Open access legal information sources and their use by students of National Law University

Raj Kumar Bhardwaj[a] and M. Madhusudhan[b]

[a]Librarian, St. Stephen's College, Delhi-110007, Email: raajchd@gmail.com
[b]Assistant Professor, Department of Library and Information Science, University of Delhi, Delhi – 110007, Email: madhumargam@gmail.com

This article identifies various open access resources that are popular among legal community in India. The findings of the study reveal that majority of respondents are aware of open access resources. The main purpose of using these resources are for case law searching. Majority of the respondents have stated that legal information available in open access resources are not organized properly and was a hindrance in usage.

Introduction

Information in law is important not only in the advancement of a case but also important to prevent useless litigation. Proper information helps to convince client in bringing or resisting an action. Information support is of great importance in every profession and legal profession is no exception. The law is enduring. The lawyers are not always aware of all the pertinent rules and these rules have to be dug out in some way according to legal research methods. Besides this, the interpretation of statutory provision may yield one or more rules, and one rule is based on more than one legal source. Therefore, lawyers have to identify the relevant legal sources. However, there is no comprehensive single window open access online legal information system existing in India. Some initiatives have been taken by Government departments but these resources are not user-friendly and majority of these resources are incomplete. The high quality open access legal information system can have considerable significance for the legal profession in this digital age[1].

Basically, legal material consists of statutory law, and reports of decided cases. Both these types of legal materials relate to the "authority" and "precedent" respectively. The broader legal fraternity may need different types of information such as case laws, statutory provisions, rules framed under any act, object and reasons of any bill, amendment of any act, notifications issued under any particular statute, debates in Parliament at the time of enactment of any particular act, or academic articles on a given topic in different situations[2].

Open access legal information resources in India

Open access legal information systems gives us an opportunity to access the contents through world wide web, and creation of judicial websites and portal results in the development of a vendor neutral citation format served as an alternative to the traditional citation to printed material. In India, non-profit judicial research tools provide useful help to the legal fraternity to locate the relevant information on the internet. Various government departments in India have started posting information on the website. Some of the open access legal information resources which are useful and popular among the lawyers are as follows:

Judgment Information System (JUDIS)

It is the database of case laws developed by National Informatics Centre (NIC). JUDIS contains complete text judgments of all reportable and non-reportable judgments of Supreme Court of India from 1950 to till date. Judgments can be searched by petitioner/respondents, judge name, case no., text/phrase, act wise, held wise, date of judgments, constitution bench, etc. JUDIS has facility to search within search to get the precise results.

JUDIS also facilitates the users to access the case list of Supreme Court of India, 15 High Courts and District Courts of Allahabad, Chandigarh and Delhi.

Daily order of these courts can be accessed through the JUDIS. Judgments available in JUDIS can be printed, copied and saved[3].

Supreme Court Judges Library (SUPLIS)

This database is unique of its kind and contains 42,000 Supreme Court case laws since 1950. Judgments can be searched using subject, party wise, etc. It provides access to judgments by famous case name. SUPLIS provides equivalent citation of case laws so that case law can be searched from other law report in case one law report is not available. Judgments can be searched using party name, judge name, etc[4].

India Code Information System (INCODIS)

INCODIS is a compilation of all central legislations. Legislative counsel always wishes to summon up all the applicable local precedents. INCODIS was developed for locating the relevant precedents, and amendments. Acts in this can be searched by descriptors such as title, year, act number, and objectives[5].

National Portal of India (india.gov.in)

The National Portal of India provides access to various acts and bills of state governments. This portal is a single window interface to Governments policies, constitution of India, rules, acts, gazette notification, and policies of Government. Besides this, it provides links to many useful websites. News updates on this website is very useful to the citizens of India[6].

Indian Kanoon

Laws are often vague, and one needs to see how they have been interpreted by the judicial courts. Very often a few sections of laws are applicable and finding the relevant law documents is a pain staking task. In order to make available the legal information to common mass the Indian Kanoon was started. It harvests the contents from several websites, and has made the contents searchable through single window interface[7].

High Court of Delhi website

It provides the service to the public to know the status of a case. Status can be known with petitioner/respondent name, and year. User need to know the type of case, case number with year to get the results retrieved. Apart from this, advocate's name may be used to retrieve the results from the database. The other access points are: diary number, and year.

Judges roster may be obtained through the website. High Courts websites are very popular among lawyers. Lawyers use the websites to take print-out of daily cause list. The cause lists available on websites can filtered using the advocate name as well as with court number and date[8].

Legal Information Institute of India (LII)

The Legal Information Institute of India (LII of India) <www.liiofindia.org> is a free-access and non-profit, comprehensive online collection of Indian legal information. The prototype is open for public use on 25 November 2010. The aim of this system is to provide free access to Indian legal information. LII of India includes assessment to the legal information that it republishes by the broad searching provided by its search engine (sino) with full Boolean and proximity searching; by flexible displays of results (by relevance, by date, by database and by citations). It has consistent formatting of legal information. It has added hypertext links between cases, legislation, treaties, law journal articles and law reform reports; by providing 'note ups' from texts to where they are cited; and by the automated extraction of parallel citations and creation of citation tables by the law citator[9].

Review of literature

Nunn-Price[10] observed that the nature of textual data in the field of law has given rise to the problems of database structure. It may be due to the constant change in national and international law. He further highlights the EUROLEX service which provides online access to case law, legislation, and treaties for the UK and Europe. Hainsworth[11] found that judges seek information independently and individually. Although, the judges were found to use computers to support their information behavior, this was mainly to support the reading and writing function of their work.

Leenes[12] in his study found that legal knowledge-based systems have long been surrounded by much optimism, but despite the efforts over the last 20 years, the number of practical applications actually in use is still less. Komlodi and Soergel[13] also focused on information use and re-use, specifically on legal information seekers and the use of their memory and externally recorded search histories to inform their later searches.

Marshall, et al.[14] found that many of the users' information-seeking strategies followed links rather

than conducting explicit searches, and highlighted the use of electronic resources for case evaluation. It was observed that students began their moot court research by identifying case law, and described this as a 'launching pad' or 'looking for a thread to pull!'. The students then continued to use citations as a point of departure, either as obvious links to a precedent if they came across the citation several times or as a way of determining whether the cases were still 'good law'.

Jones[15] highlighted the deeply collaborative nature of research in the law clinic, and how various sources of memory were used. Study suggested the conceptual framework for legal information behavior which could be used to improve legal information systems. Brynko[16] stated Westlaw Next users can also share folders across firms to work with various counsels while collaborating on a case. Incorporating the technology has made the system more accessible, more granular, and much easier to navigate which help to get an accurate answer quickly and efficiently. Bhardwaj[17] in his study revealed that to foster the process of research, the legal fraternity demand efficient online legal information systems, and training is an important aspect to enhance the use of legal information system and LIS professional can play a major role.

Thanuskodi[18] conducted a study at Supreme Court of India and found that senior advocate respondents ranked first position with respect to their overall purpose of gathering e-resources, panel advocates have found second and Government and junior advocate the last in this aspect. Greenleaf et al[1] observed that developing a free access legal information system for India involves more complex, technical and organizational issues compared to other countries. Constitutional principle has not yet been developed in relation to legal information to require governments to meet the needs of the ordinary citizens to access legal information for free or to international standards of quality.

Objectives of the study
- To study the awareness of open access legal information resources among the law students;
- To find out the frequency and purpose of using by the respondents;
- To identify the search methods being used in retrieval of contents in open access legal information resources;

- To know the skills acquired in using these resources;
- To rate the quality of open access legal information resources;
- To ascertain the problems being faced by the respondents in using these resources; and
- To identify the methods of training for effective use of open access legal information resources

Methodology
The survey method followed for this study with the help of structured questionnaire was designed keeping in view of the stated objectives of the study comprising of dichotomous, multiple choice, rating, and opinion questions. However, a few open-ended questions were also included in order to gather qualitative data relating to the subject. Total 11 questions were included in the questionnaire. The survey was carried out by circulating the questionnaires among the 100 students of LLB and LL.M at the National Law University, Delhi during the period June to August 2013. Ninety filled-in questionnaires were collected from the respondents and the responses received from the respondents have been analyzed and interpreted in the following sections.

Analysis
Out of the 90 respondents of the survey, it was found that 59 (65.56 percent) were males and 31 (34.44 percent) are females.

Awareness of electronic resources
Today's users have their information needs met via a number of options. Electronic resources are the best means of getting current and latest information.

Necessary skills are the pre-requisite to effective use of open access legal information resources, and therefore respondents were asked whether they know open access legal information sources. It was found that respondents are quite knowledgeable about the legal information sources available in public domain. Out of total 90 respondents, 97.78 percent revealed that they are aware of these resources.

Frequency and purpose of use
Here an attempt has been made to find out the frequency use of open access legal information resources. This is an important and basic aspect related to the appraisal of the usefulness of the open access legal information. Five frequencies were

provided in the questionnaire to facilitate use of open access legal information.

It is seen from the Fig. 1 that 70 percent respondents use the open access legal information resources frequently, followed by 15.55 percent who use these resources rarely, 7.77 percent occasionally, and 1.11 percent sometimes. However, 5.55 percent of the respondents stated that they have never used the open access resources available in the field of law.

The purpose of using open access legal information differs from one user to another. Even though the purposes are many, the major purposes provided in the questionnaire were: case law identification, discussion based on commentary, group discussion, and debate on specific issue etc (Fig. 2). The maximum respondents i.e., 35 (38.88 percent) stated that the main purpose of using these resources were for case law searching. This was followed by 24 respondents (26.66 percent) who used it for projects and assignments. Only a small number of respondents 7 (7.77 percent) stated that the purpose of using these resources are R & D activities, and only 2 (2.22 percent) use them for teaching and lecture purpose.
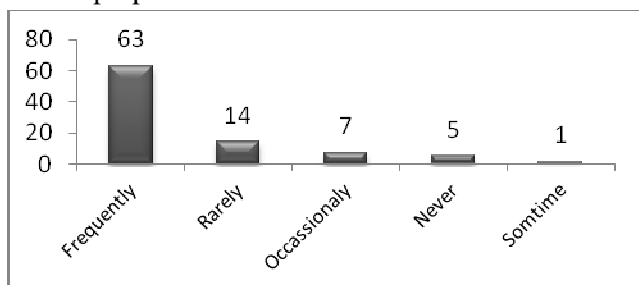

Fig. 1—Frequency of use of open access legal information resources
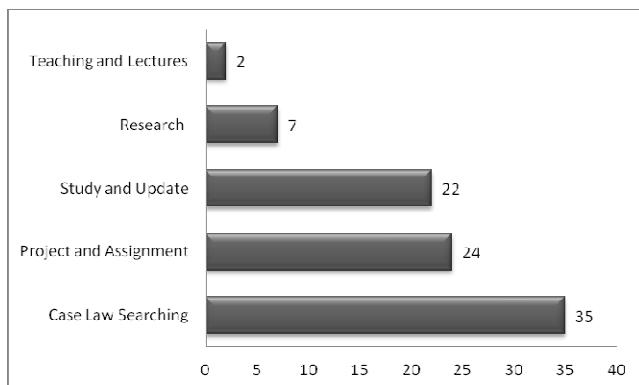

Fig. 2—Purpose of using open access legal information resources

Search and retrieval methods

Conducting an efficient and effective search requires the development and adoption of an appropriate search strategy. The most important and often the most difficult aspect of open access legal information resources is the advance search strategy. Respondents were accessing various open access resources, and use variety of search operators. However, they choose the operators according to their convenience, and knowledge. The responses revealed that half of the respondents 45 (50 percent) preferred to use the Boolean operators, 25 (27.77 percent) preferred to use the wild cards, 12(13.33 percent) revealed they preferred selectable truncation. However, only 2 (2.22 percent) use the proximity operator, and 6 (6.66 percent) stated they preferred the range operator in retrieval of contents It seems that majority of the respondents have no idea about what proximity operator is all about, and how to use it for retrieval of contents.

Skills acquired in using the open access legal resources

In order to fully understand the skills acquired in using e-resources, users were provided with five options; i.e. trial and error, guidance from friends and colleague, guidance from friends, self-instruction, online tutorial, external or any other method. It was found that 28 respondents (31.11 percent) learnt by their own, while 27(30 percent) learnt with the help of friends or colleagues. Thirteen (14.44 percent) respondents stated they learned with the help of library staff while only 4 respondents (4.44 percent) stated they learned with the help of online tutorial. However, none of the respondents stated they have learnt with the help of external sources.

Problems in accessing open accessing legal information resources

There are number of problems faced by the respondents while accessing the open access legal information resources for their academic/research work. The respondents were requested to list the problems faced while accessing the open accessing legal information resources (Table 1).

Table 1 reveals that the most common problem encountered was related to the arrangement of legal information (44.44 percent), followed by description in legal information sources (35.55 percent); lack of online help (28.88 percent) and so on.

Rating quality of open access legal information resources

In the process of searching of open access legal information resources, the students can only judge the

Table 1—Problems faced in using open access legal resources

Problems	No. of responses	Percentage
Lack of arrangement of legal information	40	44.44
Poor description on legal information sources	32	35.55
Lack of online help	26	28.88
Poor website design	20	22.22
Too many login required	18	20.00
Access instructions are not clear	18	20.00
Lack of expertise in using the database	16	17.77
Lack of print provision	08	08.88
Search screen too confusing	07	07.77

Note: Percentage exceeds 100 per cent because respondents were allowed multiple answers (n=90)

Table 2—Quality of open access legal information resources

Open Access Legal Information Resources	Excellent	Very Good	Good	Average
JUDIS	0	00	45	45
SUPLIS	0	08	37	45
OPEN JUDIS	0	00	40	50
INDIA Gov	0	30	30	30
High Court websites	0	17	28	45
Indian Kanoon	0	50	22	18
LII of India	0	39	28	22

Note: Percentage exceeds 100 per cent because respondents were allowed multiple answers (n=90).

usefulness and satisfaction of the open access legal information resources offered to them from the rate at which they succeed in retrieving the information. Four preferences were given to rate the quality of these resources such as excellent, very good, good, and poor (Table 2).

Table 2 summarizes that the majority of respondents i.e. 55.56 percent rated Indian Kanoon as a very good source of legal information, followed by LII of India (43.33 percent), India Gov portal (33.33 percent). JUDIS was rated good by 50 percent of the respondents, followed by OPEN JUDIS (44.44 percent) and SUPLIS (41.11 percent). OPEN JUDIS was rated average by 55.55 percent, followed by JUDIS, SUPLIS & High Court websites with 50 percent each. Interestingly, none of the open access legal information resources was rated excellent.

Potential help services

Help is required to users, particularly the first time users who use the online legal resources. It was found that 48 (53.33 percent) of the respondents favored the online help pages; followed by e-mail 34 (37.77 percent) as a potential help service. A substantial number of respondents i.e., 27 (30 percent) approached library staff for help, and 16 (17.77 percent) mentioned the need of training programme to help the users in using these resources. Besides this, 17 (18.88 percent) revealed that online tutorial is a better option of help service. However, 13 (14.44 percent) respondents suggested that video tutorial help service could be the better option in this regard. Whereas, only 7 (7.77 percent) suggested manual help service to learn the use of open access legal information resources. Only few respondents 05 (5.55 percent) have expressed that the discussion forums should be the help service related to open access legal resources.

Modes of training

It was witnessed in the survey that 66.66 percent respondents did not need training, while 33 percent of the respondents stated they needed training to use the open access resources. Out of the six options provided in the questionnaire, 42.22 percent favoured the tutorial mode of training, 20 percent workshop method, and 10 percent have favored lecture mode of training. However, 14.44 percent respondents reported that the printed instructions suffices to learn the use of these legal resources, and 10 percent preferred the one to one mode of training in learning the use of open access resources. Only 3.33 percent of the respondents expressed the manual should be provided to train the students in using these resources.

Conclusion

Open access legal information resources are useful for the legal community as well as lawyers. They need integrated legal information system with federated search facility. Development of an open access legal information system in India could attempt to serve legal community as well as common mass.

Commercial resources are systematically organized, and are very helpful for legal community to start legal research from scratch. However, open access legal resources are lagging behind in advance search techniques, particularly federated search techniques. It is need of the hour that Indian technologist and legal experts should collaborate to make these resources more user-friendly, properly organized, and up-to-date as per the international standards for facilitate efficient and effective use.

References

1 Greenleaf G, Vivekanandan V C, Chung P, Singh R and Mowbray A, Challenges for Free Access to Law in a Multi-Jurisdictional

2 Developing Country: Building the Legal Information Institute of India, Available at: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1975760 (Accessed on 15 Sept. 2013)

3 JUDIS, Available at: http://judis.nic.in/ (Accessed on 10 Sept. 2013)

4 SUPNET, Available at: http://supnet.nic.in/suplis/main.html (Accessed on 12 Sept. 2013)

5 India Code, Available at: http://indiacode.nic.in/ (Accessed on 11 Sept. 2013)

6 India Portal, Available at: http://www.india.gov.in/ (Accessed on 9 Sept. 2013)

7 Indian Kanoon, Available at: http://www.indiankanoon.org/ (Accessed on 11 Sept. 2013)

8 High Court of Delhi, Available at: http://delhihighcourt.nic.in/ (Accessed on 10 Sept. 2013)

9 Legal Information Institute of India (LIIOFINDIA), Available at: http:www.liiofindia.org (Accessed on 20 Sept. 2013)

10 Nunn-Price N, The EUROLEX experience, *Program* 15 (3) (1981) 142-149.

11 Hainsworth M, Information seeking behaviour of Judges, Ph.D Thesis, Florida State University, 1998.

12 Leenes R and Svensson J, Supporting the legal practitioner: LKBS or web, Information *& Communications Technology Law, 6* (3) (1997) 217-8.

13 Komlodi A and Soergel D, Attorneys Interacting with Legal Information Systems: Tools. *The 65th Annual Meeting of American Society for Information Science and Technology.* (Philadelphia, USA), 2002, p. 152-63.

14 Marshall C P, Golovchinsky, M.G, and Schilit, B. *Designing E-Books for Legal Research.* 1st ACM/IEEE-CS Joint Conference on Digital Libraries. Virginia, Virginia, Roanke, 2001, p.41-48

15 Jones Y P, *Just the Facts Ma'am?" A Contextual Approach to the Legal Information use Environment.* Ph.D thesis, Drexel University Pennsylvania, 2008

16 Brynko B, Westlaw next: keeping pace with legal pros, *Information Today,* 28 (6) (2011) 35-40.

17 Bhardwaj R K, Online legal information systems in India: a case study from the faculty of Law, University of Delhi, *Legal Information Management*, 12(2) (2012) 137-150.

18 Thanuskodi S, E-Resources and their usage patterns among the lawyers of the Supreme Court of India: A Case Study, *SRELS Journal of Information Management*, 49 (1) (2012) 87-97.