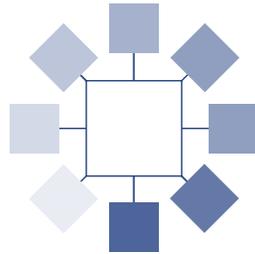


White Paper

Research Skills for Lawyers and Law Students



Research Skills for Lawyers and Law Students

Table of Contents

Overview	2
The Goal	2
The Reality	3
Roundtable Conclusions	3
Causes and Solutions	3
AALL Town Hall Forum	4
Moderator perspective: Bob Berring	4
Panelist perspective: Billie Jo Kaufman	5
Panelist perspective: Patrick Meyer	5-7
Panelist perspective: Monice M. Kaczorowski	7
Panelist Perspective: Connie B. Smith	8
Moderator: Bob Berring on the road ahead	8-9
West Conclusion	9

In 2006-2007 Thomson West has conducted five roundtables and countless informal discussions with law firm and academic librarians across the United States. These discussions covered a slate of topics confronting the legal profession. None drew as much passion and commentary as the state of legal research and writing.

According to “day in the life” qualitative research conducted by West, a new associate at a law firm can expect to spend 80 percent of his time researching, drafting and writing documents. The split, 45 percent research and 35 percent writing, equates to a huge undertaking for new associates, who in law school gain the knowledge needed to pass the bar exam but typically don’t really learn to think, research and write like lawyers. As a result, a law firm that hires a first-year attorney for \$160,000, plus signing bonuses, can expect to write off 50 to 100 percent of a first-year associate’s research billings.

Between the second and fourth years at a law firm, an associate is learning better research and writing skills. However, 70 percent of a typical associate’s time is still spent on research. By the time an associate has been with a firm for five or more years (if they last that long, that is), they typically are proficient in print and online research and writing, and get promoted to senior associate. At this stage, they’re more productive too – spending 40 percent of their time on research, according to West studies.

As expected, the quality of research between a first-year associate and a fifth-year associate also changes dramatically. First-year associates are ineffective because they generally start with an online keyword search, racking up unnecessary billings and online charges, while not understanding the context of the results they have retrieved. Effective research starts with a thorough knowledge of all research resources, print and online, and a clear understanding of when and how to use each – typically beginning with print primary and secondary resources, then adding online primary and secondary materials to expand and enhance the search results.

The Goal

West asked law firm librarians to rate the skills and proficiencies of new associates. The librarians surveyed came up with a list of research capabilities that the “Ideal Associate” would possess when they enter a law firm:

- Conduct efficient, multimedia legal research
- Conduct cost-effective legal research
- Understand practice-specific print resources
- Use a variety of resources, both print and online
- Know the value of secondary sources
- Understand print finding tools (e.g., indices and tables of contents)
- Understand when to dig deeper
- Know how to formulate a research plan
- Understand what law firms expect of new associates
- Know when to stop and ask for help
- Have solid legal research and writing skills.

Librarians said the single most important skill a new associate can possess when entering a law firm is an understanding of the key sources available for specific practice areas.

Similarly, academic librarians were asked to rate the skills and proficiencies of students and recent graduates. Interestingly, academic librarians rated graduates as generally being more skilled than law firm librarians. Academic librarians concluded that students and new graduates should be able to carry out the following tasks:

- Draft sections of simple transactional documents
- Modify and complete forms
- Prepare briefs and motions
- Prepare a survey across jurisdictions.

In order to effectively carry out those tasks, academic librarians rated the following research skills as essential:

- Clear use of research findings and writing memoranda
- Effective use of online research
- Effective use of primary authority
- Find statutes by subject
- Find periodical articles using an index
- Identify a legal issue
- Verify currentness of sources.

The Reality

Unfortunately, the reality is that new associates' research skills fall far short of these objectives. West surveyed law firm partners to see how new associates compared against the desired "ideal associate" capabilities. Partners, like librarians, want new associates to understand and know how to use all of the research tools available – print and online.

But partners agree that associates are almost completely incapable of book research, unfamiliar with print resources, over-reliant on electronic resources, and arrive on the law firm scene with uneven skills and research capabilities.

In 2005, West looked at new associates and their print research skills. They learned:

- 70% of new researchers need help using print and online resources together
- 75% of firms said it is the librarian's job to train researchers
- 75% of firms would welcome help from information providers in training associates on more effective research techniques.

The research also showed new associates could not:

- Effectively and efficiently use print legal research materials
- Perform legislative histories
- Proficiently use an index or table of contents
- Understand key sources for specific practice areas.

Roundtable Conclusions

From these roundtable discussions it is clear that legal research and writing is a topic of serious concern for law school academia and law firms, and one which roundtable participants felt charged to change as they departed from these sessions.

As one participant from academia stated, "I will work on revising the Advanced Legal Research syllabus. Incorporate what I learned into my Advanced Legal Research class, and explore adding additional research instruction options for students."

And in parity, a law firm librarian stated after leaving the discussions she planned to "offer more basic training, probably in small groups, knowing that they have not spent much time with a librarian."

Law librarians agreed legal research and writing is an issue that will need to be tackled with long-term discussions and ongoing implementation and revision of programming in the academic and law firm arena, and so West was asked by many librarians if the Roundtable discussions could be developed into an annual event. West is looking into ways to facilitate this discussion further, and to broaden the participation opportunities for discussion.

Causes and Solutions

Addressing the new associate research gap, and identifying potential solutions, is the focus for West at the 2007 AALL meeting in New Orleans. Robert Berring, Walter Perry Johnson Professor of Law, University of California School of Law Library, Berkeley, Calif., agreed to moderate a blue-chip panel of academic and law firm librarians from across the country. Panelists included:

- Billie Jo Kaufman, Associate Dean, Library and Information Resources, Washington College of Law, American University
- Patrick Meyer, Associate Library Director and Adjunct Professor, Thomas Jefferson School of Law, San Diego
- Connie Smith, Firm Director, Library Services, Morgan, Lewis & Bockius LLP, Philadelphia
- Monice Kaczorowski, Director, Library Services, Neal, Gerber & Eisenberg LLP, Chicago.

Together they provided their thoughts and suggestions regarding the state of legal research and writing today.

The academic and law firm panelists have different perspectives, but see common issues. Law schools train students to pass the bar, not to research and think like attorneys. Law school research training focuses on online research, and "Google Generation" associates are conditioned to search for quantity, not quality or context. There is little, if any, support for print research for students and new associates, and a general lack of understanding of all of the resources available. There's also a gap between law firm expectations and graduates' abilities.

Panelists agree that the responsibility for improving research skills does not rest with any one group or entity. Every party – law schools, law firms, preferred legal information providers, and even the American Bar Association (ABA) and National Conference of Bar Examiners (NCBE) – has an ownership stake. Law schools could increase training on print resources and partner with law firm librarians to develop research training curricula. Law firms could set the bar higher for incoming associates; focus their recruiting efforts on schools that have extensive research coursework or certification programs, and offer monetary or other perks to new associates who have advanced research skills. Legal information providers must continue to partner with librarians to broaden the understanding of legal research and writing using all media. And the ABA and NCBE could establish basic standards or incorporate research or writing requirements into the bar exam.

AALL Town Hall Forum

As an outgrowth of the roundtables and librarian discussions, the Thomson West Town Hall Meeting, Research Skills for Lawyers and Law Students: Ideas and Solutions on Training Challenges Faced by Law Firm, Academic, and Government Law Librarians, was held at the 2007 AALL Annual Meeting in New Orleans.

Moderator perspective: Bob Berring, *Walter Perry Johnson Professor of Law, University of California School of Law Library, Berkeley, CA*

In my thirty years of working with legal information, the problem of inadequate legal research training has been a constant element. Logic dictates that training law students how to carry out competent legal research should be a central part of the law school experience. After all, how can one work with the law if one cannot find it? Despite the power of that logic, legal research training remains inadequate and is, at best, an afterthought at most law schools. This paradox was challenging enough when the universe of legal information consisted of established tools with the advantage of standing experience to backstop them. As new tools in new media developed, as the world moved to cyberspace, the problem compounded. The problems of legal research training are more serious now than ever before.

Inadequate legal research training is a reality. Everyone who cares about the issue knows that law schools devote scant resources and time to it. The general neglect of research training does not qualify as a dirty little secret. It is more akin to the elephant in the room that no one mentions (other than in the annual stream of articles written by us that are read by us). Gather any group of law librarians together and you can quickly collect a hatful of horror stories and heart-rending tales. There is no need to rehash them here.

What we need to do is work on solutions. Law librarians care more about this problem than anyone else. While we have lacked the wherewithal to change law school curricula or to adjust the hiring policy of law firms or government entities, we have continued to lobby for change. This panel provides an opportunity to go to work on beginning real change. West has brought us here to focus on what to do. The research and discussions West conducted around the country identified problems and raised issues. Now they have brought us here to discuss it. They are offering us a chance to create a platform on which to seek real solutions and change.

Who are our allies in these efforts? The law firms who are the “consumers” of law school graduates care. The economic pressures of law practice dictate that research must get better. The folks at West care, and are especially well-situated to understand the problem as well as we do. It is in their best interest to help us solve it. We must pull these forces together. If there is a solution to be found, we are the ones to find it.

We all share responsibility – and are uniquely positioned to build on the great partnership between law firms, information providers and academia – to create new advanced research training approaches. We all know the need exists. There will be no easy answers, but this summit can be a great beginning.

My partners on this panel have kindly shared their thoughts and solutions, sharing both academic and law firm perspectives. Together we hope to present food for thought, ideas for dissection and an impetus for action.

Part of the problem is that skilled researchers make it look easy. Sometimes what we do is magic, but it is also an invaluable tool, a sophisticated tool. Teaching the right skills will require a joint effort between students, schools, law firms, legal information publishers and professional researchers. We need law firms to establish true legal research and writing skill level requirements. We need law schools to create curricula to teach these skills. Publishers must emphasize effective legal research methods – ideally starting with books and expanding and refining the research online. And we need bar associations to mandate a research and writing requirement in the bar exam.

On a personal level, we also need to quit short-changing ourselves by making legal research look so effortless, like magic. Certainly there is something magical about a successful search session. But sound legal research is sophisticated and an invaluable tool that will affect the financial fortunes of the firm, its associates, librarians, partners and staff, as well as individual and firm win/loss ratios. We need to convey its importance more effectively to our students.

It's unfair to single out academia. Law schools today very effectively teach students what they need to know to pass the bar examination. The long-standing view holds that the firm will then teach the new associate how to be a lawyer, and that research and writing is part of that process. However, that doesn't mean academic librarians feel there is enough legal research and writing taught in law school. They are answering the daily and sometimes hourly questions of students stumbling to find information in a way they have never anticipated. And so they teach these students as much as they can, as often as they can, with as much emphasis on book research as possible.

Panelist perspective: Billie Jo Kaufman, Associate Dean for Library and Information Resources, Washington College of Law - American University, Washington, DC

U.S. News and World Report presents research data from the National Association of Law Placement (NALP) survey each year. This data, on employment status nine months after graduation (instead of immediately upon graduation), provides the status of graduates -- whether they are employable and in fact have found employment. When NALP talked to law school graduates, they must have found legal participants shell-shocked.

Clearly, there is a disconnect between law firm expectations and student abilities. In our West roundtable discussions I was surprised at the expectations law firm librarians had regarding research skills. I hadn't viewed research from a law firm perspective; I only recognized what we are dealing with in the law schools -- that is, a lack of basic general research skills and the need to equip graduates with the knowledge to pass the bar examination and become successful lawyers. This is because there is an emphasis on legal writing rather than legal research, not necessarily a balance of the two.

Students think they know how to conduct research by simply completing the basic research and writing courses. They are wrong.

It's time to put the "we/they" conversation aside, and recognize the problem and its facets. These highly intelligent, motivated students have learned enough in law school to pass the bar exam, but not enough to practice law. Some enter a law firm ill-prepared to conduct effective research. Technology has left an indelible imprint. New graduates reflect the Google generation: researchers who from grade school through law school use a quantity vs. quality approach to research, without determining context, verifying the sources or even understanding the basis of the issue they are researching. A simple legal research and writing class in the first year, and an advanced research and writing class in the second or third year, are not enough.

Panelist perspective: Patrick Meyer, Associate Library Director/Adjunct Professor, Thomas Jefferson School of Law, San Diego, California

My advanced legal research course at Thomas Jefferson School of Law relies heavily on hands-on exercises that combine both print and online research. Although my students often want to jump online at the start of the research process, I continually remind them that competency in both online and print based research is necessary if one hopes to conduct cost-efficient and relevant research in a law firm setting.

So how have I determined how to integrate my course? I asked the experts at the law firms via two electronic questionnaires. The first e-questionnaire was administered in 2004 to the AALL Private Law Libraries SIS (PLL-SIS) listserv. The 2007 e-questionnaire was administered to the following AALL chapter listservs: LLAGNY, LLSDC, SEAALL, SCALL, NOCALL, and SANDALL, as well as to the PLL-SIS listserv. There were 162 valid law firm responses to the 2007 survey. My objective was to determine which research tasks and formats entry-level attorneys need to know. I have modified my course based on survey responses.

What follows is a summary of some of the findings from the 2007 survey:

What are the most important research tasks (online or in print) that entry level attorneys must know?

- Cost effective research (82.7%)
- Case law/Digest research (80.2%)
- Secondary source research (68.5%)
- Citor services research (55.6%)

Case law/digest and citator services research are typically stressed in Advanced Legal Research (ALR) courses. However, secondary source research may not be stressed, and cost-effective research rarely seems to be stressed.

Survey results underscore the need for academics to teach the importance of secondary source research. Many students and entry-level attorneys do not see the need to know how to conduct efficient secondary source research, yet the firms are requiring that new hires have such knowledge. Indeed, comments from the survey stated that entry-level attorneys often forego secondary source research before understanding the issues -- instead starting with case law research. In my opinion, it is not enough to simply include a couple of class exercises on secondary source research during the course of a semester. Students need to be constantly reminded that the use of secondary source materials may often be the necessary starting point in a research project.

The most prevalent answer for this question -- cost effective research (82.7%) -- strongly asserts the necessity of incorporating a significant amount of such training into the ALR course. (See also Specific Causes, below).

What research tasks should usually be conducted in books vs. online?

- Secondary source research (78.4%)
- Legislative code research (53.1%)
- Legislative history research (53.1%)

Nearly eight out of ten law firm respondents feel that it's usually preferable to conduct secondary source research in print. Such is the case either because of the difficulty in acquiring an understanding of a detailed and unfamiliar subject in the online environment or because an online fishing expedition is costly. ALR faculty should strongly consider offering a print component in secondary source research.

In grading the assignments of my students over the years, I have concluded that it can be a tricky proposition to conduct proper legislative code research online. For instance, students often rely on a full-text database search, rather than using the table of contents. This magnifies the negative effect of excluding synonyms in their search queries (which is their habit) in a database that contains the esoteric language that is typical of codes. A good print index is cross-referenced, and in my opinion alleviates that problem. In addition, students have difficulty seeing a connection between related code sections online. Therefore, I was surprised that only 53.1 percent of respondents feel that legislative code research should usually be conducted in print. Nonetheless, with over half of all respondents indicating such, there is a strong argument for teaching a legislative code print component.

What tasks should usually be conducted online rather than in the books?

- Citator services research (87.7%)
- Document retrieval by citation (78.4%)
- Case law/Digest research (63.6%)

The law firm preference of conducting citator service research online continues to be extremely high, at 87.7 percent. As instructors of legal research are often pressed to fit the critical tasks into their limited amount of class time, one should consider replacing or shortening the print Shepardizing module and either expanding the electronic citator services module or adding a task that is more highly required by law firms.

Nearly two out of three respondents feel that case law and digest research should usually be conducted online. Additionally, the availability of both state and federal reporters in print has declined by more than 18 percent since the 2004 survey. However, nearly 50 percent of respondents still feel that entry-level attorneys must know how to be able to conduct case law and digest research in the books (both federal and state; see next paragraph). So there is a valid argument for including a print component for reporters and digests in an ALR course.

What print resources must entry level attorneys know how to use?

- State legislative code (63.6%)
- Federal reporters (50.6%)
- Federal secondary source materials (49.4%)
- State secondary source materials (48.1%)
- State reporters (46.3%)
- Federal administrative codes and state digests (44.4%)
- State administrative codes (43.2%)
- Federal digests (42%)

I thought that a requirement for a mastery of print resources would have at least remained steady between the 2004 and 2007 surveys, due to the intense demand in law firms to save money and because of responses that certain tasks should often be done in print. With the exception of state administrative codes, the opposite was true. For instance, the requirement that entry-level attorneys must know how to conduct research in the print version of the U.S. Code fell by 36 percent. The percentages of those law firms that required a mastery of the print versions of state reporters (-21.4%), state secondary source materials (-19.6%) and regional reporters (-19.1%) in print also fell precipitously.

Despite such significant drops, many print tasks still score high on the "need to know" chart: state legislative codes (63.6%), federal reporters (50.6%), federal secondary source materials (49.4%), state secondary source materials (48.1%), state reporters (46.3%), Code of Federal Register (44.4%), state digests (44.4%) and state administrative codes (43.2%). Therefore, there is still a great need to offer an integrated research curriculum.

What are the specific causes for entry level attorneys in your local office incurring excessive online research costs?

- Not planning before going online
- Engaging in a fishing expedition
- Not including truncation or synonyms in search queries
- Accessing databases outside of plan/ignorance of pricing plan particulars
- Reading online while using an hourly plan
- Not starting with a broad search and then narrowing down for free with focus or locate.

These are a few of many responses. There is a huge need to find a way to incorporate cost-conscious research into every class. Further, respondents note that 215 out of the 228 Westlaw/LexisNexis flat rate plans are not unlimited in nature. In my course, I take time to teach the basics of the pricing plans, include screen capture exercise reviews in each class that indicate the estimated database search/online time costs, and usually administer a pricing plan quiz at some point in the semester as a means of keeping the information fresh in the minds of my students.

It seems prudent to craft a research course based on the needs of law firms. In doing so, students will be better trained to compete in the marketplace and will be appreciative that your course is extremely practical. It will take extra work to change your course, but in doing so you are addressing the age-old problem of entry-level attorneys who are unprepared to conduct meaningful research.

Law Firm Librarians

At law firms, librarians receive new associates first for a tour of the library and then on a daily, and possibly hourly, basis to teach the type of legal research their partners expect. The librarians become the front line and often also the person questioned about the research results, as partners soon realize how much the new associates haven't learned in law school. This frustration felt by partners and librarians gives rise to creative approaches to teaching young lawyers the basics; however it comes at a financial cost to the firm. When they would like to be receiving more billable hours, they must instead teach legal research while researching for clients.

Panelist perspective: Monice M. Kaczorowski, Director of Library Services, Neal, Gerber & Eisenberg LLP, Chicago, Illinois

So, what is the root of the research problem in law firms? New associates are still thinking like students. They don't understand the depth of research products available to them, and can't find some of the products even after they are pointed out in a library tour. "Just give me my online ID" most Gen Xer's state. Indeed, one new associate at our firm was working with a partner on a complex litigation matter and was asked to conduct research. The associate came back with a Google-like laundry list of information, with no consideration of the context or validity of sources.

We can't let associates continue on this path when they get to the firm. I am fortunate to have partners who are exceptional book researchers. They were schooled in the Topic and Key Number system, and they expect no less expertise and understanding from their associates. At Neal, Gerber & Eisenberg, we're building a program from the ground up to give associates the skills they need to be effective researchers.

Two years in development, we created an outreach program for associates. Our recruitment director, writing instructor, library staff, associate review board and CLE director collaborated to create a cohesive, coordinated program. From the time a new associate starts with the firm, this group provides:

- The "line of sight" to help shepherd the associate through Research 101, including: analysis of writing, including analytical capacity and writing skills
- Training on the Topic and Key Number system, digests, foundational and secondary research
- Online research and citation verification.

This group also participates in the Associate Review Board, including the firm's Continuing Legal Education (CLE) director who seeks programs that supplement and support the legal research and writing elements of our outreach program.

We are already seeing an immense impact not only financially, but also in the confidence we are building in our associates. Would we like them to come equipped with these skills already? Certainly. But until that happens, we can't afford to diminish our quality, or squander one of our most precious assets – our new associates.

Panelist Perspective: Connie B. Smith, Firm Director of Library Services.
Morgan, Lewis & Bockius LLP, Philadelphia, PA

In *The Corruption of Legal Research*, author Scott Stolley begins by describing a nightmare of sorts – the library books are gone and instead he sees rows of keyboards. “The young associates arrive from law school, factory-fresh, eager to work, and we immediately assign them research projects, because new lawyers (understandably) aren’t qualified to do much else. Inevitably, the first thing they want to know is how to access our computer system.”

The Law Firm Directors Group of our Greater Philadelphia Law Libraries Association (GPLLA) AALL Chapter brought this example to the attention of our group one month, and it triggered much discussion around the soft legal research skills of new associates.

This Directors Group gathered for a roundtable discussion that I helped facilitate – a discussion much like the West roundtables comprised of academics and law firm librarians alike, we tackled what might be considered a thorny issue, but quickly saw it as a joint opportunity. We agreed that it was not within the academic or law school library director’s control to completely fix. The true opportunity lies in 1) mobilizing law school deans demanding an increase in mandatory training; and 2) stronger collaboration among law firm stakeholders, including the professional responsibility department, writing instructors, information professionals and legal publishers.

We recommended that law firms need to demand a higher level of research skill, and recruit from those schools that offer certification programs or extensive research coursework when seeking new associates.

With law firm expectations in place, law schools will be both motivated and enabled to place more emphasis on legal research and writing skills. Academic librarians also could require legal publishers to support this effort by teaching print research as well as online research at law school, and to partner closely with the law firm librarians to continue to focus legal research training on print and online alike.

Moderator: Bob Berring on the road ahead

The problem is clear. Legal research training is not adequate. It is an old problem, and getting worse. The results of the West roundtable discussions and other gatherings, set out a lengthy menu of expectations and needs for training that go unmet. Our panelists tell us more. Patrick Meyer’s survey reinforces the need for continued training in the use of print sources and the careful integration of digital materials. The admirable efforts sketched out by Monice Kaczorowski at the law firm of Neal, Gerber & Eisenberg illuminate how one law firm tries to fill the void. But can every law firm aspire to such a commitment, or should they? Billie Jo Kauffman’s remarks dovetail perfectly with these observations as she makes clear that the solution, much like carrying out good legal research, is not going to be simple.

But a solution is what we seek. To make progress we must work together. Law schools, law firms, government and legal publishers must pull together. Consider the investment made by West in training law students and young attorneys: training, deeply discounted access to online services, support staff and education materials often exceed those the law schools themselves commit. An alarming number of students see this as the core of the research training they receive.

During 2006-2007, I had the privilege of serving on an advisory board that visited Harvard Law School. One part of our charge was to comment on legal research training at Harvard. With its bounteous resources Harvard is not typical, but in the very hierarchical and traditional world of legal education it has enormous influence. We were able to survey the past six years of Harvard Law School graduates and the survey produced a surprisingly high return rate. Though neither our report nor the survey is public, I can tell you that when queried, very few graduates felt they learned how to carry out legal research as part of the law school’s instructional program. The vast majority replied that they learned how to do legal research from Westlaw and Lexis/Nexis trainers, by working on a journal or when they took their first job. One group, who took Professor Wise’s ALR course, credited her for their skills, but others noted that her course was oversubscribed and several pointed out that they avoided the course because it was too difficult. It is also worth noting that the students, with the exception of the Advanced Legal Research contingent, were overwhelmingly committed to digital resources and the use of print volumes was viewed as a necessary evil. If we think that Google and Wikipedia are problems, consider what the iPhone will bring.

None of this should surprise us. But the point is driven home by the fact that when Harvard announced its new curricular reform for the first year of law school it included less, not more, legal research training.

(continued on next page)

Do we despair of legal education and put all of our trust in law firms and West to carry out research training? No. This session is a stake in the ground. We must be energized and alert. Pressure is being extended on the ABA to include legal research as part of the bar examination process. If proficiency in legal research were made part of the requirement to pass the bar, law students and all but the most antediluvian legal educators would have to pay attention. See Steve Barkan's article, "Should Legal Research Be Included on the Bar Exam: An Exploration of the Question," in the Spring, 2007 Law Library Journal on pp. 403-412. Professor Barkan's article also contains footnotes that will lead the reader to some of the best literature on the teaching of legal research.

The ABA is not the only vehicle for change. Practicing lawyers can advocate, through state bar associations, for better training. Law students want to find jobs and law schools want to see them do so. If law firms, government bodies and other employers really took legal research training seriously, they could bring about change. We already have documents like the now dusty MacCrate Report detailing the problem. What we now need is action, political action.

The AALL is also a central player. Law librarians care more about high quality legal research than anyone else. Each year the AALL, its special interest sections (SIS) and regional associations struggle to make legal research training a priority. The Research Instruction and Patron Services SIS membership has long been at the forefront of this fight. But they need help. Efforts have to be ratcheted up and coordinated with others, which calls for more resources and allies.

Nor can we ignore Association of Legal Writing Directors (ALWD). The members of ALWD are the gatekeepers of most law school research training programs. While there are many different models for research and writing programs, most are controlled from the legal writing side. Too often the legal research and writing instructors and law librarians are not on the same page. Better, bigger and more productive alliances have to be formed. The real answer here is probably to sensitize law school deans, and that effort can best be done through the American Association of Law Schools. That group sets the rules for legal education and it is the one place where decision makers can be found.

One's head spins when contemplating all of the groups that must be pulled together. But the real players are all part of this discussion. West has brought us together and it offers its support. Law firm librarians see the problem, academic law librarians see the problem and we have allies. The time has come to move forward. Perhaps this meeting can be our beginning.

West Conclusion

It is inherently important in the legal industry that all of us, practitioners and information providers alike, seek and implement programs to help in the short term, as well as apply to our long range goal of better research and writing skills in the legal profession. To that end, Thomson West proposes the following initiatives and opportunities:

- West will continue to collaborate with law school deans and faculty to provide legal research curriculum in law schools for introductory and advanced legal research and writing courses, and doctrinal programs.
- West will consider developing a "Bridge the Gap" program to teach research skills to law students as they transition into practice.
- West will create additional training curriculum for law firms, which provides new associates with multi-media, cost-effective research skills. And, we will continue to develop a model for advanced, practice-specific training based on the West Integrated Legal Research Program (WILR). The WILR Program was developed this year in response to a 2005 survey of law librarians that assessed attorney print research skills and understanding. This new program was created to help researchers gain more confidence in their skills. The one-hour program incorporates print and online research into an integrated research workflow using real-practice scenarios, covering general topics and specific practice areas, such as tax, employment, bankruptcy and immigration. The WILR program can be delivered by West Librarian Relations managers, or the law firm librarian.
- West will continue to support law librarians as thought leaders in building new and innovative programs to enhance both student and attorney research skills.

Gathering to discuss legal research and writing, how we develop these skills and how the lack of development affects new practitioners, the law firms they join, and the legal profession at large is the first step to fixing this problem. However, it is too easy to continue to vacillate in the knowledge sharing arena, to discuss without acting.

West is acting on this commitment to excellence through the WILR Programs, and will continue to develop additional programming to bridge the gap and support the ongoing development of skills throughout practitioners' legal careers.

To contact the panelists, or Thomson West, for comments or additional information:

Bob Berring

Walter Perry Johnson Professor of Law
University of California School of Law Library
Berkeley, CA 94720-7210
berringr@law.berkeley.edu
510-642-6205

Monice M. Kaczorowski

Director, Library Services
Neal, Gerber & Eisenberg LLP, Chicago
2 North LaSalle Street, Suite 2200
Chicago, IL 60602
mkaczorowski@ngelaw.com
312-269-8087

Billie Jo Kaufman

Associate Dean
Library and Information Resources
Pence Law Library – American University
Washington College of Law
Washington, D.C. 20016
bkaufman@american.edu
301-275-2611

Patrick Meyer

Associate Library Director and Adjunct Professor
Thomas Jefferson School of Law
2121 San Diego Ave.
San Diego, CA 92110
pmeyer@tjssl.edu
619-297-9700, ext.1102

Connie B. Smith

Firm Director, Library Services
Morgan, Lewis & Bockius LLP
1701 Market Street
Philadelphia, PA 19103
cbsmith@morganlewis.com
215-963-4755

Thomson West:

Anne Ellis

Sr. Director, Marketing, Librarian Relations
Thomson West
610 Opperman Drive
Eagan, MN 55124
Anne.ellis@thomson.com
651-687-5019

Lezlie Bartz

Sr. Director, Print/CD
Thomson West
610 Opperman Drive
Eagan, MN 55124
Lezlie.bartz@thomson.com
651-687-3995

This paper will be available online at:
<http://www.west.thomson.com/librarian/>