

West Group's Perspective

by Mike Wilens

"We don't like their sound, and guitar music is on the way out." — Decca Recording Co., on rejecting the Beatles in 1962

As Decca and plenty of others have proved, the business of predicting the "next big thing" can be, to put it mildly, a dicey proposition. But as Alan Kay, technology guru and the architect of the modern Windows computer interface, once said, "The best way to predict the future is to invent it." This may be somewhat safer ground to offer some insights into the future of legal research and technology and what it means for law librarians and other legal professionals.

Actually, this isn't a bad time to offer a view of the future, at least from West Group's perspective. After seeing dramatic, if not transformational, technology shifts over the past several years, not to mention the implosion of the dot-com capital market in the spring of 2000, we can offer a vision based on pretty solid assumptions. First, the Web's presence is irrefutable and will loom even larger in our professional and personal lives. It will serve as the access point to vast repositories of content — free, firm-proprietary and paid. Second, intranet and wireless technologies will take the Web even further, supercharging its ability to deliver powerful new tools and services that are more portable, more secure and fully integrated into the information professionals' workflow, enabling them to do more and extract more value from the information they access.

The New Web: Content and Context

Consider content. Today, while we have better access to a broader array of content sources, navigating from source to source can still involve multiple steps. But advances in search functionality, plus the application of intranet and extranet technologies, will give firms seamless, Web-enabled access to a universe of content from Web sites like FindLaw, a firm's own proprietary documents and briefs, and from added-value services like WESTLAW.

Some of this is here already, through enterprise portal/intranet technologies and multidatabase search functionality. Firms like Greenberg Traurig, which created a special intranet site for its North and South America firms, are at the cutting edge of this trend. According to Linda Will, director of research for the firm, Greenberg Traurig now has easy access to briefs and other proprietary materials — even PowerPoint presentations — from its offices in North and South America. From this site, researchers also can grab information from any site on the Web.

As the body of content grows, so does the need (read: opportunity) for librarians to organize information in a context that delivers the right answers. From here, one can see how the librarian functions in an increasingly important role as the "knowledge hub," positioned to proactively provide both information and answers to clients. For West Group, much of our focus is on further developing the tools to support this role.

Where "one-size-fits-all" once ruled, the focus is now on customization and personalization. The new westlaw.com interface — where the user selects customized tabs to focus search efforts by topic, jurisdiction and court — is just the beginning. In the future, smart interfaces will draw from a universe of information — from the Web, news and business sites, a firm's proprietary information, research services and others — enabling researchers to seamlessly build a comprehensive information asset bank.

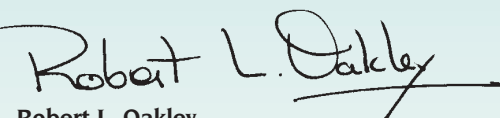
Drawing on this asset bank, new research features like KeySearch can draw on the breadth and power of the Key Number System to simplify the research process and refine results. Tools such as Microsoft Smart Tags can add a rich, new dimension to the content, creating an environment where the relationships between information assets is clear, and navigation intuitive almost transparent. In the future, tech tools will be able to sense the kind of information being gathered and recommend related cases, American Law

This month's "Members' Briefing" is the last in a series of articles about trends in the profession. The concept for these briefings came from AALL's current Strategic Plan: "Leadership for the 21st Century: New Realities, Changing Roles." In order to help librarians position themselves better within their parent organizations, the plan calls for AALL to keep its members informed about the trends and issues facing those larger organizations. Earlier articles in this series included one on trends in state courts, published in the October 2000 issue of *AALL Spectrum*; one on trends in the practice of law, published in March 2001; and one on trends in legal education, published in April 2001.

When I started thinking about how to round out the series, the answer seemed obvious. Almost everything we do, it seems, is affected by the changes that are occurring in the legal publishing industry. That's natural, given the close relationship that has always existed between librarians and publishers, but it seems even more true now as many publishers shift from a wholly print paradigm to electronic methods for the distribution of their information. No longer are our only online subscriptions for Lexis and WESTLAW. Many law libraries now subscribe to other Web-based sources, such as Hein Online, CIS Universe, BNA publications or Matthew Bender publications. Some even subscribe to a range of online material that goes beyond the strictly legal material, such as J-stor or Project Muse. The percentage of library budgets now going into such electronic products is significantly higher than it was a decade ago.

So what are the trends in legal publishing? What can we expect in the next decade? How will the advent of wireless computing affect legal publishing and law libraries? Where will e-books fit in, or will they always be just a toy? With these kinds of question in mind, I invited three legal publishers to each contribute short think pieces about the trends in legal publishing from their vantage points.

I hope that you find this briefing, and indeed the whole series, to be interesting and useful. Taken altogether, they identify and discuss many of the themes and issues that we and our organizations are dealing with as we move forward into the future.



Robert L. Oakley
AALL President 2000–2001

The Next Five Years in Legal Publishing

by Kyle D. Parker

When I began this article, I thought, "What a piece of cake." Loislaw.com has always been the on the cutting edge of technology — the first comprehensive legal database on CD-ROM in 1989; the first true 32-bit legal search engine in 1993; and the first to post all of our legal information on the Internet for sale under a subscription model, www.loislaw.com, in 1996. But it has not been easy to look forward five years. First we must understand what we have to offer today and the "core foundation" of that offering. When I say "core foundation," I am not talking about the content but the condition of the data — the data structure, the bits and bytes that store and access information. Is the information in a condition to embrace the new technology? Sadly, not today.

Technology is changing so rapidly that new products will capture only a fraction of existing capabilities. Publishers that claim to be on the cutting edge will not be able to take advantage of today's technology, much less 2006's, until they set their core foundations in a standardized format: SGML, the parent of HTML and XML.

The good news is that libraries can get most of what they want from three publishers following a wave of consolidation. The bad news is with every acquisition, the big three mostly inherit data structures that are, at best, 10 years behind, making it difficult to gain the leverage to truly integrate the very offerings that made the acquisitions attractive.

Some companies embraced the technology explosion way back in 1984. Loislaw.com converted all its data into SGML from the outset and has been able to embrace all technology distribution systems without changing its information's core foundation. That's why Loislaw.com can claim all those firsts: not brighter people but a simple result of choosing the right core foundation.

The big three are beginning to convert their core foundations into today's technology — at a cost of hundreds of millions of dollars over three to five years. Legal publishers will then quickly embrace the new technologies, to customer's great benefit.

The problem is finding *relevant* information. Today's technology *can* deliver information by observing a user's keyboard activity.

Technology exists to multitask several jobs — whether the user is thinking about it or not. Take the example of a search of primary law for a divorce trial regarding distribution of a pension plan. In the past, the attorney would look at a digest index for "divorce," "division of property," "pension plans" and "vesting." Cites in hand, the attorney would pull out the books, read the cases for the right one, get the citation materials and make sure they included the most "current" case directly on point — still about 45 to 90 days behind.

Today, the attorney logs on to www.loislaw.com, searches the databases, finds the statute and case on point, and runs GlobalCite to make sure all is current *today*. Then the options are to: print the cite, have the secretary photocopy from the book, print the document(s) directly, copy the document(s) into a word processor to complete the trial brief or save the document for later editing — much more efficient but still very inefficient. There's still a lot to do: bill the client for time, create copies for the court and opposing counsel, create the legal pleadings, and schedule an appointment with the client about whether to settle or go on to court.

What if the computer had watched, then completed the rest of the work: it knew who the client was, created a bill automatically, saved the searching logic and search results into the client's personal work folder, created the pleadings, allowed the attorney to e-mail the pleadings and documents to the court or opposing counsel, and scheduled the appointment (with approval)? That's *efficient*. The technology exists.

In the last few years, "Application Service Providers" became a Wall Street buzzword; B2C, B2B and ASP were the end-alls that took the NASDAQ to unprecedented heights. Then the truth hit: There was nothing magical about ASPs. Most simply used the Internet's backbone to deliver what used to be put on a floppy or CD-ROM. Sure, the software can be accessed over the Internet. Some publishing companies even said they were embracing the Internet when they just used it as a gateway. Publishers saved millions, but customers didn't save one dime, much less increase their efficiency.

The kind of integrated intelligence I referred to requires a vertical solution provider. With VSPs, all applications —

time and billing; calendaring; document management; secure e-mail; data repositories of both primary and secondary law — are aware of each other and manage themselves according to the customer's demands. The intelligent VSP will suggest secondary information, accessible at the press of a button, as the customer searches a primary law database. If the core foundation of the data structure is part of the VSP, that information can be delivered by the sentence, the paragraph, the chapter or the volume. VSPs can deliver an "on-demand" service, with the customer paying only when using the service.

Historically, publishers have simply bundled their offerings, making the customer pay for unneeded products/services. VSP customers will have the advantage of an entire law library and back office yet pay only for the service used. To date, there are no true VSPs. West Publishing's ASP WestWorks integrates the Microsoft Outlook Calendar feature but is a far cry from a true VSP. Again, this all comes down to the core foundation of the data structure.

Technology will also continue to expand on the personal side. With Internet Protocol authentication, a large-firm customer needs only one password yet still has individual preferences on the start page. Intranets allow a law firm to be the only customer on a server, even if that server is hosted remotely. This technology is available *today* if publishers have the core foundation of the data structure. This technology ensures total privacy for the law firm and removes any chance of disseminating confidential information.

Costs to obtain primary information will continue to drop as more legal information is delivered electronically to publishers. Though this does not help obtain archived law, the cost of keeping the information up-to-date continues to decline and the customer should enjoy price cuts for access to primary law.

Value-enhanced, secondary-source information does not seem to offer cost reductions. Experts must write it. With the constant increase in primary law, experts spend more time studying information to add concise analytical impact and practical result-reasoning. As VSP solutions prevail, customers will purchase secondary sources only when

The LexisNexis™ Perspective

by Holley Thompson

Improvements, enhancements and changes are constant in the world of information.

The librarian's role continues to expand as more content and delivery options become available. In the future, librarians will play an even stronger role in deciding which services best meet the needs of their constituents and in implementing these services. A thorough comprehension of legal researchers' needs plus an understanding of available new technology are essential to the librarian. Legal publishers must work with librarians to help them acclimate to the ever-changing legal world.

Increased Use of the Internet

A survey of legal practitioners by the Legal Technology Institute of the University of Florida Fredric G. Levin College of Law, <http://www.law.ufl.edu/liti/research/asp/index.htm>, indicates that almost 90 percent of those in the legal profession now use the Internet at work. Almost two-thirds have an Internet Web site, up from one-third in 1997. The technological sophistication of attorneys and librarians has increased dramatically and continues to rise. Every day new software and tools are being specifically designed for librarians and other legal professionals to better find, organize and maintain increasingly voluminous legal information and research. Awareness of technological developments and the ability to implement the new technologies will be imperative to a successful law practice.

The Global Future of Law

The practice of law is global. Multidisciplinary practices are becoming realities. Law firms will no longer compete just with other law firms; they will compete with national and international law firms that have partnered with established accounting firms and other businesses. International business mergers and development deals mean international clients and information seekers. Content providers have begun to develop offerings that meet the needs of users worldwide. To keep up with the law's global future, librarians must keep up with technological advancements that use the Internet's global technology.

Application Service Providers: A new technological trend is the development of ASPs. Akin to renting software over the

Internet, ASPs deliver software directly to the user's desktop. According to the University of Florida study, 9 percent of the legal field currently uses ASPs, with legal research, time, billing and invoicing as the predominant functions.

ASP services will be an important alternative for all law firms to outsource specialized applications that would be too expensive to maintain internally.

Intranets: Another trend is expanding use of intranets, an internal communications system that stores information on the company's Web site for use by anyone in the company working on related topics.

Intranets facilitate employee groups working from multiple locations, making them ripe for use within the fast-paced global economy. An intranet is normally a collaborative effort between technology and content experts. Librarians can play a leadership role in content development. Intranets will be integral to management of information within the organization, combining information from inside and outside sources.

Extranets: The development of a strong intranet will lead to the development of an extranet, Web pages to which only authorized users have access. Extranets will become indispensable resources to communicate with outside librarians, faculty, other legal professionals and clients.

Extranets will also allow organizations to exchange large volumes of data, collaborate with outside legal professionals on joint development efforts, jointly develop and use training programs with other companies, and exclusively share news of common interest.

Portals: Portals will let an organization combine all the unique resources its employees need to perform their jobs most efficiently. Typical applications will include e-mail, scheduling, time and billing information, litigation support documents, research, and working documents. Portals will combine information from Internet and intranet sources and company applications for quick access to relevant, specific information. They will accelerate an organization's decision-making and communication abilities and decelerate the stifling stagnancy of bureaucracy.

Corporate portals are expected to eventually become the new desktop, replacing a variety of common applications.

One reason for the predicted popularity of corporate portals is the opportunity for customization. Users can mix and match several different features to handcraft an interface specially for their unique operations — from stock tickers to more complex features such as strategic corporate information.

Customization: Today's legal professionals and law librarians are under unprecedented time pressure to access and assimilate an often overwhelming volume of information. Law practices are becoming more specialized, with "boutique" firms ever more popular. Constant increases in the volume and complexity of litigation and decreases in budgets are forcing legal publishers to help law librarians and other legal professionals find ways to operate more efficiently to maintain margins and profitability. To ensure maximum efficiency, content providers must begin developing practice management and legal researching tools that are custom-built and precisely tailored to their specialized needs.

Wireless: In the past, the demand was for instant access to information. In the future, the legal community will not simply demand instantaneous information, it will demand instantaneous information, anywhere, anytime: access through cell phones; personal digital assistants; and mobilized, miniature PCs. As legal practices merge and expand nationally and internationally, legal professionals will become even more mobile. They can no longer be limited to their desktops. Content providers must recognize this and begin developing different ways to allow users to access information from wherever they may be.

Structure: While the Internet has become the most efficient tool for information gathering, its limitless boundaries can sometimes be a disadvantage in managing and searching for specific information. It will become an absolute necessity for content providers to streamline information and customize its delivery to help customers keep up with the increasingly demanding pace of a legal practice.

Convergence: Multidisciplinary practices, law-firm mergers and expansions, international practices and firms specializing in mergers, acquisitions, securities or other corporate issues will need access to many different types of information. Access to one type of

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Reports summaries or other analytical materials that can give the researcher a more complete picture of the legal issue at hand.

From such an asset bank, it isn't a stretch to see how a single research query can deliver not only the results but also open the door to a universe of new services, such as those that enable the instant creation of dossiers, profiles, briefing papers and other knowledge work products that draw from the same information. This becomes the point where the technology and intellectual value truly powers the content, delivering a research experience that provides more context and analysis of information and increased value to the client.

The Conduit

Until recently, the development of raw computing technology focused on local capacity, speed and power. But the Internet has changed these assumptions. In addition to power and speed, there's

greater emphasis on reliability, mobility and customization.

As powerful as the Web is, we are just realizing its true potential.

Consider a firm's intranet. The space that once housed a collection of forms, documents, contact information and the firm newsletter is quickly being reborn as the center for research, work-flow management and online collaboration.

Many firms have invested in building their own intranets, but there also are a number of high-end, off-the-shelf, enterprise portal solutions on the market. Whether built or bought, these offerings provide traditional intranet connectivity, integrated with the firm's document management, work-flow and calendaring systems, and portal-delivery modules that enable customization of a broad set of features, functionality and content, specific to each researcher.

The increased power, sophistication and portability of hardware devices — mated with new software applications — opens up new possibilities. Already, Palmtop

devices offer extensive research functionality from any location and tablet personal computers are just around the corner. As the usability of wireless improves, the coming year will see broad market acceptance and expanded use of the devices. A study by Jupiter Research indicates that there will be more than 128 million wireless Internet subscribers by year-end.

Before we get too carried away, it's important to consider the human factor. In the end, the convergence of content and technology tools, coupled with the librarian's unique expertise, will yield new information solutions that can better support the firm and the clients it serves. As Linda Will notes, "Librarianship is so intuitive. Sometimes you go down a path because you know it's right. It's a sixth sensibility — knowing that your research is going to take you where you need to go."

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needed — viewing more secondary source information on-demand while spending about the same amount — for greater efficiency in representing clients.

The good news is that customers are beginning to receive real value from

technology. Over the next five years, we will probably see another distribution medium emerge that totally links everything into a common integrated system. The bad news is that most publishers' legacy systems and their data structures' core foundation are in dire need of an upgrade. That will take time and lots of money. When the core foundation embraces the technology, customers will

finally get to pick and choose what they want, when they want it, at a fraction of what they pay today.

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information — such as legal information in the form of cases, statutes and legislation — is no longer sufficient.

Content providers will need to develop methods to bring a variety of informational areas together — such as business and corporate as well as people and asset locators — into one easily searchable database.

Pay per Read: In the never-ending quest for online information, the flat, annual fee subscription may still retain popularity with larger firms and business. However, for smaller entities that cannot afford subscription fees, a new vehicle is being

developed that avoids subscriptions and provides alternative ways to purchase research online. Customers will be able to purchase items by the document. Similar technology will be developed for purchase of legal research by the hour, day or week.

Preference: Despite increased focus on the Internet, information will still come in varied formats. Print and CD-ROM information resources will continue. Law books, a staple of practice for centuries, will remain a dominant force in the foreseeable future.

Content Is Still King

Development and improved delivery of high-quality, current and accurate data is the future of legal publishing. Information

delivery will focus on convenience, order, remote access, customization and value. Wider and deeper access to information will allow the legal professional to become better informed of relevant issues and to provide better analysis. It will no longer be enough for legal content providers to respond to customer demands, they must anticipate them. Only by being on the forefront of future technology will content providers truly benefit the rapidly evolving legal world.

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