

# Editorial

I am pleased to present the autumn issue of Legal Information Management (LIM).

## INTRODUCTION

This issue falls into two parts. Firstly, there is a theme which is entitled '**Lockdown & Challenges for the Legal Information Profession**' and that, over the course of seven articles, aims to explore some of the issues that have been faced by law librarians and legal information workers during the Covid-19 pandemic. The second part of the issue comes in the form of an extensive article focusing on '**Researching U.S. Federal Law**'.

## 2020 AND A NEW LANGUAGE

We live in extraordinary times. The year 2020 has seen a new language emerge: coronavirus (Covid-19), lockdown, self-isolate, social distance, face coverings, PPE (personal protective equipment), test and trace, remote working, furlough, WFH (working from home) and Zoom. These words now feature in our everyday conversations. New words, new phrases, new ways of living, new ways of working; it is sometimes difficult to recall just how different things were prior to lockdown. Things have altered so much.

## LOCKDOWN

The text for this editorial was started on Monday 27 April 2020 and, at that point, the UK was moving into a sixth week of 'lockdown' and hospital deaths in the United Kingdom from the coronavirus pandemic had passed 20,000 two days previously.<sup>1</sup> That figure was expected to rise and as of Tuesday 29 September 2020 the figure stood at 42,001<sup>2</sup> deaths in the UK.

Back in December 2019, the threat had seemed like a distant matter. It had begun in the city of Wuhan, China but then spread rapidly to Europe, particularly Italy and then Spain, then countries on a global scale including the US and of course the UK and Ireland. The number of cases and deaths globally brought the world to a halt with many governments imposing strict lockdowns in an attempt to ease the spread of the virus. In Ireland the shutdown of schools, colleges, childcare facilities and cultural institutions began from 12 March, businesses were mostly closed by 24 March and by the 27 March the Irish government encouraged a working from home approach wherever possible.<sup>3</sup> In the UK the government announced a shutdown of all but essential services on Friday 20 March 2020. In the months that have followed public health briefings became, and still feature as, a daily fixture in Ireland and across all parts of the UK. The Chief Medical Officers have become as recognisable as government ministers. The UK Prime Minister and the

First Ministers of the devolved parliaments of Scotland, Wales and Northern Ireland feature on our news feeds and TV schedules on a regular, mostly daily basis. Regrettably, as November 2020 approaches and having emerged from complete lockdown, the UK, Ireland and many parts of Europe and the world, are faced with new restrictions and local and national lockdowns as a second wave of the pandemic sweeps in. There is even talk of a third wave, though good progress has been made with vaccines. We can only hope that 2021 brings better news.

In the context of the work environment, disaster preparedness has often been a significant part of contingency planning. However, many organisations would not have foreseen the threat of a pandemic like Covid-19 or that it would necessitate a shutdown of so many parts of the world. Jobs have been lost, careers interrupted. Peoples' mode of living and working have radically altered, possibly forever. The difficulties in the work context relate to how we respond, how to continue delivering services, to plan recovery and then implement it, when so much uncertainty exists. This remains challenging. The anxieties are, and have been, palpable throughout.

For people working in law libraries and the legal information industry, this has meant delivering services remotely, many operating in this way for the first time. Professional networks have been crucial. As Sinéad Curtin (Chair of the LIM Editorial Board) noted, 'the BIALL Irish Group has been meeting online about once a month, discussing the challenges arising. We are grateful for our IT departments' work in enabling staff to run services remotely; suppliers who have been considerate of each customer's circumstances; and the support of library colleagues in Ireland and elsewhere has been vital. *Ar scáth a chéile a mhaireann na daoine.*<sup>4</sup>

## LOCKDOWN AND THE LEGAL WORLD

So, what of our professional world – that of law, law libraries and legal information management? These are perhaps non-essential services in the way that we think of frontline NHS staff, medical-related workers, other support services and the many essential activities that underpin our society. During the early stages of lockdown, the Law Society of England and Wales was quick to acknowledge that 'protecting the rule of law' by 'seeking to ensure that measures were put in place to keep the justice system functioning and the public safe' was paramount.<sup>5</sup> Even at the deepest point of lockdown in the UK and in Ireland, the administration of law had to work, the law courts needed to function, law enforcement needed to continue unabated to ensure that the essential pillars of our society remained in place and operational; justice needed to be delivered, the rule of law upheld. The operation of our criminal and civil justice systems remained,

and continues to remain, an essential safeguard for the security and welfare of our citizens and our countries. But the challenges have been many.

In a number of ways, technology has largely come to the rescue. The circumstances of Covid-19 have changed the emphasis for the legal sector, a sector that has often been regarded as having been relatively slow to adopt technology. But now, 'the technology barriers have been surmounted' as Richard Susskind stated as he discussed how Covid-19 has driven forward the approach to remote court hearings.<sup>6</sup> And so a new language for law has been emerging for a while, speeded up by the lockdown, 'legal tech' is a much used term now and AI research tools and systems had already arrived. In-person interaction has taken a back seat in favour of remote meetings and virtual court proceedings. Lockdown has proved that the business of law can operate in a virtual space.

## HIGHER EDUCATION

Academia has seen an unprecedented halt to normal educational life impacting on teaching, learning, examinations, admissions and research. The route to recovery for universities has been understandably cautious as physical re-opening of premises, including law schools and law libraries and collections, has taken place gradually ahead of the new academic year 2020/2021. A hybrid of teaching in-person and online has become a widely adopted model. Library services have adapted their approach to supporting teaching and learning with a shift away from print towards electronic provision. 'Click & collect' and 'scan & deliver' services have emerged. Inevitably, there has been a renewed emphasis on virtual learning environments. Reference and enquiry services have moved from in-person to remote contact. Publishers, including legal publishers, have had to reassess their business models. In many cases they have proved generous during the lockdown allowing text books to be made available online to students free-of-charge to support students with their study, revision and examinations in the summer of 2020. But sustainability and resilience into the 'new normal' will be the challenges for education, including legal education, as free access ceases and expensive subscriptions have to be aligned with ever tightening budgets and financial challenges. University cities and towns remain vulnerable as a new academic year (2020/2021) begins, local restrictions have been put in place at the time of writing with a second national lockdowns expected; it'll be an uncertain year for students and for the budding lawyers among them.

## WFH

And so to 'working from home' (WFH), and the challenges thereof, for everyone. In this regard, some areas of the commercial sector were further ahead as lockdown occurred. Agile working, flexible working patterns, alternative ways of working were all being explored; in some cases these notions had already been developed in the pre-Covid era. But lockdown forced the WFH concept on many people who had not previously experienced it or contemplated it as a way of working.

Technology presented many solutions but also exposed vulnerabilities. Skype, Microsoft Teams and

especially Zoom as communication and meeting tools have come to the fore. A working day is almost incomplete without these facilities. Virtual 1-2-1s, group meetings, lectures, seminars and even conferences have all become part of the 'new normal' (the BIALL Virtual Conference in June was attended by some 270 or more delegates). The online sense of 'community' has helped many people cope with the realities of lockdown. However, the ability to work from home effectively is dependent on adequate IT hardware, good wifi connectivity and an appropriate space to work. Managing a work and life balance, taking care of mental health and well-being, handling family commitments and caring responsibilities amid the restrictions have all presented their challenges and in some cases have taken a toll. The anxieties and uncertainties have impacted on everyone – in the academic, commercial, the practising legal sectors and in our own legal information world.

There has been much commentary about different strategies to combat the stress of lockdown, remote working and self-isolation. Coping mechanisms became important and there were so many views on how to manage the circumstances. At the height of the lockdown my own personal favourite was this list:<sup>7</sup>

- Try turning off your notifications.
- Make use of that one walk a day.
- Always, always, always stay hydrated.
- Charge your phone downstairs at night.
- Eliminate any tiny decisions.
- Still remember to switch off.

So much research and writing will ensue, for many years to come, into all aspects of the Covid-19 crisis. One thing is clear, the circumstances have changed the way we work, possibly forever. WFH has become a way of life, a sign of the times and government policy continues to stress that if employees can work from home, they should do so. Daily working life has changed and it is no longer about being in the traditional workplace, 'in person'. As the out-of-office email notification of one of our colleagues in the legal publishing industry said, 'I am now away from my dining table and will return on Monday.'

## AUTUMN LIM

### Lockdown & challenges for the legal information profession

In the context of the above summary of the recent Covid-19 circumstances, this issue of LIM contains a range of articles written by colleagues in the legal information world. The issue opens with an article by Paul Magrath who looks at how the judiciary, courts services and practitioners have worked together to continue to administer justice during the lockdown. He also looks at the challenges associated with managing court information and reporting the proceedings. Three articles follow, each written by professionals working in the law firm sector. Jas Breslin suggests that resource managers should seize the

opportunity to 'go digital' while lawyers are more open to new technologies as a result of forced changes to working practices during the Covid-19 pandemic. Felicity Cross writes about the changes to the legal information landscape and how the circumstances demonstrated the value of legal information professionals to the law firm sector. Ian Hunter considers his experiences, learning points and recommendations on running an international law firm research service from home for six months.

Alison Million takes a very different slant by looking at the history of jigsaw puzzles and how they exploded in popularity during the period of Covid-19. She looks at research projects which have established cognitive benefits of these puzzles and seeks to establish whether parallels might exist between the cognitive skillsets of the jigsaw puzzler and those of the librarian. In the next article, Katy Davies, Kate Manning and Jude Wilson, write about their experiences of lockdown in their working environments and describes some of the ways that the British and Irish Association of Law Librarians (BIALL), as a professional organisation, has been supporting its members. Finally, Ruth Bird outlines how her legal research training for the 'Denmark–Myanmar Programme on Rule of Law and Human Rights' went ahead even though she was in lockdown in Melbourne, while her colleagues and participants were locked-down in Yangon.

### Researching U.S. Federal Law: a Primer

The second part of the autumn issue concerns U.S. Federal law. Marcia Zubrow provides information about

the United States legal system and its sources of law. With that context she then describes how to effectively make use of the major U.S. law databases, Lexis and Westlaw. She describes the contents of the two databases and the search techniques, including advance searching strategies.

### Current awareness

As usual, the current awareness section is provided by Katherine Read and Heather Memess of the Institute of Advanced Legal Studies Library.

### ACKNOWLEDGEMENTS

As always, I wish to give my thanks to all of the contributors of this LIM issue, especially given the extraordinary circumstances of the last six months, or so. The authors kept their commitment to writing for the journal and that has been very much appreciated. I am, as always, grateful to the members of the LIM Editorial Board, to Sinéad Curtin as Chair of the Board and to the team of proof-readers for their considerable help. I am also grateful to our publishers, Cambridge University Press (CUP), Jamie Davidson, Editor, HSS Journals, and especially Craig Baxter who is the Production Editor for journals at CUP.

David Wills  
Editor

### Footnotes

<sup>1</sup> Coronavirus: UK hospital deaths pass 20,000, BBC on 25 April 2020 <https://www.bbc.co.uk/news/uk-52424413> accessed 25 April 2020.

<sup>2</sup> Current figures are to be found at: <https://www.bing.com/search?q=bbc+coronavirus+deaths+latest&FORM=R5FD>.

<sup>3</sup> Taoiseach Leo Varadkar, 'Statement on Measures to Tackle Covid-19' (Washington, 12 March 2020) <<https://www.rte.ie/news/coronavirus/2020/03/12/1121849-taoiseach-full-statement-coronavirus-ireland/>> accessed 15 November 2020.

<sup>4</sup> An Irish saying, literally meaning that we all live in each other's shadow. We are dependent on one another.

<sup>5</sup> <https://www.lawsociety.org.uk/support-services/advice/articles/coronavirus-covid-19-priority-issues/> accessed 24 April 2020.

<sup>6</sup> <https://legaltechnology.com/the-technology-barriers-have-been-surmounted-richard-susskind-discusses-the-covid-19-driven-leap-to-remote-court-hearings-2/> accessed 25 April 2020.

<sup>7</sup> 'These six small changes will make you more productive' by Jonathan Wells: <https://www.thegentlemansjournal.com/article/six-small-changes-will-make-productive-successful/> accessed 30 June 2020.