

# The Lawyering Toolkit: a supportive tool to close the legal literacy gap between learners and practice professionals – a proof-of-concept report

**Abstract:** Three academic and one law firm librarian, **Susan Boyle, Virginia Conrick, Pattie Punch, and Ann O’Sullivan** collaborated to create a ‘Lawyering Toolkit’. It was devised to support learners on the legal lifecycle from higher education to the corporate sphere and beyond. Arranged by skills level, it was imagineered via the online BIALL Irish Group meetings during the Covid pandemic. Learning steps were visually scaffolded in LibGuides to build a quick reference platform. This article describes how the Toolkit proof-of-concept developed through experiential reflection and shared discussion. It tracks the construction of a prototype to presentation at BIALL Conference 2022 and incorporates feedback from the conference and the BIALL Irish Group. It is envisaged that the Lawyering Toolkit will ensure a more collaborative and consistent approach to legal information literacy in the Republic of Ireland.

**Keywords:** information literacy; digital literacy; legal research; law librarians; higher education; lawyers; Covid-19; reflective learning; academic law librarians; law firm librarians; legal education; Ireland

## INTRODUCTION

In his book *Tomorrow’s Lawyers*, Richard Susskind discusses the training of young lawyers and how we can more adequately prepare them for legal practice in the coming decades (Susskind, 2017; see bibliography).

Academic librarians focus on instilling competencies in students, so they possess the necessary legal research skills that employers require. However, once our students graduate and disperse into the workplace, we do not seek feedback to assess how their legal research skills are supporting them. So, to remedy the situation and improve support both on campus and beyond the university gates, the idea for the Lawyering Toolkit (LT) emerged in a conversation between academic and legal practice librarians in the BIALL Irish Group (Aston, 2019).

The purpose of this paper is twofold:

- To showcase a proof-of-concept toolkit that is user focused and supports the learner from the academic setting to the workplace.
- To bring the LIM reader through our process of developing the LT, our methodology, challenges and the lessons learned.

## WHY?

The conversation started at a BIALL Irish Group meeting in 2016. Legal practice librarians commented that they were seeing learning gaps with the trainees that joined their law firms. They were lacking in legal research skills, such as knowledge of the structure and finding of legal information, or they reverted to low effort seeking methods (Schwieder, 2016). The group discussed a possible disconnect between needs in the academic context and needs in the workplace and agreed a standardised approach. The goal became to develop competencies and close the learning loop by identifying and bridging the knowledge gaps. A collaborative project was initiated with a view to providing a learner-centred scaffolded approach, leading to a seamless progression from student to trainee and onwards.

The LETR Report (Legal Education and Training Review, 2013) stated that legal research skills were crucial but not sufficiently acquired by the end of the academic stage. Hand and Terrell (2019) also said that legal research varied between universities and that a standardised approach was necessary. Scoping research also confirmed that we were on the right track, that there was a

need for a toolkit which would focus on the learner journey and would be specifically geared towards the Irish jurisdiction. Early-Career Lawyers (ECL) need to demonstrate efficiency in their practice and their workplaces have starting point skills expectations. The solution was a standardised tool allowing users to map their learning journey.

The information literacy (IL) or digital learning landscape is in a constant state of flux. Academic librarians have been seeking to embed IL into curricula for the last 20 years with varying success (Association of College & Research Libraries, 2017). Law schools have been enthusiastic partners in this endeavour working with the input of a professional librarian. Unfortunately, in the last 10 years, funding pressures in higher education, loss of expertise and the restructuring of many libraries to a functional model has led to a reduction in the number of librarians available to service embedded modules. There are fewer law librarians and therefore a shortage of expertise. The budding lawyer and law librarians are caught up in this tumble of change.

## CONTEXT

There is an imperative to maintain and enhance legal literacy, particularly given that academic libraries are moving from a subject to a more functional model. All librarian time is scarce, legal librarian time is even scarcer, in a time of increasing and complex demands. This toolkit is a subject launchpad allowing for 'just-in-time', self-directed learning in the context of these changing academic librarian roles. However, it is not a replacement for a law librarian. Similarly, librarian access to student cohorts is ever more difficult and this toolkit offers an innovative solution to the knowledge gaps identified by legal workplace librarians.

'Future readiness' is a growing area of legal education and, as librarians, we value excellent research skills (Thanaraj and Gledhill, 2022). Historically, it has been challenging for researchers to access legal material unique to the Irish jurisdiction, and international law firms are opening more offices in Ireland where their librarians are tasked with providing Irish legal information. Irish law is now internationally influential, and in higher education there is an increasing number of Irish-based international students following global career pathways. Law is more interdisciplinary and Irish law librarians support multiple subject research. The toolkit will also be a valuable resource for librarians and learners based in other jurisdictions who need to upskill on legal information resources unique to Ireland.

## TEAM

We are a group of creative librarians, three multi-subject specialists from the academic sector and one practice librarian – all BIALL Irish Group members. The impact of Covid changed our collaborative process, enabling

regular, supportive virtual discussions that sparked the innovation behind the toolkit.

## PROOF-OF-CONCEPT

We had a vision of a learning support toolkit, but first needed to explore if the concept was viable. Our challenge was to improve legal research skills and to enhance the IL competence of ECL. We consulted colleagues to see if our prototype toolkit was the most appropriate and valid solution. We followed a systematic process: we looked at the problem, proposed an intervention and the toolkit is our outcome.

There were three phases to this initiative:

- Gathering academic librarians' knowledge
- Harvesting professional knowledge in legal practice
- Design through the lens of feedback

## WHAT IS THE TOOLKIT?

The Lawyering Toolkit (Boyle et al., 2023) is a prototype online skills pack and knowledge repository. It acts as a scaffolded, subject launchpad and 'point-of-need' reference with a focus on the Irish jurisdiction. It is a novel way of doing things and its development was highly dynamic.

We used the term 'lawyering' to cover all legal pre-professionals. The toolkit is focused on learning outcomes and success and will enable self-monitoring of student learning. It has a simple logo representing the letters L and T for Lawyering Toolkit over the scales of justice and a variety of visual icons and elements to signpost the user to what they may need.

## LEARNER PATHWAYS

A learning path (SHIFT, 2023) is the selection of modules linked in a structure for students to progress and master a particular topic – a package of different possible pathways to success. We created learner pathways to enable learners to progress sequentially or to consult at 'point-of-need' and have the option of completing learning checks.

- **Starter skills** – Offers support to those who are new to law
- **Smarter skills** – To become more proficient at finding legal information
- **Top notch skills** – Covers advanced legal research skills
- **Employability skills** – What is needed to enter the workplace
- **Professional** – Excel in the workplace
- **Not from a legal background** – Legal research skills for the non-legal

## Skills Pathways packs

The packs provide the following elements:

- Tip features – To avoid common pitfalls
- Infographics – To prompt knowledge connection
- Ethics – To instil an ethical mindset
- Learning Checks – To identify gaps in knowledge and manage own learning
- Links to resources – To further exploration and depth of learning
- Keeping up to date – To adopt good practice
- Feedback boxes – To develop and enhance the Toolkit

The combination of these elements will compound the learning effect, cater to different learning styles, and keep the toolkit dynamic and enticing.

## VISUAL DESIGN

There was a consensus that the pathway structure required a visual design (Porter, 2018). The design supports diversity, keeps people engaged – compared to using text alone – and entices and encourages students to use their own Self-Mapped Learning Pathways (SMLP) (Crosslin, 2021). There is extensive debate (Brunschwig, 2021) on the impact of visualisation and media in the legal narrative, particularly for access and equity issues.

## DESIGN AND CONTENT

The toolkit is learner-centred with a focus on the learning journey. The user-friendly, responsive design allows the learner to identify the appropriate level of learning and to revisit as often as required.

### Infographics

“Infographics have emerged as a popular visual approach to deliver abstract, complex, and dense messages.” (Dunlap and Lowenthal, 2016). Infographic elements are woven into the skills pathways to vary the choice of learning objects and appeal to different learning styles, at the ‘point-of-need’ – Figure 2. These are designed in a succinct style for time-pressed learners and to aid understanding.

### Triage objects

We incorporated triage elements to support a user when they get stuck or need to overcome a learning block. Infographics prompt learners to tap into their prior knowledge and this reflection helps to develop resilience (Figure 3).

## Learning checks

We plan to include learning checks for each skills pack so that learners can assess where they are on the lawyering journey and identify where they need to improve. In this way, learners can discern whether they are ready to move on to a more advanced skills pack or if they need to revisit a previous one. We propose to use a combination of innovative assessment tools such as reflective questions or short self-directed quizzes created and mapped from the content in each pathway (Anstey and Watson, 2018). These will help users to gauge their knowledge at each stage and can be used at any time and as often as required. These have yet to be designed and tested on learners.

## METHODOLOGY AND PROCESS

We considered a variety of research methods linking performance, practice and research (Nind and Lewthwaite, 2018). We chose Reflective Practice. This method has its roots in education and work-based learning (CILIP, 2012), indeed one of the seminal texts has the subtitle “how professionals think in action” (Schön, 1991). Our choice of methodology (Corrall, 2017; Greenall, 2016) was threefold. It suited our team process and circumstances. It supported the lawyering learner experience and creative development flow. It enabled research and discovery of content. Our approach transitioned from defining the problem to considering a possible intervention and devising outcomes.

Our goal was to create a toolkit driven by the immediacy of knowledge applied in practice, our collective intelligence and shared learning expanded our pedagogical values. As a team, we did not develop a detailed project plan. Collaboration happened organically and reflectively; however, it was a structured process which was conversational and layered with ethnographic values. We were committed to creating something tangible as our proof-of-concept – a Lawyering Toolkit. Rather than a finished product, it is a solid foundation upon which learning concepts can be layered.

We created a community of practice which fostered co-creativity (Bovill, 2020). Our working style enabled a creative flow which led to a plan to remedy gaps and devise solutions, weighted by our practical experience and competencies. We did not conduct a traditional literature review, but we undertook micro investigations of the literature to investigate each element, reading and referencing them in context.

We met weekly online, and each meeting started with a review of decisions on content. Skilled meeting management, revision editing, and reflective processing kept discussion on point and helped us to navigate towards content creation. We used a Socratic approach and discussions were interspersed with thought-provoking questions that challenged our ideas. We reviewed traditional subject LibGuides (Brush, 2022), and EDI (Equality, Diversity and Inclusion) and UDL (Universal Design for Learning) featured prominently. We brainstormed

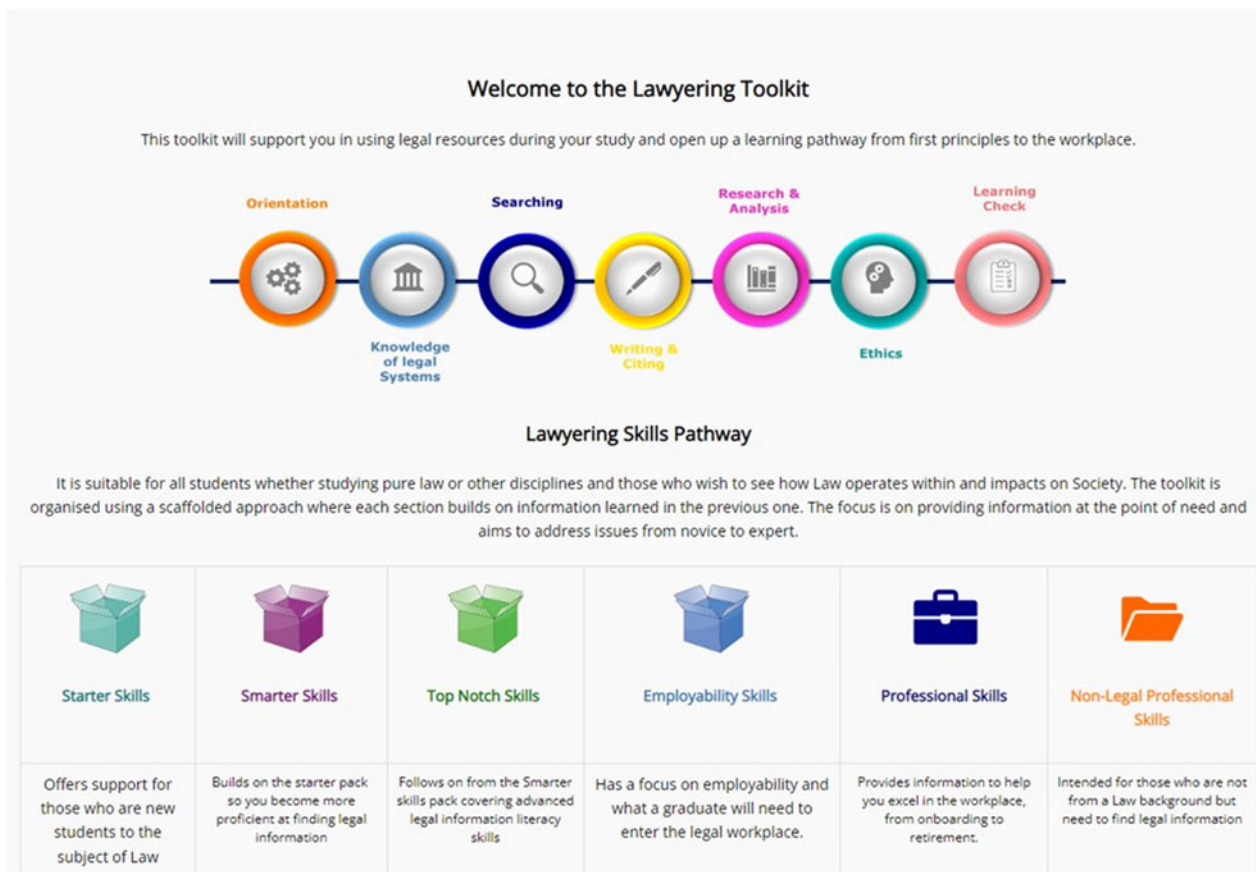


Figure 1: Introductory tab, Lawyering Toolkit 2023

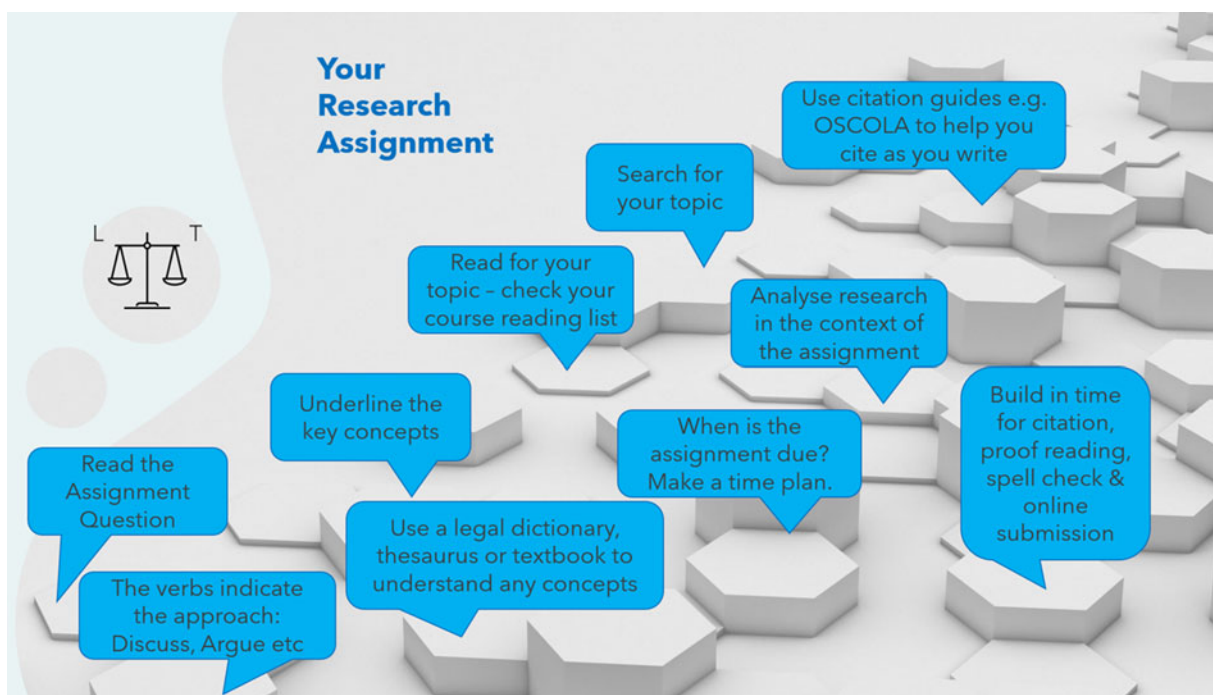


Figure 2: Approaching your research assignment, infographic 2022

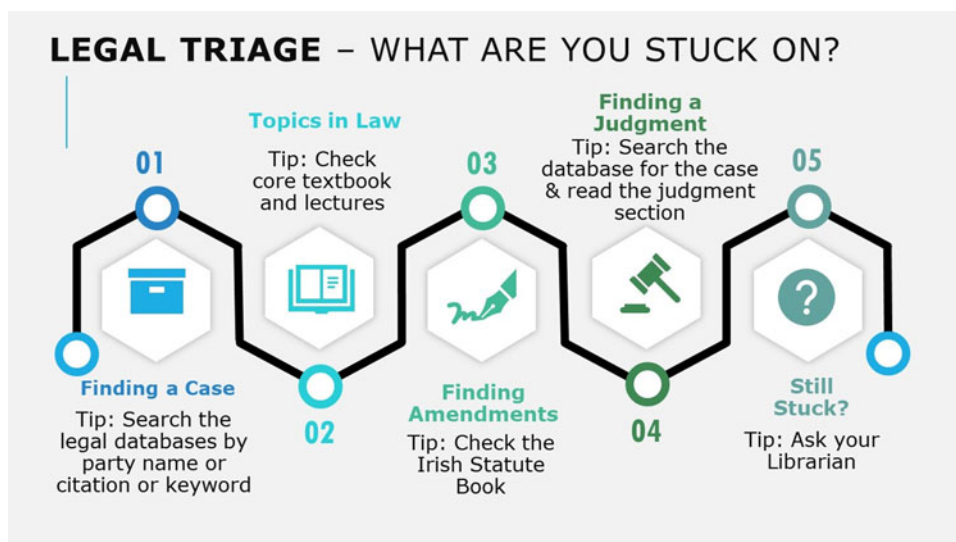


Figure 3: Triage object 2022

potential solutions and evaluated these against frameworks such as Bloom’s taxonomy, refined through sense-making models (Dervin, 1998). We updated the toolkit after each meeting.

### THEMES

We created a more dynamic tool, seeking to bridge the gap between guidance and learning, because LibGuides traditionally act as repositories. We collated information applicable to the Irish jurisdiction for the learner. We anticipate that it will change as a result of feedback, diversity of needs and patterns in higher education and beyond (Lee and Lowe, 2018).

During our reflective process, the following themes emerged:

### Learner Focus

- Lawyering journey
- Scaffolded knowledge
- User-centred approach – learner diversity
- Equality of access
- Early-career research
- Addressing knowledge gaps – closing the loop, bridging learning

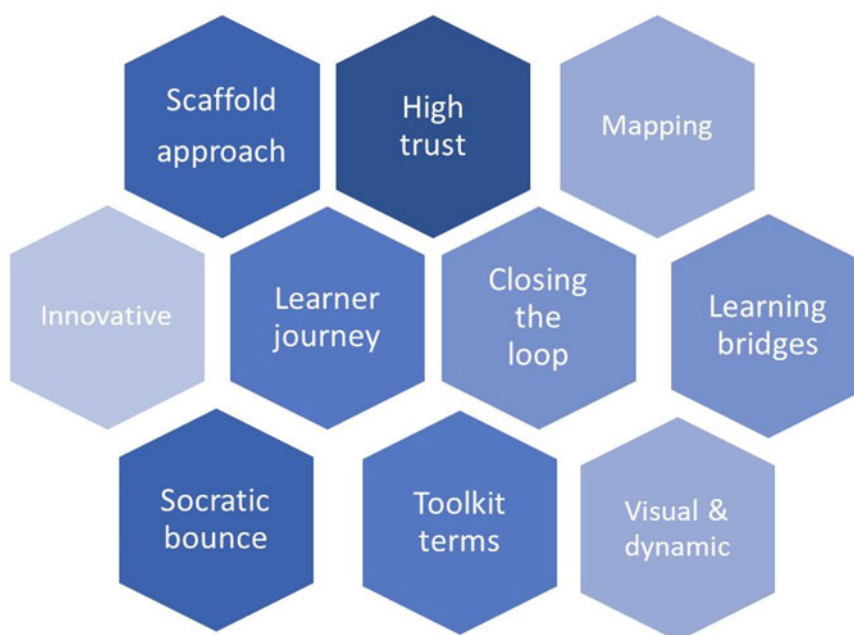


Figure 4: A visualisation of sound bites from discussions in 2022

- Dynamic self-directed learning and prompted, paced engagement
- Infographics to support the learner on their lawyering journey

### Librarian experience

- An evolving collaborative toolkit
- Strong principle of sharing knowledge and resources within the library sector
- Quality assurance
- Agile and lean process
- Academic library models – loss of tacit knowledge
- Shared, layered creativity and innovative use of LibGuides
- Cross-organisational document access challenges (firewalls, subscriptions etc)
- Integration of Universal Design for Learning (UDL) principles
- Enhancement to reference service but not a replacement for a law librarian
- Freeing up librarian time to support advanced legal research

### Lawyering Toolkit structure

- Proactive knowledge repository for the Irish jurisdiction
- Agile and designed to easily support changing needs
- Barrier-free, inclusive visual design
- Non-linear browsability for all skills levels
- Experiential, simple and intuitive
- Toolkit Subject launchpad – 24/7 access

### BENEFITS

The structure is the key benefit.

### Chunking and prompting

The scaffolded structure facilitates browsability. We mapped information using icons and infographics in skills packs and the multi-layered learning navigation supports UDL. “The content has to be organised in a logical and progressive way through chunking. Chunking doesn't only work for your typical linear instruction. It also works for non-linear approaches, such as when the learner chooses the order in which to explore various topics” (Malamed, 2023).

Chunked content boxes signpost users to answers and tap into their prior knowledge to give them a

preparational edge (Baker, 2014) (Martin and Bolliger, 2023).

We also foresee the following benefits:

### Closing the learning loop

The toolkit aims to identify and fill knowledge deficits on the pathway between university and the workplace (Nind, 2020).

### Independent and self-directed learning

Allowing the learner to maintain control in a single, safe environment – self sufficiency

### Agile library instruction

Agile collaboration (Dempsey and Heil, 2021) is a current issue in librarianship (IFLA Satellite Conference, 2023). The pro-active work on the toolkit allows us to anticipate learner needs.

### PROOF-OF-CONCEPT FEEDBACK AND TESTING

We approached the toolkit as a proof-of-concept to assess feasibility and scalability. The BIALL Irish Group and the BIALL Conference 2022 provided an informal target group, where we had access to practice and international librarians to gather opinion and evidence. We also shared the prototype with our academic library colleagues in our home universities.

### Feedback

Feedback was overwhelmingly positive, constructive and helpful:

### Scope

- There was understandable confusion on the national scope of the toolkit. UK resources only have minimal Irish legal content, and it was concluded that other jurisdictions could similarly create their own toolkits.

### Platform

- Few legal practices use LibGuides, often using the practice's workplace intranet.
- There were recommendations to include more blogs, podcasts and social media streams.
- The look, feel and application of the software including the overall tabs and organisation of the content into skills levels was well received.
- The merits of the checklist over quizzes at each level of the toolkit.

## Workloads

- Awareness and concern of the workloads in maturing all library websites to UDL standards.

## Toolkit tabs

- Professional skills – Create awareness of the range of legal publishers.
- Employability skills – We included general reading on preparing for interview, but feedback suggested restricting to pure law materials only. Suggestions for improving the employability tab included: onboarding activities for clinical practice, efficacy and efficiency in the workplace. Knowledge management approaches and systematic searching.
- Non-legal – The name of the ‘non-legal’ tab proved a tricky one as librarians receive queries from learners who are not studying or involved with pure law but still need legal information, and interdisciplinary research is becoming more and more prevalent. The feedback centred on finding an appropriate name for this tab. It needed to be positive and the non-legal had some negative connotations. Suggestions: ‘other specialisms’ or ‘other pathways’, ‘law for the lawless’, ‘law for the beginner’, ‘law novice’ and ‘early-career law’.

## Missing elements

- Professional disclaimer about legal advice
- Learner awareness of copyright and licensing issues
- AI in the legal databases and ChatGPT

## Testing

- It still needs to be tested on stakeholders; ECL, final year students or those enrolling in the professional courses for the Bar or Law Society.

## Absence of feedback

- There was no feedback on the organic, reflective method we used to create the Toolkit from either BIALL Conference 2022 or academic professional librarians.

## PLATFORM AND TOOLKIT

LibGuides (Springshare, 2023) offered a flexible and shared platform and became our collaborative working tool. They are widely used in university libraries and academic librarians are familiar with them. We hybridised LibGuides – beyond static repositories to incorporate dynamic, visual learning resources in scaffolded skills

packs (Bergstrom-Lynch, 2019). Easily edited, it will be adaptive to changing needs in legal information.

## UNIVERSAL DESIGN FOR LEARNING

We wanted to enable a consistent digitally inclusive approach to meet the fourth point of the UN Sustainable Development Goals (United Nations, 2023). The LibGuides platform has already adopted UDL principles and checkers (CAST, 2018). UDL is the new standard for educational technology and is a paradigm shift for most librarians. We followed UDL principles and used plain language, incorporating glossaries, and provided combinations of learning objects to create a more enticing, purposeful resource. We avoided red on green to support colour blind people and provided chunked content and simple intuitive approaches to learning in different boxes throughout the toolkit (Peter and Clement, 2020).

## LESSONS LEARNED

### Positives

- Innovative use of LibGuides
- Community of Practice
- The cross-organisational collaboration
- Shared intelligence – great discussion and ideas, uncovering unexpected concepts
- Accelerated process facilitated by online meetings
- BIALL collective intelligence for feedback and encouragement
- Practical support resource for librarians

### Challenges

- Licenses
- Practice firewalls and cybersecurity
- Defining complex descriptions in the toolkit with one voice
- Efficacy: co-ordinating processes was not easy

## CONCLUSIONS

In some ways working on the toolkit has been a triage for the team, mirroring experiences of working at different points and trying to find solutions. The creative process so far has been a very positive, collaborative initiative. Our research and discussions developed organically and led to ‘brain banter’ and an imaginative layering of ideas in a high-trust environment.

Our pathway was full of insightful discussions about what needed to be included or indeed removed from the Lawyering Toolkit. We have learned from interesting debates and decisions about language and labels such as

'lawyering' and these ideas have been both reflective and illuminating.

We believe the Lawyering Toolkit can provide a purposeful support for library staff. With many academic libraries migrating to the functional model, time is a precious commodity in the context of library service delivery, so there is a need for balance between proactive and reactive focused user support. We envisage it will become a one-stop-shop for users to track their learning but also a support for new or generalist staff whenever specialist law library expertise is not available.

We are still at the proof-of-concept stage and the Lawyering Toolkit needs further development. We need to consider content, learning checks, further testing of the platform and possible migration, sustainable development and open access considerations. Our plans for future action include user testing, accessibility, UDL compliance, a possible tab for librarian CPD and future-proofing access to the platform across academic and practice libraries and the challenge of how AI (Cox, 2023; Cox and Tzoc, 2023; Talley, 2016) will impact future research practice.

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## Biographies

**Susan Boyle** is the College Liaison Librarian for Business and Law at University College Dublin. Her work provides IL support for staff and students in academic and executive courses, and she designs specialist, creative eLearning supports. Susan’s research publications and presentations have focused on creativity in teaching, e-posters, and infographics to support student research skills. She has won EAHIL & teaching awards in the IL sphere. She is Convenor of the BIALL Irish Group.

**Virginia Conrick** is Academic Success Librarian in University College Cork. She provides research support for students and staff in areas such as systematic review. She actively engages with academic colleagues across all disciplines in a cross functional environment.

Virginia has had a wide variety of roles, most recently as Liaison Librarian for the College of Business & Law which had a focus on digital/information literacy in law.

**Ann O’Sullivan** is the Knowledge Services Manager at A&L Goodbody LLP; she joined the firm in 2016 and has 25 years’ experience of working in libraries in the private and public sector. She is a member of the BIALL Supplier Liaison Group Committee.

**Pattie Punch** is AHSS Research Librarian in the University of Limerick. Her work supports arts practice research and qualitative research methods, systematic review and evidence-based research methods and educational innovation in arts, humanities and social sciences in the University of Limerick. AHSS includes subjects from music and dance, through law and journalism and into languages, literature, sociology, history and politics.