+ also applies artificial intelligence technology to the new Brief Analysis solution that’s available within Lexis+. The feature allows a user to upload a document and get recommendations that strengthen a brief or motion.

**Does Lexis+ utilize any other capabilities to deliver information?**

A primary challenge we identified is the ongoing explosion of data—which is certainly not a new problem. For years, the size of the Lexis database doubled about every six years; two years ago, it began to double about every four years—and now, it’s expected to double in size every two years.

The cause? It’s not the digitization of older content; rather, most of the explosion of data is due to new data growth from two sources: new government-produced content and web content from non-traditional publishers. Blog and social media content sources are exploding. New information distribution channels—Twitter and others—are being used by corporations and other entities to communicate information, and the need to capture this data is increasing.

The tools we built into the Lexis+ experience are designed to help users analyze information more quickly; get a summary landscape of what the data results tell them, and leverage new capabilities in areas such as data visualization to understand what’s available.

When we look at a typical user’s interaction with LexisNexis search results, they tend not to look at documents below the tenth position in the search results list. Our job is to show the users all documents that are relevant; and often, there are more than 10. New tools like machine learning and data visualization will help users find all of the relevant information.

**Can any Lexis+ features help legal organizations streamline operations?**

When we talk with in-house counsel, the first thing they describe is a desire for efficiency—to do more faster, and with less. When we talk to law firm clients, improved insights and productivity are key. Our promise to our customers is that Lexis+ users will find an answer or information that they would otherwise miss.

Librarian users have reacted favorably to improvements to our Boolean search capabilities. We’ve introduced a new feature in Lexis+ called Search Tree, which helps users see how a Boolean search was both interpreted and where it goes off track, so to speak.

**Search Tree is a visual depiction of how a search is processed; it shows that adding one more word can completely change the results. This is an example of good data visualization, as it helps users quickly refine a search for better results. Of all the capabilities we introduced, Search Tree has resonated most strongly with librarian customers.**

**What other challenges do you anticipate the legal information landscape may face in the next 5 to 10 years?**

In my view, the evolution in search will be a significant change. As we look more broadly at services like Google and other search applications, there is a movement away from term-based searching.

That’s being replaced by machine learning-aided queries and data visualization; and, even where traditional search methods are applied, queries will be augmented by advanced technologies in order to deliver better results.

**AALL MEMBER JASON MURRAY SAID:**

“I thought the search tree was the best part. I teach this in Advanced Legal Research, but now they will be able to see it in the actual database. I love it.”

In five years, searches will likely start with a visual presentation of information. Even a traditional Boolean search request can be visually presented. A graphical presentation of results allows users to rethink how a query could be improved in order to deliver better results.

**LEXIS+ PRODUCT INFO**

**Year introduced:** 2020

**Pronounced:** Lexis plus

**Basic functionality:** Lexis+ integrates solutions that were previously accessed separately and leverages machine learning and other modern technology to provide a new level of data insights that enhance the overall research experience. Lexis+ users can also access practical guidance items, including practice notes, checklists, and annotated forms, and Search Term Maps, which offer a quick view of search term result concentrations and patterns to help users identify relevant resources.

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Managing Expectations in the Age of Working from Home

Why the reference interview is your key tool for creating timely CI reports.

MANAGING EXPECTATIONS IS KEY TO PRODUCING SUCCESSFUL LIBRARY PROJECTS IN OUR CURRENT WORKING FROM HOME (WFH) ENVIRONMENT. THE REFERENCE INTERVIEW HAS EMERGED AS KEY TO MEETING THESE EXPECTATIONS, AND IT IS INTEGRAL TO A SUCCESSFUL COMPETITIVE INTELLIGENCE (CI) PROCESS.

IN A SCENARIO THAT MUST BE COMMON TO MOST LAW FIRM EMPLOYEES IN THIS AGE OF WFH, I’M SITTING AT MY DESK IN MY HOME OFFICE WORKING ON A COMPLEX RESEARCH PROJECT WHEN AN EMAIL WITH THE DREADED RED EXCLAMATION POINT (!) HITS MY INBOX:

*I need a complete briefing on xyz inc in one hour for a lunch (Zoom) meeting. Please let me know this has been received and you’re working on this.*

One hour?! One hour usually means sending the requestor (attorney) what I call a “tear sheet.” The tear sheet typically contains basic information on the company in question and, for the purposes of a lunch meeting, information about the person the requestor is having lunch with and the topic of the work that is being pitched.

**The Reference Interview**

The reference interview model is essential for handling this type of request, so I take a moment to jot down four questions to ask the requestor that will provide me with the information necessary for this report:

- Who is the attorney meeting with?
What type of work is being pitched (i.e., Employment Litigation, Environmental Remediation Advice, or Transactional)?

What information is most important for this meeting?

Due to time constraints, is the tear sheet product OK for his/her needs?

From my home office, I pick up the phone and call (the most efficient method of communication due to the time constraints). I am able to get the information I need from the requesting attorney, and I communicate the work product’s limits caused by the tight timeframe. By discussing needs and time limitations upfront, I avoid surprises. This is a major factor in managing expectations.

**TIME CONSTRAINTS AND PURPOSE**

Frustration with delivery times and formats could cause the CI service to fail. This is why it’s important for requestors of the information to clearly understand the direct relationship between turnaround time, purpose, and the format of the deliverable reports. The depth, type, and quality of the report are directly affected by when it is needed, as shown in Table 1.

The purpose for the report determines what content is included (Table 2). This prevents the use of the same specific template for all requests, as different purposes require custom reports. Templates are useful for reports, but locking in specific types of data can be a challenge.

Taken together, these tables show the importance of the reference interview. The required information should also be captured by the intake form. The turnaround time and the purpose are just as important as the research subject.

I was able to knock out the request, put it in an easy-to-read format, and send it out in the allotted time. Now, back to my research project. Let’s see … VRBO availability in December for Palm Springs. …

**TABLE 1: CI REPORTS BY TIME CONSTRAINT**

<table>
<thead>
<tr>
<th>Turnaround Time</th>
<th>Deliverable</th>
<th>Contents</th>
</tr>
</thead>
<tbody>
<tr>
<td>Short Term (about 1 hour)</td>
<td>Tear sheet or data dump: Very little or no analysis</td>
<td>Prepackaged reports*</td>
</tr>
<tr>
<td>Same Day</td>
<td>Email or short memo: Minimal analysis with broad conclusions</td>
<td>Prepackaged reports*</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Brief in-house format covering predefined limited information</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Relevant news</td>
</tr>
<tr>
<td>Long Term (3-7 Days)</td>
<td>Briefing Pack: Key analysis and findings</td>
<td>Detailed, in-depth report</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Graphs and charts where appropriate</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Legal work analysis, both inside the firm and by other firms</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Important news relevant to the firm practice mix and strengths of the attorney pitching the work</td>
</tr>
</tbody>
</table>

*Examples of prepackaged reports include: West Litigation Monitor Suite, Lexis Context, Lex Machina, Hoovers, or Bloomberg Analytics

**TABLE 2: REPORTS BY PURPOSE**

<table>
<thead>
<tr>
<th>Purpose</th>
<th>Report Format</th>
<th>Types of Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lunch/Dinner Meeting</td>
<td>Tear sheet (single page)</td>
<td>Company news</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Current revenue</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Which firms do they use?</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Participant information</td>
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<td>Scope of RFP and how the firm aligns with it</td>
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<td>Relevant company news</td>
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<td>Lateral Evaluation*</td>
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<td>Principals background check</td>
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*Supporting documents should be included in these reports for on-demand reference.

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**MARK GEDIMAN**

REFERENCE LIBRARIAN

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Los Angeles, CA

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I miss interacting in person with my co-workers. I work in a group of 10 people and we have developed a nice group dynamic. Recently, my manager retired, and her position was posted. I’m not sure whether I should apply for the position. Frankly, being a manager seems stressful and I am happy doing the work that I do now. However, I have been a law librarian in the same position for many years, and this does seem like the next logical step for me. It would be a nice step up in title and salary. I don’t have management experience, but knowing the team I work with makes the idea feel less overwhelming. What should I do?

Maribel: Short answer: I think you should apply and see what happens. Ask questions to find out more about what the position entails. If you get the position, it doesn’t mean you have to take it. But, as you investigate and interview, you might find that the job has more appeal to you than just a bigger salary and fancier title.

That said, your instincts in distinguishing between the good work you do and the work you would be doing as a manager are right. If you really like the work that you are doing, you would be doing much less of it as a manager. What you will be doing more of is thinking about the big picture, overseeing the work of your colleagues, handling interpersonal issues, problem-solving, team goal setting, coaching, mentoring, and administrative work. That leaves little time for compiling legislative histories.
The skills that make a good reference librarian are also very different from those that make a good manager, but that doesn’t mean that you don’t have them. Do an inventory of your organizational, communication, strategy, and people management skills. Though you don’t have any formal management experience, think about ways that you have shown leadership and management skills in other ways—for example, leadership in small group efforts at work, or committee work in professional organizations. Did you enjoy that work? Did you find you had a knack for it? If not, then management might not be for you … and that is totally fine. Managers who are only in it for the title and salary (and not for the actual work) tend not to do as well.

While I would ask you to take stock of your own management skills, I also ask you to consider whether you are hesitating, at least in part, because you are nervous to make a change. Moving up to management can be scary and overwhelming—you have to flex muscles you have not used before, you have a higher level of accountability in your organization, and you have to manage people who used to be your peers. If your nerves are keeping you from applying, then I encourage you to fill out that application form right now, especially if you are a woman. A 2019 LinkedIn study found that women apply to 20 percent fewer jobs than men. This discrepancy is due to a variety of factors, but it is due in part to women being less likely to apply when they feel they don’t meet all of the required qualifications.

Do your homework: find out as much as you can about the position and really think about your own skills. Apply for the job. The worst thing that can happen is that you don’t get the job, or you get it and don’t accept it. If you get it and you find you’re not 100 percent ready, find a mentor, take some management classes, and keep learning and growing. You might find that you have the skills to be a great manager after all.

Scott: I agree with Maribel that you have very little to lose by applying, and I would encourage you to do so. You are clearly on the fence, but there is something that got you up onto that fence in the first place, since inertia would have kept you right where you are.

The very act of going through the application process can reveal a lot about how you truly feel about this opportunity. It will become more real each step of the way, as you picture yourself in a managerial role. Every step of the way, continue to ask yourself, “Do I like what I see?” and “Does this role excite me?” If the answers to these questions continue to be “yes,” then you will know that you are on the right path. Even if you don’t end up getting the job, you will learn more about yourself during the hiring process, and self-knowledge is its own reward.

I will say one thing, however. Money is admittedly nice, and titles and prestige are, well, nebulous, but they can be meaningful to others in your profession. But neither of those offers any guarantee of increased happiness. My hope would be that in the course of the hiring process you would surprise yourself with the realization of just how much you would enjoy the day-to-day work of managing others. If you get the feeling that you would not truly enjoy the work, no amount of money, and certainly not the inherent satisfaction of a title, are going to make you happy. You have to enjoy, or at least not hate, the work that you’re doing. Ask questions of yourself, be honest with your answers, and make sure that you won’t lose the simple gift of happiness in any potential transition. You can never be sure, of course, and not all discomfort is negative, but if you learn something about the position and/or yourself that leads you to believe that you would be less happy day-to-day, take that into serious consideration as you move forward.

The final consideration is that part of your current job satisfaction is undoubtedly tied to your recently retired manager. Somebody is going to fill that role, and that is going to change the dynamics of your workplace, whether you like it or not. If you are considering applying for this job, then it is reasonable to assume that one or more of the other members of your team are thinking the same thing. Will you be comfortable with one of your current colleagues as your new manager? Will you have regrets about not applying? Think also of the possibility of someone from outside your company applying for and getting the job. There is no guarantee that you will enjoy your work as much under that new manager as you do now. Since change is coming either way, ask yourself whether you will be content being a passive recipient of whatever comes to pass, or if you would like to at least attempt to determine your own fate. The answer to that question alone could be all you need to fall out that application.

Whatever you end up deciding, remember the factors that went into your decision for the future, and take satisfaction in knowing more about yourself than you did previously. Good luck!
Law librarians are innovators who wear many different kinds of hats (that aren’t always easily identifiable). What’s one of your “go-to” resources that might surprise people?

1. **LEGAL TALK NETWORK** (www.legaltalknetwork.com). “I love Legal Talk Network as a go-to for law-related podcasts. It is a great source of podcasts that cover a whole host of topics, and it connects listeners to a wide network of podcasts that address areas such as substantive law, legal practice, law libraries, and legal technology. One of my favorite podcasts on the network is Law Technology Now. It provides an opportunity to listen in on conversations among various voices in the legal tech space as they discuss new developments and emerging trends. I also enjoy On the Road, which records live from conferences and other industry meetings and events—including the American Bar Association TECHSHOW, Legal Week, and the Clio Conference. On the Road has helped me feel connected to conferences while stuck at home.”
   
   *Michelle Hook Dewey; Legal Research Services Manager; BakerHostetler; Atlanta, GA*

2. **EMPATHY AT WORK** by Sharon Steed (O’Reilly Media, Inc., 2019). “My biggest takeaway from the book is Patience, Perspective, and Connection—the three steps the author recommends that readers take to establish meaningful and authentic empathy at work. One silver lining of the COVID-19 pandemic is that it has allowed me to slow down a bit mentally. It gives me pause from wading through traffic, running from one meeting to another, and rushing from one class to another. It has allowed me to sit down, gaze out over a farm with a herd of grazing cattle with the Blue Ridge mountains in the background, listen carefully to people I work with, put myself in their shoes, and seek solutions together to overcome difficult situations. The empathy approach empowers me to gain insights and be supportive in all roles—as a leader, colleague, professor, librarian, and friend. Amazingly, it also helps me to understand and connect with myself better.”
   
   *Alex Zhang; Assistant Dean, Law Library Director & Professor of Practice; Washington and Lee University School of Law; Lexington, VA*

3. **99% INVISIBLE** [Podcast; September 3, 2010-present; https://99percentinvisible.org/]. “99% Invisible is a fun and informative design podcast that has become surprisingly relevant to my work. While it is interesting on its own, it can also be a great teaching tool. For example, when I was working on electronic naming conventions with a committee, one of the attorneys really wanted to use symbols in our guide. That would have caused programming problems, which we told her, but she was not swayed. I asked her to listen to the 99% Invisible episode titled ‘The Roman Mars Mazda Virus,’ which illustrates the problem through a story, and she was convinced. While it’s not a legal podcast, they do touch on legal matters, and it’s a great source for test hypotheticals [see “Articles of Interest #8: Knockoffs” and “The Dolphin that Roared” episodes for good examples].”
   
   *Jocelyn Stilwell-Tong; Law Librarian; California Sixth District Court of Appeal; San Jose, CA*

4. **“JUST DO IT.”** “I am not a creative person. Or an innovator. So, when the assignment to innovate comes my way, I turn to some advice Nike offers: ‘Just do it.’ I have found that the only way I can identify and implement new or better (that are different) services, practices, or policies is to actually take the first step, then the second, and the rest until success or failure is achieved. Otherwise, I am happy to sit back and watch the status quo win and stay comfortable, which is not what my library, its patrons, or the profession deserve from me.”
   
   *William R. Gaskill; Research, Instruction and Scholarly Communications Librarian; Albany Law School; Albany, NY*
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