

Assessment Of Legal Information Needs And Access Problems Of Law Officers In High Court Of Karnataka, Bangalore: A Case Study

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Abstract

The purpose of this study is to explore the Information needs and access problems of Law Officers, (State Government and Union Government) High Court of Karnataka, Bengaluru. It gives overall picture of how Law Officers uses the legal information and Information sources preferred by them, methods used for access required information and use of the Advocate General Library as well as Judges Library, High Court of Karnataka. The questionnaires were distributed randomly among the 165 Law Officers working in various Courts in Bangalore. And 128 filled in questionnaires were returned, giving an overall response rate of 77.56 percent. The result of the study reveals that majority law officers are satisfied with the collection and services of the Library. The respondents are preferred the information in printed form for their day to day references. The majority of respondents are dissatisfied with regard to the IT infrastructure facilities. Most of the respondents are having their personal libraries at home.

Key words: Legal Information Sources, Information Needs, Law Officers, Users Study, High Court Karnataka

1. Introduction

Information support is of great importance in every profession and legal profession is no exception. Legal Information is considered one of the essential ingredients for effective justice to be done in any democratic society. 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. The increasing number of litigations enormously and whereas the Government is party or respondents in various cases. This study examines the legal information sources and its access by law officers in High Court of Karnataka with the help of questionnaire method. The study suggested the improved services, latest collection of legal information resources and up-gradation of IT infrastructure for utilization of legal databases effectively. This study paves way to improve law officer's information needs and systematically planning to more effective legal research in the presentation of cases in the Courts.

Legal Information is considered one of the essential ingredients for effective justice to be done in any democratic Society. According to **Ademola (1994)¹**, the legal profession is highly book reading profession. The importance of information to a lawyer is reiterated by **Bello (1994)²**. He argues that books are the tools of trade of the legal profession. As new practices of information-seeking emerged with the availability of electronic resources, researchers started investigating how scholarly information seeking practices changed with new technology

2. Need and Purpose of the Study

The study makes an attempt to find out the required legal information and access problems facing by the Law Officers (State Government, Union of India and Public Prosecutors) for their day to day proceedings in High Court of Karnataka. It also aims to find out the problems of Legal Information accessing and also plan to improve the services of Library.

3. Objectives of the Study

The main Objectives of the study are as follows

1. To identify the purpose and use of legal information resources by the Law Officers in High Court of Karnataka
2. To investigate the information need and kinds of legal information sources used by the Law Officers
3. To analyze the information gathering habits among the Law Officers.
4. To know the effective use of formal and informal legal information sources by the Law Officers under the study.
5. To find the use online legal information sources to satisfy the information needs by the Law Officers
6. To examine the effective use of various legal –e resources by the Law Officers under the study.
7. To examine the Information required and access problems facing by the Law Officers in High Court of Karnataka
8. To find out the level of satisfaction of Law Officers with various legal databases and

online legal Information services.

9. Propose strategies to improve on access to legal information by Law Officers.

4. Literature Review

Information is seen as “something constructed by human beings” (**Dervin & Nilan, 1986, 16**).³ The Cognitive view point of information science (**Belkin, 1977 in 1978, 81**)⁴ defines “the information associated with a text is the generator’s modified (by purpose, intent, knowledge of recipient’s state of knowledge) conceptual structure which underlines the surface structure of that text”. The structure of the lawyers' branch of the legal profession has undergone massive change, which in turn has impacted on legal information provision and the profession. Information is basis for professional knowledge and knowledge is basic commodity of the 21st century. Law officers are highly dependent on information produced in various forms (print and electronic) by Governments and Courts. A law officer’s is demanding timely legal information to assist the courts in day to day proceedings. Anything not getting timely information is likely to affect the outcome of a court decision or influence a legal argument. Finally the outcome of the result has a significant effect on people involved in judicial process. The Law Officers requires considerable amount of legal information to meet their legal information needs.

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. **Taylor** defines information behavior as the product of certain elements of information use, based on the definition he believes that the information behavior of different groups of people, also is different. (**Taylor, 1991, 221-22**)⁵. An observation based study on practicing lawyers with a particular focus on the variety of information tasks that lawyers undertake, how they use information to accomplish their work and the role that mediators play in the process of legal information seeking and use. (**Kuhlthau, C.C & Tama, S.L.(2001)**)⁶. **Asare, Comfort & Odetsi-Twum, Janet MRS (2021)**⁷ conducted a detailed study on public access to primary legal information with a case study at Ghana. Elliott and King found there to be two camps of legal professionals: one highly enthusiastic towards computer usage and another who view computer usage with derision. (**Elliott, M & Kling, R. (1997)**)⁸ **Sutton, S.A. (1994)**⁹ examined the legal literature on order to explore how lawyers construct ‘mental models’ of the law. Sutton notes that these mental models evolve through iterative interaction between lawyers and legal system.

Information seeking behavior is an area of active interest among many librarians, Information Scientists, Communication Scientists and psychologists. Information seeking behavior results from the recognition of some need, perceived by the user, whom a consequence makes, depends upon the formal system such as libraries; information centers, online services, or in some other persons in order to satisfy the perceived need. Information seeking behavior is important for Law Officers, who have access to many dedicated legal information resources. **Otiike (1997)**¹⁰ argues

that the legal profession, just like the members of the general public requires legal information. The scope of each practice determines the specificity of legal information needed for ready reference and research. Law Officers need to understand the law enables them to perform various challenges in the assistance of Justice delivery system. Law officers seek information on order to assist in solving legal issues and in order to abreast of law (Kidd, 1978)¹¹ Legal information helps to create awareness of how the law works and justice is administered. According to Otiike (1997)¹², legal information is basic for all, both lawyers and non-lawyers. Parliament does not enact laws for exclusive use of lawyers'. Lawyer's information needs are greatly influenced by the nature of work they do. Otiike (1999)¹³ notes that experience has a considerable influence on their legal information needs. It is generally assumed that experienced lawyers do not influence their information seeking habits (Otiike (1999)).¹³ Law Officers regarded as "hard core" information users because of their multitasking habits in administration of justice.

5. Legal Professionals and their needs

The law officers like any other users, experience considerable problems in satisfying their information needs. Law officers work in an information rich environment which is in constant flux, with ongoing additions to statutes and other sources for legal research. The legal information spans different types of documents (eg. Law reports/Case Laws, legislations, commentary articles, forms and precedents etc.) a wide range of legal topic areas and a range of jurisdictions. Unfortunately most of the Advocate General Libraries and Law Libraries do not have comprehensive law collections. Some materials have considerable gaps which need to be updated and it is difficult to get unreported judgments of the higher courts. In some cases the law officers or advocates spent considerable amount of time looking for information due to lack of skills to access legal information. The information users are not satisfied; the user may begin the information seeking process again or redefine the information need. The service providers like Librarians are passive or reactive. Legal information providers need to be both reactive and proactive in information provision if information needs of law officers are to be met. Information must be available whenever and wherever it is needed.

6. Advocate General Library.

Advocate General Library is situated in the main Building of the High Court (Attara Kacheri) and comparatively large in its collection and services. A Total collection of legal material is about 1.24 lakh and 30 Law Journals along with daily news papers and magazines. The Budget is allocated to the library directly from the State Government. The library having good number of e legal databases cater the required information to the Advocate General and other law officer in the High Court. The important services provided to the Law Offices in Advocate General Library are;

- 1) Circulation Service
2. Document Delivery Service

- 3) Current Awareness Service
- 4) Reference Service
- 5) Reprographic Service
- 6) Inter Library Loan Services
- 7) Literature Search
- 8) Referral Service.

On an average a total number of circulated per day is about 35-40 books and nearly 30-40 visitors per day visit the library and the library opened full time as per the Court Timings.

7. Methodology

The study employed a survey research design in which structured questionnaire was used to collect the data in this study. The researcher has personally assisted and interviewed in order to receive more clear, accurate and pin pointed responses to the listed questions. A questionnaire was distributed to 165 Law Officers randomly, who are using the library regularly. The 128 filled questionnaire were returned by Law Officers with the response rate is 77.57%.

The questionnaire were tabulated using excel and percentage tool has been used.

The limitation of study is that it confined only to the Law officers of the High Court of Karnataka other lower court officers not included due to the time limit.

8. Results and Discussions

8.1 Demographic Details of the respondents

In a bid to understand the respondents, some back ground information was established and is reported in Table 1, 2 and 3 as it indicates the Job Distribution, Gender and Experience.

The below table1 shows the response rate according to gender wise it has been found that 36 (26.00 %) are female and 92 (95.00 %) are male. This distribution indicated that majority of the respondents are male and they were dominant in all most all survey's made earlier studies.

Sl. No	Gender	Number	Percentage
1	Male	92	71.87
2.	Female	36	28.12
Total		128	100.0

8.2 Qualification-wise Distribution

The qualification or level of education that an individual attained shows the exposure that he has towards the discipline. Level of education determines the expertise a person has over others while knowledge is concerned. Distribution of respondents by qualification has been presented in Table -2 shows 77 (60.15 %) of respondents have the Bachelor degree with 3 years LL.B degree, followed by 5 years LL.B degree are 34 (26.56%). LLM degree holders are 15(11.71%) and only 02 PhD holders.

Sl. No	User Category	Frequency	Percentage (%)
1	L.L.B-3 years	77	60.15
2.	L.L.B-5 Years	34	26.56
3.	L.L.M	15	11.71
4	L.L.M Ph.D	2	1.56
	Total	128	100

8.3 Experience of Respondents

Table-3 shows distribution of respondents by experience. Experience most important for any law officer to have the depth knowledge of Legal Information. The maximum number of Respondents 47 (36.71%) has been working as Law Officers are less than 5 years. Thirty six 36 (28.12%) respondents were in the range of 6-10 years of experience followed by 12 (9.37 %) respondents range of 11-15 years and 13 (10.15) respondents are 16-20 years. More than 20 years of working as law officer cumulative total is 20(15.61%).

Sl. No	Experience	Number	Percentage (%)
1	Less than 5 years	47	36.71
2	6-10 Years	36	28.12
3	11-15 Years	12	9.37
4	16-20 Years	13	10.15
5	21-25 Years	15	11.71
6	26 Years & above	5	3.90
	Total	128	100.00

8.4 Frequency of Visit to Library

Regarding frequency of visit to the library for the usage purpose the table-4 indicates that the majority of respondents 73 (57.03%) visits library daily, about 42 (32.81%) respondents visit

library twice in a week and about 13 (10.15%) respondents visiting library occasionally. This indicates there is foot-fall of more than 50% of visitors to the library.

SL. NO	Frequency	No. of Respondents	Percentage (%)
1.	Daily	73	57.03
2.	Every alternative day	42	32.81
3.	More than a twice in a week	Nil	00
4.	Fortnightly	Nil	00
5.	Once in a month	Nil	00
6.	Occasionally	13	10.15
	Total	128	100

8.5 Legal Information Sources-Preference

The Advocate General Library is the major source of information for Law Officers, About 110 Law Officers are having their own personal libraries compared to the 78 Law Officers whose preference is Advocate General Library. Officers depending for information in Internet is 79() and consulting colleagues is 65(50.78%) and consulting experts is 68(53.12%) as shown in (Table-5). The below analysis depicts that majority like to have their preference in the personal collection.

Sl. No	Particulars	Number	Percentage (%)
1	A G Library	78	60.93
2	Personal Collection	110	85.93
3.	Colleagues	65	50.78
4.	Internet	79	61.71
5.	Consulting Experts	68	53.12

8.6 Law Library Services

The respondents were asked to provide their overall general assessment of library services to meet their information requirement. Majority of Law Officers are preferred to refer Advocate General Library for their day to day references. The responses in this regard presented in Table -6 about 82 (70.65%) of them rated as excellent and 32 (25.15) respondents are considered as “Good” in satisfying the services. Few of the Law Officers are not satisfied the services and rated as poor. It

is clear that majority of respondents were satisfied with the collection, services and facilities provided by the library to meet out their information needs.

Sl. No	Particulars	No. of Respondents	Percentage (%)
1	Excellent	82	70.65
2	Good	32	25.15
3	Not Satisfactory	05	4.25
4.	Poor	04	2.35

8.7 Problems in Accessing Electronic Legal Information.

The accessing of right information by Law Officers is a fundamental issue, The table-7 shows the problems identified in accessing legal information by Law Officers in High Court of Karnataka. The analysis shows that 56(43.75%) opinion is that Non-availability of personal computers and databases are one of the foremost problem in accessing electronic legal information, followed by supporting software are not update is 32(25%), Internet connectivity and bandwidth is 29(22.65%), it is interesting that lack of computer knowledge is 15(11.71%) and file format used for accessing information is 25(19.53%).

SL. No	Problems	Frequency	Percentage (%)
1	Non Availability of Personal Computers& Databases.	56	43.75
2	Supporting Software's	32	25.00
3	Internet Connectivity	29	22.65
4	Time Consuming	27	21.09
5	Lack of Computer Knowledge	15	11.71
6	File Formats	25	19.53

8.8 Preferred Format of Information Resources.

The respondents were asked to give their opinion about frequency of using preferred format of information resources. Table-8 reveals that 78 (45.61 %) respondents are preferred to use the both print and electronic sources, at the same time 35 (20.46%) respondents are preferred print sources and 58 (33.91%) respondents are preferred to use the electronic sources.

Sl.No	Particulars	No. of Respondents	Percentage.(%)
1	Print	35	20.46
2	Electronic	58	33.91
3	Audio/Visual	00	00
4	Both Print and Electronic	78	45.61

8.9 Purpose for Seeking Legal Information.

In Table -9 shows that the respondents purpose for seeking legal information. It reveals that majority of respondents 86 (67.18%) are seeking information for the purpose of Preparation of Cases. The next purpose is for to access latest case laws delivered by the higher courts is 82 (64.06 %). The other purpose is updating the legal knowledge and professional needs are 75(58.59%) for the purpose of legal research and to keep up to date is 68(53.12%). This cumulative analysis indicates that their purpose is for preparation of cases to access latest case and update their knowledge for the professional needs.

Sl. No	Particulars	No. of Respondents	Percentage (%)
1	Legal Research and to keep up to date	68	53.12
2	Professional Needs	75	58.59
3	Preparation of Case	86	67.18
4	To know latest Information in law.	35	27.34
5	To have General Information	25	19.53
6	To know Statutes Information	35	27.34
7	To access latest decisions	82	64.06
8	Administrative Activities	12	9.37
9	For Consultancy Work	58	45.31

8.10 Problems faced in Accessing Legal Information.

Table-10 shows on the problems faced by the respondents while acquiring the documents from the libraries. The problems listed for analysis are required legal materials not available, inadequate information sources, lack of time, information sources are outdated, lack of knowledge and library staff not willing serve. The data in the table reflect the problems that the majority of respondents feel that the major problem is inadequate information sources mainly required legal materials not available is 45(35.15%), followed by information sources available in the library are outdated is 38(29.68%) next problem faced by the respondents is inadequate information sources is 31(24.21%). It is interesting to note that the attitude of library staff is also considered for problems faced accessing legal information 18(14.06%).

Sl.No	Problems	No. of Respondents	Percentage (%)
1	Required Legal Materials Not available	45	35.15
2	Inadequate Information Sources	31	24.21
3	Lack of Time	12	9.37
4	Lack of Knowledge to Access Information Sources	15	11.71
5	Outdated Information Sources	38	29.68
6	Library Staff-service attitude	18	14.06

9. Suggestions

- ✚ Majority of the respondents said that the library collection has to be updated.
- ✚ Majority of the officers opinion is that adequate IT infrastructure to be provided.
- ✚ Subscribing/purchasing online database must be done on first priority.
- ✚ Suggestion also came in the form of appoint legal research assistant in the library to assist officers for legal literature search, analysis purpose.

10. Discussion and Conclusion.

Information-seeking is an important part in legal Research part of Law Officers like any other professionals. The legal profession needs to access many dedicated legal information sources. The need of legal information is greatly influenced by the age and experience of law officers. Even though there is trend in using electronic information in legal related but still they prefer both print

and electronic. It has been found that there is lack of adequate resources and most of them are outdated. The library should make provision in its budget and convince the higher authorities by presenting the data of existing collection and perception of law officers regarding the collection and a comprehensive legal collection development policy is to be adopted to improve the collection and assist in updating the knowledge. The ICT is now part of the system where it has created digital space in the country and legal information cannot outstand with outdate structure, as a first task the IT system has to be updated with good wi-fi connectivity, bandwidth and personalized system in the form of kiosk has to be built in the library or in the court building where an IP based access been provided.

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