

Law Libraries Tackle Globalization

Edited by Jean Davis, with Janet Accardo, Jonathan Franklin, Jeanne Rehberg, Tracy Thompson, Jill Watson and Jean Wenger

The authors express their deep sadness concerning the tragic events of Sept. 11. We prepared most of this briefing prior to the heinous terrorist attacks. Two proposed responses to these horrific events — greater sharing of intelligence through Interpol and increased international police cooperation — show how nations seek to deepen worldwide interconnectedness, or globalization. As we provide patrons with documents like United Nations Security Council Resolution 1373 (2001) on combating international terrorism or help lawyers who have lost their Manhattan offices, we realize that now, more than ever, we face the challenges of globalization.

What Is Globalization?

Globalization refers to the widely held view that “there is a broadening, deepening and speeding up of worldwide interconnectedness in all aspects of life, from the cultural to the criminal, the financial to the environmental,” according to David Held, Anthony McGrew, David Goldblatt and Jonathan Perraton’s *Global Transformations: Executive Summary*, available at <http://www.polity.co.uk/global/executiv.htm#whatis>.

How Is Law Globalizing?

As corporations create global businesses, law firms develop multijurisdictional practices. The American Bar Association’s Commission on Multijurisdictional Practice is studying international issues related to multijurisdictional practice of law in the United States. The commission will submit a final report and recommendation on regulating multijurisdictional practice at the ABA’s 2002 Annual Meeting. Visit the Web page for the Commission on Multijurisdictional Practice of Law at <http://www.abanet.org/cpr/mjp-home.html>.

Many global businesses also would like multidisciplinary services. In July 2001, New York became the first U.S. state to adopt rules regarding cooperative business arrangements between attorneys and nonlegal professionals. These rules appear at <http://www.courts.state.ny.us/1200-5-b.html>. A chart describing

state studies of multidisciplinary practice is at the Web site for the ABA’s Center for Professional Responsibility at http://www.abanet.org/cpr/mdp-state_action.html. Materials on multidisciplinary practice issues appear at ABA Law Practice Management Section MDP/MJP Resource Center, on the Web at http://www.abanet.org/lpm/mdp_front.shtml.

In January 2001, the Association of American Law Schools and the American Society of International Law held a workshop to discuss how U.S. law schools should globalize. One innovative course, developed by Professors George Bermann and Mark Drumbl, seeks to bridge the gap between an American law school’s core curriculum and the developing transnational nature of legal practice. International and Foreign Law Librarian Marci Hoffman also presented “Internet Research in International Law” (see <http://www.ll.georgetown.edu/intl/presentations/aalsworkshop.htm>).

The ASIL’s Judicial Outreach Program Advisory Board includes 12 Circuit Court judges and Supreme Court Justice Sandra Day O’Connor. This board has asked ASIL and the Federal Judicial Center to create a desk book on international law for federal judges. ASIL also will aid the Federal Judicial Center with a National Program for District Court Judges, noted Arthur Rovine in “Notes from the President,” in the May-June 2001 ASIL *Newsletter*.

The Challenges to Law Libraries

The globalization of law requires AALL members to confront many challenges:

- to satisfy patrons’ heightened demand for international and foreign legal materials without exceeding library budgets;
- to continue providing free resources such as the ASIL *Guide to Electronic Resources for International Law* and to encourage authors to contribute high-quality materials to these resources;
- to assist a growing group of foreign-trained legal professionals who are library clients;

Sometimes you don’t recognize the degree of change in your daily work until you stop and think about it. Take, for example, the frequency with which issues of foreign and international law now arise. Most of us are searching for, buying, consulting, organizing and recommending international and foreign law resources for our patrons at a rate that far surpasses even our wildest predictions of eight or 10 years ago. We law librarians are at the forefront of the globalization of the legal system. It has changed the way we work.

This was brought home to me when I noticed requests for assistance in finding information on the following during one week on law-lib: law schools in India; international loan workouts; the criminal penal code of Chad; opinions of the World Customs Organization; Russian court decisions; the London Stock Exchange; treatises on Venezuelan law; the Code of Civil Procedure Rules of the Federal Republic of Germany; and doing business in Brunei. These requests came from court, firm and academic law librarians. Meeting our patrons’ ever-more-frequent requests for resources from around the world is the challenge globalization poses for all law librarians.

Foreign and international law librarianship was once considered somewhat mysterious, a field left to those with special preparation. Few others dared venture into the arena. However, some knowledge of the topics is now a necessity for almost all of us, despite our lacking the special instruction required for real expertise. We need some guidance in knowing where to start our research in global issues. In this Members’ Briefing, AALL specialists in foreign and international law research share their experiences, identify important resources and offer tips on dealing with the challenges of globalization. Their contributions can help us anticipate and respond to changes in our institutions, reinforcing the importance of our roles in the process.

We are fortunate to have a core of AALL experts in foreign and international law to assist as we deal with the challenges of globalization. Their willingness to contribute their knowledge to the larger community exemplifies one trait we will find invaluable as our profession moves into the 21st century. Our worldwide “interconnectedness” will cause us to rely on each other more than ever.



Barbara Bintliff
AALL President 2001–2002

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- to field an increasing number of research queries from patrons and colleagues in foreign jurisdictions;
- through various partnership programs, to supply legal sources to those in developing countries;
- to strengthen professional and social relationships with foreign librarians;
- to identify and to create opportunities for librarians to obtain international and foreign law research instruction and instruction on key international law issues and foreign legal systems;
- to be engaging, informed teachers of international and foreign law research; and
- for some librarians, to respond to the challenges of teaching abroad.

Libraries address these challenges in varied ways, depending on the needs of their specific clientele. The following brief overviews exemplify several approaches.

New England Law Library Consortium

"The globalization of law affects licensing and sharing resources. This was illustrated at the International Federation of Library Associations and Institutions' pre-conference on library consortia, Aug. 16-17 at the Boston Public Library and hosted by the New England Library Network. Consortia are taking a lead role in facilitating global information dissemination.

"The ongoing proliferation of electronic material poses licensing concerns that cross borders. For example, if the vendor and the licensee reside in different jurisdictions, whose copyright laws will apply? In the event of a conflict over the terms and conditions of the contract, what law will prevail? Drafters are increasingly addressing these issues through well-negotiated terms and conditions in initial licensing agreements.

"Resource sharing also takes on a new look in the face of globalization. Libraries are forming alliances with both neighboring and distant information partners. This is best illustrated by the Library of Congress project, the Global Legal Information Network (see <http://www.loc.gov/glin>). The goal of GLIN is to amass hard-to-find primary legal materials from as many jurisdictions as possible through a formal membership arrangement with the participating countries. Another good example of global resource sharing is the

eIFL (Electronic Information for Libraries) Direct project <http://www.eifl.net>. This ambitious project, a collaboration between the Open Society Institute and EBSCO Publishing, seeks to provide access to e-journals in the social sciences and humanities for libraries in Central and Eastern Europe, the former Soviet Union, Central Asia, southern Africa, Guatemala and Haiti. These are only two of many initiatives." — *Tracy Thompson*

Skadden Arps Slate Meagher & Flom LLP

"As Skadden's international practice has expanded, so have the collection and expertise of the librarians. We have added materials on cross-border transactions, international arbitration, privatization, treaties and foreign laws and regulations. Our librarians, working 8 a.m. to 10 p.m., assist our 12 foreign offices in Europe and the Pacific Rim; they also call library staff in the foreign offices to obtain local information. Our last firm librarians' meeting had representatives from our London and Paris offices sharing knowledge with the U.S. team. We are exhilarated by the broad scope of the questions we get and the challenge of finding solutions to these queries." — *Janet Accardo*

Cook County Law Library, Chicago

"Globalization is changing collection and reference services at major practitioner libraries. No longer is 'global' solely equated with mega-firms. During the past 10 years, the Cook County Law Library has seen a precipitous increase in small firm and solo practitioners with foreign and international law questions. The judiciary has also required greater assistance with international law inquiries. Globalization means greater movement of people across national borders and Chicago is a city rich with large ethnic populations. In addition to commercial concerns, the Cook County Law Library must be prepared to assist with the resultant global issues of family law, child custody, child abduction, property and decedents' estates.

"When a practitioner requests a foreign law, the attorney may also need to understand the law's unfamiliar legal context. The Foreign and International Law Division of our library anticipated such needs by (1) creating IFL research guides tailored to the interests of the practicing bar and (2) expanding reference services that incorporate Web-based global resources. We give special attention to introducing and familiarizing attorneys with global Web resources.

"Including a global component in your continuing legal education or legal research programs is crucial. I introduced resources for researching foreign countries' administrative materials at an Illinois State Bar Association CLE program on administrative law. My prior experience responding to attorneys' requests for foreign administrative materials reinforced the need for such a global component." — *Jean Wenger*

Brooklyn Law School

"One of the hardest parts of our job is to anticipate patrons' *future* needs,' noted library Director Sara Robbins when I was an intern. Robbins, Gregory Koster and Joyce Saltalamachia anticipated globalization. In 1983, they created the New York Joint International Law Program to develop a large shared collection of international and selected foreign law materials. The JILP bibliographic database is one of my key tools. My colleagues and I are seeking grants to convert the JILP database into a publicly available Web resource.

"I prepare for the future by asking our International Business Law Institute faculty what they will teach in upcoming semesters. Then, I create research guides on these topics. Often, the guides result in invitations to address law school classes. I contact the legal writing professors who use an international law-oriented problem *before* 60 first-years tackle the problem. To assist these students and our team that competes in the Philip C. Jessup International Law Moot Court, Victoria Szymczak and I maintain Introduction to International Research at <http://brkl.brooklaw.edu/screens/rgintl.html>.

"I help students prepare for globalization by teaching an International and Foreign Law Research seminar with Szymczak and by serving as library adviser to the *Brooklyn Journal of International Law* staff. Szymczak and I plan IFL research adventures for the International Law Students Association, the New York City "Bridge the Gap" program, and the M.L.S. students of 'the Palmer crew at NYU,' the New York University School of Law librarians who periodically teach international and foreign law research classes for students of The Palmer School of Library and Information Science. In classes and presentations, we incorporate research questions of BLS alumni engaged in transnational projects.

"Sara Robbins and Associate Librarian Linda Holmes recognize that conferences help librarians to identify international and

foreign law developments. My 'short list' of conferences includes the March 2002 one-day workshop on Latin American foreign investment and trade law, the ASIL Annual Meeting that follows the workshop and the May 2002 Joint Study Institute." — *Jean Davis*

New York University School of Law Library

"For librarians at New York University School of Law, the walls have come down between Washington Square and the world. The Global Law School Program brings top foreign law professors and students to teach and study. In the law library, faculty services, collection development and reference services must span all jurisdictional boundaries. In some cases, librarians become quasi-research assistants for faculty away from their home infrastructure and paper-topic advisers to students. And the working relationships don't stop after one year; global faculty regularly return to teach and research at NYU and even request reference service after they go home.

"Central to the success of our Global Law Program is access to legal information in all formats, wherever located. Anticipating burdens on in-house collections and expertise, the law library successfully sought a generous grant from the Starr Foundation. With the grant, the library is building the Information Transfer Network, an electronic partnership of libraries sharing collections and a 24-hour virtual reference desk. The current partners with NYU are the Institute of Advanced Legal Studies in London, the Catholic University of Leuven, Yerevan State University, the University of Melbourne, the University of Cape Town, the University of Washington, and Tsinghua University in Beijing. The partners reflect a mix of developed and developing countries and complementary collections of foreign law.

"The ITN keystones are a collection of jointly licensed databases and a partnership of well-trained and innovative information professionals. Amanda Barratt, law librarian, and Pamela Snyman, senior reference librarian, both from the University of Cape Town Law Library; Yu Liying, associate director at the Tsinghua Law Library; and Paul Norman, reference librarian at the Institute of Advanced Legal Studies, have all been Starr interns at NYU.

"This year the ITN expanded its training mission with on-site training at the Cape Town Faculty of Law. Ruth Bird, now firm precedents manager at Phillips Fox, and I spent a week training UCT faculty, researchers and librarians on electronic

tools for U.S., Commonwealth and international law research. The visit strengthened librarian contacts for the ITN. Bird and I tested methodology for next year's planned on-site training in Beijing. Next, the partnership will test virtual reference desk software. The ITN is a 'win-win' global network where every library has the chance to give and take from shared resources and expertise." — *Jeanne Rehberg*

Gallagher Law Library, University of Washington

"Within the University of Washington School of Law, there are more faculty conducting research in other jurisdictions than ever before, more classes being offered that focus on global topics than ever before, more students writing on global subjects than ever before.

"In the Gallagher Law Library, globalization has affected everything we do, from resource allocation to organizational structure. Our staff includes an East Asia Law Department which supports the school's Asian law programs. Many librarians work extensively with faculty on leave in foreign countries. Our staff also assists LL.M. students in the Asian and Comparative Law and Law of Sustainable International Development programs and members of the *Pacific Rim Law and Policy Journal*. Our librarians create Web guides for IFL subjects, teach classes on IFL research and publish *Japanese Laws in English: An Index to the EHS Law Bulletin Series* (2000). We contribute records to multiple international bibliographic databases and facilitate access by foreign users through interlibrary loan and the Copy & Send document delivery service. Our staff converts records for Chinese legal materials from [the] Wade-Giles to [the] Pinyin [systems for converting Chinese characters in Roman letters] and implements custom UNICODE tweaks to display Chinese, Japanese and Korean characters in our Innovative Interfaces OPAC.

"More and more, we are collecting foreign and international materials to support scholars' interests in aspects of globalization. As the law school contemplates new centers and programs, the potential cost to the library is great and the ability to recoup the cost of collecting in these new areas is limited. So, what do we stop doing? We might have to stop collecting in an area of great subject strength, because the demand has decreased.

"As law has become more global, technology has accelerated awareness of overseas legal events. This places great

demands on the library to find relevant materials from foreign jurisdictions and international bodies within hours of the materials' release. One of the greatest challenges is finding the balance between facilitating access to materials released yesterday and ensuring access to materials released 100 years ago. As official bodies move away from print for all but the most important resources, the Web is making instant access easier, and almost certainly making long-term coherent collection building harder." — *Jonathan Franklin*

American Society of International Law Library

"Ten years ago, the American Society of International Law's library had an exclusively Washington, D.C.-based clientele. Globalization for us has not so much changed the subject matter we cover as the far-flung clientele we can now reach. Over the last decade, we have been able to extend our information services considerably beyond the walls of Tillar House Library on Washington, D.C.'s Embassy Row.

"The ASIL is not only an information provider but also a content producer, publishing the *American Journal of International Law* and *International Legal Materials*, among other things. I have participated over the last 15 years in the evolution of some of our print products into digital formats, as well as the creation and dissemination of new ASIL products on listserve and the Web.

"Some of the ways the library has contributed to the globalization of ASIL's information services include:

- Creating the ASIL Web site at <http://www.asil.org> in 1996 started it all, not only the "Information Resources" section, but also the *ASIL Guide to Electronic Resources for International Law*, <http://www.asil.org/resource/home.htm>. As an electronic guide to electronic resources, the *ASIL Guide* found its ideal platform on the ASIL Web site. Suddenly our reach was global. We have continually updated the guide since 1997 and expanded it to 10 chapters.
- Over the last decade, the library has developed bibliographic databases devoted to international law. ASILEX allows users to search via the Web an index of what ASIL has produced in all of its publications. We also maintain in-house a broader 20,000-record index to the library's specialized serial holdings which researchers around the world can access by asking us to e-mail a bibliography to them.

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Soon, we hope to be able to host this index on the ASIL Web site.

- The library manages listserv distribution of ASIL's electronic publication, *ASIL Insights*, and archives html versions of *Insights* on the Web site. ASIL also produces and e-mails *International Law In Brief*. The subscribers to these free services have broadened the pool of ASIL information consumers by the thousands.
- Finally, ASIL has received a substantial grant from the Mellon Foundation to create an Electronic Information System for International Law. This gateway project may represent the most significant 'globalization' of our information services to date. EISIL, when up and running, will connect to relevant primary documents and point researchers to quality sites for finding international law materials." — *Jill Watson*

A Few Ways to "Globalize"

Study foreign languages. For descriptions of some legal language courses, see <http://listhost.ciesin.org/lists/public/int-law/msg03172.html>.

Attend AALL/ALLG/BIALL/CALL Joint Study Institutes for a deeper understanding of foreign legal systems. Attend the Institute on Canadian law and research May 22–24, 2002, at Royal Roads University in Victoria, British Columbia. With Suzan Hebditch, shebditch@libraryco.ca, in charge, this promises to be a fun learning and networking opportunity! CALL's Annual General Meeting in Victoria will begin on May 26, 2002.

Tailor AALL Annual Meeting programs and workshops to your needs. Craft an international or foreign law proposal. Participate in the FCIL SIS Education Committee meeting at AALL's conference.

Study Latin American jurisdictions' foreign investment and trade laws and identify key sources at the March 13, 2002, workshop. This workshop will immediately precede the 2002 Annual Meeting of the American Society of International Law. The workshop will occur at the National Digital Computer Center of the U.S. Library of Congress. Rubens Medina, law librarian of the U.S. Library of Congress, will provide the overview. Legal specialists of the U.S. Library of Congress will be instructors. ASIL, FCIL SIS, Law Librarians' Society of

Washington, D.C. and the U.S. Law Library of Congress are coordinating this workshop. They will soon provide further details.

Join the FCIL SIS and acquire a network of supportive colleagues to help you address globalization! At AALL conferences, attend FCIL SIS meetings. Many meetings feature dynamic speakers and valuable bibliographies. Meeting notices appear in AALL's conference newspaper and in the events calendar at FCIL's activities table.

If you have international and foreign law research skills, mentor others! For information on AALL's Mentor Project, see http://www.aallnet.org/committee/mentoring/mentor_project.html.

Identify conferences and events worldwide through Lyonette Louis-Jacques' International Calendar at <http://www.iall.org/calendar.htm> and through ASIL meetings and other events of interest, <http://www.asil.org/schmtg.htm>. Noteworthy: Charlotte Ku and Jill Watson organize a beloved librarians' program at the Annual Meeting of the ASIL. Participants discuss their international and foreign law projects and needs.

Malo Bernal, Silke Sahl, Tracy Thompson and Dan Wade highly recommend the International Association of Law Libraries' Annual Course in Law Librarianship as an opportunity to make global connections! Information about this course appears at <http://www.iall.org/conf.htm>.

Each fall, the American Branch of the International Law Association — see <http://www.ambranch.org> — organizes "International Law Weekend" at the Association of the Bar of the City of New York. There also will be an International Law Weekend West 2002. Consult <http://www.ambranch.org> for dates and agenda.

Add your name to the "List of Foreign and International Law Librarians Willing to Help Non-Experts" at <http://www.lawsch.uga.edu/fcil/fcil.html>. Consult this list when you need assistance. Join electronic discussion groups like INT-LAW, which focuses on international legal resources. Need a helpful overview of discussion groups? Access Lyonette Louis-Jacques' *International Law-Related Lists* at <http://www.lib.uchicago.edu/~llou/lawlists/international.html>.

Examine the international and foreign law course descriptions, syllabi and guides on the FCIL SIS home page at <http://www.lawsch.uga.edu/fcil/fcil.html>. Review the articles on teaching legal

research and providing access to electronic sources in volume 19 of *Legal Reference Services Quarterly*.

Anticipate your institution's international and foreign law research needs by polling your primary clientele. One library cannot master all areas of international and foreign law nor provide all IFL sources.

Participate in cooperative collection development projects. See Jean Davis' overview of the AALL Annual Meeting program "New Realities for Developing Global Collections: New Approaches and Cooperative Projects" in this issue of *AALL Spectrum*.

After identifying foreign jurisdictions important to your institution, consider hosting a foreign librarian or visiting a foreign library. David McFadden, dmcfadden@swlaw.edu, supervises the FCIL's Clearinghouse for Internships and International Personnel Exchanges at <http://www.lawsch.uga.edu/fcil/clearintro.html>.

Meet the visiting foreign legal specialists whom others invite to your institution.

Donate to AALL's Ellen Schaffer Foreign Librarian's Grant fund. Foreign attendees enrich AALL events by sharing global perspectives to the benefit of all.

A bibliography of sources on globalization is available through the FCIL SIS home page at <http://www.lawsch.uga.edu/fcil/fcil.html>.

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