

## Indexing and Full-Text Coverage of Law Review Articles in Nonlegal Databases: An Initial Study\*

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*Mr. Koulikov examines the level of coverage that articles originally published in law reviews receive in eight major general academic databases. His findings are very similar to those of other discipline-specific database coverage studies, and reveal that coverage varies widely by database, regardless of the database's claim to cover legal periodicals. This has particular implications for the level of engagement that nonlegal scholars have with the literature of the legal academia, and for the potential for meaningful interaction between legal scholars and their peers in other academic fields.*

### Introduction

¶1 The framework of higher education in the Western world is the division of the total body of knowledge into a range of academic disciplines, organized broadly into the “humanities”; the “social sciences”; and “science, technology, and medicine.” As the intellectual historian Louis Menand has noted, just like most, if not all, other attempts at classification, these divisions are to some degree artificial—but they are also inherently useful, serving to define academic departments, give shape to particular methods of scholarly communication, and influence the support structures of instruction and academic publishing.<sup>1</sup> The question of which division a particular discipline belongs to—usually the debate is between the social sciences and the humanities—is more or less a cliché. This, of course, does not prevent it from being asked over and over again. And while with some disciplines a consensus exists, with others that is definitely not the case. One example that is particularly prominent is law. Though it is most commonly considered to be a social science,<sup>2</sup> a number of scholars see it otherwise.

¶2 For example, Geoffrey Samuel, his own studies focusing on comparative law and legal epistemology, argues that because much—though certainly not all—of legal scholarship deals with the law as a product or construct isolated from “the

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1. See Louis Menand, *The Marketplace of Ideas* (Am. Council of Learned Soc'ys, Occasional Paper No. 49, 2001), [http://archives.acls.org/op/49\\_Marketplace\\_of\\_Ideas.htm](http://archives.acls.org/op/49_Marketplace_of_Ideas.htm).

2. See, e.g., NEIL DUXBURY, PATTERNS OF AMERICAN JURISPRUDENCE 129–30 (1995); Kevin R. Harwell, *Law and Justice*, in *THE SOCIAL SCIENCES: A CROSS-DISCIPLINARY GUIDE TO SELECTED SOURCES* 195 (Nancy L. Herron ed., 3d ed. 2002).

other social sciences,” it has to be something else, or something more than a social science.<sup>3</sup> And David Howarth, a sociologist, considers the notion of a struggle within both the law schools and the legal profession to define law as either one of the social sciences or as a humanities discipline, but notes that the actual day-to-day tasks of many lawyers involve “designing devices or structures” in a way that is not dissimilar from the job of an engineer or architect.<sup>4</sup>

¶3 Whatever area the study of law is thought to belong to, however, even more important for the discipline and for other disciplines that come into contact with it is the clear drive within law toward interdisciplinarity. In two recent articles, David Hollander reviewed how this drive has played out over the last fifty years, and what this has meant both for those within the field, and those looking at it from the outside.<sup>5</sup>

¶4 The traditional Langdellian school of legal analysis emphasized the study of judicial opinions to the exclusion of other literatures or fields.<sup>6</sup> Then, in the middle of the twentieth century, legal scholars began adopting the tools and approaches of other fields to their own discipline.<sup>7</sup> Unfortunately, movement of law into other disciplines has highlighted just how different the structure of legal scholarship in the United States is from the standards and practices of other academic fields. As Deborah Rhode notes, scholarly communication in law is thoroughly idiosyncratic, and, from the point of view of other disciplines, outright quirky.<sup>8</sup> This is in no small part because “law [itself] is unlike most other disciplines”<sup>9</sup>—but that is a far-from-satisfying explanation, and in any case, does nothing to address the challenges that a scholar from another discipline will face when wading into the scholarly communication patterns of law.

¶5 In law as an academic field, the scholarly legal periodical is considered to be the field’s dominant venue for scholarly communication.<sup>10</sup> A recent empirical study confirmed this assertion, finding that just under 60% of all citations in law review articles are to other law reviews, rather than to books. This compares to a journal

3. See Geoffrey Samuel, *Is Law Really a Social Science? A View from Comparative Law*, 67 CAMBRIDGE L.J. 288, 289–90 (2008).

4. David Howarth, *Is Law a Humanity (or Is It More Like Engineering)?*, 3 ARTS & HUMAN. HIGHER EDUC. 9, 19 (2004).

5. David A. Hollander, *Interdisciplinary Legal Scholarship: What Can We Learn from Princeton’s Long-Standing Tradition?*, 99 LAW LIBR. J. 771, 2007 LAW LIBR. J. 47; David A. Hollander, *An Unexpected Story: The History and Origins of Princeton’s Long-Standing Tradition of Interdisciplinary Legal Scholarship*, 100 LAW LIBR. J. 279, 2008 LAW LIBR. J. 15.

6. See William W. Fisher III, *Legal Theory and Legal Education, 1920–2000*, in 3 THE CAMBRIDGE HISTORY OF LAW IN AMERICA 34, 59–60 (Michael Grossberg & Christopher Tomlins eds., 2008); see also Charles W. Collier, *The Use and Abuse of Humanistic Theory in Law: Reexamining the Assumptions of Interdisciplinary Legal Scholarship*, 41 DUKE L.J. 191, 200 (1991).

7. See Charles W. Collier, *supra* note 6, at 193.

8. See Deborah L. Rhode, *Legal Scholarship*, 115 HARV. L. REV. 1327, 1333–37 (2002).

9. *Id.* at 1356.

10. See ROBERT C. BERRING & ELIZABETH A. EDINGER, *FINDING THE LAW* 317 (12th ed. 2005); Lawrence M. Friedman, *Law Reviews and Legal Scholarship: Some Comments*, 75 DENV. U. L. REV. 661, 661 (1998).

citation rate of over 65% for psychology and psychiatry, about 35% for history, and only 23% for literature.<sup>11</sup>

¶6 In its format, style, and method of publication, though, the law review differs significantly from journals in other academic fields: law review writing style is often characterized by excessive article length and annotation.<sup>12</sup> Footnotes for widely known facts and general ideas, which in other academic disciplines would not need to be supported by specific references, are a common feature.<sup>13</sup> More important—and sometimes shocking to the outside observer—is that most articles published in law reviews do not undergo the double-blind editorial review process that is standard elsewhere in academia;<sup>14</sup> rather, they are looked over by essentially unqualified student editors and selected based on factors that may have nothing to do with their rigor or empirical validity—a situation that has been called a case of “lunatics running the asylum.”<sup>15</sup>

¶7 It has been argued that the real purpose of the law review is not to present either empirical research or critical thinking, but to inform and influence judges, while simultaneously providing a particular educational experience for the students who actually serve as its editors and staff.<sup>16</sup> Most of these journals are published by the law schools themselves, rather than by either university presses or commercial publishers. In addition to the differences in publishing conventions, accessing the law review literature can be difficult for the uninitiated. The two standard full-text databases in law—LexisNexis and Westlaw—and the two dedicated online legal indexes—the Index to Legal Periodicals and Books (ILP) and LegalTrac—are largely unfamiliar to most researchers outside the field. A recent study found that nonlawyers who are subject specialists in fields that may call for access to legal materials and the scholarly literature of the law have trouble accessing them due primarily to a lack of expertise in the syntax of online legal databases.<sup>17</sup>

¶8 As law reviews publish more interdisciplinary articles, communication between legal scholars and the rest of the academic world will be increasingly

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11. Vincent Larivière et al., *The Place of Serials in Referencing Practices: Comparing Natural Sciences and Engineering with Social Sciences and Humanities*, 57 J. AM. SOC'Y INFO. SCI. & TECH. 997, 1002 (2006).

12. This is noted most strongly by Richard A. Posner in *Law Reviews*, 46 WASHBURN L.J. 155, 159 (2006) [hereinafter Posner, *Law Reviews*]. Other notable recent critiques of the law review writing style include Michael Bacchus, *Strung Out: Legal Citation, The Bluebook, and the Anxiety of Authority*, 151 U. PA. L. REV. 245 (2002); Richard A. Posner, *Legal Scholarship Today*, 115 HARV. L. REV. 1314 (2002); Shane Tintle, *Citing the Elite: The Burden of Authorial Anxiety*, 57 DUKE L.J. 487 (2007); and Richard A. Posner, *Against the Law Reviews*, LEGAL AFF., Nov.–Dec. 2004, at 57.

13. See Rhode, *supra* note 8, at 1335.

14. For an in-depth discussion of peer review and its growing adoption by law journals, see Nancy McCormack, *Peer Review and Legal Publishing: What Law Librarians Need to Know about Open, Single-Blind, and Double-Blind Reviewing*, 101 LAW LIBR. J. 59, 2009 LAW LIBR. J. 3.

15. Blaise Cronin, *Scholarly Communication and Epistemic Cultures*, 9 NEW REV. ACAD. LIBRARIANSHIP 1, 15 (2003).

16. Cameron Stracher, *Reading, Writing, and Citing: In Praise of Law Reviews*, 52 N.Y.L. SCH. L. REV. 349, 359–60 (2007–2008).

17. D.R. Newman & U. Doherty, *Making the Law Accessible to Non-Lawyers: Effects of Different Kinds of Expertise on Perceived Usability of Online Legal Information Services*, 27 BEHAV. & INFO. TECH. 423, 436 (2008).

important. After all, interdisciplinarity should involve not only using the approaches and methodologies of other disciplines, but also sharing the results with them. An intriguing question then, and one with particular relevance to the disconnect and mutual lack of understanding (referred to by Frank Cross as “unfortunate interdisciplinary ignorance”<sup>18</sup>) between law and other fields, relates to nonlegal scholars’ levels of awareness and engagement with the legal literature. And one way to address this question is to examine the coverage that law review articles receive in general academic article indexing, abstracting, and full-text databases.

### Previous Studies of Database Coverage

¶9 Since the emergence of the first computerized indexes of journal articles in the 1960s, the database subject-coverage study has been a frequent tool of library and information science research. Generally, these take the form of a checklist that examines exactly what is contained in a particular bibliographic database, usually counting the number of journals or articles that are represented and notionally available. Some of these studies have striven for breadth of coverage, looking at dozens of fields across a single database, or a small group of databases.<sup>19</sup> Others have compared how different databases cover the literature of a particular field.<sup>20</sup> In all of these cases, the studies found that major academic databases differ widely in their coverage of both broad disciplines and individual fields, and that turning to more than one is usually necessary for any approximation of comprehensive coverage. Yet a third type of study has addressed the terminology and various definitions of “coverage” and “access.” For example, a paper by Xiaotian Chen specifically looked at what exactly article databases mean when they promise full-text coverage of periodicals.<sup>21</sup>

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18. Frank B. Cross, *Political Science and the New Legal Realism: A Case of Unfortunate Interdisciplinary Ignorance*, 92 NW. U. L. REV. 251 (1997).

19. See Steve Black, *An Assessment of Social Sciences Coverage by Four Prominent Full-Text Online Aggregated Journal Packages*, 23 LIBR. COLLECTIONS, ACQUISITIONS, & TECH. SERVICES 411 (1999) (examining social science coverage in four databases); Kelly Blessinger & Maureen Olle, *Content Analysis of the Leading General Academic Databases*, 28 LIBR. COLLECTIONS, ACQUISITIONS, & TECH. SERVICES 335 (2004) (analyzing how three “leading general academic databases” cover various fields in the social sciences); J. B. Hill, *Aggregated Science: An Examination of Three Multi-Disciplinary Databases*, ISSUES SCI. & TECH. LIBRARIANSHIP, Spring 2001, <http://www.istl.org/01-spring/article4.html> (looking at “aggregated science” in three databases).

20. See Karen Chapman, *Full-Text Database Support for Scholarly Research in Finance*, J. BUS. & FIN. LIBRARIANSHIP, 2002, no. 4, at 35; Kathleen E. Joswick, *Full Text Psychology Journals Available from Popular Library Databases*, 32 J. ACAD. LIBRARIANSHIP 349 (2006); Carmen López-Illescas et al., *Coverage and Citation Impact of Oncological Journals in the Web of Science and Scopus*, 2 J. INFORMETRICS 304 (2008); Bob Persing & Allan Scherlen, *Seeking Philosophy Journals on the Web: Scholarly, Full-Text, and Free*, 28 SERIALS REV. 225 (2002); Eleanor J. Read & R. Craig Smith, *Searching for Library and Information Science Literature: A Comparison of Coverage in Three Databases*, 19 LIBR. COMPUTING 118 (2000); William H. Walters, *Google Scholar Coverage of a Multidisciplinary Field*, 43 INFO. PROCESSING & MGMT. 1121 (2007) (examining how the academic area of “later-life migration” is covered).

21. Xiaotian Chen, *Figures and Tables Omitted from Online Periodical Articles: A Comparison of Vendors and Information Missing from Full-Text Databases*, INTERNET REFERENCE SERVICES Q., 2005, no. 2, at 75.

¶10 Looking at the bibliometrics<sup>22</sup> of law reviews though, the scarcity of similar studies is somewhat disconcerting. The typical article that does focus on law reviews is a simple citation analysis.<sup>23</sup> Of course, citation analysis in law is vastly different from citation analysis in other academic fields because beyond scholarly literature there is a large corpus of written judicial decisions that also feature citations to published scholarship. One recent study does look at how law reviews are covered in major article databases, but apart from LexisNexis and Westlaw, it makes no attempt to analyze or compare any specific products.<sup>24</sup> Another identified a total of 166 law-related periodicals that are available through either EBSCO Academic Search Premier, Gale Expanded Academic ASAP, or ProQuest Research Library, but did not attempt to drill down to the level of the individual journal.<sup>25</sup> One exception to the general trend is Richard Danner's recent article, which, although concerned generally with concepts of open access to scholarship, does include a brief analysis of the coverage of a sample of ten prominent law reviews in Westlaw, LexisNexis, HeinOnline, and JSTOR.<sup>26</sup>

¶11 It is important to note that given a well-defined and fairly static universe of law reviews, authors who study scholarly communication in law may simply assume that complete, or almost complete, coverage by LexisNexis and Westlaw is just a matter of time, and therefore the question of database coverage holds little interest. Indeed, support for this assumption can be found by examining the 2006 edition of the *Directory of Law Reviews*. It identifies 184 general law reviews, 321 law reviews devoted to specific topics, and an additional 184 titles, published by law schools, other academic departments, and commercial publishers, that have a formal peer review process.<sup>27</sup> This means that the total universe of law-related periodicals in the United States currently consists of 689 individual publications—whereas the list of U.S. legal publications available through LexisNexis numbers 799, with the difference made up by non-scholarly professional magazines and newsletters. Relying on the coverage by these two databases may be problematic though, because they have poor historical coverage<sup>28</sup> and lack access to PDF versions of articles,<sup>29</sup> thus presenting a whole range of problems with formatting and pagination.<sup>30</sup>

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22. A classic general definition of bibliometrics is “the scientific study of recorded discourse.” Alvin M. Schrader, *Teaching Bibliometrics*, 30 LIBR. TRENDS 151, 151 (1981).

23. See, e.g., Dragomir Cosanici, *Bibliometric Study in the Heartland: Comparative and Electronic Citation Practices of the Indiana, Kentucky, Michigan and Ohio Supreme Courts (1994–2004)*, 7 LEGAL INFO. MGMT. 207 (2007); Deborah J. Merritt & Melanie Putnam, *Judges and Scholars: Do Courts and Scholarly Journals Cite the Same Law Review Articles?*, 71 CHI.-KENT L. REV. 871 (1996).

24. Simon Canick, *Availability of Works Cited in Recent Law Review Articles on LEXIS, WESTLAW, the Internet, and Other Databases*, LEGAL REFERENCE SERVICES Q., 2002, no. 2/3, at 55.

25. Blessinger & Olle, *supra* note 19, at 340.

26. Richard A. Danner, *Applying the Access Principle in Law: The Responsibilities of the Legal Scholar*, 35 INT'L J. LEGAL INFO. 355, 374–75 (2007).

27. MICHAEL H. HOFFHEIMER, 2006 DIRECTORY OF LAW REVIEWS (2006), <http://www.lexisnexis.com/lawschool/prodev/lawreview>.

28. JULIUS J. MARKE ET AL., LEGAL RESEARCH AND LAW LIBRARY MANAGEMENT § 16.03 (2d ed. 2009).

29. MORRIS L. COHEN & KENT C. OLSON, LEGAL RESEARCH IN A NUTSHELL 57 (9th ed. 2007).

30. See e.g., STACEY L. GORDON, ONLINE LEGAL RESEARCH 49–50 (2003) (discussing page layout on LexisNexis and how it differs from the print version of a document).

¶12 In the context of the discussion of legal scholarship and interdisciplinarity, a particularly interesting assertion is that because of the way law journal articles are accepted and published, the quality of law review articles is not as high as that of writings in other disciplines. The implication, of course, is that law reviews are simply not capable of making valuable contributions to fields outside the law.<sup>31</sup> Particularly notable is Mark Graber's claim that "law professors who do interdisciplinary legal scholarship are particularly likely to do bad interdisciplinary legal scholarship."<sup>32</sup> Richard Posner has used the terms "mediocre, evanescent, and faddish" to describe law review articles' approaches to other disciplines.<sup>33</sup>

¶13 Within the past decade, critical assessments of specific interdisciplinary studies originally published in law reviews have begun to appear.<sup>34</sup> Curiously, though, empirical study of just how other disciplines perceive law review articles has so far been quite limited. Shapiro, in his analysis of the most-cited law review articles "of all time" counts both articles published in interdisciplinary journals and a small number of "law-related" articles in nonlegal journals.<sup>35</sup> In fact, that study specifically excluded some articles where the majority of citations to them were from nonlegal publications.<sup>36</sup> A follow-up study, which ranks the top law reviews in the United States by both total citations and impact factor, again notes that the social science literature cites legal journals with some frequency, although this time Shapiro did not exclude articles on that basis.<sup>37</sup>

¶14 A pioneering survey of the citation patterns of media law scholars based in law schools and those based in other academic departments finds that the former, by and large, still only publish in law reviews.<sup>38</sup> Its most important finding, though, is that while over half of the twenty-five articles that were cited most often by mass communication journals were either published in law reviews or "works by scholars associated with law schools," the reverse was simply not the case—the law review articles did not cite to mass communication journals or scholars.<sup>39</sup> Clearly then, an argument that law review articles, because of their quality, are essentially irrelevant for other disciplines is, at least in some cases, simply not valid. In fact, even a cursory look at the "law" category of the Journal Citation Reports service shows that, for example, the *Harvard Law Review* has been cited by the *Journal of Business Ethics* and the *Lecture Notes in Computer Science*. *Yale Law Review's* citing

31. See, e.g., ROBERT J. SPITZER, *SAVING THE CONSTITUTION FROM LAWYERS: HOW LEGAL TRAINING AND LAW REVIEWS DISTORT CONSTITUTIONAL MEANING* (2008); Harry T. Edwards, *The Growing Disjunction Between Legal Education and the Legal Profession*, 91 MICH. L. REV. 34 (1992).

32. Mark A. Graber, *Law and Sports Officiating: A Misunderstood and Justly Neglected Relationship*, 16 CONST. COMMENT. 293, 311 (1999).

33. Posner, *Law Reviews*, *supra* note 12, at 157.

34. See Michele Landis Dauber, *The Big Muddy*, 57 STAN. L. REV. 1899 (2005); see also Lee Epstein & Gary King, *The Rules of Inference*, 69 U. CHI. L. REV. 1 (2002) (criticizing a significant portion of published legal scholarship for false claims of empiricism).

35. Fred R. Shapiro, *The Most-Cited Law Review Articles Revisited*, 71 CHI.-KENT L. REV. 751, 751, 755–56 (1996).

36. *Id.* at 756.

37. See Fred R. Shapiro, *The Most-Cited Law Reviews*, 29 J. LEGAL STUD. 389, 391 (2000).

38. Yorgo Pasadeos et al., *Influences on the Media Law Literature: A Divergence of Mass Communication Scholars and Legal Scholars?*, 11 COMM. LAW & POL'Y 179, 189 (2006).

39. *Id.* at 193.

journals outside the legal field include the *American Political Science Review* and *Enterprise and Society*, and recent *Columbia Law Review* articles have been referenced by non-legal scholarly journals such as *China Quarterly*, *Corporate Governance*, and *Enterprise & Society*.

## Coverage of Law Journals in Academic Databases

### Methodology

¶15 Because nonlegal academics do not generally use legal databases, I developed a study to see whether nonlegal scholars have access to legal journal articles, and thus legal scholarship, through databases they might commonly use. Any in-depth analysis of the coverage of law reviews by major nonlegal academic databases necessarily must be limited to a sample of law reviews, and a selected number of databases. I decided to use the three major general databases that Blessinger and Olle evaluated as a starting point.<sup>40</sup> Expanding on their work, and taking the generally accepted view that law is a social science, my study also examined coverage of law reviews in several other databases that are key to study of the social sciences: JSTOR, PAIS International, Periodicals Archive Online, Worldwide Political Science Abstracts, and the International Bibliography of the Social Sciences. All of these are commonly available databases that should be familiar to most academic researchers, and all five claim to include coverage of law as a discipline.

¶16 As this was an initial exploration, it was important to decide how to select the sample of law reviews for which I would examine coverage. While a random sample was certainly feasible, given the pre-defined and known total population of law reviews in the United States, a purposive sampling method based on some external criteria seemed more appropriate. As in other disciplines, in law there are several ways of classifying—and potentially, ranking—academic journals. One obvious method is based on citation analysis using the Journal Citation Reports' impact factor.<sup>41</sup> Using the data generated by the Law Journals: Submission and Ranking service<sup>42</sup> is another possible method.<sup>43</sup> One study has argued that the quality of any given law review is correlated strongly with the ranking of the law school that publishes it.<sup>44</sup> This argument centers on the strong ties between a law school's students and faculty and the journal itself, as well as the assumption that readers (and faculty authors) will be attracted to a journal published by a “brand-name” law school before turning to one whose provenance is not as prestigious. A novel approach to ranking law reviews as a function of the “prominence” of article

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40. Blessinger & Olle, *supra* note 19, at 335 (selecting EBSCO Academic Search Premier, Gale Expanded Academic ASAP, and ProQuest Research Library for the study).

41. Thomson Reuters, The Thomson Reuters Impact Factor, [http://thomsonreuters.com/products\\_services/science/free/essays/impact\\_factor](http://thomsonreuters.com/products_services/science/free/essays/impact_factor) (last visited Nov. 2, 2009).

42. Washington & Lee University School of Law, Law Journals: Submissions and Ranking, <http://lawlib.wlu.edu/LJ> (last visited Nov. 2, 2009).

43. See Alfred L. Brophy, Response, *Law [Review]'s Empire: The Assessment of Law Reviews and Trends in Legal Scholarship*, 39 CONN. L. REV. 101, 110 n.48 (2006).

44. Ronen Perry, *The Relative Value of American Law Reviews: Refinement and Implementation*, 39 CONN. L. REV. 1, 30–31 (2006).

authors (maximum points for a U.S. President, and on down from there based on job title) has also been suggested.<sup>45</sup>

¶17 Taking these methods into account, I decided to limit my survey to the top twenty law reviews in the United States, based on impact factor as calculated by Journal Citation Reports. Of course, the limitations of the impact factor as a rating cannot be ignored either, so to compensate, any general law review published by a school in the top twenty in the 2008 *U.S. News & World Report* rankings<sup>46</sup> was also included. This produced a total sample size of twenty-six journals. Twenty-two of these are general-purpose law reviews published by a law school; one is subject specific; one other is peer reviewed, published by a university press, and explicitly interdisciplinary; and the remaining two are published by professional associations. Appendix A contains the full list of selected journals.

¶18 The lists of titles each database claimed to contain provided an obvious starting point for the study. However, the reliability of online databases' descriptions of coverage, particularly with respect to titles covered and the specific details of what is actually included when a database promises access to the full text of an article, is questionable.<sup>47</sup> Because of this, in addition to reviewing the title lists, whenever possible I ran searches in the individual databases. This allowed me to compare not only the fact of coverage, but the level or depth to which individual databases cover particular journals, and the chronological scope of coverage.

## Results

¶19 The findings of the study are summarized in four tables. Table 1 lists the total scope of each of the four full-text databases, the number of law reviews or legal periodicals they cover, and coverage by number and percentage for the twenty-six journals in my sample. Table 2 lists the same information for the four abstracting/indexing databases. Table 3 compares the depth of coverage in the four databases that are nominally full-text. Finally, Table 4 covers the overlap in titles between the four databases and the number of titles that are unique to each. Appendix B contains the details of coverage for each of the selected journals in each of the databases.

¶20 Of the twenty-six journals chosen, twenty-four (92%) have some kind of record associated with them in at least one of the databases. Thus, all eight databases studied provide some level of access to the top journals in the field of law, ranging from 81% coverage in the Periodicals Index to 15% coverage in the Worldwide Political Science Abstracts. A fairly wide spread of this kind is largely in line with the findings of other subject coverage studies. For example, Blessinger and Olle found a range from 11% for coverage of peer-reviewed journals on sports

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45. Robert M. Jarvis & Phyllis G. Coleman, *Ranking Law Reviews: An Empirical Analysis Based on Author Prominence*, 39 ARIZ. L. REV. 15, 16–18 (1997); Robert M. Jarvis & Phyllis Coleman, *Ranking Law Reviews by Author Prominence—Ten Years Later*, 99 LAW LIBR. J. 573, 2007 LAW LIBR. J. 33.

46. *Schools of Law*, U.S. NEWS & WORLD REPORT, Apr. 7, 2008, at 66.

47. See Chen, *supra* note 21, at 86–87 (finding that it is not uncommon for full-text databases of scholarly journals to reproduce article texts but leave out some—or even all—tables and figures); see also Nancy Sprague & Mary Beth Chambers, *Full-Text Databases and the Journal Cancellation Process: A Case Study*, SERIALS REV., Oct. 2000, at 19.

**Table 1**

## Summary: Total Coverage (Full-text Databases)

Database	Titles included	Percent of sample	Total titles in database	Law titles in database
EBSCO Academic Search Premier	12	46%	8144	369
ProQuest Research Library	11	42%	4029	210
Gale Expanded Academic ASAP	11	42%	4266	59
JSTOR	11	42%	773	57
Total coverage	16	62%	n/a	n/a

**Table 2**

## Summary: Total Coverage (Indexing/Abstracting Databases)

Database	Titles included	Percent of sample	Total titles in database	Law titles in database
Periodicals Index Online	21	81%	6185	325
PAIS International	16	62%	4172	n/a
Worldwide Political Science Abstracts	6	23%	1712	n/a
International Bibliography of the Social Sciences (IBSS)	4	15%	4210	n/a
Total coverage	24	92%	n/a	n/a

**Table 3**

## Details of Coverage in Full-Text Databases

Database title	Number of titles	Percent full-text	Percent abstract/citation
EBSCO	12	58%	42%
ProQuest	11	55%	45%
Gale	11	45%	55%
JSTOR	11	100%	0%

**Table 4**

## Unique Titles in Full-Text Databases

Database	Unique titles	Shared with 1 database	Shared with 2 databases	Shared with 3 databases
EBSCO	1	2	2	7
ProQuest	0	2	1	8
Gale	1	1	1	8
JSTOR	2	1	0	8

and games in ProQuest to 98% for psychology.<sup>48</sup> Joswick, in a narrow, discipline-specific study, found that a low of six journals in her sample were available through LexisNexis and a high of 165 through Academic Search Premier.<sup>49</sup> A closer look at the results of the individual databases can be used to examine how suitable each is for access to law-related, interdisciplinary scholarship.

¶21 EBSCO Academic Search Premier presents itself as a source of information in most major areas of academic study and at the time of my study covered a total of 8144 journals.<sup>50</sup> Librarians clearly see it as a valuable resource across a range of fields, and have examined it in depth several times.<sup>51</sup> A total of 369 journals in the database had a “law” subject heading. Twelve of these (46%) were among the twenty-six titles in the present study. However, for only two (*Harvard Law Review* and *California Law Review*) was full text available for their entire print runs. Five more had partial full-text coverage (one from 2004 on, one from 2003, and three from 1996). Of the remaining five journals, four were indexed from 1996 on, and one was indexed only for the period from 2000 to 2002. Only one of the titles included was unique, two were shared with one other database, two more with two others, and seven overlap with three.

¶22 The ProQuest Research Library claims to offer full-text coverage of 4029 journals, magazines, and trade publications.<sup>52</sup> It has been called a “jack-of-all-trades” of academic databases, and noted for its ease of use.<sup>53</sup> This database’s “law” module included 210 scholarly and trade titles. However, none of the eleven leading law reviews that the database covers were unique, and the depth of coverage varied: there was some access to full text for six journals, none earlier than 1993, and for five more there were abstracts or bibliographic records only, going back no further than 1976.

¶23 Gale Expanded Academic ASAP is the third and final of the “big three” aggregators of academic journal content. Although there were only about sixty law-related journals among its more than 4300 titles,<sup>54</sup> eleven of the top twenty-six sample journals were available. However, in no case did any coverage begin before 1980. Five of the eleven journals covered are available in full text, starting in various years from 1992 on. Interestingly, in its title list, law reviews, which, as discussed earlier, are edited by students, were generally listed as being “refereed/peer-

48. Blessinger & Olle, *supra* note 19, at 340.

49. Joswick, *supra* note 20, at 351.

50. EBSCOhost Online Research Databases, Academic Search Premier, <http://www.ebscohost.com/thisTopic.php?topicID=1&marketID=1> (last visited Nov. 2, 2009). All information regarding database coverage was correct at the time of my study, in December of 2008. Citations here are to the current version of that information.

51. Subject coverage studies centered around Academic Search Premier include Blessinger & Olle, *supra* note 19; as well as Thomas E. Nisonger, *Use of the Checklist Method for Content Evaluation of Full-Text Databases: An Investigation of Two Databases Based on Citations from Two Journals*, LIBR. RESOURCES & TECH. SERVICES, Jan. 2008, at 4; and Naama Tal, *Which One to Choose? A Comparison Between Three Aggregators*, KNOWLEDGE QUEST, Jan./Feb. 2006, at 24.

52. ProQuest, ProQuest Research Library, [http://www.proquest.com/en-US/catalogs/databases/detail/pq\\_research\\_library.shtml](http://www.proquest.com/en-US/catalogs/databases/detail/pq_research_library.shtml) (last visited Nov. 2, 2009).

53. John N. Varrone, *ProQuest Research Library*, CHARLESTON ADVISOR, Jan. 2008, at 41, 41.

54. Expanded Academic ASAP, <http://www.gale.cengage.com/pdf/facts/expacad.pdf> (2009).

reviewed,” which may give an incorrect perception of their content to a novice reader.

¶24 The final full-text database I examined was JSTOR, which is really more of a digital archive that emphasizes breadth of coverage over robust searching, and was designed to provide a service of particular value to the academic community.<sup>55</sup> There were 773 journals in its fourteen collections,<sup>56</sup> fifty-seven in law. Its unique features, such as a “moving wall” that restricts coverage of the most recent issues, are also well known. While the scope of its overall coverage was not much different from the other three databases, within that, historical coverage was excellent. Eleven titles of the twenty-six in my sample received at least some level of coverage, and of those eleven, ten were covered from their first volume (for example, 1887 for *Harvard Law Review* and 1902 for *Michigan Law Review*), up to the moving-wall cut-off date, with complete access to the full text of each issue.

¶25 Together, these four databases provided access to sixteen of the twenty-six journals in the sample, or 62% of the total, and some level of full-text access to fourteen (54%). Six general law reviews, one of the two specialized journals, and both journals published by associations did not receive any coverage.

¶26 Turning to the abstracting/indexing services, the best overall coverage was found in Periodicals Index Online (PIO). There were 6185 journals indexed in this relatively new database,<sup>57</sup> which has been receiving generally positive reviews.<sup>58</sup> Overall subject coverage is extremely broad, encompassing “millions of articles published in the arts, humanities and social sciences . . . .”<sup>59</sup> Two hundred and eighty-five of the journals included were categorized under “law” as a primary subject. Thirty-seven more had law as a secondary subject, and in three cases, it was a tertiary subject, for a total of 325 individual titles.<sup>60</sup> However, because the database was designed to focus on historical content, PIO’s coverage is limited to articles published before 1995.<sup>61</sup> Twenty-one of the twenty-six journals in my sample were contained in the database, all from their first issue, and including one title that was included in no other database in my study. Seven journals were not covered by the other full-text databases I examined, and six were unique to PIO among the indexing/abstracting services.

¶27 PAIS International’s scope is quite expansive as well, with 4172 individual journals,<sup>62</sup> a general focus on the “international literature in public affairs, public

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55. See Michael P. Spinella, *JSTOR: Past, Present, and Future*, J. LIBR. ADMIN., July 2007, at 55, 56.

56. JSTOR, Content, <http://www.jstor.org/action/showJournals?browseType=titleInfoPage> (last visited Nov. 2, 2009).

57. A spreadsheet of titles in Periodicals Index Online is available for downloading. Periodicals Index Online, Titles List, <http://pio.chadwyck.co.uk/marketing/titles.jsp> (last visited Nov. 2, 2009).

58. See L. Lord, Review, *Periodicals Index Online/Periodicals Archive Online*, CHOICE: CURRENT REVIEWS FOR ACAD. LIBRARIES, Apr. 2008 (Special Supp.), at 1302.

59. Periodicals Index Online, Information Site, <http://pio.chadwyck.com/marketing.do> (last visited Nov. 2, 2009).

60. See Periodicals Index Online, *supra* note 57. The spreadsheet can be filtered by journal subject to find law journals.

61. Periodicals Index Online, Criteria and Procedure for Inclusion of Journals, <http://pio.chadwyck.co.uk/marketing/inclusion.jsp> (last visited Nov. 2, 2009).

62. ProQuest, PAIS International Journals List, <http://www.csa.com/factsheets/supplements/pais.php> (last visited Nov. 2, 2009).

and social policies, and international relations,”<sup>63</sup> and a specific classification for “law and ethics.” It was not, however, possible to identify exactly how many journals the law and ethics classification covers without a one-by-one search. In part, this is due to the fact that subject indexing in PAIS is at the level of the individual item only. In addition, not all articles in law reviews are automatically classified as “law.”

¶28 PAIS International contained entries for articles from sixteen of the twenty-six journals: the earliest were from 1976, and five of the journals were indexed through the most recent issue. However, for all journals included, indexing was selective, covering only some of the articles in any given issue of a law review. For a number of the journals, only select years were available: the oddest case was the *University of Pennsylvania Law Review*, with just one article indexed. Nonetheless, compared to the full-text databases, PAIS International did provide additional access, as it included four titles that are not available through any of the other databases. This finding provides some confirmation of Tze-Chung Li’s statement that PAIS is “noted for its coverage of legal periodicals . . . .”<sup>64</sup>

¶29 The remaining two abstracting services were somewhat narrower in scope. Worldwide Political Science Abstracts covers a universe of over 1700 serials in “political science and its complementary fields, including international relations, law, and public administration/policy,”<sup>65</sup> divided into three groups based on depth of coverage of individual journals. Although a number of law reviews were included in the title list, actual coverage of them was almost always selective in scope, meaning it included fewer than half of the journal’s substantive articles. Articles from six of the journals in the sample (23%) were indexed, but again, not all articles in a given issue and not all issues in any given volume were represented, and none of the journals covered was unique to this database.

¶30 The focus of the International Bibliography of the Social Sciences (IBSS) is on “the four core social science subjects of anthropology, economics, politics and sociology,”<sup>66</sup> with law treated as a “supporting subject.”<sup>67</sup> A total of 4210 journals were indexed, but only four of the sample law reviews. At 15%, this made IBSS the lowest-ranking database in this study, although, because its general policy is cover-to-cover indexing of all relevant articles, the full runs of those journals back to 1952 were included. Another notable fact is that IBSS contains a few articles from several other journals in the sample, but only for a seemingly random number of issues from approximately 1954 to 1961. In my listing of coverage results, this coverage was ignored.

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63. AIMÉE LEVERETTE, *CSA ILLUMINA, CSA PAIS INTERNATIONAL AND PAIS ARCHIVE DATABASE GUIDE 1* (2006), <http://www.csa.com/factsheets/supplements/paisguide.pdf>.

64. TZE-CHUNG LI, *SOCIAL SCIENCE REFERENCE SOURCES: A PRACTICAL GUIDE 321* (3d ed. 2000).

65. ProQuest, *CSA Worldwide Political Science Abstracts*, <http://www.csa.com/factsheets/polsci-set-c.php> (last visited Nov. 2, 2009).

66. Int’l Bibliography of the Soc. Scis., *Brief Summary of Current IBSS Coverage*, [http://www.lse.ac.uk/collections/IBSS/about/coverage.htm#Brief\\_summary\\_of\\_IBSS\\_coverage](http://www.lse.ac.uk/collections/IBSS/about/coverage.htm#Brief_summary_of_IBSS_coverage) (last visited Nov. 2, 2009).

67. Int’l Bibliography of the Soc. Scis., *Subject Coverage*, <http://www.lse.ac.uk/collections/IBSS/about/subjectCoverage.htm> (last visited Nov. 2, 2009).

¶31 Two of the journals in the sample were not covered by any of the databases. The web site of one of these (*Psychology, Public Policy, and Law*) notes that it is indexed in PsycINFO, Current Contents, Criminal Justice Abstracts, and the Applied Social Science Index and Abstracts, as well as Westlaw and LexisNexis (although neither LegalTrac nor ILP).<sup>68</sup> The second, the *American Bankruptcy Law Journal*, is a highly specialized publication that would likely only be of interest to a limited audience. Interestingly, this journal's Journal Citation Reports coverage does show that it is being cited frequently in other specialist non-legal publications, for example, the *Academy of Management Review* and the *Journal of Experimental Psychology*.

### Recommendations for Researchers

¶32 Overall, the results of my study are in line with the findings of other examinations of database coverage of various disciplines and subjects.<sup>69</sup> While combined coverage across several databases is adequate or better than adequate, no single database will likely be sufficient to provide access to a given field. Thus, for coverage of at least the top legal journals, some combination of JSTOR for historical access, one of the other three academic databases for access to articles on the wrong side of the moving wall in JSTOR, and Periodicals Index Online for comprehensive indexing would have to be combined. Law librarians working with clients outside legal academia, and reference and subject librarians who are called on to assist with research that may call for awareness of legal scholarship should familiarize themselves with the specifics of these and with the ways they address the academic study of law.

### Suggestions for Further Research

¶33 Of course, as with any study, more could have been done. Purposive sampling creates a selection bias, and there is no way to determine whether the figures found when evaluating coverage of top law reviews (however defined) will hold for all law reviews, or for particular subdivisions of the universe. I also did not attempt to evaluate the databases more thoroughly based on criteria other than coverage. Other criteria that might provide meaningful analyses include retrieval effectiveness, search capabilities, search output functionalities, cost, technical considerations, cataloging practices, and vendor-dependent factors.<sup>70</sup> Because this was an initial, exploratory study, the data collected are extremely basic. Nor did I attempt statistical manipulation to determine correlations between the results.

¶34 As this was a purely descriptive/exploratory study, concerns about internal validity (i.e., causal factors) were not relevant. There is an obvious question of

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68. Am.Psychological Ass'n, Abstracting and Indexing Services: Psychology, Public Policy, and Law, <http://www.apa.org/journals/law/abstracting.html> (last visited Nov. 2, 2009).

69. See Blessinger & Olle, *supra* note 19, at 340 tbl.1; Joswick, *supra* note 20, at 351 fig.1. An excellent broad review of recent database coverage studies is Tover Faber Frandsen & Jeppe Nicolaisen, *Intra-Disciplinary Differences in Database Coverage and the Consequences for Bibliometric Research*, 59 J. AM. SOC'Y INFO. SCI. & TECH. 1570 (2008).

70. Minakshi Sharma, *Is it 'Accessible' Online? Evaluating the Quality and Accessibility of Online Databases*, 28 CURRENT STUD. LIBRARIANSHIP 59, 63–66 (2004).

external validity with respect to the universe of law reviews as a whole, and the scope of any further coverage analysis will have to be both expanded to the full universe of law reviews, and narrowed to specific types of journals, such as those published by law schools either in particular geographic regions, or those that are similar in terms of their rankings. An interesting issue to investigate would be the ratio of law review articles that are indexed by the selective subject-specific databases to the total article counts of the journals they were published in.

¶35 The reliability of this study also needs to be addressed. Its internal reliability is high—the results do correspond to the research question. As far as its external reliability, this analysis is a snapshot in time, and based on the independent factor of coverage of a particular type of periodical in several databases. The databases themselves are rarely static, and in fact, several studies have found that “volatility” in database content, in terms of both new additions and journals being dropped is not at all uncommon.<sup>71</sup> The external reliability is therefore questionable, and a similar study at a later point in time may very well yield different results.

¶36 Another topic for further research is the bigger question of whether as a whole, the law as an academic field is a “net giver” to other academic disciplines, or a “net taker.”<sup>72</sup> This would allow expansion on the comparison of the differences in citation patterns between media law articles published in general academic journals and those appearing in law reviews,<sup>73</sup> and compare citations in law reviews to nonlegal research and the reverse across fields other than just media law.

¶37 Finally, the emergence of search engines such as Google Scholar, which are not subscription-based, has presented an entirely new set of issues regarding the relationship between academics and published scholarship. Several studies have already examined disciplinary coverage in Google Scholar, although not for law reviews.<sup>74</sup> Related to this is the ongoing debate within legal academia about the promise and threat of open-access legal scholarship in the form of papers published as blog posts, in open-access journals, and in online repositories such as SSRN and BePress. Even a simple comparison of law reviews’ policies for posting tables of contents, abstracts, and recent issues on their web sites would be a valuable contribution to the literature. Stephanie Plotin’s recent examination of trends in open access to legal scholarship, in particular to the current and recent issues of the top-ranking law reviews, is a valuable first step in this direction.<sup>75</sup>

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71. Sprague & Chambers, *supra* note 47, at 29; Mary Beth Chambers & SooYoung So, *Full-Text Aggregator Database Vendors and Journal Publishers: A Study of a Complex Relationship*, 30 SERIALS REV. 183, 186–87 (2004).

72. This idea was suggested by Peter Hook of the Indiana University Law Library. E-mail from Peter Hook, Elec. Servs. Librarian, Ind. Univ. Law Library, to author (Oct. 21, 2008) (on file with author).

73. Pasadeos et al., *supra* note 38, at 192.

74. See, e.g., Chris Neuhaus et al., *The Depth and Breadth of Google Scholar: An Empirical Study*, 6 PORTAL: LIBR. & ACAD. 127 (2006); Walters, *supra* note 20.

75. Stephanie L. Plotin, *Legal Scholarship, Electronic Publishing, and Open Access: Transformation or Steadfast Stagnation?*, 101 LAW LIBR. J. 31, 2009 LAW LIBR. J. 2.

## Conclusion

¶38 Initial though they may be, the results of this study do seem to support the statement that law reviews are covered meaningfully in non-legal databases. Much has been said about what interdisciplinarity may mean for law, but the question of how the literature of the law can contribute to other disciplines is equally as important. The support structures for scholars in other fields to become familiar with legal writing are clearly in place. The rest is up to the scholars. Neither the underlying ideas nor the actual techniques this study used to evaluate the coverage of a selection of leading law reviews in nonlegal databases was particularly innovative. It was a first attempt to systematically answer a question that is increasingly being asked by academics both within the legal field and in other disciplines, and I hope that it will lead to more intensive study of this issue.

## Appendix A

### Journal List

Journal Title	Impact Factor	School Rank
Harvard Law Review	1	2
Columbia Law Review	2	4
UCLA Law Review	3	16
Texas Law Review	4	16
Yale Law Journal	5	1
University of Pennsylvania Law Review	6	7
California Law Review	7	6
Cornell Law Review	8	12
Stanford Law Review	9	2
Virginia Law Review	10	9
Psychology, Public Policy, and Law	11	n/a
Georgetown Law Journal	12	14
Michigan Law Review	13	9
Journal of Legal Studies	14	n/a
Minnesota Law Review	15	22
Northwestern University Law Review	16	9
Harvard Environmental Law Review	17	n/a
Vanderbilt Law Review	18	15
American Bankruptcy Law Journal	19	n/a
Boston University Law Review	20	21
New York University Law Review	21	5
University of Chicago Law Review	25	7
Duke Law Journal	27	12
Southern California Law Review	37	18
Washington University St. Louis Law Review	n/a	19
George Washington University Law Review	29	20

## Appendix B

## Individual Database Details

Full-text Databases				Indexing/Abstracting Services			
EBSCO Academic Search Premier	ProQuest Research Library	Gale Expanded Acad. ASAP	JSTOR	Periodicals Index Online	PAIS Int'l	WPSA	IBSS
Coverage: Full-text and abstracts Scope: 8144 titles	Coverage: Full-text Scope: 4029 titles	Coverage: Full-text Scope: 4266 titles	Coverage: Full-text, page images Scope: 773 titles	Coverage: Historical indexing to 1995 Scope: 6185 titles	Coverage: Select indexing based on subjects Scope: 4172 titles	Coverage: Select, political science and complementary fields Scope: 1712 titles	Coverage: Select, four core disciplines of social science & supporting subjects Scope: 4210 titles
Harvard Law Review	YES 1976-current: index full-text	YES 1984-2003: index 2004-current: full-text	YES to 2004	YES Volume 1-1995	YES 1976-current	YES 1952-current	YES
Columbia Law Review	YES 1996-2003: index 2004-current: full-text	YES 1984-current: index	YES to 2004	YES Volume 1-1995	YES 1976-current	YES 1952-current	YES
UCLA Law Review	NO	NO	NO	YES Volume 1-1995	YES 1976-current	NO	NO
Texas Law Review	YES 1996-current: full-text	NO	NO	YES Volume 1-1995	YES 1977-1999	NO	NO
Yale Law Journal	YES 1996-current: index	YES 1980-1991: index 1992-current: full-text	YES to current volume	YES Volume 1-1995	YES 2004	YES 1976-2001	YES 1952-current
University of Pennsylvania Law Review	YES 1996-current: index	YES 1989-current: index	YES 1945-2004	YES Volume 1-1995	YES single item	YES	NO

Full-text Databases				Indexing/Abstracting Services				
	EBSCO Academic Search Premier	ProQuest Research Library	Gale Expanded Acad. ASAP	JSTOR	Periodicals Index Online	PAIS Int'l	WPSA	IBSS
Cornell Law Review	NO	NO	YES 1980-current: full-text	NO	YES Volume 1-1995	YES 1976-2000	NO	NO
Stanford Law Review	YES 1996-current: full-text	YES 1989-2004: index 2005-current: full-text	YES 1984-1998: index 1999-current: full-text	YES to 2002	YES Volume 1-1995	YES 1976-1999	NO	NO
Virginia Law Review	NO	NO	NO	YES to 2006	YES Volume 1-1995	YES 1976-2000	NO	NO
Psychology, Public Policy and Law	NO	NO	NO	NO	NO	NO	NO	NO
Georgetown Law Journal	YES 2000-2002: index	YES 1997-current: full-text	NO	NO	YES Volume 1-1995	YES 1976-2001	NO	NO
Michigan Law Review	YES 1996-current: index	YES 1972-1992: index 1993-current: full-text	YES 1984-1992: index 1993-current: full-text	YES to 2004	YES Volume 1-1995	YES 1976-2000	NO	NO
Journal of Legal Studies	NO	NO	NO	YES to 2002 index: 2003- 2006	NO	NO	YES	YES 1972-current
Minnesota Law Review	NO	NO	NO	NO	YES Volume 1-1995	NO	NO	NO
Northwestern University Law Review	YES 2003-current: full-text	YES 1997-current: full-text	NO	NO	YES Volume 1-1995	YES 1976-1996	NO	NO
Harvard Env'tl Law Review	NO	NO	NO	NO	NO	YES 1980-current	NO	NO

	Full-text Databases					Indexing/Abstracting Services			
	EBSCO Academic Search Premier	ProQuest Research Library	Gale Expanded Acad. ASAP	JSTOR	Periodicals Index Online	PAIS Int'l	WPSA	IBSS	
American Bankruptcy Law Journal	NO	NO	NO	NO	NO	NO	NO	NO	
Boston University Law Review	NO	NO	NO	NO	YES Volume 1-1995	YES 1976-1988	NO	NO	
New York University Law Review	YES 1996-current: index	YES 1989-current: index	YES 1984-current: full-text	NO	YES Volume 1-1995	NO	NO	NO	
University of Chicago Law Review	YES 1996-current: index	YES 1976-current: index 1993-current: full-text	YES 1984-current: full-text	YES to 2003	YES Volume 1-1995	NO	NO	NO	
Duke Law Journal	NO	NO	YES 1980-1999, index 2000-current: full-text	YES to 2002	YES Volume 1-1995	NO	NO	NO	
Southern California Law Review	NO	NO	NO	NO	YES Volume 1-1995	YES 2005-2008	YES	NO	
Washington University St. Louis Law Review	NO	NO	NO	NO	YES Volume 1-1995	NO	NO	NO	
George Washington University Law Review	NO	NO	NO	NO	YES Volume 1-1995	NO	YES	NO	
Total Number Included	12/26	11/26	11/26	11/26	21/26	16/26	6/26	4/26	
Percentage	46%	42%	42%	42%	81%	62%	27%	15%	