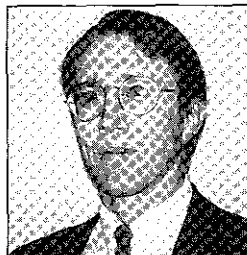# Librarians, Lawyers and Databases

Simon Lewis[1]

Introduction

Lawyers, like everyone, are seeking to balance work with personal/family needs, technology against tradition, the ideal of simplicity against the reality of life's complexity. Many lawyers feel they cannot keep up with the demands of new technology, but they are not about to toss it all and live in a cave

What lawyers need is not some new life-changing software programme, but rather eye-opening education. There is more than enough functionality in existing software to transform legal practice, if only lawyers knew what was possible. This presents a marvellous opportunity for librarians—we all have to market ourselves

Structured Databases

Lawyers handle more data than just about anyone else. The problem is they are not using the right tools to process it. For example, I continue to see too many instances of lists of litigation documents being typed in word processing instead of a structured database. Not only can database software double data entry speed, and ensure greater data integrity and consistency, but most importantly, you can do useful things with it when it is in a structured format. It can be analysed by document type or date, quickly sorted and subsets produced effortlessly

Librarians are probably the only group within law firms who receive training in managing information in a controlled environment. They appreciate the value of a controlled vocabulary for a keyword thesaurus, for example. This is something lawyers might not think about until too late

I am not advocating lawyers start programming sophisticated relational databases. There will be progress if you can get them to appreciate the basic list-making capabilities of flat file databases. Legal practice has lots of lists: subpoenaed documents and discovery lists in litigation, precedents, client and prospective client lists, matters, expert witnesses, and counsel to name a few

If lawyers do not initially think a list justifies use of a database, encourage routine use of tables in wordprocessing so when their list grows it is a simple task to transfer it to a database. Let people walk before they run; start on an

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easy-to-use flat-file database and only move them onto relational databases when they are ready to cope with the more complicated concepts. Some might never need or be prepared to learn about programmable relational databases.

Full Text Databases

The other type of databases with which librarians can lead the way are full text. Many texts are available in electronic form whether remotely, on CD-ROM or floppy disk. Apart from published legal materials, lawyers can benefit from full text searching of precedents and other work products, court transcripts and witness statements.

It is even possible to integrate structured databases with full text systems such as ISYS for Windows so that you get the best of both worlds: objective structure such as keywords plus the searchable contents of the document.

The potential for integration means that with certain systems, you can instantly see the full text of an entry in the library catalogue, or do a search across electronic material stored in full text from within your catalogue.

Computerised Library Management

Electronic texts such as FindLaw come on disk both in structured format for insertion and searching in databases such as FileMaker Pro or full text systems such as ISYS. Because they are in electronic form, they can contain much more information than was practical with the paper version. FindLaw, for example, contains summaries and table of contents for texts from the main publishers. This gives you more material to search upon for an obscure point. It also tells you more about the potential relevance of a text before buying or borrowing it.

If your library does not have a computerised catalogue consider using a generic structured database and doing it yourself. Alternatively, adapt a library management system, such as Book••Show, which is based on a flexible database you can tailor to your evolving needs.

Why use a generic mainstream database program?

- No two libraries' needs are exactly the same, nor do they remain static as circumstances change. That is why you should choose software which you can adapt as required without being totally dependent on your supplier.

- What you learn about adapting or developing your database for your library's needs can be used to help everyone else in the firm with data management requirements. Lawyers can not adapt a dedicated library management system, but they could use a database for just about every area of law.

- By all means consider a library package particularly if you do not have the time to design it yourself However, it is preferable if it is based on a standard database and has not been written in some obscure language that only the programmers who wrote it can change You never know when your supplier might no longer be in a position to support your system If it is based on a standard database you can make your own changes or get plenty of help from the computer-user community

- From the users' perspective, it is important to have a consistent interface across all their database applications Everyone is too busy to learn a different search method for each application

Future Proof

Note the importance of the words "generic mainstream databases" Look at the word processing market by way of example It is MS Word, Ami Pro or WordPerfect You can forget Wang WP and WordStar, they're history!

The same is happening to databases Q&A risks getting dumped by Symantic as it struggles to refocus on its core business against the software giants Unless you are selling hundreds of thousands of copies of a database, you cannot afford to sell it for the incredibly low prices driving the market Both Approach and FileMaker Pro for Windows, for example, sell for $199 and are far superior for general library use and litigation support than programmes such as Annotate, Evidence and ManLit selling for $5,000+ that featured in the first edition of the Legal Software Directory The current edition, which is available on disk, features databases adapted to be not only library and litigation support packages, but also conveyancing, family law, barristers' billing and debt collection Just in the area of conveyancing, there are three packages written in FileMaker, one in Access and one in 4th Dimension There are many more in varying stages of development in numerous firms themselves Such databases sell hundreds of thousands of copies If they are not selling in those quantities, they are not going to keep up Like Wang WP and WordStar, we are seeing databases which are being left behind

To test whether your database will be keeping up, consider how long it has taken to bring out a Windows 3 version or generally how friendly it is With Windows version 4 almost here, will some suppliers ever catch up?

Ease of Use

In all areas of product design, the objective must be to make the human interface more human, to help users come to more comfortable terms with technology

That is why you should ensure it is Windows or Macintosh otherwise you are investing in obsolescence Remember that for a computer to be useful, it must be useable by everyone, even the most computer-shy senior lawyer

Some Positive Steps

Despite your best efforts, success will not come overnight; knowledge is acquired in stages. We had the experience of setting up a litigation support system for a partner in a law firm who championed it through the approval process. It had been in use for a month or so when the partner was seen rummaging through document folders. He told our consultant that he was looking for a particular document he needed in a hurry. The consultant did a search on the computer and told the partner where to find it. To the partner's amazement, the document was there. He was so impressed he called in a number of his colleagues to point out the system's effectiveness. Strangely, it was for this very reason that the partner had originally invested in the system and sat through numerous demonstrations. It is as though an appreciation of its value had not penetrated to all levels of his psyche despite him convincing the firm of its merits. Ongoing education is therefore the key.

Librarians can refer lawyers to articles of interest.[2] Show them electronic texts in your own, or other better equipped libraries. Consider putting on, or encouraging lawyers to attend seminars on databases for the legal profession, or litigation support etc. Hands-on computer courses are a good way to make even your most senior lawyers realise what is possible when using a computer themselves. Even if you do not turn them into a computer "hacker", you might at least reduce opposition to technological change.

Consider computer-based training software for assisting busy lawyers to learn about computers at their convenience. For example, Sinch Software has developed the Learn••Law series of computer-based tutorials which includes modules such as Learn••ISYS. It steps users through the tasks they may be trying to perform at that moment. Other Learn••Law titles include Computers for Lawyers and Litigation Support.

Alert as many lawyers as will listen to the potential for technology. They might not have realised solutions are available. However, do not try and convert everyone immediately. Concentrate on the most enthusiastic. Their success should stimulate the interest of others.

Conclusion

The practice of law is moving from a labour-intensive to capital-intensive business. Lawyers cannot afford NOT to invest in information technology. Whether a firm remains viable will depend on whether there are enough influential people with the right vision. It is obviously in the interests of law librarians to contribute to the direction of their firm or department. Lawyers are going to need all the help they can get to cope with the changes ahead.

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2   Two articles that are very worthwhile are:
Keeva, S. *'Litigation support? The sky is the limit'* (1990) (May) *ABA Journal* 76
Succinctly says it all

Plibersek, R. *'Computers help manage complex litigation'* (1993) 31 (7) *Law Society Journal* 46-48
Shows how far technology has progressed