"The law library is truly a vital factor in the administration of justice, an institution of extraordinary social significance in a free society".

- Gilbert Stephenson
CHAPTER - I
INTRODUCTION

The legal profession has a unique place in the society, for, without a strong and competent legal system, no country can hope to maintain law and order in an efficient manner. The Constitutional resolve to secure to all its citizens - 'Justice, Liberty, Equality and Fraternity' cannot be achieved without a well formed legal profession. It is therefore apparent that the legal profession has a wider responsibility to the society besides looking into the welfare of its own members.

In the ancient days, when the resources are abundant and far in excess of the demands of the sparse population the resolution of disputes between the members of the society was by adherence to long established tradition and custom. Thus, the 'tradition and custom' acquired the force of law and the rule by precept gradually became the accepted legal system.

With the geometric growth of population the world over in general and India in particular, the limited resources available are found inadequate to meet the ever increasing demands of the population leading to un-ending competition which, in turn, resulted in endless disputes and litigation. In this situation, the legal profession is
considered to be the right instrument for achieving the constitutional goals.

While on the one hand litigation has become unmanageable resulting in the popularly known 'docket explosion', the growth of law literature and the sources of information useful and necessary for the lawyer has a telling effect on the efficiency of the profession. In the present day crisis of information explosion and the rising costs of printed materials, it is difficult for the lawyers to equip themselves with all the material on their own and it is in this context that the services of a well equipped law library become indispensable.

Moreover, the increase in the legal literature has placed an additional burden on the legal practitioner. The lawyers' primary functions are - 1. interpretation of law; 2. resolution of conflicts in law; and 3. focussing relevant laws on the emerging day to day problems to secure the justice needed. The unprecedented proliferation of laws, rules and regulations and other legal sources consume more time of the lawyer in literature search and thus makes it difficult for him to cope with his primary functions. Therefore, to conserve the time of the lawyer and to enable him to provide efficient and expeditious legal aid to the public, the law librarian should be able to provide relevant
materials like Acts, Caselaws, and other specific information by an efficient literature search. The libraries attached to the Courts and Bar Associations are of immense help to the legal practitioners.

Apart from the libraries attached to the Courts and Bar Associations, the Academic law libraries have an important role in training the legal professionals. It is rightly expressed by H.C. Jain (1989) that "an institution is not going to have a good law school unless it has a good library". The libraries attached to the law schools and law departments of Universities and colleges help to nourish the existing scholarship and stimulate new scholarship among the students of law. Therefore, the academic law libraries must be well equipped and have qualified personnel to cater to various information needs of the students of law.

Thus, the library services in law schools assume more significance in enabling the law student secure scholarship in the subject. Further, the services of law library would be of much help to the Bar Associations and the Courts, facilitating the legal practitioners and judges in providing an efficient legal aid and justice to the society.

The law library is a special library and therefore, should have an up-to-date collection on legisla-
tion, judicial decisions, administrative orders and other legal and non-legal sources of information. It should maintain a record of the legislative changes brought about by repeals and amendments. The law library should keep records of the overruled judgments and also the controversial judgments of different High Courts which are settled ultimately by the Supreme Court. As the legal profession has an interdisciplinary role having relation with other subjects like Medicine, Psychology, Logic etc., the non-legal books are also needed for the use of legal practitioners. Therefore, the law library should also develop a good collection of non-legal materials which are found mostly relevant and useful for the legal professionals.

In order to perform various such functions and to make the library services more efficient, the law librarian should be sufficiently trained to organise legal materials and have thorough knowledge of the various sources of legal information.

1.1 INNOVATIONS IN INFORMATION TECHNOLOGY AND ITS IMPACT ON LIBRARY & INFORMATION CENTRES

Information is the vital resource for the success of any profession, trade or industry. Recent past has witnessed the proliferation of information in almost all
Disciplines of the Universe of Knowledge and the situation continues to exist even today. Access to information is necessary for identifying problems as well as for solving problems. Along with the tremendous production of data, multiplicity of information sources flooding the market created a situation wherein the professionals and subject specialists are not able to cope with the enormous increase of information. This information explosion has prompted the information managers to find ways and means of storing, retrieving and disseminating information in specialised subject fields. This has resulted in the developments in Information Technologies like - Computer technology, mass storage, data communications etc., which had world wide impact on the communication of information. Michael Gordon (1979) enunciated the definition of Information Technology as adopted by UNESCO which deserves special mention in this context:

"The Scientific, technological and engineering disciplines and the management techniques used in information handling and processing, their application; computers and their interaction with men and machines; and associated social, economic and cultural matters".

As a result of rapid developments in Information Technology, the libraries moved from their traditional
concept of 'Storches of knowledge' to adopt the new technologies as a means of capturing, storing and retrieving information.

Libraries, having started to use computers for printing and generating catalog cards, as early as 1960's; succeeded in automating almost all library operations like acquisitions, circulation, reference and online retrieval of information in the last two decades. The libraries in advanced countries now began to use the new information delivery systems like teletext, videotext, telefascimile, storage technologies like CD-ROM, networking systems and the expert systems. Several information databases are now available for online searching. It is estimated that currently more than 3000 databases are available for online searching. The search systems like DIALOG and BRS provide online access to several international databases like MEDLARS, AGRIS, INSPEC, BIOSIS etc.

1.2. INFORMATION: A KEY RESOURCE TO THE LEGAL PROFESSION

In the legal system, the correctness and completeness of the available information has great influence in the administration of justice and in the decision making process of any legal professional. The legal professionals mainly deal with the information collected from many sources like clients, courts, legislatures and libraries which in course of time is
analysed to produce specific information in response to a specific problem. Thus, it can be said without hesitation that the success of a legal practitioner mainly depends on how best he can organise and use the information for his purpose. In the present age of information explosion, the tasks of information dissemination, organisation of knowledge and development of rapid communication systems assume an important role in the smooth, effective and efficient functioning of the judicial system.

It is only during the late 1970's that the law librarians recognized their active role to promote free and effective access to the legal information. The legal profession of U.S.A. held many discussions on the efficacy of the Computer Assisted Legal Research Systems (CALR). CALR systems are developed because researchers are dissatisfied with the conventional printed indexes and digests for locating cases, statutes, regulations and other sources needed for legal research. In the late 1960's and 1970's, various computerized legal information systems are designed to enable the legal researchers to locate relevant statutes and precedents effectively. Currently, there are two commercial full-text CALR systems available: WESTLAW; and LEXIS.
Inspite of many revolutionising developments in Information Technology, the legal profession and law libraries of India have not fully availed themselves of the benefits of computerized information retrieval systems so far.

1.3. NEED FOR THE PRESENT STUDY

The planning and implementation of information systems not only reed sound knowledge of latest technologies, but also they must be oriented to the people who are going to be ultimate beneficiaries. Research in information sciences should lead to improvement in the existing information communication system which help in better distribution of resources and improve relationships between the existing systems.

Foster (1984) summerized the objectives of research as:

* To explain the observed phenomenon;
* To understand behaviour;
* To predict behaviour; and
* To control phenomena and improve information use by manipulating essential conditions.

The first three objectives require clear understanding of the existing practices as well as the needs; and expectations of the users of the system.
Many user surveys appeared in the fields of Science and Technology as well as in Social science disciplines. But the literature reported very few studies on the information needs of the legal profession. The present study, therefore is an effort in this direction.

In contrast to the adoption of rapid technological advances in scientific libraries, the law libraries in India are still in the preliminary stages of adopting the new technologies. Present study makes an effort to activate the present system.

Along with the multiplicity of legal literature, the cost of legal materials has increased tremendously making it difficult for the individual lawyers to maintain their personal collections. A study of information needs of the legal professionals reveal the alternative measures to cope with the present situation.

All the above factors instigated the investigator to undertake the present study.

1.4 CONCEPTS OF THE RESEARCH PROBLEM: DEFINITIONS IN THE CONTEXT OF USAGE IN THE STUDY

1.4.1. Information

Information is an important constituent of the communication system. It is the meaningful message which is
communicated from the supply end to the receiving end either orally or from any documentary source meant for a specific purpose.

1.4.2. Information Needs

The studies on information needs of specialists in particular subject fields (law) are aimed at improving the performance of a particular information system so as to improve the information services to the user group (legal practitioners). The specialists refer to the information sources mainly in three circumstances:

* To keep abreast of the current developments in the subject concerned;
* To get factual information which is needed in their day-to-day work; and
* To make a retrospective search of published and unpublished works on the subject.

The present study is aimed at ascertaining:

* Whether the legal professionals have access to sources of information they need;
* to know the use patterns of different legal information sources; and
* to know the needs which are to be converted into demands in order to improve the existing systems.
To achieve these, the expressed and unexpressed needs of the legal professionals are taken into consideration.

1.4.3. Legal Information

The sources of legal information include all statutes, regulations, by-laws and the judicial decisions of the Supreme Court and the High Courts of India. It also include the secondary sources like - reports, digests, citations, encyclopedias, textbooks, journals, newspapers, indexes etc. The legal professionals are surveyed on the use of these sources of legal information.

1.4.4. Legal Information Systems

For the purpose of the present study, the legal information system is defined as 'a set of interrelated institutions like the libraries attached to the courts, bar associations, law colleges, lawyer's private collections and other legal consultancies which provide the legal professionals with the information and consulting services relevant to their changing needs and abilities'.

1.4.5. Legal Profession

The legal profession is a collective representation of various components like the lawyers, academicians, researchers, and students of law. As the present study is oriented to know the information needs of the legal practi-
tioners, 'Legal Profession' in the present context is taken to be denote the lawyers who constitute the bulk of the legal profession. The sample of lawyer population include those occupying the positions of public prosecutors, legal advisors, private practitioners at law.

1.5. HYPOTHESES

The present study is intended to test the following hypotheses:

1.5.1. The lawyers use formal and informal sources of information equally to obtain information regarding current developments in the profession;

1.5.2. There is no difference in the use of library by the Senior and Junior practitioners of law;

1.5.3. The legal practitioners derive information equally from the district court library, bar association library and their personal library collections;

1.5.4. Respondent's years of services has no association with their personal library book collections;
1.5.5. The legal practitioners of different specialisations equally favour the provision of computerised legal information services.

1.6. OBJECTIVES

The present study is undertaken to observe:

1.6.1. The present state of law libraries in India;

1.6.2. The information sources mostly used by the legal professionals;

1.6.3. The methods adopted by the legal professionals to keep themselves abreast of the latest developments in their profession;

1.6.4. The use of law libraries by the legal professionals in the light of their level of experience and specialisation;

1.6.5. The information requirements of the legal professionals and to assess the satisfaction they derive in terms of quality and quantity from the law library systems to which they are exposed.

1.6.6. The cost incurred in acquiring legal information and maintaining personal law libraries by the legal professionals; and
1.6.7. The attitudes of the legal professionals towards introducing computers in the handling of legal information.

1.7. UTILITY OF THE STUDY

1.7.1. The study of information needs of the legal professionals provide an understanding of the directions in which the systems should develop from its present state.

1.7.2. It is a general observation that most of the lawyers maintain personal libraries. As a result, much duplication is taking place and more money is spent in procuring same kind of materials by different individuals in the same profession. The study throws light on the methods to overcome this situation in the present crisis of rising cost of books, journals and other printed materials.

1.7.3. The study focuses on the need for establishing standards in the recruitment of personnel, collection development and other aspects of law librarianship.

1.7.4. The library associations in India are callous towards the development of law libraries. Therefore, the study recommends for the establish-
ment of law library associations whereby the many problems encountered in the administration of law libraries can be discussed giving a new direction to the field of law librarianship in India.

1.7.5. The study attempts to analyse the attitudes of the legal professionals towards computerized legal information services so as to overcome the problems faced by them in securing necessary information. Therefore, it is hoped that the present study would help the prospective planners of computerized legal information systems.

1.8. MATERIALS AND METHODS

1.8.1 Sources of Primary Data.

1.8.1.1. Legal Information Systems

Data regarding the law library systems is collected from the following sources by issuing structured questionnaires on the aspects of their functioning, manpower, budget, services etc. (Annexure - 1).

1. The law libraries attached to the High Court and Bar Associations of the four States of India namely Maharashtra, Andhra Pradesh, Karnataka and Tamil Nadu.
11. The judges law library of the Supreme Court of India at Delhi, which is the apex body of the judiciary in India.

iii. Apart from the Judicial libraries which form the focal aspect of the study, data is also collected from the academic law libraries of Indian Law Institute, National Law School of India University, Osmania University Law College, Madras Law College, Bangalore University College of Law and Delhi University Law College to observe their present state of functioning.

1.8.1.2. Legal Professionals

The data is collected from the Registered members of the Bar Council of Andhra Pradesh, practising in the High Court and different district courts of Andhra Pradesh, to identify their information requirements by issuing structured questionnaires (Annexure - 2).

1.8.2. Sample

Andhra Pradesh State has a well established legal system with the High Court situated at Hyderabad and the district courts spread over in twenty three districts of the State. In addition, a number of mofussil courts are also functioning in the respective districts. The total population of practising lawyers in the State as per the Electoral Rolls, Bar Council of A.P. (1989) is 12,276.
Due to the restrictions of time and accessibility, the investigator has resorted to the technique of stratified random sampling after conducting statistical tests as to the validity of the sample so selected.

Structured questionnaires are distributed to the sample population in person by the investigator. Wherever accessibility is restricted, questionnaires are mailed and responses obtained. Of the 500 questionnaires distributed, 300 (60%) responses are received in time.

1.8.2.1 Selection of the Sample

There are twenty three districts in Andhra Pradesh with a total of 12,276 lawyers on rolls of the Bar Council of India.

In order to draw a sample based on stratification, the districts of the State are first identified from the three regions of Andhra Pradesh namely - Telangana, Andhra and Rayalaseema. There being ten, nine and four districts in each of the above mentioned regions respectively, the sample districts are selected on 1:3 (approximately) ratio from each region. Thus, the number of districts selected for the sample include three districts from Telangana, three districts from Andhra and one district from the Rayalaseema regions, the total sample districts counting to seven in
number. This sample in turn is roughly in the ratio of 1:3 when compared to the total number of districts in the State (i.e. 7:23).

1.8.2.2. Sample Size

The selected seven sample districts have a lawyer population of 2469 members. Out of these, the investigator has selected a total of 500 practising lawyers of whom only 300 have responded.

1.8.2.3. CALCULATION OF THE SAMPLING ERROR

With the use of the statistical formulae for the calculation of Sampling Error, the validity of the sample is tested as follows:

**TABLE 1**

<table>
<thead>
<tr>
<th>Region</th>
<th>Stratified random sample</th>
<th>Respondents</th>
<th>dy (y = 100)</th>
<th>dy²</th>
</tr>
</thead>
<tbody>
<tr>
<td>Telangana</td>
<td>1074</td>
<td>129</td>
<td>29</td>
<td>841</td>
</tr>
<tr>
<td>Andhra</td>
<td>1225</td>
<td>128</td>
<td>28</td>
<td>784</td>
</tr>
<tr>
<td>Rayalaseema</td>
<td>170</td>
<td>43</td>
<td>-57</td>
<td>3249</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>2469</strong></td>
<td><strong>300</strong></td>
<td><strong>...</strong></td>
<td><strong>4674</strong></td>
</tr>
</tbody>
</table>
Standard deviation of sample:

\[
\sigma_y = \sqrt{\frac{dy^2}{n}}
\]

where \( dy^2 = 4874 \),
\( n = 300 \),

Substituting the values,

\[
\sigma_y = \sqrt{\frac{4874}{300}} = 16.2466
\]

Computation of sampling error, if any \((\sigma \bar{y})\):

\[
\text{Sampling error: } \sigma \bar{y} = \frac{\sigma_y}{\sqrt{n}}
\]

where, \( y = 16.2466 \)
\( n = 300 \)

Substituting the values,

\[
\sigma \bar{y} = \frac{16.2466}{\sqrt{300}} = 0.93
\]

The sampling error computed (i.e., 0.93) is negligible. Hence, it can be said that the sample is representative of the population in question.
1.8.3. Data Gathering Techniques

The purpose of this study is two-fold that is, to examine the functioning of the selected judicial libraries and to assess the information needs of the legal professionals so as to assess the use of legal information systems by the legal practitioners. Taking into consideration the purpose and objectives of the study two types of questionnaires are prepared and distributed.

Questionnaire - I is mailed to the librarians of four High Court Libraries of India namely Maharashtra, Andhra Pradesh, Karnataka and Tamil Nadu. Data is also collected from the selected Academic Law Libraries.

Questionnaire - II is distributed to the lawyers of the High Court and District courts of Andhra Pradesh. The questionnaire is constructed using mainly five types of questions:
1. Ranking Questions;
2. Rating questions;
3. Definitive answer questions;
4. Multiple choice questions; and
5 Open-ended questions.

Each question in the questionnaire carries a specific objective with it and the specific data thus collected is analysed systematically.
Interview technique is also used by the investigator in collecting the data from the librarians and the legal practitioners and the results are recorded.

1.8.4. Analysis and Interpretation of Data

The data collected through questionnaires is analysed and interpreted systematically based on the objectives of the study. Hypotheses are tested with the help of various parametric and non-parametric statistical techniques. Data is presented in the form of tables, graphs, bar diagrams and pie diagrams for clear understanding.

The statistical tests and techniques employed in the study are as follows:

1. Standard Deviation and Calculation of Sample Error:
2. Mann-Whitney 'U' test;
3. Karl Pearson's Coefficient of Correlation;
4. Friedman two-way analysis of variance test;
5. Chi-square test for goodness of fit.

1.9. SCOPE AND LIMITATIONS

The study of law libraries in India is highly extensive and due to the restrictions on time and resources, a thorough coverage could not be achieved. As such, the present study has the following limitations:
1.9.1. Out of different types of law libraries in India, the study focuses its attention to only the functioning of the Judicial law libraries that are attached to the Courts and Bar Associations.

1.9.2. Due to constraints on the availability of time and resources, the study is limited to the legal professionals of Andhra Pradesh, on the assumption that the same results would reflect the trend in other parts of the country, as the legal system is identical in all the States of India.

1.9.3. The study is limited to the information needs of practising lawyers, who form the bulk of the legal profession. It do not take into consideration other professionals like legal academicians and researchers, due to restrictions of time and resources.

1.10. PLAN OF STUDY

Keeping the objectives in view, the entire work is divided into the following eight chapters.

The First Chapter is an introduction. Apart from highlighting the importance of law libraries, it discusses the need for the present study, explains the concepts of the problem as defined in the context of usage in the study. It
lists out the objectives, hypotheses, purpose and utility of the study. Describes the materials and methods followed and scope and limitations of the study.

The Second Chapter provides a brief overview of the Historical development and the structure of Indian Legal System.

The Third Chapter deals with the survey of literature. Nearly 30 reference articles pertaining to different aspects of law librarianship and information needs, expectations and attitudes of legal professionals are reviewed.

The Fourth Chapter is devoted to the Information Systems in Law. It gives comprehensive view of the law libraries in U.S.A., U.K. and a detailed account of the law libraries in India taking into consideration the data collected through questionnaires from different law libraries.

The Fifth Chapter is devoted to the analysis of the Information needs of legal professionals. The chapter is organised according to the design of the questionnaire and objectives of the study. The questionnaire is designed to collect data regarding the use of legal information sources, use of legal information systems, cost of acquiring
legal information and an analyses of the respondents opinion of introducing computer in the handling of legal information.

The Sixth Chapter deals with plan of legal information system for India with particular reference to Andhra Pradesh based on the data collected from the selected court libraries. It analyses the existing system, identifies constraints, reviews changes needed in the system and suggests measures to develop a full fledged system to meet the information needs of the legal professionals.

The Seventh Chapter examines the need for computerized legal information systems in the context of revolutionising developments in information technology. It reviews the efforts made in different parts of World towards computerizing the information services in law and examines the feasibility of developing Expert System in law.

The Eighth Chapter is Summary and Conclusion of the study. It includes findings and recommendations.

The Eighth Chapter is followed by select bibliography and appendices.

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