Article

*1 THE UNIVERSITY LIBRARY: A DRIVING FORCE FOR REFORM IN LEGAL EDUCATION? [FNd1]

Ben **Beljaars** [FNa1]
René Winter [FNaa1]

Abstract

Information skills training offers opportunities for gradually embedding changes in legal education programs and to bring about the integration of legal knowledge, skills and experience. If shared goals are formulated in a spirit of close collaboration, curricular changes and revisions will potentially have a greater effect and be more likely to enhance long-term programs. The university library can serve as an ideal base for the use of information technology such as web portals and content integrated search engines, which in turn will help refocus attention on the use of library facilities. The harmonization and maintenance of this apparatus, however, requires both a new form of cooperation and a re-interpretation of the legal education curriculum. This article compares several library developments which could prove important for legal education from a Dutch perspective, and also examines library education in the law schools of the United States of America.

*2 1. Looking for Information

Information is of crucial importance in our knowledge-driven society, which makes information based on objective sources especially critical. Law courses are centered on acquiring legal information, and information literacy skills should be at the heart of a legal education. Such skills may be more important than verbal competencies, because the latter are less prominent in the profession, even in situations in which lawyers must avail themselves of *eloquentia*. Professional lawyers will, in the practice of their profession, transfer their knowledge by written means, including memoranda, pleas, research reports and correspondence. In the realm of contemporary written communication, digital communication occupies an increasingly prominent place, and deserves attention as well. Law students' perception of legal communication is largely based on an insufficiently developed view of practice in which research competencies scarcely feature; they tend to assume that legal information will automatically be put at their disposal.

There is little or no focus on the acquisition of legal research skills in the education provided in Dutch law faculties. The curriculum rarely includes courses that integrate legal information skills - including research skills - within a contextual legal didactic presenting interdisciplinary library sources. Such instruction opportunities do exist, but potential users often overlook the content because they do not have a sufficient knowledge of the layered structure of legal information. In contrast to education at law schools in the USA where faculty and library are more closely connected, the relationship between legal education and the library in the Netherlands is characterized by distance.

Dutch law students receive an introduction to the library during their first weeks at university, and in the course of their education their attention is drawn to the importance of academic sources and how to use them; but this seldom leads to students actually setting foot in the library. In the bachelor phase of their study, law students visit the library sporadically or not

at all; even virtual visits are infrequent. [FN1] Legal education does little to *3 stimulate library usage due to significant organizational obstacles, and so little space has been made within the law curriculum to demonstrate the library as a source of knowledge. Initially, there may not seem to be any need for library instruction. Textbooks, workbooks and manuals are enough to pass most examinations and, at the beginning of one's bachelor study, legal subjects do not focus on increasing the depth of independent research skills within the methodology. [FN2] Conducting research is not one of the core objectives of the course in the first years of a law student's study, and this is also reflected in the scant attention paid to writing skills. Research does not become a factor until the master phase, and this is a disadvantage in the four year bachelor-master structure, because the learning of information skills takes a considerable amount of time. The use of the academic library is brought to the students' attention too late in a legal education. Visits to the library, including virtual visits, only increase when students begin to write their thesis and suddenly discover the need to search for academic information. [FN3]

2. A Virtual Approach

A law student's first contact with the virtual library will probably be through the university or faculty website. Inquisitive and active students will be able to find their way around the web of hyperlinks and portals unaided, and if they are consulting them often it will enable them to practice valuable skills which will be necessary for discovering sources of information later in their academic careers.

Virtual visits to the library could be intensified, however, if more attention is paid to the acquisition of legal information skills earlier in the law school curriculum. Rapidly changing information technology offers new opportunities to the current generation of students for using their computer skills to improve research competencies. Although an academic law library is not a games-oriented virtual world, the skills that students have acquired by *4 gaming may provide them with a good basis for mastering research skills. [FN4] In this light, it is well worth analysing the structure of the current law curriculum in more depth, in order to explore new possibilities in this area for revitalising education. [FN5]

In the Netherlands we have two forms of library management. Some law libraries are part of a central university library, often with a small, departmental branch located in the law faculty, which usually functions as a reference library. [FN6] Other universities have a practically independent standalone law library. The actual law collection of the central university library or independent law library is not only visible in the systematic arrangement of the reading rooms, but increasingly in the design of the law portal of the university's library website. Efforts are being directed more and more to the building of digital collections.

This is the essence of what a library will be in the future, because in the academic world too, innovations such as the use of E-books and other virtual information carriers will become common place. It will be the task of legal educators, in consultation with the library, to activate and guide the virtual approach to information gathering more intensively, as merely providing the tools is insufficient from a teaching perspective. The virtual approach can promote the development of an integrated learning space and place the library, as an academic site, at the heart of education.

3. The Library as an Academic Site

For most Dutch students, apart from a general introduction during their first year at university, visits to the library building tend to be exceptional occurrences. Although the social aspects of library visits are *5 undisputed, their postponement to a later date will not necessarily be a disadvantage, if there are sufficient communicative challenges to visit the *virtual* library from the beginning of study. This means, however, that it has become much more important to become acquainted with the potential of the academic library at an early stage in the course. Changes in reading culture have confronted the traditional library with a new set of rules; today's users want to be able to manage their information requirements themselves. The university library will have to adjust its policy to encompass current expectations of technology and information.

Library buildings, both past and present, have mostly occupied a special position on the university campus. Often, university libraries have been designed according to the vision of an architect. These designs frequently surpassed the building's basic functionality by making the library both a meeting place and a place of silence; a place where studying, as it were, brings about the natural *habitus* of the user. Obviously, a modern university library can no longer be compared to monastic libraries such as Admont [FN7] or the library of Saint-Benoît-sur-Loire at Fleury, [FN8] or even to those of the traditional universities. [FN9] Even silence now seems to be a less significant aspect of a library, although users who want to concentrate on their work will still need seclusion; as seen in the designation of work and study places. Nevertheless, for a university, the library remains the place that determines the center of the campus. It is a natural meeting place where the academic character of a university is made visible. Determining the location and design of the library building demands attention and vision from the contracting authorities because the deciding factors rely on more than economics. [FN10]

Less understandable is student reluctance to visit the library, even infrequently. The development of a reading habit is taken for granted, but for many students this does not make the library fundamental to their academic education. In addition to changing opinions on education, the overkill of information and information technology is responsible for shifts in learning behavior. People now carry their workplace around with them in the form of *6 an iPad, [FN11] Tablet PC or PDA. Information technology will also change the way in which we transfer knowledge. Students and teachers will be obliged to opt for a dialogic form of education much more often, whereby argumentation and the power of persuasion will be the deciding factors.

Libraries have always kept a careful watch on user behaviour [FN12] and they have found a new way to interpret the image of the modern library: the Learning Center. The concept of 'Learning Spaces' as developed by Oblinger et al has found a following at a number of universities worldwide. [FN13] These ideas are based on creating learning environments that facilitate social activities and virtual communication on the one hand, and draw attention to the permanent supply of academic sources on the other. [FN14]

Learning to handle and work with academic sources will become more necessary in legal education over the coming years, because those who employ lawyers - the legal profession, the business world and public institutions - will require higher levels of qualification. Current knowledge of study areas becomes dated so quickly that the focus on its value within a course fades into the background, as attention shifts to questions such as "how can I generate knowledge?" or "which skills do I need to be able to answer legal questions?" Research skills such as selecting information sources, using databases, critically evaluating information and the correct citing of sources occupy an increasingly important place in the practice of the law student and newly-minted lawyer. [FN15]

*7 4. Access to Sources: Guaranteed?

The importance of obtaining access to academic sources is often underestimated in legal education. Access to academic sources cannot be taken for granted. Although access to academic information can be regarded as a public good, the fact is that information is also an asset with economic value. Information must be paid for, either directly or indirectly. Library budgets are often inadequate to meet the information needs of their communities, and this has meant that hard choices have had to be made. In addition to this, some academic sources are protected, so that registration, and in a number of more onerous cases, payment is required prior to access. While research budgets should enable researchers to consult freely, many students are not aware that such barriers to open access will obstruct their searches for information in the future. While they are still studying, they are part of the academic community; a status which gives them temporary access to academic sources.

Librarians are the guiding force in the library's purchase policy for the collection. They open pathways through which visitors to the library can access academic information. They manage the sources and provide the portals which allow virtual visitors to enter the information labyrinth. Policies of university libraries regarding electronic sources are becoming increasingly competitive in nature. In the future, university libraries will have to differentiate according to the

specializations relevant within their own institutions in addition to providing an extensive basic facility level. This is likely to affect the content structure of the collection.

While users are getting to know the library, two important basic premises should be addressed: first, the degree of comparability and second, the problem of interference. A phenomenon exists of web users transferring certain rules that accompany a specific search strategy to another way of searching, without realizing the consequences such rules will have in the new search strategy. This may result in missing relevant references. The move to content integration, with its accompanying range of filters, throws up differences, most of which may not be revealed at first sight. The resulting information does not always bear the hallmark of completion. Users must always be aware that their search strategies will determine the quality of the results they obtain. Constant competition between the various content-integrated search engines is for users with an awareness of the strong and weak aspects of search engines, a challenge to fathoming the information topic in all its aspects.

*8 5. Curricular Possibilities and Substantive Differentiation

The digital law library is increasingly important for legal education for two reasons. First, it is important because of the growing emphasis being placed on mastering the knowledge infrastructure within the legal professions. Second, it is important because the complexity of the information supply requires a well thought out curriculum. At first sight, acquiring legal information skills appears to be a simple task. In practice, it is more difficult than anticipated, especially in subjects such as legal methodology and the other practical research training subjects. Before students can successfully use digital search options, they must master the architecture and arrangement of the law. This can no longer be assumed in a curriculum with a limited number of study hours in which continuation and output take precedence.

Studying law takes time, especially the time to learn to reflect and apply the skills of argument. The current curriculum has not fostered such reflective learning. Rather, the emphasis in the contemporary legal curriculum focuses on mastering professional knowledge which is increasingly subject to transitions which render it outdated. Some form of learning path within the curriculum may provide a solution; in other words, specific skills courses, including modules teaching progressively complex legal information skills throughout the entire bachelor course, could be incorporated into the curriculum.

Two important factors determine the preconditions for the quality of the information accessed via the law library. The first is the actuality and scope of the national collection of the legal system within which the library functions. Are all important databases and magazines available digitally?

The importance of a national collection that consists of a wide range of sources - books, journals and case law - stands or falls with accessibility, usability and completeness. In years to come, the size of digital sources will continue to grow and increase in importance. Proportionally, the range of digitally available legal sources will form the bulk of the information on offer. The second factor is related to the breadth of the international sources on offer. Which information sources are important to lawyers? What is the orientation of the course? And to what degree is there overlap? Databases and the search engines linked to them sometimes demonstrate vast differences in results and their filters generate information on the basis of practically invisible underlying choices. It is extremely important for the users of library sources to be trained to recognize how search options operate. *9 The higher the quality of the available sources, the better their users will be able to make a thorough interpretation of the information found.

6. Two Worlds: A Comparison

The rise of search engines such as Google, Bing, Alta Vista, and Yahoo, among others, has had a powerful influence on information search strategies. Once someone has installed a search engine in the browser of their pc, laptop or tablet, they rarely choose another option for compiling information or switch to another search engine during their search procedures. The psychology which accompanies their use on a daily basis means that the varying options of the search machines remain underexplored and largely unknown. In addition to this, a deep-seated

aversion to the use of World Wide Web search engines has become prevalent in the academic community. Wikipedia in the Netherlands was dismissed as being unscholarly and became taboo. [FN16] Initially, this belief was widely accepted in university education, but the overwhelming use of web-based research options by students when writing papers also revealed a new dimension to these search options. From a pedagogic perspective, rather than stubbornly rejecting such public search engines, it may be better to use them to guide the transition to the use of the academic databases and research options of the future.

a. WWW Sources Compared to University Library Sources [FN17]

An internet search on the World Wide Web is the usual start of a research assignment, even one conducted by professionals. Search engines such as Google, Yahoo and Bing, or an online encyclopaedia like Wikipedia, are so powerful that refusing to start your research in this way could be self-defeating. [FN18] Internet sources may not always be reliable, exact or supported by empirical data, but despite these known disadvantages, the first search *10* session is always valuable to obtain some idea of the scope, significance and global meaning of the subject to be researched. [FN19]

Making comparisons *in abstracto* allows little room for nuance as one has less regard for the complexity of the subject. The comparison, however, provides insight into the use of the different [entities] information environments. Internet searches also allow discovery of content in sources such as JSTOR, [FN20] EBSCO [FN21] and other academic databases; the possibilities for "access,' however, are different.

An internet search has its own character and specific advantages and disadvantages as compared to research using university library sources.

Advantages of Internet Research:

- Global access to public information.
- Quick, up-to-date information.
- Great communication opportunities.
- Accessible for everyone with an internet connection.

Disadvantages in Comparison to University Library Sources:

- Internet sources seldom classify and catalogue information.
- There is no external quality assessment of the reliability of Internet sources.
- All sources must be continuously subjected to the individual user's assessment.
- The sources are not peer-reviewed.
- The internet does not provide access to specialized subscription databases and sources.
- There is no specialized help available from library staff
- The internet has a limited archive function.
- Websites, hyperlinks etc. can be changed easily, expire suddenly or be relocated or removed. [FN22]

11 Internet sources are initially useful for exploring research questions, assessing the relevance of data and examining the significance of the information obtained. This method may even lead to a better approach to university library sources, because the initial field work has already been conducted using a broad range of information which, although it is of unequal value, has been explored by users themselves via their own choice of main entry or keywords.

In addition to the quantity of the sources, their diversity, selectivity, trustworthiness, reciprocity and archival permanence are factors that may influence the academic use. The greater the substantive reach of the authoritative sources, the sooner the information can be used in a reliable way in an academic context. Law students in particular have many vocational sources at their disposal, not only nationally-oriented, but international sources. They must therefore also develop an eye for the various legal systems and specific accents that are concealed within them.

b. The labyrinthine Powers of the Internet

The digital world is omnipresent. The technologically integrated information society is no longer a distant Utopia, but a reality, and the presence of the internet seems to have become a necessary condition for the dissemination of knowledge. Much general knowledge is acquired through electronic media that is not directly used in university education, but which forms a part of the broad spectrum of available information sources. Browsers, search engines and multi-agent system applications are tools that users can apply to gather information either with or without ready knowledge.

Whereas in the past people had to find and open a multi-volume, print encyclopaedia to make their first explorations, digital encyclopaedias can be consulted independent of location. If there was a certain reserve in the academic world regarding the use of internet sources - mainly prompted by concerns that the quality of information sources was not assessed and fears that plagiarism and fraud would inevitably accompany their use in an academic context - this has become less of a worry in recent years thanks to regulation and codes of conduct governing the attribution of sources. Legal education is paying more attention to treating information sources in an academic manner. [FN23]

12 The question concerning these digital sources is whether their character and public nature will stand in the way of further developments? Many hits returned by well known search engines will present information that is of little relevance to the themes of academic research. For example, anyone exploring the relationship between the library and copyright will find a good deal of outdated information on their screen. An increasing number of information producers restrict the availability of the source content.

Furthermore, the diversity of sources and their quality says little about their usability. The influence of commercial interests on content is considerable, and the order in which information appears in a search is something which the user has little influence over. However, that is not to say that using search engines for research cannot have a positive effect on library search strategies. Anyone who takes the trouble to research the labyrinth of the World Wide Web in more depth - meaning that they actually screen a great many pages and give more attention to the origin of the sources - will be better equipped to assess the value of the sources they find within the library with more certainty afterwards. That the internet has remained such a powerful instrument has also to do with the development of resources like Google Scholar, which gives the researcher the opportunity to discover virtual academic sources. In its present form, Google Scholar cannot be used for a thorough study, because the protection of the pages due to copyright makes it incomplete. Google's major digitalisation project, which is known under the legal reference of 'Google Books Settlement' or the 'Amended Settlement Agreement' (ASA), stagnated due to differences in legal opinions with regard to the monopolisation of the book market. [FN24]

7. The Attitude to Library Skills in the USA [FN25]

From the point of view of an outsider, the acquisition of practical skills as part of the law curriculum in the USA draws on a relatively long tradition. [FN26] It was precisely because of the academic emphasis on how law should be taught - the case law method - that the clinical legal education *13* method was designed, in the second half of the 20th century, to facilitate the learning of the profession in practice. [FN27]

This appreciation of practical skills has, if increased in recent years. Stuckey described and analyzed best practices in the area of legal education in a broadly structured study, [FN28] and the 'clinic legal education' method has been given a more valued place in the law curriculum. [FN29] Nonetheless, Sullivan et. al. speak of the continued need to scrutinise preparations for professional practice critically and to pay even more attention to them. [FN30]

A new dimension has been added to the role of academic libraries worldwide by recent technological innovations. [FN31] Although, in general, library potential in the United States is underused, [FN32] the library is often at the heart of the law school and as such forms the natural setting for practicing legal information skills taught during the course. It is for good

reason that considerable attention is paid to writing skills in the course. Following this, it *14 is also desirable to increase the focus on research skills. The inclusion of skills courses in the law curriculum, or at any rate the fact that they are strongly allied to the education program, may be one of the less obvious innovations, but it is one which has effectively focused more attention on career development. [FN33]

Law librarians have themselves become part of this altered perspective, their job descriptions revitalized with new content. Making knowledge available is closely connected to the digitalization of the collection, the scope of the licence options and the purchase policies they have initiated.

The position of the librarian is changing under the influence of technological developments, increasingly moving towards the role of a knowledge broker responsible for shaping participatory learning. [FN34] In this respect, the practice of consulting with librarians can also be embedded much more efficiently. This model dovetails neatly with one of the more important findings of Brian Leiter's Law School Reports. His evaluation demonstrates that the most important learning outcome by which a Law School or a law faculty is assessed and appreciated is the degree to which that Law School can assume a "scholarly distinction' that expresses the 'quality of the faculty'. [FN35] The characteristics that Leiter distinguishes reflect the trend to view skills as both a theoretical and practical reflection of the professional qualifications that a lawyer needs. [FN36]

Palfrey also advocates developing a vision of the law library of the near future, in which lawyers and librarians work together to create 'a stable, open ecosystem with an emphasis on widespread, global access to essential legal information at low cost. This essential legal information should include *15 both primary law and the secondary materials that help to place the raw data of law into a context useful to both lawyers and non-lawyers.' [FN37]

Kim-Prieto points out the importance of a methodical approach. [FN38] He emphasises that Law Student Information Literacy (LSIL) that builds on ACRL Standards [FN39] can be useful as 'a common framework for legal research inquiry and instruction'. Furthermore, the use of LSIL Standards, embedded in the use of legal information skills may bear fruit for the further development of the knowledge base of legal librarians or users of the law library, opening up further possibilities for raising library technology to a higher level.

8. Information Skills and Content Integration

Information skills have only become topical in the law curriculum of the Netherlands in the past decade. The move to incorporate such skills into the curriculum since the 1990s has been slow, and implementation has been patchy. Traditionally, both legal and non-legal subjects were essentially knowledge-oriented, and little attention was paid to verbal or written skills. The digitalization of academic sources has greatly increased the importance of legal information skills.

As Dutch education has integrated higher professional education and university education together, the focus of information skills onto coursework has become more evident. While a university law course often has a substantial professionally-oriented element, feedback from within Higher Professional Education (HBO) programming has revealed the need for more clarification. The educational objectives with regard to the skills components in the various courses had not previously been sharply formulated. University courses are still searching for the connection between theory and practice.

*16 The many visitation and accreditation reports for higher education do not assess practical use of the library. In general, the possibilities offered by the library are discussed without ever mentioning general library policy. University libraries in the Netherlands are all quite well equipped, in terms of housing, infrastructure, the structure of the catalogue, expert personnel and of the organization's web presentation within the university.

However, a few elements are still lacking, not so much in the university library itself, but in the research education offered by the law faculty. Very little time is allocated in the curriculum to the acquisition of research skills. We also have a lack of manuals or course-books that deal with the handling of information sources. There are, however, various independent publications which examine the subject in more depth. [FN40]

In the Anglo-American language area - the USA and UK - several guides exist which integrate information skills into legal learning material. For example, Holland and Webb [FN41] prepare students for what will be expected of them in a lucid manner: 'To be an effective researcher, you need to develop some sense of how lawyers think about legal issues (e.g. the terminology they use, and so on). It is a question of becoming familiar with the way in which we structure and classify information. This does mean that, to start with, legal research can be sometimes slow and frustrating as you try to find your way around the material. Persevere - it becomes easier with experience.' [FN42]

Cohen and Olson place the emphasis on conducting research in a different, more client-oriented manner, but with the same intention as Holland and Webb. 'Legal research is an essential component of legal practice. It is the process of identifying the rules that govern an activity and finding materials that explain or analyse those rules. These resources give lawyers the knowledge with which to provide accurate and insightful advice, to draft *17 effective documents, or to defend their clients' rights in court. Ineffective research wastes time and money, and inaccurate research leads to malpractice.' [FN43] They begin with the actual research process, which they propose is undergoing specific changes due to the digitalisation of sources. [FN44]

The World Wide Web has had an overpowering effect on the learning and searching behaviour of students. Its influence is so strong that search technologies based on the latest IT applications are now finding their way into the university library much more quickly. Content integration systems fit with this almost seamlessly. They use a technique that makes it possible to query different databases simultaneously. It is possible to manipulate the question or the subject being searched, making it narrower or broader, and to limit the search or expand it with additional types of publications. It is especially important for students to be aware of the differences in the scope of the filters. Content integration tends towards the idea of completeness, but it also requires a far-reaching and substantive knowledge of the subject if sources are to be consulted successfully.

9. Toward a Methodology of Teaching Legal Research

Educational reforms are best introduced within a rich context involving multiple disciplines. Legal education in the Netherlands would benefit from changes and adjustments grounded in the curriculum according to the teaching methodology of the subject concerned. Because a subject curriculum is static and often inflexible, it can be difficult for those designing law courses to reach consensus or get support for the introduction of changes or revisions. In particular, interdisciplinary educational changes tend to encounter opposition.

Legal education lacks an explicit legal teaching methodology that does justice to the common framework of a course; legal skills are shaped in a fragmentary manner in the current curriculum. A broader pedagogic concept geared towards the specific character of legal education is a pre-condition for matching skills training to professional practice in a meaningful way.

Modeled on the Carnegie Foundation's report 'Educating Lawyers: Preparation for the Profession of Law (2007)', the 'Boulder Statement on *18 Legal Research Education: Pedagogy Signature Statement' appeared in 2009. In the statement, the emphasis is put on the development of teaching methods that focus on doing research. [FN45] Importantly, the report provides no normative guidelines; teachers are invited to shape education on doing research in a creative manner.

Until now, the focus on the professional field has been on the work of the judge and, in a derivative form, on that of the lawyer, but if the majority of graduates are no longer destined for a traditional career in the courts, is it not advisable to broaden the focus of their training to include more generalized legal professional qualifications. The fundamental integration of writing and research skills into the law curriculum on the basis of these requirements could be the way to refer to this need for wider professional qualifications? The entire legal training framework would thereby achieve a more generalist background, and it would also acquire a more active and substantive pedagogic interpretation. The current passive manner of knowledge acquisition through formal lectures would recede, making way for the flourishing of a less formal, self-motivated model. Obviously, a radical change in thinking about legal education will be necessary

to achieve this. At present, despite the influence of the economization of the bachelor-master structure and its accompanying management and profit-oriented thinking, modern university legal education is not organized around intensive small-scale education and does not have the capacity to encompass such developments. One of the obvious changes would involve restoring the autonomy of individual teachers able to challenge small groups of students with sufficient passion to motivate them to aim for higher achievement. This means stepping back from regimentation and rigid ways of thinking, and once more giving educational creativity a chance by stimulating students' natural eagerness to learn.

In the Netherlands, university libraries do not have any independent educational tasks within the disciplines, but they do facilitate courses by constantly providing advice, offering instruction sessions and implementing new web developments. National consultation policy developments enable legal librarians to flag up new technologies, such as the latest versions of content integrated search engines, at an early stage and to provide advice and guidance regarding their use. At some law faculties, optional guided tours are given on the basis of collaboration between the library and faculty, but on the *19 whole, few students make use of the opportunities offered by the library during their first phase of study; at first, the distance between the students' perception of their environment and the library simply seems to be too great. But, if an integrated approach to education were introduced, one in which library tools jointly determined educational context in a meaningful way, the influence on the effective learning results would be favorable.

Training in the Use of Search Strategies

A research project entitled 'law and technology' in year 3 of the law bachelor study in the subject of law, has a small module called 'library project'. An educational model was introduced to enable independent research somewhere between programmed instruction and self-discovery learning on the one hand, and to explore a template to actually combine the virtual and physical library on the other. The didactic working method is characterized by an integrative approach to instructing students in how to use legal information sources. The seminar, which is conducted in the library, is attuned to the first phase of the research project, and has a different topic in each academic year. For the theme 'law and technology' three perspectives were central. The students could do research, to:
    a. internet and law,
    b. biotechnology and law and
    c. the role of science in law.
Students are required to complete an individual assignment and a group assignment in the area of law and technology. This enables them to make their own contribution to the process of source research in answering a self-chosen formulation of the problem, and additionally, to shape team work and bear a share of responsibility for the work of the group. The fact that both elements contribute to an examination score lends value to the library project.

Such a confrontation with a complex educational assignment, whereby information skills can be used to the maximum, is perfect from a learning perspective. And although students are surprised to be given such assignments so late in the curriculum, it is easy to defend the benefits of such an integrated educational approach from a pedagogic perspective. Library instruction delivered in the first phase of study does not sink in. The introduction is important, but content-related objectives are not achieved. At an earlier stage, students cannot fully evaluate such internal cross connections. It is not until there is an integrated approach, whereby learning material is the most important departure point, that the procedural side of content-related search strategies for information can produce the maximum *20 effect. Knowledge of how search engines work is therefore essential in order to avoid the pitfalls contained therein. [FN46]

A second example of the active integration of legal information skills and conducting research is that offered to researchers [FN47] by the specialized library of the Peace Palace in The Hague. [FN48] The information skills gained there are indispensible for subjects such as Public International Law, [FN49] International and European Institutional Law [FN50] or International Protection of Human Rights. [FN51] The relationship between the subject being researched and

the specialized range of databases, e-journals and Year Books available in such a library seems to be an obvious one.

Independent research has established a permanent place in the last part of the law curriculum - the master phase - because it is then that students must write a thesis. In the preceding bachelor years, research assignments within the education program are limited. The relationship with the university library is more distant in the bachelor phase because legal education pays such scant attention to legal information skills. In the master phase, conducting proper academic research is the basic departure point for writing a thesis. But if students are to succeed in using library sources efficiently at the master stage, adequate training in the bachelor phase is a necessity. If a legal teaching methodology is developed which is substantively anchored in educational assignments which have both a technical, profession-oriented and an educational nature, the relationship between the library and legal education will have been verified in practice. To achieve transparent, pre-defined basic qualifications, all parties - students, teachers and professional groups - should endeavour to meet this goal.

10. Conclusions

Intensive collaboration would enable the university library - and the law library - to make more than a supplementary contribution to legal education. On the other hand, law faculties must make space in their curricula to give the longitudinal structure of research an integrated role, and choose *21* forms of education that foster collaboration with the library more often than is currently the case. The obvious way to shape the integral approach would be to integrate library education into legal research assignments in such a way that students can immediately see their efforts rewarded. The practice of the transition from web-oriented search assignments to content-integrated enquiries of academic databases can provide enrichment on the basis of a newly formulated legal teaching methodology. Visibly acquiring legal knowledge and knowing how to translate it substantively into readable texts with a thorough argumentative foundation as a departure point has a stimulating effect and activates self-motivation. The digital opportunities of the library will have been explored and both the mastery of the learning material and skills will have been raised to a higher level. Finally, in the bachelor phase of the course, both the law and meta-legal subjects must attune their educational assignments to the range of opportunities provided by the library portals.

[FNd1]. © 2012 Beljaars and Winter.

[FNa1]. Ben Beljaars teaches Introduction to Law and Legal Theory at Erasmus University, Rotterdam, The Netherlands.

[FNaa1]. René Winter, specialist in law, University Library of Erasmus University, Rotterdam, The Netherlands. Both authors thank Dennis Kim-Prieto (Reference Librarian, Rutgers Law Library-Newark, New Jersey) for his insightful comments on an early draft of this article and Heather Boet-Foley (Erasmus University Library, Rotterdam, The Netherlands) for her assistance. We also thank the members of JUBO - a consultation of nine law faculties in the Netherlands - for their comments on a draft version of this article. The following people participated in the consultation: Thijs Severens (Radboud University Nijmegen), Mieke Vermeulen (University of Amsterdam), Arjan de Rooy (VU University Amsterdam), Conrad van Laer (Maastricht University), Joke Beer (Leiden University), Dorien Snoek (Utrecht University), Paul van Waelsden (Tilburg University), Ine Peters (University of Groningen) and Henk Lemckert (National Library of the Netherlands).

[FN1]. Blair Kauffman, Information Literacy in Law: Starting Points for Improving Legal Research Competencies, in: INTERNATIONAL JOURNAL OF LEGAL INFORMATION, Vol. 38.3, 2010, p. 339-351. On p. 342 Kauffman questions the use of such premature courses: 'The advantage of such courses is that all students are exposed to legal research methodology at an early stage in their law school experience. However, the effectiveness of these courses in bolstering legal research competencies of law students is uncertain and uneven.'

[FN2]. Legal education in the U.S. is at the graduate level, which is very different from the

Continental approach. In 1999 the EU introduced a standardized system to calculate the study load in higher education, called the European Credit Transfer and Accumulation System (ECTS). (Bologna declaration 1999). In 2002 the Netherlands higher education institutions adopted the ECTS system officially. One ECTS credit represents 28 hours of full-time study and 60 ECTS credits represent one year. In the Bachelor/Master structure means this, that a Bachelor's degree is awarded to students who have obtained 180 ECTS credits. The minimum number of ECTS credits needed to obtain a Master's Law degree is mostly 60 ECTS.

[FN3]. In the U.S. this happens as students start to write law review notes, or advanced papers for seminar.

[FN4]. Two examples in which the border area between 'googling' and academic research is explored: <http://www.learnthenet.com/how-to/researchonline/index.php>; <http://www.learnthenet.com/how-to/search-the-deepweb/index.php> <http://www.youtube.com/watch?v=9Yd8U4d-GfE>

[FN5]. Blair Kauffman provides curricular reasons for not including legal research in the law curriculum too soon. p. 343 '... legal research is taught too early in the law school curriculum, before students have sufficient knowledge of the legal system to fully comprehend what is taught these courses.' The issues surrounding the transfer of knowledge on information skills is simply too complex to teach in a short period.

[FN6]. Although the universities of Leiden, Amsterdam (2x), Utrecht, Groningen, Nijmegen, Rotterdam, Tilburg and Maastricht have different organisational structures, they are comparable to each other on the point of a strategic library policy.

[FN7]. <http:// www.stiftadmont.at/english/museum/bibliothek/stiftsbibliothek.php>

[FN8]. Marco Mostert, THE POLITICAL THEOLOGY OF ABBO OF FLEURY. A STUDY OF THE IDEAS ABOUT SOCIETY AND LAW OF THE TENTH-CENTURY OF MONASTIC REFORM MOVEMENT. Hilversum: Verloren, 1987, p. 32-34.

[FN9]. Konrad Rückbrod, UNIVERSITÄT UND KOLLEGIUM BAUGESCHICHTE UND BAUTYP, Darmstadt: Wissenschaftliche Buchgesellschaft, 1977.

[FN10]. Konrad Rückbrod, 1977, p. 157.

[FN11]. Darla W. Jackson, 'Thinking About Technology ... 2010: The Year of the Ipad', 102, LAW LIBRARY JOURNAL, 2010, p. 513-520.

[FN12]. Alison J. Head and Michael B. Eisenberg, *How College Students Seek Information in the Digital Age. Project Information Literacy Progress Report*, December 1, 2009. The Information School, University of Washington.

[FN13]. Diana G. Oblinger, Editor, LEARNING SPACES, Educause E-book, 2006. < http://www.educause.edu/LearningSpaces>

[FN14]. JISC, *Libraries of the Future*, Document No. 589, Version 1.1. June 2009, p. 3.: 'Libraries are at a turning point. As technology rapidly transforms the way we access information, and resources are increasingly available online and in digital formats, the established role of the library as a physical space housing racks of books is looking increasingly out of step with the needs of students and researchers.'

[FN15]. Kathryn Pieplow of the University of Colorado gives a lucid example: <http://www.youtube.com/watch?v=9Yd8U4d-GfE;>

[FN16]. The problem with Wikipedia is that the data it conveys is not reliable (not peer-reviewed) and subject to an anonymous editorial process.

[FN17]. For a comparable focus, see: David Nicholas, The Virtual Scholar: The hard and Evidential Truth, in: INGEBORG VERHEUL, ANNA MARIA TAMMARO, *Steve Witt (eds.)*, DIGITAL LIBRARY FUTURES. USER PERSPECTIVES AND INSTITUTIONAL STRATEGIES, IFLA Publications 146, De Gruyter Saur, 2010, p. 24-25.

[FN18]. Cathy N. Davidson and David Theo Goldberg, with the assistance of Zoe Marie Jones, *The Future of Thinking. Learning Institutions in a Digital Age*, The John D. and Catherine T. MacArthur Foundation, The MIT Press, Cambridge, Massachusetts, London, England, Chapter 4, FLIDA 101: A PEDAGOGICAL ALLEGORY, p. 83-123, esp. 107-110.

[FN19]. Id., p. 96-97.

[FN20]. http://www.jstor.org/ In the field of law are 76 titles to consult.

[FN21]. http://www.ebsco.com/index.asp or http://ebscohost.com/academic/subjects/category/law-legal

[FN22]. The summary is derived from the EUR portal of the library of Erasmus University Rotterdam.

[FN23]. Moris L.. Cohen and Kent C. Olson, LEGAL RESEARCH, IN A NUT SHELL, 10th edition, West 2010.

[FN24]. See ruling: Judge Denny Chin, United States District Court Southern District of New York, March 22, 2011 New York, New York; The Authors Guild et al., Plaintiffs, GOOGLE INC., - against - OPINION 05 Civ. 8136 (DC) Defendant.

[FN25]. <http://www.cs.cornell.edu/w8/~andru/cgi-perl/civs/results.pl?id=E_055e27c6cf841db6>

[FN26]. Margaret Martin Barry, Jon C. Dubin & Peter A. Joy, 'Clinical Education for This Millennium: The Third Wave', *7* CLINICAL L. REV. *1* (2000).

[FN27]. William V. Rowe, 'Legal Clinics and Better Trained Lawyers - A Necessity', 11 ILL. L. REV. 591, 591 (1917)

[FN28]. Roy Stuckey et al., 'Best Practices for Legal Education: a vision and a road map'. 2007.

[FN29]. Magaret Barry, 'Clinical Legal Education in the Law University: Goals and Challenges', INT'L J. CLINICAL LEGAL EDUC, 2007, p. 27-46.

[FN30]. William M. Sullivan, Anne Colby, Judith Welch Wegner, Lloyd Bond, & Lee S. Shulman, EDUCATING LAWYERS: PREPARATION FOR THE PROFESSION OF LAW, 2007.

[FN31]. Ismael Abdullahi (ed.), GLOBAL LIBRARY AND INFORMATION SCIENCE. A TEXTBOOK FOR STUDENTS AND EDUCATORS. With Contributions from Africa, Asia, Australia, New Zealand, Europe, Latin America and the Carribean, The Middle East, and North America, IFLA Publications 136-137, K..G. Saur Munchen 2009. The contribution 'Academic Libraries' by Frederic Blin p. 329-342, is of importance to Europe. For the United States (USA) Barbara I. Dewey provides a thorough general insight into developments under the same title 'Academic Libraries' (p. 505-

513.)

[FN32]. Alison J. Head and Michael B. Eisenberg, *How College Students Seek Information in Digital Ages*, Project Information Literacy Progress Report: "Lessons Learned', The Information School, University of Washington, 1 December 2009. The research conducted by Head and Eisenberg shows that there is a considerable discrepancy between the different types of information gathering that are used by students in practice: 'everyday life research' or 'course-related research'. The switch to academic sources still seems to depend upon the context in which the information must be used. The extent to which a library can offer online databases significantly increases the use of academic sources. The user friendliness of the access to the information will certainly be a positive aspect therein.

[FN33]. <http:// www.law.harvard.edu/academics/clinical/students/curriculum.html>

[FN34]. Cathy N. Davidson and David Theo Goldberg, with the assistance of Zoe Marie Jones, *The Future of Thinking. Learning Institutions in a Digital Age*, The John D. and Catherine T. MacArthur Foundation, The MIT Press, Cambridge, Massachusetts, London, England, Chapter 4, FLIDA 101: A PEDAGOGICAL ALLEGORY, p. 115.

[FN35]. <http://lawprofessors.typepad.com/law_librarian_blog/2010/12/the-mostimportant-factor-in-evaluating-law-schools-is-us-the-law-faculty.html>

[FN36]. <http://leiterlawschool.typepad.com/leiter/2010/ll/the-most-importantcharacteristics-in-evaluating-law-schoolsJitml> This mentions the following characteristics: 1. Scholarly distinction/quality of the faculty; 2. Students' numerical credentials (LSAT, GPA); 3. Emphasis on legal doctrine & analytical skills; 4. Emphasis on legal research & writing skills; 5. Small class sizes.

[FN37]. John Palfrey, 'Cornerstones of Law Libraries for an Era of Digital-Plus', LAW LIBRARY JOURNAL, Vol. 102, 2, p. 177.

[FN38]. Dennis Kim-Prieto, *'How Law Student Information Literacy (LSIL) Standards Address Deficits Identified by the MacCrate Report and the Carnegie Report, and What They Can Contribute to Legal Research Education & Training*.'; <http://ssrn.com/absract=1678146>

[FN39]. The standards concern references to the objectives that an individual needs from 'information skills': *Know, Access, Evaluate, Use, & Ethical/ILegal;* later the AALL Joint-SIS Committee developed this further to: *Identify, Access, Evaluate, Apply and Ethical/Legal Issues of Use*. For the detailed elaboration, see the attached Appendix in the article by Kim-Prieto.

[FN40]. M. G. IJzermans en G.A.F.M. van Schaaijk, OEFENING BAART KUNST. ONDERZOEKEN, ARGUMENTEREN EN PRESENTEREN VOOR JURISTEN, Boom Juridische Uitgevers, 3rd edition, Den Haag, 2007.I. Curry-Sumner, F.G.H. Kristen, M. van der Linden-Smith, H. Tigchelaar, ONDERZOEKSVAARDIGHEDEN - RESEARCH SKILLS, Nijmegen: Ars Aequi, Juridische Uitgeverij / September 2010.

[FN41]. James Holland and Julian Webb, LEARNING LEGAL RULES. A STUDENTS' GUIDE TO LEGAL METHOD AND REASONING, Seventh Edition, Oxford: Oxford University Press, 2010, p.

38-68. (Finding the Law)

[FN42]. James Holland and Julian Webb, LEARNING LEGAL RULES. A STUDENTS' GUIDE TO LEGAL METHOD AND REASONING, Seventh Edition, Oxford: Oxford University Press, 2010, p. 38.

[FN43]. Morris L. Cohen and Kent C. Olson, LEGAL RESEARCH IN A NUTSHELL, 10th, West, Thomson Reuters USA, 2010, p. 1-2.

[FN44]. Morris L. Cohen and Kent C. Olson, 2010, p. 9-13.

[FN45]. http://www.colorado.edu/law/events/legalResearchEducation.pdf; also <http://lawprofessors.typepad.com/law_librarian_blog/2010/11/boulder-statement-onlegal-research-education-signature-pedagogy-statement.html>.

[FN46]. <http://www.lib.berkeley.edu/TeachingLib/Guides/Internet/Search-Engines.html#How;>

[FN47]. <http://www.ppl.nl/index.php?option=com_ content&view=category&layout=blog&id=54&Itemid=133>

[FN48]. <http://www.ppl.nl/>

[FN49]. This subject is taught at the law faculty at the University of Amsterdam (UvA).

[FN50]. This subject is taught at the law faculty of Utrecht University (UU).

[FN51]. This subject is taught at the law faculty of Leiden University (UL).