

Introduction to the BIALL Legal Information Literacy Statement

The BIALL Legal Information Literacy Statement aims to enable law students, at both the academic and vocational stage of training develop comprehensive legal research skills following a five stage model. Each of the five stages is expanded into separate competency based learning outcomes. These competency based learning outcomes are based on those as specified by the SRA, BSB & ILEX.

The BIALL Legal Information Literacy Statement audience is legal information professionals.

Legal Information Literacy Statement research skills

- Research skill 1 - Demonstrate an understanding of the need for the thorough investigation of all relevant factual and legal issues involved in a research task
- Research skill 2 - Demonstrate the ability to undertake systematic and comprehensive legal research
- Research skill 3 - Demonstrate the ability to analyse research findings effectively
- Research skill 4 - Demonstrate the ability to present the results of research in an appropriate and effective manner
- Research skill 5 – Continuing Professional Development – refreshing the legal research skills required of a modern lawyer

Attached to this Statement are the Search Wheel, and the SCONUL 7 Pillars of Information Literacy through a Digital Literacy lens, with highlighted sections that pinpoint the digital literacy skills most relevant to Legal Information Literacy.

Research skill 1: The learner will demonstrate an understanding of the need for the thorough investigation of all relevant factual and legal issues involved in a research task	
Learning outcomes	Knowledge, understanding & skills with examples of appropriate assessment criteria
1.1 Determine the scope and objectives of the research	<p>1.1 Determine the purpose of the research and the appropriate depth of research required. Establish a time scale for conducting the research within the given or agreed deadline</p> <p><i>Example indicators of ability</i></p> <ul style="list-style-type: none"> • Draft a realistic overall plan and timeline to analyse the problem, acquire information, and apply the information to the resolution of the problem • Demonstrate an awareness of organisational (firm, chambers, law school, court) rules and guidelines on the conduct and presentation of legal research • Start and maintain a methodical, accurate audit trail of research undertaken by systematically recording all pertinent information for future reference
1.2. Identify the legal context(s) and pinpoint the legal issues	<p>1.2 Pinpoint the issues raised by the legal problem and identify the questions of law that need to be investigated and answered</p> <p><i>Example indicators of ability</i></p> <ul style="list-style-type: none"> • Use authoritative background information to help understand the legal issue(s) at hand. Secondary sources include: Legal journals Practitioner texts Legal encyclopaedias Legal dictionaries Digests Monographs Blogs • Demonstrate an understanding of how the legal facts and issues of the problem fit into the larger context of the subject area/s rather than addressing specific issues in isolation • Identify the correct jurisdiction/s, public/private law applicable to the resolution of the legal problem
1.3 Determine whether non-law information is also required	<p>1.3 Identify whether information sources from other disciplines are relevant to the resolution of the legal issue/s at hand</p> <p><i>Example indicators of ability</i></p> <ul style="list-style-type: none"> • Where appropriate, use non-law resources. Sources include: Industry/company/business material Statistics Government publications Non-legal journals Press and newspapers

Research skill 2: The learner will demonstrate the ability to undertake systematic and comprehensive legal research	
Learning outcomes	Knowledge, understanding & skills with examples of appropriate assessment criteria
2.1 Demonstrate the ability to create a research strategy appropriate to researching the problem at hand	<p>2.1 Plan a search strategy to address each legal issue identified</p> <p><i>Example indicators of ability</i></p> <ul style="list-style-type: none"> • Distil the problem into facts. Categorise the information required into legal terminology • Determine the order of research • Formulate a research strategy made up of stages
2.2 Determine which legal resources are most appropriate for the problem at hand. Reference to both print and online sources as necessary	<p>2.2 Demonstrate an understanding of the different types of legal resources. Assess the relative strengths and weaknesses of different formats of legal resources. Use finding tools e.g. library catalogues, search engines or indexes to journal articles (print and online)</p> <p><i>Example indicators of ability</i></p> <ul style="list-style-type: none"> • Demonstrates awareness of the need to use authoritative legal resources to ensure an effective initial research strategy • Distinguish between primary and secondary sources in order to identify and prioritise use of sources • Identify appropriate secondary sources. Secondary sources include the list at 1.2: • Recognise the strengths and weaknesses of different information formats • Recognise that the act of acquiring information can bear a financial cost, especially in a practice environment • Undertake research with the most cost efficient resource, (determining cost-efficiency by balancing print or online costs with ease of use)
2.3 Formulate lists of search terms	<p>2.3 Recognise that the legal problem must be converted into search terminology in order to use legal sources effectively</p> <p><i>Example indicators of ability</i></p> <ul style="list-style-type: none"> • Able to distinguish the difference between 'indexed' and 'free-text' searching • Understand the correct use of search terms and connectors • Demonstrate the ability to choose the most appropriate search method • Identify potential dangers of unstructured internet searches • Expand the list of relevant search terms by considering broader, narrower and related terms using techniques such

	as the Cartwheel method devised by William Statsky
2.4 Identify and find relevant case law	<p>2.4 Use appropriate tools and resources in print and online, to find case law.</p> <p><i>Example indicators of ability</i></p> <ul style="list-style-type: none"> • Distinguish correctly between transcripts and published law reports and understand the hierarchy of law reports • Demonstrate an understanding of the structure of a law report • Demonstrate an understanding of the purpose and limitations in the use of headnotes to law reports • Use indexes, case analysis and citators (print or online) to ensure judgments are still good law • Use and interpret legal citations and abbreviations, and correctly reference sources
2.5 Identify and find relevant legislation	<p>2.5 Find legislation using paper or online sources as appropriate</p> <p><i>Example indicators of ability</i></p> <ul style="list-style-type: none"> • Demonstrate an understanding of the structure of all forms of legislation • Update legislation, where appropriate, using indexes, legislation analysis and citators (print or online) to identify whether primary or secondary legislation has been amended, repealed or revoked • Understand how legislation citators can pinpoint relevant case law or be used to update legislation

Research skill 3 :The learner will demonstrate the ability to analyse initial findings effectively	
Learning outcomes	Knowledge, understanding & skills with examples of appropriate assessment criteria
3.1 Demonstrate the ability to compare new knowledge with prior knowledge	<p>3.1 Examine the research findings in detail, looking at all of the possible interpretations to identify which information is missing</p> <p><i>Example indicators of ability</i></p> <ul style="list-style-type: none"> • Recognise when the research findings are incomplete • Recognise when sufficient research has been done to adequately address the legal issue or information need
3.2 Demonstrate the ability to reflect upon initial strategies and findings and revise the use of information sources as necessary	<p>3.2 Employ appropriate techniques to reflect on initial research strategy and revise as necessary</p> <p><i>Example indicators of ability</i></p> <ul style="list-style-type: none"> • Revise search terms • Use alternative resources • Recognise when specific questions within a larger research problem have not been answered • Employ appropriate techniques to reflect on and revise the initial research strategies
3.3 Demonstrate the ability to choose the right method of searching online and critically evaluate the information found	<p>3.3 Employ suitable search techniques and evaluate the results</p> <p><i>Example indicators of ability</i></p> <ul style="list-style-type: none"> • Critically evaluate the information found, its authority, currency and relevance to the task at hand

Research skill 4: The learner will demonstrate the ability to present the results of research in an appropriate and effective manner	
Learning outcomes	Knowledge, understanding & skills with examples of appropriate assessment criteria
4.1 Organise, structure and compile a written response for the problem researched and present the results of the investigation to the intended audience	<p>4.1 Demonstrate the ability to communicate the results of the research in a manner or format that is appropriate to the information, the intended audience and situation</p> <p><i>Example indicators of ability</i></p> <ul style="list-style-type: none"> • Organise the written response into a logical structure • Provide a concise and accurate summary of relevant materials • Employ style, tone and format appropriate to the intended purpose and audience • Employ correct spelling, punctuation and grammarApply the law to the facts of the problem so as to produce satisfactory answers to the problem posed • Consider alternative modes of presentation including the use of social media if appropriate
4.2 Provide clear advice, conclusions and identify courses of further action	<p><i>Example indicators of ability</i></p> <ul style="list-style-type: none"> • None suggested
4.3 Demonstrate awareness of ethics and legality of information use	<p>4.3 Demonstrate an understanding of relevant intellectual property rights issues e.g. copyright and fair use</p> <p><i>Example indicators of ability</i></p> <ul style="list-style-type: none"> • Fully cite all sourcesused following a recognised referencing method Comply with licences and subscription agreements e.g. agency and commercial and respect authors' intellectual property rights • Understand and avoid plagiarism

Research skill 5: Continuing Professional Development – refreshing the legal research skills required of a modern lawyer	
Learning outcomes	Knowledge, understanding & skills with examples of appropriate assessment criteria
5.1 Refresh and update legal research knowledge as part of career development	<p>5.1. Maintain and develop skills by means of independent study, attending professional lectures/ seminars and attending internal and external training opportunities</p> <p><i>Example indicators of ability</i></p> <ul style="list-style-type: none"> • Keeping up to date with current developments in general practice and in any chosen area of specialism, using print or online sources as necessary. Sources include: Print journals, bulletins, newsletters RSS feeds from law, industry and news websites • Attend refresher training, especially when online services are upgraded or changed • Where appropriate seek out knowledgeable staff in the firm, chambers, law school or law library for advice on legal resources or research processes • Demonstrate awareness of the strengths and weaknesses in using social media. Evaluate the merits of social media, such as legal blogs, online forums, Twitter etc. • Update information literacy taking into account new media and technologies and changing structures of legal information

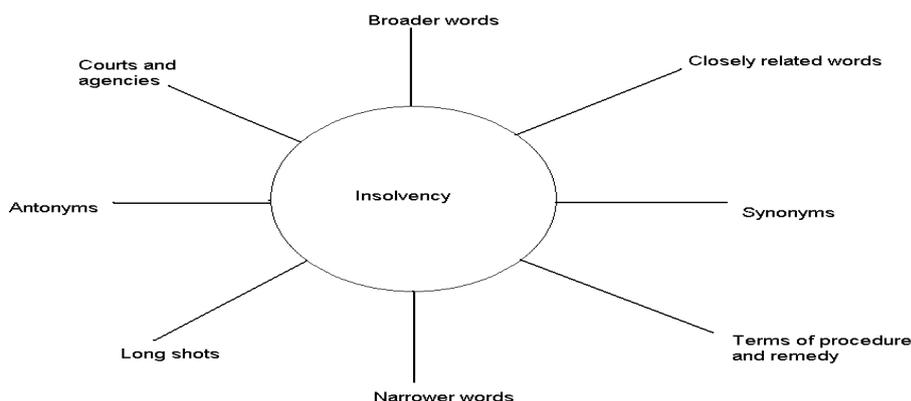
Appendix 1

The following tools are to be used in conjunction with the BIALL Legal information literacy toolkit;

- 1) Cartwheel method (after William Statsky)
- 2) The SCONUL 7 Pillars of Information Literacy through a Digital Literacy 'lens'

1) Cartwheel method

American Law professor William Statsky devised this word association method to help generate search terms. Imagine the legal research problem involves insolvency. Applying the eight Cartwheel categories can help you express the main term (insolvency) in alternative ways. Bear in mind that some of the categories will overlap.



Cartwheel step	Possible search terms
1. Broader words:	Bankruptcy
2. Narrower words:	Administration, termination, extinguish
3. Synonyms:	Liquidation , restructuring
4. Antonyms: There are two reasons for checking antonyms: they might cover your topic, and they might give you a cross-reference to your topic).	Solvent, credit, profit, cash flow
5. Closely related words:	debts, arrears, assets, estate, trustee, creditor, debenture, property
6a. Terms of procedure:	Winding-up, receivership
6b Terms of remedy:	Voluntary arrangement, liquidator, administrator
7. Courts and agencies:	Companies House, Central Registry for Company Winding Up Petitions, Register of Insolvencies
8. Long shots	Fraud, disqualification order

Appendix 2

The SCONUL 7 Pillars of Information Literacy through a Digital Literacy 'lens'

Highlighted sections pinpoint the digital literacy skills most relevant to Legal Information Literacy. Attached separately