

INFORMATION NEEDS AND REQUIREMENTS OF JUDICIAL OFFICERS OF KARNATAKA STATE: A STUDY

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This research study investigates Information Needs of Judicial Officers of the Subordinate Judiciary in the State of Karnataka. The study ascertains the provision of information in the area is adequate to meet the growing and varying needs of members of the legal community. Data was collected by a well-structured questionnaire and observation, from Judicial Officer's community as users of information and libraries, and librarians in their official capacity as providers of information. The study examines the performance of legal information services in the context of Judicial Officers needs and current library and information service provision. It investigates the information needs and information seeking habits of the legal profession, and examines the problems experienced by the Judicial Officers.

Keywords: Information Needs, Information Seeking Behaviour, User Studies, Judicial Officers, Karnataka State

INTRODUCTION

India has one of the oldest judicial systems in the world. Its law and jurisprudence dates back into the centuries, forming a living tradition which has grown and evolved with the lives of its diverse people. India's commitment to law is spelt in its Constitution as a Sovereign Democratic Republic. The Judiciary is one of the wings of its federal system which as an independent judiciary guaranteed Fundamental Rights and Directive Principles of State Policy which though not enforceable in law but are fundamental to the governance of the Nation.

Information and knowledge is a basic resource or a commodity determined in 20th and 21st century as well, due to its growing demand in all human activities and endeavours. It is conceived, without proper, authentic and reliable information no individual, organization or even country will not be able to carry out its all welfare activities. In Judiciary, the Judicial Officers are highly dependent on authentic and digested information available in various forms; both print and electronic and also online. A Judicial officer's work demands timely, authentic and readily usable

information, otherwise it is likely to lead to a negative and adverse outcome of a judicial decision and may also further lead to complexity in legal argument. The resultant court decisions have a significant effect on the people involved in the dispute, and to some extent, the administration of justice. A Judicial officer requires a considerable amount of information to meet legal needs as reflected by the kind of cases judicial officer is pursuing for a fair outcome.

Information seeking behaviour on the other hand involves personal reasons for seeking information, the kinds of information which are being sought, and the ways and sources with which needed information is being sought. The professionals also have distinct information seeking behaviour delineated by studies. The studies on information needs, gathering, behaviour and seeking are going on since late 1940s and continue to be of interest of not only of library and information professionals but researchers from sociology, psychology and also technologists. The number of studies might run more a thousand papers and some recent ones are referred here as examples.

The research studies on information needs of users began with the first user survey conducted by Dr. J.D. Bernal, and presented the results of the survey at the first international conference on scientific communication organized by the Royal Society London in 1948. Wilson(1981) has been a pioneer in this regard as more comprehensive studies on user studies and information needs have come with his initiative. Wilson(1999), Ellis(1993), Krikelas(1983) and Kuhlthau(1993)

and others proposed models of information seeking behaviour from classical period to the digital era. Turnbull(2005) made a study on “World Wide Web Information seeking”. A comprehensive treatise on ‘Information Behaviour’ profiling more than 72 studies on this subject was edited by Fisher et.al.(2005). Thus, the studies on information needs, behaviour and seeking are going on unabatedly since last four decades from 1980s onwards and show its currency of research.

NEED AND PURPOSE OF THE STUDY

The study makes an attempt to examine the information seeking behavior of Judicial Officers in the State of Karnataka for their day-to-day judicial proceedings in the Judiciary. It also aims to project future information requirements and to propose recommendations and suggestive practices in the information provisions. Consequently, it is assumed that building and developing a legal Information System should be proceeded by an accurate understanding of the information seeking behavior and the information needs to motivate the seekers of information. Keeping in mind the importance of legal information in satisfying the Judicial Officers information needs, this study has attempted to investigate the information needs and the information seeking behavior of Judicial Officers working in Karnataka Judiciary.

OBJECTIVES OF THE STUDY

The main objectives of the study are as follows;

1. To know the demographic profiles of Judicial Officers working in subordinate judiciary in the State of Karnataka.

2. To identify the purpose and use of legal library resources by the judicial officers in Karnataka State.
3. To investigate the information needs and kinds of legal information sources used by Judicial Officers
4. To analyze the information gathering habits among the judicial officers.
5. To know the effective use of formal and informal legal information sources by the judicial officers under the study.
6. To find the use of Web Resources to satisfy the legal information needs by the judicial officers.
7. To determine the effective use of various legal e-resources by the judicial officers under the study.

REVIEW OF LITERATURE

Asare, Comfort & Odetsi-Twum, (2021) conducted a detailed study on public access to primary legal information with a case study at Ghana. The major objective of the study is to establish and assess Ghana's legislation on making legal information readily accessible to the general public especially at the national level. As Jones and Ilako (2015) have put up; "Just as access to information is deemed as a fundamental human right, access to legal information is also a fundamental information access issue" because. 'the attorneys law students and the general public require legal information for decision making'. To justify the above statement, Danner (2011) one

of the leading scholar on how evolving information technologies are impacting law libraries, notes that access to legal information could be thought of as a human right. He further states that "there are strong information access themes in statements such as the "Declaration on Free Access to Law" as declared by the World Law Institute (2012) through the meetings held from 2003 to 2012 at different countries of the world. In this context the Law libraries play a central role in access and use of legal information by the judiciary and its officers. According to Sri Ram (2008) "Why is information support of importance to all branches of the legal profession? The answer lies in two words: precedent and persuasion." Further he emphasizes that the essence of lawyer's skill is the power of persuasion. Justice Jois (1984) emphatically states "the Indian judiciary administers a common law system of legal jurisdiction, confined to a geographical space of a country, in which customs, precedents and legislation, all codify the law of the land. It has in fact, inherited the legacy of the legal system established by the then colonial powers and the princely states since the mid-19th century, and has partly retained characteristics of practices from the ancient." In this context Intellectual Property Rights (IPR) has attracted the legal professionals, the attorneys at all levels of judiciary. The globalization and liberalization after the WTO and TRIPS Agreements has created new legal issues and they are on the rise. For example, patents are the new property tools and knowledge

entities which when used profitably can give companies a competitive advantage over others in the same field. Another area of influence of electronic effect that has attracted the legal profession is the Cyber law and the information policies and cyber-crimes. These new legal areas have crept in with the application of ICT in the legal profession. It is well said that “the emergence of IT and ICT in terms of access to information or in Cyberspace has become a new legal issue globally (Lakshminath, 2014).

The summary of review of literature infers, that the Legal professionals needs imply readily accessible information in legal decision making. The information seeking is a fundamental human right is also spelt by one of the papers and it goes well with the enactment of “Right to Information Act” of India and also endorsed by the World Law Institute. Further studies show technological impact on legal information. The precedence is also one of the characteristics of seeking information, which is also employed in library and information studies as Citation studies. The legal information has its confinement to the geographical area in which the judiciary is practiced. Some of the new areas which have attracted the judiciary are the Intellectual Property Rights, resulting from the WTO and TRIPS agreements. This is the sum and substance of the Review of literature and are examined in the data analysis.

METHODOLOGY

The study has adopted the survey method of research using questionnaire as a data collected tool. The study for data collection, distributed the questionnaires to the judicial officers of

Karnataka State by adopting a random sampling method. The Judicial officers included in the study comprise, District Judges, Civil Judges, both Senior and Junior Division. The researcher has personally assisted and interviewed the judicial officers in order to obtain more clear, accurate and pin-pointed responses to the listed questions. The data gathered is organized in tabular and graphical form and adopted simple calculations (%percentage) to achieve the qualitative and quantitative outcome from the data tabulated in the study. Totally 430 Judicial Officers of various ranks are included in the study as respondents

RESULTS AND DISCUSSIONS

Demographic Details of the respondents

The demographic details of the respondents such as Gender, Age and Qualifications are collected and presented in the Table -1. Of the total of 430 respondents 295(68.6%) are male respondents which and 135 (31.4%) are female respondents. The number of male respondents was considerable higher than that of female respondents. This may be due to the fact that in the legal profession there is more male dominance due to the nature of the job and the kind of work schedule involved in the process of judicial proceedings such as migrating from lower-level courts to higher levels. So, the logging of the kind require the mobility from place to place in search of courts.

The Age is another demographic factor which has a bearing on the respondents’ enabling practices. The age of respondents are formed in

age groups at the interval of Ten years starting from minimal 30 years of age. It can be observed from the Table that 313 (72.8%) being highest, belong to the age group 41-50 followed by 59 (13.7%) and 56 (13%) for the age groups 31-40 years and 51 years and above. Whereas there are only 2 respondents in the age group less than 30. It can be observed from the distribution that most

of the respondents are from the middle age groups. As the respondents includes only judges from the lower courts, it is quite obvious that with only significant years of experience a position of a Judge could be offered to him/her, hence, most of the respondents in the age group 41 to 50 years.

Table1: Demographic Details of the respondents

Demographic Details		No. of Respondents	Percentage (%)
Gender	Male	295	68.6
	Female	135	31.4
Age	Less than 30	2	.5
	Between 31-40	59	13.7
	and 41-50	313	72.8
	51 &Above	56	13.0
	LLB	3	.69
Qualification	BA, LLB	225	52.32
	B.Com LLB	155	36.04
	BSc LLB	42	9.76
	LLB, LLM	5	1.16

The level of education that an individual attained shows the exposure s/he has towards the judiciary. The Distribution of respondents by qualification has been presented in Table 1 depicts that 225 (52.32%) of respondents have the qualification of Bachelor of Arts with Bachelor of Law degree followed by Bachelor of Commerce with Bachelor of Law with 155 (36.04%). There are only few judicial officers with higher qualifications such as LLM., however most of them hold minimum qualification such as B.A., LLB, B.Com LLB or B.Sc. LLB.

Distribution of Respondents by Designation

The respondent judicial officers considered under study are with the Designation of Judges in

different courts. The Table-2 presents the designation-wise distribution of Judicial Officers or Judges category involved in the study. The Distribution of responses by designation presented in Table-2 depicts that 204 (47.4%) of judges belongs to the lowest rank i.e. Civil Judge (Junior Division) followed by Civil Judge (Senior Division) with 144 (33.4%). However, there are 82 (19.1%) of judges belong to the district judge category which is the senior most position in the subordinate judiciary. As always, the numbers of senior professionals are comparatively smaller than that of the junior ranks. After having sufficient experience and gaining adequate knowledge and skills the civil judges become district judges.

Hence, the numbers of civil judges are more than that of district judges.

Table2: Distribution of Respondents by Qualification

Designation	Count	% Share
District Judge	82	19.1%
Civil Judge (SD)	144	33.5%
Civil Judge (JD)	204	47.4%

Distribution of Respondents by Bar Council of India Membership

In India and elsewhere it is a common practice that the professionals have a practice to have members of the corresponding council or commission of that profession. Accordingly for legal profession, Bar council of India is a professional organization for Legal practitioners in India. It is the premier body of legal professionals which deals with ethics, code of conduct and work for the larger benefit of the legal professionals.

The Distribution of respondents by their membership to the Bar Council of India has been presented in Table 3. It shows that 145 (33.72%) of respondents are members of Bar Council of India, whereas, 285 (66.28%) are not member of the council. It is not mandatory for the judges to be member of BCI, whereas, it so happens that many practitioners become judges after due process of evaluation and they might have retained their membership, and the fresh appointees may not have considered it is important at all.

Distribution of Respondents by Membership to Professional Association

The professional normally affiliate as members of different associations to participate

Table3: Distribution of Respondents by Bar Council of India Membership

BCI Membership	Count	%share
Yes	145	33.72%
No	285	66.28%

in sharing and exchange of professional knowledge to keep themselves aware of ongoing development in their respective fields. The data on Membership to different professional associations by the respondents are presented in Table 4. It shows that only 1.86% of the respondents are members of any professional association whereas the rest of the 98.14% are not members of any of the professional association. The high responses towards the non-membership might be due to the nature of work responsibility itself which does not allow them to participate much in the public forums.

Table 4: Distribution of Respondents by Membership to Professional Association

Association Membership	Count	%share
Yes	08	01.86%
No	422	98.14%

Distribution of Respondents by Participation in Forums

Participation in different forums is also mainly meant sharing own views about different issues related to the profession or the subject under discussion. Recently many online forums in legal discipline have become very popular platform to discuss recent happening in judiciary and expressed their concerns. The Table 5 presents the data on distribution of responses for the participation in forums. It can be seen from the table that only 6 respondents are members of

the forums, which constitute only 1.39%, whereas, rest of the 98.61% are not members of any forums as it might be difficult to express themselves due to nature of the duty they perform.

Table 5: Distribution of Respondents by Participation in Forums

Participation in Forums	Count	% share
Yes	06	1.39%
No	424	98.61%

Distribution of Respondents by Information Needs Vs Designation

The core of the study is to analyze information needs of different judicial officers and in this case the Judges from different cadres and courts. The data on the information needs of the district judge and civil judge presented in Table-6 and a comparison between the needs was also carried out. The distribution of responses by information needs v/s Designation presented in Table 6 shows that there is not much difference

in terms of their information needs. The Civil Judges information needs with respect to Intellectual Property Rights (IPR), Right to Information Act (RTI) and State, Central and Local Govt. Bodies is higher than that of district judges by 5%, 8% and 5.8% respectively. Whereas for other three types of information need it is the district judges who have responded with higher positive responses but the difference is lower at 3% or less. As per Chi Square test if the value of X^2 the difference between the two categories is greater. In most cases as the above shows the X^2 is small and less than 1 hence the differences are not much greater and the p values also imply the same inference and the outcome of the test.

Distribution of Respondents by Information Needs Vs Age

The distribution of respondents by information needs v/s age presented in Table 7 depicts that there are some differences between the two groups. 43 ((70.5%) of respondents upto

Table 6: Distribution of Respondents by Information Needs V/s Designation

Information Needs	District Judge		Civil Judge		Chi Square Test Results <i>p</i> values
	Yes	No	Yes	No	
Information about previous judgment done in the case	55 (67.1%)	27 (32.9%)	223 (64.1%)	125 (35.9%)	.610
Information about current developments in the legal filed	78 (95.1%)	4 (4.9%)	327 (94.0%)	21 (6.0%)	.687
Information on Intellectual Property Rights (IPR)	19 (23.2%)	63 (76.8%)	98 (28.2%)	250 (71.8%)	.361
Information about Right to Information Act (RTI)	21 (25.6%)	61 (74.4%)	117 (33.6%)	231 (66.4%)	.162
Information about State, Central and Local Govt. Bodies	49 (59.8%)	33 (40.2%)	228 (65.5%)	120 (34.5%)	.327
Information about on-going and forthcoming legal case studies in different courts	72 (87.8%)	10 (12.2%)	294 (84.7%)	53 (15.3%)	.479

40 years need information about previous judgement done in the case, whereas 235 (63.7%) of respondents 41 years and above need similar information. Likewise, Information about Right to Information Act (RTI) 24 (39.3%) of respondents upto 40 years need information whereas, 114 (30.9%) of respondents 41 years and above need similar information. On the other hand, Information about State, Central and Local

Govt. Bodies 36 (59.0%) of respondents upto 40 years need information whereas, 241 (65.3%) of respondents 41 years and above need similar information which is comparatively less. Similarly, 43 (70.5%) of respondents upto 40 years needs Information about on-going and forthcoming legal case studies in different courts, at the same time 323 (87.8%) of respondents 41 years and above needs this information.

Table 7: Distribution of Respondents by Information Needs V/s Age

Information Needs	Up to 40 Years		41 Years and above		Chi Square Test Results <i>p</i> values
	Yes	No	Yes	No	
Information about previous judgement done in the case	43 (70.5%)	18 (29.5%)	235 (63.7%)	134 (36.3%)	.303
Information about current developments in the legal filed	57 (93.4%)	4 (6.6%)	348 (94.3%)	21 (5.7%)	.789
Information on Intellectual Property Rights (IPR)	19 (31.1%)	42 (68.9%)	98 (26.6%)	271 (73.4%)	.456
Information about Right to Information Act (RTI)	24 (39.3%)	37 (60.7%)	114 (30.9%)	255 (69.1%)	.190
Information about State, Central and Local Govt. Bodies	36 (59.0%)	25 (41.0%)	241 (65.3%)	128 (34.7%)	.341
Information about on-going and forthcoming legal case studies in different courts	43 (70.5%)	18 (29.5%)	323 (87.8%)	45 (12.2%)	.000

The above results infer that the current information is needed most by the legal professionals of all ages and the information need on previous judgments is also revealed above. However, information needs on the areas of RTI and IPR are yet not significant.

Distribution of Respondents by Use of Formal Sources

The Government publications are the chief sources of information that legal professional are in need of as they provide performance, activities, policy and statistics of the government departments. These are being used as a key source

of information for awareness, research and consultation by the legal community.

It is found from the data presented in Table-8 that 269 (71.3%) of respondents have mentioned that they use these resources once in a month whereas daily, weekly users are very low at 9.2% and 7.9% and 9.5% for other time of use frequencies. The Law reports are the series of books containing summarized decisions of various courts cases. Respondents under study opined that mostly they use monthly 204 (47.7%) or weekly 131 (30.6%) basis these kinds of resources. It is interesting to see that 279 (68.7%)

of the respondents use legal textbooks on daily basis followed by 84 (20.74%) once in a month. A total of 219 (56.6%) respondents uses law websites on daily basis and further 126 (32.6%) on weekly basis. Thesis and dissertation are used mostly occasionally by 198 (62.3%) respondents followed by 52 (16.4%) once in a week. 50 (15.7%) of respondents never use this type of resources for fulfilling their information needs. Likewise, patents and trademarks as information sources are largely being used by the industry. These types of cases are being dealt through different platforms rather than the civil and district courts. Legal/law digest are used by 160 (44.4%) of respondents every day whereas 95 (26.4%) and 91 (25.3%) use it occasionally and monthly basis.

Bibliographies as formal sources of information are used occasionally by highest number of 159 (53.5%) of respondents followed

by 72 (24.2%) not using them at all. Information related to Supreme Court cases are being highly sought after as responded by 273 (63.8%) using it daily followed by 80 (18.7%) using it on monthly basis. Higher numbers of respondents use it either on daily or weekly basis. Decrees are used by 151 (39.8%) of respondents occasionally but 119 (31.4%) of respondents use it daily as well but jurisprudence as a information source is mostly being used occasionally only with 304 (80.4%) respondents. Likewise, Legal Treatises, Hornbooks and Nutshells mostly being used occasionally but quite a high percentage of users use it weekly or monthly as well. A total of 334 (82.1%) respondent's use online sources/ services on daily basis followed by another 14.7% weekly users. This shows the impact of technologies on seeking information as revealed in one of the studies inferred by review of literature.

Table 8: Distribution of Respondents by Use of Formal Source v/s Designation

Formal Source	Daily	Weekly	Monthly	Occasionally	Not at all
Government publications	34 (9.2%)	29 (7.9%)	269 (73.1%)	35 (9.5%)	1 (0.3%)
Law reports	75 (17.5%)	131 (30.6%)	204 (47.7%)	18 (4.2%)	0 (0.0%)
Legal textbooks	279 (68.7%)	2 (0.5%)	84 (20.7%)	41 (10.1%)	0 (0.0%)
Law websites	219 (56.6%)	126 (32.6%)	12 (3.1%)	29 (7.5%)	1 (0.3%)
Theses and Dissertations	0 (0.0%)	52 (16.4%)	18 (5.7%)	198 (62.3%)	50 (15.7%)
Patents & Trade Marks Cases	1 (0.4%)	2 (0.8%)	0 (0.0%)	110 (43.8%)	138 (55.0%)
Legal/law digests	160 (44.4%)	13 (3.6%)	91 (25.3%)	95 (26.4%)	1 (0.3%)
Bibliographies	64 (21.5%)	2 (0.7%)	0 (0.0%)	159 (53.5%)	72 (24.2%)
Supreme Court Cases	273 (63.8%)	80 (18.7%)	54 (12.6%)	20 (4.7%)	1 (0.2%)
Decrees	119 (31.4%)	25 (6.6%)	17 (4.5%)	151 (39.8%)	67 (17.7%)
Jurisprudence	21 (5.6%)	13 (3.4%)	39 (10.3%)	304 (80.4%)	1 (0.3%)
Legal Treatises, Hornbooks and Nutshells	17 (4.7%)	84 (23.3%)	80 (22.2%)	134 (37.1%)	46 (12.7%)
Online sources/services	334 (82.1%)	60 (14.7%)	12 (2.9%)	1 (0.2%)	0 (0.0%)
Any other pl. Specify	21 (58.3%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	15 (41.7%)

Distribution of Respondents by Use of Informal Sources

The distribution of respondents on the use of informal channels of information is presented in Table 9. It depicts that a total of 190 (57.1%) of respondents' douse todiscuss with professional colleagues of different courts on weekly basis but

another 81(24.3%) of respondents do it more frequently i.e. every day.A total of 73.9% and 58.8%respondents are occasionally involved in informal discussion with outside law professionals and with retired and senior most legal professionals respectively.

Table 9: Distribution of Respondents by Use of Informal Sources

Informal Sources	Daily	Weekly	Monthly	Occasionally	Not at all
Informal discussion with professional colleagues of different courts	81 (24.3%)	190 (57.1%)	7 (2.1%)	55 (16.5%)	0 (0.0%)
Informal discussion with outside law professionals	3 (1.3%)	15 (6.6%)	22 (9.7%)	167 (73.9%)	19 (8.4%)
Attending Round table talks, conferences, seminars etc.,	1 (0.5%)	39 (18.4%)	64 (30.2%)	106 (50.0%)	2 (0.9%)
Informal discussion with retired and senior most legal professionals	31 (11.1%)	17 (6.1%)	4 (1.4%)	164 (58.8%)	63 (22.6%)

Distribution of Respondents Information Gathering Habits

The Table 10 presents the data on information gathering habits of judicial officers under study. The data from Table depicts that 272 (78.2%) of the respondents browse the internet daily to get the desired information. On the other hand,177 (42%) discuss with colleagues/legal professional

every day to gather necessary information and clarification.The Consultation with Resource Persons in the Legal Professions preferred mainly on weekly basis whereas attending law conferences, seminars and workshops and Visiting Exhibitions are preferred occasionally only as far as information gathering habit of judicial officers are concerned.

Table 10: Distribution of Respondents by Information Gathering Habits

Information Gathering Habits	Daily	Weekly	Monthly	Occasionally	Not at all
Discussion with Colleagues/ Legal Professional	177 (42.0%)	74 (17.6%)	46 (10.9%)	123 (29.2%)	1 (.2%)
Consulting with Resource Person in the Legal Professional	39 (14.1%)	107 (38.8%)	24 (8.7%)	60 (21.7%)	46 (16.7%)
Attending law conferences, seminars and workshops	2 (.9%)	13 (6.2%)	20 (9.5%)	166 (78.7%)	10 (4.7%)
By Visiting Exhibitions	29 (9.6%)	12 (4.0%)	33 (10.9%)	156 (51.7%)	72 (23.8%)
Browsing Internet	272 (78.2%)	14 (4.0%)	32 (9.2%)	30 (8.6%)	0 (0.0%)

CONCLUSION

The data collected through the structured questionnaire has been presented in tables and analyzed first with a set of demographic parameters. Information about current developments in the legal field and Information about on-going and forthcoming legal case studies in different courts are the two major information requirements of the judges. Among formal sources legal textbooks, bare acts and Supreme Court cases are being used very frequently whereas internet is the major source of information in the present digital world that is being used for information requirements. The study found that most of the information is gathered by browsing the internet.

The study suggests that the judicial officers the legal profession is entering into new area of corporate law and strategy as regard to the developments at the international level on IPR and the related issues. Another suggestion is attending scientific meetings by the legal professionals in Karnataka is very meager and it implies lack of sharing and exchange of information of among them. India is a vast country and its population is diverse hence attending conferences and seminars by judicial officers would be an advantage in fair and early judicial decision making.

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