INTRODUCTION TO ESSAYS ON TECHNOLOGY AND CHANGES IN LEGAL RESEARCH

Legal research is one of the analytical processes at the heart of what lawyers do. Few doubt that recent technological developments, including the availability of electronic sources, have brought changes to that process. Recently the conversation among those who research the law and those who teach research to law students most often centers on how those changes have affected lawyers, librarians, law professors, law students, and indeed, the law itself.

To celebrate publishing the first digital volume of *Legal Writing: The Journal of the Legal Writing Institute*, the Board of Editors invited a distinguished group of librarians, textbook authors and research scholars to contribute essays addressing the changes that new electronic technology has brought to legal research, libraries, publishing and teaching legal research. They responded with a group of essays that are insightful, entertaining, and above all, personal.

Although we didn't require our authors to answer any specific question, our request suggested five questions we hoped would aid authors in choosing the points they wished to make. Those questions were

1. Given the changing landscape of technology and the availability of electronic sources, what has changed in the way you think about the nature of legal research?

2. Given the changing landscape of technology and the availability of electronic sources, what is your vision for the future of legal research?

3. Given the changing landscape of technology and the availability of electronic sources, how do you think the teaching of research should change?

4.   Given the changing landscape of technology and the availability of electronic sources, what is the future of research publishing?

5.   Given the changing landscape of technology and the availability of electronic sources, what is the future of law libraries?

For the project we intentionally chose to ask for short essays. Nearly 100 years ago, Virginia Woolf addressed both the demands and the delights of the form in her essay, *The Modern Essay*.[1] Woolf notes there is no "room for the impurities of literature in an essay," and that "the essay is the one which least calls for the use of long words."[2] She observes that a book might support a long and dense passage, but it "sinks an essay."[3] Thus, to encourage this typical and essential brevity, we gave our authors a short, some would say draconian, word count as a target and they valiantly met our demand.

Our thirteen authors chose a wide variety of topics and contexts through which to address the questions. Filippa Anzalone thoughtfully muses on technology changing how we search for and what counts for legal authority, as well as how the changes in our students require an active classroom. Robert Berring reflects on "What A Long Strange Trip It's Been" with his usual humor and acumen, noting that the very "nature of legal information has changed."   Ian Gallacher, wittily analyzes how allowing an algorithm to determine the law we find may weaken the arguments we spin. Penny Hazelton voices the concern of good teachers everywhere when she "searches for the borders" of the new puzzle of legal research—those constants that remain despite the changes.

Stefan Kreiger reports on the findings from an important empirical study he and Katrina Fisher Kuh conducted on differences between how researchers frame their searches while employing print or electronic methodologies, especially with the "ill formed" questions so typical of legal research. Ellie Margollis and

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1. Virginia Woolf, *The Modern Essay*, *in* THE COMMON READER (1925), *available at* https://ebooks.adelaide.edu.au/w/woolf/virginia/w91c/chapter19.html.

2. *Id.*

3. *Id.* Woolf noted that the short form requires the author to narrow to the essential and not to be the "voice which is as a plague of locusts—the voice of a man stumbling drowsily among loose words, clutching aimlessly at vague ideas . . ." *Id.*

Kristen Murray carefully examine how researchers must "Mind the Gap" by paying particular attention to the best way to communicate research results to various audiences in the new world of technological change.

Linda Maslow seeks a sophisticated "Solid Ground in a Changing Technological Landscape" by focusing on structure, critical evaluation and a broader multidisciplinary skill set. Mark Osbeck's visionary glimpse of the future posits that technological changes in non-traditional sources mean that new forms of case forecasting will take center stage to transform the predictive analysis that is at the center of much legal research. Jeanne Price invites us to a dance expanded by technology when she, with characteristic perception, contends libraries and legal research are truly about strong and useful relationships among sources and people.

Suzanne Rowe astutely identifies problems in the classroom as she warns us against "The Glass Cockpit"—the technological bubble that can put our students on autopilot and hinder the kind of analytical thought essential to the research process. In contrast, Amy Sloan, with apologies to Martin Luther, cleverly compares technological changes in legal research to the changes precipitated by the printing press giving wider access to information during the Protestant Reformation. Ron Wheeler is playful as he contemplates the changed mindset required by a new world of holographs, embedded chips, smart machines of all sorts, and very different library collections. Michelle Wu decodes meeting the challenge of reconciling the contradicting forces of increased demand and fewer resources through helpfully exploring specific technological advances.

Although the context varies, themes emerge. Many recognized the need to look forward and backward at the same time. Understanding the implications of the death of the index and other traditional frames for viewing legal research was another common theme. More than one author advised anchoring the process by attending to how the structure of the law provides landmarks even in new territory. Additionally a sense of positive anticipation runs throughout the essays. These experts share an enthusiasm for our ability to meet the future's challenges that is contagious. We, who are interested in legal research, are a fortunate community when our leading librarians, professors, and scholars look forward negotiating new paths.

Reading this group of creative essays brings to mind other characteristics often associated with successful essays. They are honest, clear, and relevant. Despite the recurring themes that run through the group of essays, they are also quite individual. Perhaps because we most often encounter essay writing in the form of the request for an essay or personal statement to accompany an application, these essays are intensely *personal*. Through their choices of stories, analogies, salient quotations, and other observations, our authors have given us a glimpse into the core of their professional lives, and the ways that legal research is profoundly personal to them.

This glimpse into the thoughts and lives of distinguished research scholars is a pleasure, which is the purpose Woolf identifies as the "principle which controls it [the essay] is that it should give pleasure."[4] The Board of Editors hopes you enjoy reading these essays as much as we've enjoyed the process of bringing them to you. We are grateful to our authors for helping us introduce our new electronic format with such pleasurable reading. Thank you!

Terrill Pollman
Assistant Editor in Chief
Legal Writing: The Journal of the Legal Writing Institute

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4. *Id.*