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REPORT OF THE PUBLIC TERMINAL STUDY†

by Fred M. Greguras and Larry L. Carlile***

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FOREWARD

Since its inception twelve years ago, the National Center for Automated Information Retrieval (NCAIR), organized under the Educational Laws of the State of New York, has had as one of its major concerns the problems and potentials of bringing computer-assisted legal research (CALR) to as many lawyers and accountants as possible.

The study of CALR public terminal usage which follows is the result of one of NCAIR's recent activities in this area. Commissioned early in 1978 by NCAIR, it was funded out of NCAIR's membership dues and contributions by individuals and law and accounting firms. Desirous of exerting no influence on the independence of the study, NCAIR relinquished proprietary rights in it and waived reproduction and copyright privileges in favor of the authors of the study, who were encouraged to publish it widely. This publication, arranged by the authors, is the first.

As the study was completely independent, the conclusions and recommendations expressed therein are not necessarily those of NCAIR. NCAIR does believe, however, that it will be of great assist-

ance to individuals and professional organizations who are working with the problems of determining the feasibility and proper implementation of CALR public terminals.

There are many questions yet to be answered. One of the most basic relates to the quantity and quality of the legal research that is in fact conducted by lawyers and accountants who practice alone or in small firms. These practitioners should constitute the real audience for CALR public terminals, but it may be some time before they become familiar with CALR and view it as the means by which they can approach the research capabilities of the large firms.

Although the history of CALR public terminals, as set forth in the study, would appear to be disheartening, the use of CALR (and perhaps even the supporting technology) is still in its infancy. NCAIR believes that there will come a time, within the foreseeable future, when the idea of not using CALR will be regarded as outside of the norm, and NCAIR will continue to study the role that public terminals and shared terminals (touched on briefly in the study) may play in such general use by the professions.

NCAIR will continue its efforts to bring the use of CALR into the professional lives of all American lawyers and accountants, and hopes that this study will receive the careful reading, analysis and discussion that it deserves.

NCAIR welcomes and solicits comments on the study and on the whole subject of CALR public terminal access and technology. Such comments should be sent to NCAIR at 330 Madison Avenue, New York, New York 10017. If sufficient comments of general interest to the professions are received, they will be incorporated into a future issue of NCAIR News, NCAIR's quarterly newsletter, which will be devoted exclusively to the subject.

*Executive Committee
National Center for Automated
Information Retrieval
New York, New York
September 1, 1978*

INTRODUCTION

Computer-assisted legal research¹ has become an important re-

1. In the context of this study, computer-assisted legal research (CALR) is the use of a computer system (hardware and software) and telecommunications to search for and to retrieve legal research materials stored in computer-readable form. Specifically, CALR, as referred to in this study, consists of the services provided by the two major commercial vendors: Mead Data Central which markets LEXIS, and West Publishing Company which markets Westlaw. The investigators did not discover any other vendors currently marketing full scale legal research systems in a

search tool in many large law firms, the United States Department of Justice,² the federal judicial system,³ and other governmental entities, both state and federal.⁴ The cost of having either a LEXIS⁵ or Westlaw⁶ terminal on site remains high, however, and generally beyond the economic feasibility of an individual practitioner or a small firm.⁷ Recognizing the present and long-term value of CALR to the legal profession and to legal service consumers, a recent past president of the American Bar Association urged during his tenure that a vehicle be developed to expand the scope of CALR usage to all seg-

public terminal mode. However, see Cassidy & Stott, *Automated Legal Research in Colorado*, 2 STATE COURT J. 21 (1978), which describes a potential competitor.

2. The Department of Justice's system is called JURIS (Justice Retrieval and Inquiry System). For a brief description of this system and the scope of its use, see SEARCH GROUP, INC., AUTOMATED LEGAL RESEARCH: A STUDY FOR CRIMINAL JUSTICE AGENCIES 21 (1978) [hereinafter cited as SEARCH GROUP REPORT].

3. The Federal Judicial Center in Washington, D. C., the research center for the federal court system, recently completed a two-year study of CALR. Its objective was to determine whether, in the context of the federal court system, computer-assisted legal research was cost effective and whether it would improve the quality of legal research. The study concluded that the research technique both improves the quality of legal research, since it produces more relevant cases, and is faster than manual research. A. SAGER, AN EVALUATION OF COMPUTER ASSISTED LEGAL RESEARCH SYSTEMS FOR FEDERAL COURT APPLICATIONS (1977) [hereinafter cited as FJC STUDY].

LEXIS terminals have been installed in eighteen locations throughout the federal court system, with each circuit having at least one LEXIS facility. Administrative Office of The United States Courts, Memorandum on the Implementation of System LEXIS, Nov. 21, 1977.

4. The SEARCH GROUP REPORT, *supra* note 2, was the primary impetus for the placement of LEXIS and Westlaw terminals in criminal justice agencies. They were initially installed for experimental purposes, but many were retained for general operational use after the study.

5. For a description of LEXIS, see SEARCH GROUP REPORT, *supra* note 2, at 20. See also Sprowl, *Computer-Assisted Legal Research—An Analysis of Full-Text Document Retrieval System, Particularly the LEXIS System*, 1 AM. B. FOUNDATION J. 175 (1976); Greguras, *The Eyes of Texas are Upon LEXIS: Computer-Assisted Legal Research*, 17 S. TEXAS L. J. 349 (1976). The LEXIS data bases are dynamic; thus, the reader should contact Mead Data Central, 200 Park Ave., New York, New York 10017 for the most current information.

6. For a description of the current version of Westlaw, see SEARCH GROUP REPORT, *supra* note 2, at 19. Because of its recent shift (January 1, 1978) to including full-text data bases, none of the other published literature is totally applicable. Readers who desire the most current information should address inquiries to Westlaw Division, West Publishing Company, P.O. Box 3526, St. Paul, Minnesota 55165.

7. One of the goals of the National Center for Automated Information Retrieval (sometimes abbreviated hereinafter as NCAIR) is to make computer-assisted legal research available to all sections of the legal community. This research project was in furtherance of that commitment.

ments of the legal profession.⁸ He suggested the public terminal as the means for accomplishing that goal.⁹

A public terminal¹⁰ seeks to overcome the cost problem by permitting lawyers to pay for CALR on an actual usage basis without a major financial commitment. A sponsoring organization, such as a local bar association or law library, is financially obligated for the subscription amount to Mead Data Central (MDC) or, in the case of a West public terminal, must furnish the space, personnel and other resources essential to public terminal operation. The lawyer pays on a usage basis and need not have any further financial commitment.

The public terminal concept also has several other purposes. The first, of course, is to maximize access to CALR by all segments of the legal community. Secondly, public terminal sponsors and others contend that public terminals play an important educational role.¹¹ A third purpose is to provide an alternative marketing approach for vendors where the local legal community is unable to support private terminals or lacks familiarity with the research technique.

This study did not reexamine the general feasibility or utility of computer-assisted legal research. It was an accepted premise that the research technique is generally beneficial.¹² The study, instead, attempted to determine the structure and circumstances of effective

8. Justin Stanley's address of February 4, 1976, to the ABA Young Lawyers and General Practice Sections, *published in* 16 JURIMETRICS J. 258 (1976).

9. *Id.*

10. A public terminal is a computer-assisted legal research terminal available for use by anyone in the legal community and, in some cases, by the general community as well.

11. Discussions with LEXIS and West Public Terminal Sponsors, January-May, 1978.

12. This position is supported by the findings of the FJC STUDY, note 3 *supra*. The SEARCH GROUP REPORT carefully qualified its conclusions. The Report indicated that CALR has the potential for being a "useful" tool for criminal justice agencies when certain conditions are present:

[U]nder the conditions studied, ALR is not an economically practical research tool for most criminal justice agencies at this time. Although effective in certain circumstances, the experiences of the legal researchers who participated in this project showed that ALR did not constitute a clear improvement over manual research. However, there is potential for the practical application of ALR to the legal research function of criminal justice agencies. With the reduction in rental costs, the upgrading of data bases, and the implementation of special conditions described in this report, cost-effective use of ALR systems appears feasible. For now, perhaps the wisest choice for public agencies interested in these systems would be to share ALR with sister organizations.

SEARCH GROUP REPORT, *supra* note 2, at 13. For an analysis of some articles *contra* to the position that CALR is generally beneficial, see F. GREGURAS & R. WORKS, COMPUTER-ASSISTED LEGAL RESEARCH AND INFORMATION PROCESSING (NEBRASKA LEGISLA-

use and economic practicality of CALR in a public terminal setting. The objectives were to evaluate the current utility of such terminals and to make recommendations for improving their future utility and usage. The structures, processes and resources employed in establishing, promoting and operating such terminals were examined, as were the receptiveness and other attitudes of users and nonusers alike. The intention was to learn why lawyers use or do not use public terminals and, for those who have used such terminals, why they continue or cease using them.

It was not the purpose of the study to duplicate previous research. Existing literature was searched to identify as much relevant authority as possible. Jim Sprowl's study of public terminals,¹³ the Federal Judicial Center study,¹⁴ the Search Group report¹⁵ and a study conducted by the American Institute of Certified Public Accountants¹⁶ were carefully examined. The inquiry and delivery

TURE COUNCIL REPORT NO. 222) § 2.1.4 (1975)[hereinafter cited as NEBRASKA LEGISLATIVE REPORT NO. 222].

13. Jim Sprowl's study was conducted for the ABA Section on Science and Technology. No report was ever issued, though a preliminary findings memorandum was prepared. It was concluded that his study was no longer relevant because the factual circumstances under which it was conducted have changed.

14. FJC STUDY, *supra* note 3. The Study inquired into the utility of CALR and the criteria for the placement of terminals within the federal judicial system. It attempted to determine the characteristics or conditions under which it is economically practical to have a terminal on site. A remote inquiry system was recommended for use by those federal judges located at sites where it is not economically feasible to have a terminal, because of the projected limited volume of usage. In the operation of the remote inquiry service for federal judges and their clerks, lawyers, as opposed to paralegals or librarians, will ultimately handle all such inquiries at the central sites.

15. *See* note 2 *supra*. The findings of the SEARCH GROUP REPORT OF CALR in the criminal justice setting were carefully reviewed. This major empirical study was funded by the Law Enforcement Assistance Administration (LEAA). The Report found that the economic practicality of CALR was more feasible when sharing occurred among criminal justice agencies. It also concluded that the utility and usage of CALR in criminal justice agencies was greater when a research specialist was present at the terminal to assist the user; when the terminal was located in a law library; when it was conveniently located in relation to the set of eligible users; and when it was available for use as advertised and needed.

16. The American Institute of Certified Public Accountants (AICPA) evaluated the various alternatives available to smaller CPA firms for access to the National Automated Accounting Research System (NAARS), also a service of Mead Data Central (MDC). This 1977 study recommended that the shared terminal policy of MDC be expanded to increase the number of firms and professionals allowed to use the terminals. Letter from Richard C. Bluestine, NAARS Task Force Chairman, to Stanley Morganstein, MDC, Nov. 2, 1977. At that time, a maximum of three firms, comprised of no more than an aggregate of twenty accountants in all offices, was allowed to share a terminal, while no more than ten professionals could belong to any organization sharing the terminal. The AICPA study also concluded that accountants consid-

mechanisms of several legal service providers were also reviewed, including the Creighton Legal Information Center¹⁷ and the FLITE program of the United States Air Force.¹⁸ This was done in the context of exploring alternative methods through which public terminals could expand their client bases.

The findings of the study are summarized in the text of this article. The footnotes and appendices present in detail the underlying facts which support these conclusions.¹⁹ This detail also permits the reader to draw his or her own conclusions, where more than a single inference is possible.

I. THE APPROACH OF THE STUDY

The three major sources of information for this study were past and present public terminal sponsors, eligible users of public terminals at three case study sites, and selected law schools which subscribe to LEXIS or Westlaw.

A total of fourteen current or past sponsors completed a detailed questionnaire.²⁰ Telephone or on-site interviews were also conducted with each sponsor. Only actual sponsors' responses were compiled. Although other organizations were initially queried because the precise nature of their terminal was unknown, when it was determined that these terminals were not public terminals, the responses were recorded but not included in the compilations.

The second group, from which the information obtained was given the most detailed analysis, was a sample of the eligible users of public terminals in Kansas City, Missouri; Topeka, Kansas and Los Angeles, California. The original selection criteria for these three sites were their relative success, the size and nature of the clients served, and the types of processes employed in providing that service. Although the circumstances prevented total adherence to

ered the usage charges reasonable when the fixed charges of the terminal and the operator's salary were not included in the billing.

17. For a description of this Law Enforcement Assistance Administration (LEAA) funded project, see LEAA, RURAL LEGAL RESEARCH, AN EXEMPLARY PROJECT (1977).

18. For a detailed description of the delivery system of FLITE (Federal Legal Information Through Electronics), see NEBRASKA LEGISLATIVE REPORT NO. 222, *supra* note 12, app. C, paper 2.

19. The authors' intention was to make the findings concise and readable without requiring the reader to turn back and forth between the text and the relevant appendix. The report submitted to NCAIR was about 200 pages long, with approximately 120 pages of data compilations and other appendices. Some condensation was required for the purpose of this publication. Readers desiring a copy of the complete report can obtain one from the authors for the cost of reproduction.

20. Among the fourteen sponsors is the AICPA terminal in New York City. The responses to these questionnaires are summarized in Appendix B *infra*.

the design, the intention was to examine one reasonably "successful" terminal, one "unsuccessful" terminal and a third falling somewhere in between. It was also decided that one West public terminal and two MDC public terminals would be investigated in detail.

West recommended that the Los Angeles County Law Library terminal be studied in-depth because of its relative success. No other public terminal has had as high a usage rate. The elapsed time since termination of those MDC public terminals which failed precluded their use as case study sites. The delay would have impacted too greatly on the reliability of eligible users' responses from such locations. The Will County, Illinois terminal only commenced operation in October 1977, and was deemed unlikely to be as helpful as the public terminals in Kansas and Missouri. In Missouri, the Kansas City terminal was chosen because of its urban location and the attempts by Missouri Bar Automated Research (MOBAR)²¹ to make it succeed. There are no other public terminals currently operational in Missouri. The only real choice was in Kansas. The Topeka terminal was selected over Wichita and Olathe, because Wichita is closer to Kansas City in size and Olathe is geographically proximate to Kansas City.

These case studies involved direct questioning of both users and a randomly selected sample of nonusers. The original intention was to choose a random user sample, but it became necessary to utilize all users who would respond in order to generate a large enough sample to provide meaningful information. The data collection questionnaires elicited quantifiable or scalar data, as well as subjective comments about use and nonuse. Although some site comparisons between samples of users and nonusers were made, the primary purpose of the survey was to determine what factors initially persuaded users to use the terminal, what caused them to return, and what is keeping nonusers from using the terminal.²²

21. Missouri Bar Automated Legal Research (MOBAR), Kansas Bar Automated Legal Research (KBAR), Ohio Bar Automated Research (OBAR) and Illinois Bar Automated Research (IBAR) are nonprofit corporations affiliated with the respective bar associations, whose function is to foster the development of CALR in their respective states.

22. The responses to the user questionnaires are summarized in Appendix A *infra*. Only the nonusers' portion of the Los Angeles case study was completed because West would not provide us with a list of users. We proposed three alternatives to West in order to question a cross-section of users. First, West was asked to provide a list of users under an assurance of confidentiality—the same assurance provided the LEXIS public terminal sponsors. West found this approach unacceptable. It was then proposed that West randomly select the users (in a method directed by us) and mail the survey forms to them at our expense. As a third alternative, we suggested that the person operationally responsible for the Los Angeles terminal request

The third major source of information was law schools which subscribe to LEXIS or Westlaw, located in those states in which the case studies took place.²³ Several other law schools were queried, including Florida and Texas, where the use of CALR has reached a high level of sophistication. A total of thirteen law schools responded. The purpose of questioning law schools was to determine what, if anything, could be learned from their apparent success in persuading law students to use CALR, and what impact student patterns of use have had and will have on public terminals and CALR.

A small number of users of other public terminals were surveyed for additional background information on the terminals; however, these results are not included in the compilation of users' and nonusers' responses for the case study cities.²⁴ Other persons were interviewed who have or have had an involvement with public terminals.²⁵

Descriptive statistics were compiled from all three questionnaires. Ranking techniques were employed to enable evaluation by classes of sources. The quantifiable data elements are primarily ordinal or interval data. A detailed, computer-based, statistical analysis was performed on a site-by-site basis on the data contained in the eligible user questionnaires from the case study cities. A preliminary findings memorandum was prepared and circulated to the vendors, sponsors and others. This frame of reference stimulated important clarifications and prompted responses from others who had not previously provided information.

The study was not conducted in an academic vacuum. The investigators recognize that CALR is a service of profit-motivated business organizations. The attitude of such organizations toward public terminals has been strongly and necessarily influenced by an

users to complete the form at the conclusion of research sessions conducted during March 1978. While the Los Angeles sponsor agreed to assist, West rejected all of these alternatives. West vacillated between a concern about a breach of confidentiality and a contention that, in its representative's words, "there are many groups and individuals constantly performing market surveys of various kinds. It is our feeling that to ask our customers to fill out such surveys is burdensome." Letter, W. J. Newpower, Manager, Westlaw Sales, to Fred Greguras (Feb. 15, 1978). We asserted that this was a significant study which merited the attention of West and its users, particularly in view of the problems encountered with public terminals. West, nevertheless, did not change its position.

23. The respondents to the questionnaires were the law librarians or those directly responsible for CALR use within the law school. The responses to these questionnaires are summarized in Appendix C *infra*.

24. At least in one instance, the users verified a problem which had been identified by the public terminal sponsor.

25. These included James Sprowl, research attorney, American Bar Foundation and Howard Braverman of IBAR (See note 21 *supra*).

underlying business purpose. Recommendations must be supported by evidence if they are expected to change the vendors' current policies. Although some notion of a public duty has been articulated, the approach of both major vendors at this time is clearly and necessarily business-oriented. However, the profit motive and maximization of access to CALR do have some commonality of purpose.

II. THE VENDORS' APPROACHES TO MARKETING PUBLIC TERMINALS

As background information, it is important to delineate the vendors' marketing approaches, because of some fundamental differences. Due to its longer experience in the market, MDC has developed a more systematic approach than West. The approaches are compared on several grounds.

A. *Formality of the Contract*

Contract formality is desirable because it reinforces the importance of the sponsor's responsibility in establishing and operating a public terminal. MDC has a lengthy formal contract which specifies the conditions under which the public terminal may be operated. Contract limitations on the manner of operation are intended to enhance satisfaction with usage of the terminal. In most cases, West's arrangements are merely set forth in brief letters of understanding.

B. *Training*

MDC requires the training of both users and operators of public terminals. In practice, user training sessions are often abbreviated because of the user's unwillingness to allocate the time, or the user's need for research materials as soon as possible. West's public terminal operators are trained in St. Paul, but there is no requirement for user training prior to use.

C. *Charges to Sponsors*

MDC charges the sponsor \$590 a month for equipment and communications, including a high-speed printer.²⁶ The use charge commitment is either \$1,000 or \$2,500 a month—\$1,000 if fewer than 350 attorneys reside in the area to be served and \$2,500 if more than 350. This means that the sponsor has a monthly obligation of \$1,590 or \$3,090, whether or not the terminal is used. The hourly rate to the sponsor under the MDC approach is \$117 per hour for research

26. If a slower speed printer is used the combined charge is \$500. MDC, LEXIS Charges (1978).

time²⁷ (the total time a researcher is in contact with the central computer) and a \$195 per hour surcharge for search (central processing unit) time.

The absence of a formal agreement between West and sponsoring libraries initially occasioned some inconsistent pricing policies. Some terminals had usage commitments, while others did not. It is not entirely clear what all the pricing arrangements were, but the present pricing policy seems consistent, except for the distinction between existing and new public terminals. West does not charge the sponsor for terminal and communications equipment.

Existing WESTLAW public terminals have no monthly usage commitment. New public terminals will have \$1,000 a month usage commitment.²⁸ The net effect of West's new policy, in the authors' opinion, is to prevent the establishment of any more public terminals.²⁹

D. Charges to Users

Table I provides a cost comparison of the arrangements available to different classes of subscribers for both the MDC and West systems. In the case of a West terminal, the user has a direct financial commitment to West. The minimum usage charge is \$25 per half hour, with \$1.00 per minute thereafter to a maximum of \$50 per hour. Under the MDC approach, the user is obligated to the sponsor. The sponsor determines the rate to be charged and has the responsibility for collection. A separate relationship exists between the sponsor and MDC.

27. Under a "grandfather clause" the Kansas public terminals are charged only \$77 per hour for research time.

28. Conversations with various West public terminal sponsors, February 1978.

29. This conclusion is based on the manner in which the sponsor can recover its obligation from usage revenues. Reportedly, when income from the terminal exceeds \$800 monthly, the sponsor receives half of the excess. The sponsor receives all income when revenues exceed \$1,600 in any monthly period. To recover the monthly commitment of \$1,000, a sponsor must generate income of \$2,200 or 54 hours of use, about twice the average monthly use of West's most successful public terminal in Los Angeles. Despite these figures, subsequent to the conclusion of the study a public terminal began operation in Oklahoma City with only a minor concession from the arrangement described above. This terminal has now ceased operation.

TABLE I
COST COMPARISON OF VENDORS' CHARGES FOR A SINGLE TERMINAL

	Public Terminals			Law Schools			Shared Terminals			Private Contracts									
	West			West			MDC			West*			MDC			MDC			
	Pre 12-31-77	New Terminals	Greater than 350 Const.	Less than 350 Const.	Educom	Other	A	B	C	A	B	C	A	B	C	A	B	C	NAARS
Equipment Charges	\$ 0	\$ 0	\$ 310	\$ 310	\$ 220	\$ 500	\$ 310	\$ 0	\$ 0	\$ 500	\$ 310	\$ 0	\$ 0	\$ 500	\$ 310	\$ 280	\$ 310	\$ 310	\$ 310
Printer (high speed)	0	0	280	280	40		280	0	0		280	0	0		280	280	280	280	280
Communications																			
Hourly Use Charges	For each excess hour																		
	50																		
	75																		
Research Time		117**	117**		0	0	112	0	0	0	0	0	0	0	97	77	112	77	77
Search Time Surcharge		195	195		0	0	195	0	0	0	0	0	0	0	195	195	195	195	195
Library Access Surcharge																			
Minimum Monthly Commitment in Use Charges	0	1,000	2,500	1,000	400†	1,000††	0	2,600	1,500	Unlimited usage	2,600	1,500	0	1,000	2,500	0	0	0	0
Other Monthly Charges	0	0	0	0	0	0	35/70†††	0	0	0	0	0	0	0	0	0	0	0	0
Total Monthly Fixed Charges	\$ 0	\$ 1,000	\$ 3,090	\$ 1,590	\$ 660	\$ 1,500	\$ 625-660	\$ 2,600	\$ 1,500	\$ 500	\$ 500	\$ 1,500	\$ 500	\$ 1,590	\$ 3,090	\$ 590	\$ 590	\$ 590	\$ 590

* Same for shared terminals.

** The Kansas rate is \$77 per hour.

† Unlimited usage, except it may not be used between 2 p.m. and 5 p.m.

†† Under the \$1,000 plan, alternative use is unlimited, but the terminal cannot be used between 2 p.m. and 5 p.m. A \$500 alternative usage rate is also available, but the system may only be used in the evening and all day Saturdays.

††† \$35 administrative and billing charge for two subscribers and \$70 for three.

Comments: The rate for a high speed printer (112 cps.) is used for MDC terminals. A 30 cps. printer is available for \$220 month. There are some variations in pricing depending on whether the potential subscriber is outside a MDC service area. MDC research time charges decrease significantly during "off peak" hours. One time installation charges by MDC for private terminals are \$350 and the training charge is \$2,250. West has no installation charge. It charges \$200 per day for training and estimates that five to eight persons can be trained each day.

Before identifying the user's cost in the case of a MDC terminal, it is important to explain how the price is determined. The yearly budget of a public terminal is comprised of the following major items:

(1) terminal and communications (high speed printer)	\$7,080
(2) usage charges commitment	\$12,000 or \$30,000
(3) terminal operator/research specialist	\$10,000
(4) space, furniture	Free in all cases
(5) promotional materials and other promotional expenses	\$500
Total	\$29,580 or \$47,580

The sponsor has only a single source of actual revenue—terminal usage. If the charge for use of the service is the same to users as the charge to the sponsor, only item (2) can be covered. If the sponsor is to recover all of its costs, its revenues must be increased by higher usage fees and/or subsidized by a local entity. For example, the Johnson County (Olathe, Kansas) Bar Association partially subsidizes the difference between revenues and terminal operating costs of their MDC terminal. Removal of item (3), the operator/specialist, can substantially lower the sponsor's obligation.

TABLE II
HOURLY CHARGES TO USERS
MDC OPERATIONAL PUBLIC TERMINALS

	Joliet	Olathe	Wichita	Topeka	Kansas City ³¹	AICPA
Participants ³⁰					\$187/312	
Subscribers	\$210	216	216	216	(\$500 yearly min) 200/333	(Minimum of 2 hrs/month) 150
Walk-in Bar Association Members	\$270	324	324	324		
Other Walk-ins	\$360	432	432	432	240/400	(\$50 minimum) 200

30. A greater level of fixed commitment is required of the participant—\$250 minimum usage per quarter.

31. The first figure is for research time; the second is the surcharge for search time. Although MDC identifies the ratio between research and search time as 5%/95%, the actual ratio in a public terminal setting is probably closer to 10-15%/90-85%. The effective hourly rates in Kansas City for different ratios are as follows:

	<u>Subscriber</u>	<u>Walk-In</u>
5/95 ratio	217	260
10/90 ratio	233	280
15/85 ratio	250	300

Table II itemizes the rates charged users by most existing MDC sponsors. In general, the greater the overall financial commitment made by the user, the lower the hourly cost. This rate structure encourages such a commitment over mere walk-in usage. During the first year of operation, two additional costs—\$2,250 for training charges and \$300 for installation—must also be covered by the sponsor.

Public terminal users normally "pass through" most of the costs to their clients. In both Kansas and Missouri, the general practice is to bill at least the computer time and to identify it as such. The attorney's time in traveling to and from the terminal is also usually billed, but is subject to adjustments on the basis of fairness and other business factors.

E. Billing Responsibility

West bills the users of its public terminals directly. The local sponsor will assist in collections, but the obligation runs between the user and West. At least in Los Angeles, there are very few uncollectibles.

The administrative aspects of LEXIS public terminals, *i.e.*, posting to ledgers, billing, collection, etc., are done by the sponsor. Billing generally occurs on a quarterly basis.³² MDC provides a printout which identifies the time used by each researcher. The responsibility for collection also falls upon the sponsor, since the obligation is between the user and the sponsor.

F. Delivery Mechanisms

MDC requires the user to be present when the terminal is used as opposed to telephone or letter requests. Although not required, this is also the general practice with Westlaw terminals.

G. Limitations on Sponsorship

MDC limits sponsors to non-profit libraries and bar associations. This does not include a building management corporation.³³ West has no sponsor limitations. Past and existing West public terminals have been in county law libraries. West has utilized a library service approach in marketing its public terminals.

32. Subscribers are billed monthly in Will County, Illinois and in Kansas.

33. MDC, Public Terminals Conditions Memorandum, Condition 1 (1978). See note 34 *infra*.

H. Shared Terminal Policies

Because of its primary purpose—to maximize access—the public terminal concept is entwined with that of the shared terminal. Any lawyer may use a public terminal. With a shared terminal, only lawyers from those firms which share the cost of the subscription may use it. Thus, in the shared terminal situation, there is always a fixed commitment, but the commitment is smaller than if each of the sharing firms had its own terminal.

West apparently has no limitations on the placement of shared terminals.³⁴ The sharing organizations can elect any of the three pricing options available to private terminal users.³⁵ According to the management corporation of a Denver law office building,³⁶ MDC was contacted first concerning installation of a shared terminal, but would not alter its shared terminal policy. At that time, a maximum of three organizations was allowed to share an MDC terminal, and the aggregate number of “professional individuals” in the organiza-

34. One such terminal is to be installed in an office building currently under construction in Denver, Colorado. This building was designed with lawyer-tenants primarily in mind. There will be a very modern law library designed to attract tenants. Consultants have helped determine the content and design the physical layout of the library. The terminal will be an additional library service to complement the traditional research materials. The computerized legal library will not replace traditional materials, but is intended to make tenancy more attractive. The rental charge for offices in the building will include part of the library usage fees, but there will also be a \$20 a month surcharge per lawyer for the library.

Both LEXIS and Westlaw were examined for possible use. MDC would not agree to such a sharing configuration. West, however, was open to the sharing idea, and it is expected that the terminal will be installed before the end of the year. The monthly charge, for which the landlord is obligated, will be \$1,500. This includes twenty hours of usage at \$75 per hour. For use in excess of twenty hours per month, the charge will be \$50 per hour. This alternative was selected over unlimited usage at \$2,600 a month since, at this point, it is simply unclear how the cost will be charged to the tenants. It is likely that the landlord will charge the tenants a flat rate of \$50 per hour and absorb the extra \$25 per hour for the first twenty hours.

Once the building is opened, West will hold a seminar to explain the use of its system to all tenants. The person operating the law library will assist attorneys in a consultation and operations role, free of charge for at least the first several months. At some point, after the lawyer-tenants have had adequate exposure to the use of Westlaw, there will be a surcharge made for this specialist. Thereafter, for those who are able to perform self-directed research, the only charge will be \$50 per hour. It is not anticipated that the research specialist in the library will be an attorney, but he or she will likely be a law librarian or paralegal.

Although this may not be the first experiment by Westlaw with a shared terminal, it certainly appears to be the most systematic and organized effort to try one of the alternatives in sharing terminals. This undertaking should aid in developing a broader client base within the Denver legal profession since attorneys will be able to use CALR without bearing the high overhead cost.

35. See Table I *supra*.

36. See note 34 *supra*.

tions could not exceed twenty-seven. On May 1, 1978, MDC announced a new policy, lifting its limitation on the number of organizations which may share a terminal. However, the aggregate number of "professional individuals" in the sharing organizations may not exceed thirty.³⁷ The MDC standard contract sets Schedule Q³⁸ as the fee arrangement for a shared terminal. In addition to the fixed cost for the terminal and communications, there is an additional administrative and invoicing charge of \$35 per sharing organization.³⁹

Governmental agencies are also allowed to share an MDC terminal, apparently without limitation. The Search Group study found that, in most instances, such sharing was necessary among criminal justice agencies to justify the expense of CALR.⁴⁰

The shared terminal approach allows the fixed costs of a subscription to be distributed, rather than borne by a single entity. The inconvenience of a public terminal is alleviated since the shared terminal is generally located in the same building as the potential users.

III. PUBLIC TERMINAL LOCATIONS AND CURRENT STATUS⁴¹

Current MDC public terminals are in Kansas City, Missouri; Topeka, Kansas; Olathe, Kansas; Wichita, Kansas; Will County, Illinois (Joliet); Wayne County, Ohio (Wooster); and New York City (AICPA terminal). MDC's previous public terminals were the pioneering terminals in Ohio (Akron, Cleveland and Columbus) in 1973-75 and terminals in St. Louis and Springfield, Missouri.⁴² Kansas City is planning to implement a service designed to handle telephone and write-in requests from rural areas of Northern Missouri. Such a service will constitute a significant expansion of the MDC public terminal service.

The current West public terminals are in the Los Angeles County Law Library, San Diego County Library, Boston Social Library and Dade County, Florida (Miami) County Law Library.

37. New Addendum to Standard LEXIS Contract, May 1, 1978. A "professional individual" includes partners and associates of law firms, lawyers who perform legal work in corporate organizations and "related" corporations and all accountants in an accounting firm. *Id.*, pt. II., § 2.2. The organizational size limitations apply to all offices of a firm. For example, a law firm which has offices of ten persons each in five different cities would not be permitted to share a terminal in any one of those cities.

38. *Id.*, pt. I, § 1.2. See Table I *supra*.

39. *Id.*

40. SEARCH GROUP REPORT, *supra* note 2, at 13.

41. More detailed information on each terminal is provided in Appendix B *infra*.

42. The latter two terminals are the only ones for which no information was received by the investigators.

West's past public terminals were located in the Cook County, Illinois (Chicago) Law Library, Dallas County Library and the facility of the Library Company of the Baltimore (Maryland) Bar.⁴³

Revenues from the usage of MDC public terminals have proven insufficient to cover the sponsor's costs of personnel, equipment, communications, and usage commitments.⁴⁴ Subsidies from the Law Enforcement Assistance Administration and other sources, such as local bar associations and direct loans from MDC, have been necessary to maintain the financial viability of most terminals.

The same situation exists with West's public terminals, three of which were discontinued in early 1978.⁴⁵ This occurred despite the fact that conditions seemed ideal for achieving some success. Sponsors had no usage obligations, and, in all cases, the salary of the research specialist was included in another portion of the sponsor's budget, such as that allocated for a reference librarian or similar position. Sponsors were not required to add new positions as a result of having installed public terminals. However, only the Los Angeles County Law Library terminal has been successful for West, primarily because of the library's deep commitment to the success of public terminals.⁴⁶

IV. THE FUTURE OF PUBLIC TERMINALS

Public terminals can play an important role in maximizing access to CALR, but they are not the complete solution. Shared terminals are a natural and necessary complement to public terminals. The greater convenience of a shared terminal over a public terminal, and the reduced financial commitment relative to a private terminal, make the shared terminal an attractive alternative.

To maximize access to CALR, vendor marketing approaches should more clearly identify and monitor the relevant situational determinants. An integrated approach to marketing private terminals, public terminals and shared terminals should be developed on a state-by-state basis, and a profile of potential users of private and shared terminals should be created, based on law firm size and other factors.⁴⁷

43. Sponsors of all West public terminals, both past and operational, completed questionnaires.

44. The fixed costs for equipment and communications are also a dilemma in the criminal justice setting. SEARCH GROUP REPORT, *supra* note 2, at 13.

45. The Cook County, Illinois, Dallas County, Texas and the Library Company of the Baltimore Bar terminals.

46. Conversations with the Los Angeles County Library Staff, February-May, 1978. This position was also articulated in its responses to the survey questionnaire. See Appendix B *infra*.

47. This point is expanded in Part X *infra*.

Specifically, it appears that many of the problems associated with public terminals could be alleviated by strengthening the commitments required of local sponsors. Prior to installation of a public terminal, more information should be made available to the potential sponsor regarding marketing of and resources needed for CALR in a shared environment. This will sharpen a potential sponsor's focus on the operational and economic implications of sponsorship and result in more informed decisions. At a minimum, the formal conditions for sponsoring an MDC terminal⁴⁸ should be continued to stress the responsibilities involved in sponsorship. Without such conditions, the untimely fate of many public terminals is certain to be repeated.

The primary duty of making CALR available to all sectors of the legal community rests at the local level. Vendors, however, can assist in establishing successful public terminals by some adjustments in their pricing policies. MDC could better encourage sponsorship by allowing *all* sponsors to elect a smaller usage commitment, such as under Schedule A.⁴⁹ West could better encourage sponsorship if it adopted a more reasonable usage commitment level. MDC should reduce charges to users by decreasing hourly rates to sponsors, while maintaining the prices at a level competitive with private terminals.⁵⁰

The financial commitment required of a sponsor should be high enough to motivate aggressive marketing of CALR service, but not so high as to stifle public terminal existence. While there is some business risk to MDC if Schedule A is permitted in larger metropolitan areas with more potential private placements, these risks can be minimized. Fixed charges to sponsors, which flow through to users, should also be adjusted.⁵¹ However, the primary means of overcoming the cost problem is to find sponsors, such as law libraries, which can absorb the personnel and other fixed costs as a part of their overall service function.⁵²

The library service approach, and the recent recognition by West that some advertising and other marketing devices are needed to ensure public terminal usage, indicate that the existing West public terminals will likely continue in operation, perhaps as semi-experimental vehicles. On the other hand, the high monthly financial

48. See Part II *supra*.

49. \$1,000 per month as opposed to \$2,500.

50. The hourly usage rate of Schedule A is \$20 less than the current public terminal hourly cost.

51. See note 44 *supra*.

52. The Search Group study concluded that sharing, "perhaps in conjunction with a law library," offers a practical alternative to the cost dilemma. SEARCH GROUP REPORT, *supra* note 2, at 13.

commitment required of new public terminal sponsors⁵³ seems to indicate that West is not anxious to expand its public terminal market, at least not at the present time.

It appears, therefore, that the ultimate role for both public and shared terminals will be developed through MDC's continuing evaluation and revision of its shared terminal policy. Once the effect of its May 1, 1978, policy is determined,⁵⁴ MDC should continually revise that policy until it becomes meaningful in the context of actual users. An accommodation must be reached which maximizes both the general access to CALR and the number of terminals in use. West's part in developing a role for *both* public and shared terminals will likely depend on whether its high cost commitment for public terminals is revised.

Time alone may hold the ultimate solution to the maximization of access to CALR. Technological advances should ultimately decrease the cost of providing CALR. Moreover, legal education should play a major role in overcoming the reluctance of potential users to utilizing CALR; succeeding generations of lawyers should be more receptive to its use. However, the educational function must be developed and monitored carefully, since inadequate instruction could do a grave disservice to the future of CALR.

V. PATTERNS OF USAGE

According to the research specialists, the general approach of MDC public terminal users is to use CALR to obtain a list of citations. These citations are then used with traditional reporters for a detailed evaluation of potentially relevant authority. The automated browsing capability of CALR is not used to advantage; the tendency of users is to get on and off the terminal as quickly as possible. This tendency skews the usage cost equation of an MDC terminal between research and search time, since research ("browsing") does not occur on the terminal. One extreme example of this usage pattern is provided by the Will County, (Joliet), Illinois terminal where the average time per use is a brief eight to ten minutes.⁵⁵

Because Westlaw is only now providing full text data bases,⁵⁶ the past usage pattern of its public terminals has *not* been significantly different from that of MDC. However, the West user does appear to do more problem refinement at the terminal, since the average length of a terminal session (about fifty-six minutes) is al-

53. See notes 28 & 29 *supra* and accompanying text.

54. See Part II. H *supra*.

55. See Appendix B, Table IV.E *infra*.

56. As of January 1, 1978.

most three times that of MDC terminals in Kansas and Missouri.⁵⁷

A. *The Public Terminal User*

In both Topeka and Kansas City, there is a slight, inverse statistical relationship between the number of years users have been out of law school and their likelihood of using a public terminal.⁵⁸ The relationship is stronger in Topeka than in Kansas City. Thus, in those cities at least, the fewer the years since law school, the more likely that one will use the public terminal. In Kansas City there is a slight, positive statistical relationship between being in labor law practice and the use of the public terminal.⁵⁹ There is an inverse relationship between the use of that terminal and being engaged in corporate law, real estate, or trust and estate practice.⁶⁰ No other statistical relationships were discovered between usage and the nature of the user's practice.

Proximity is also an important factor. In Topeka, 74% of the users of the public terminals are within easy walking distance of the terminal, and 93% of all users are within a ten-minute drive.⁶¹ In Kansas City, 85% of the users are within easy walking distance, and 94% are within a ten-minute drive.⁶²

B. *Data Bases Used*

Users and sponsors agree that public terminals are most used to research the local state's case law, followed by federal case law and the case law of other jurisdictions. For sponsors, the latter two receiving approximately equal usage,⁶³ and these rankings remain the same even if only MDC sponsored terminals are considered. Statutes and specialty libraries are not top priority needs, at least in Kansas and Missouri.⁶⁴

User rankings were compiled only in Topeka and Kansas City. Federal case law and the users' own state's case law are virtually tied for the highest amount of use, the next most-used data base being other states' case law.⁶⁵ Law librarians and professors believe their students use their own state's law the most, followed by federal case law and other states' case law, with no significant differ-

57. See Appendix B, Table IV.E *infra*.

58. See Appendix A, Table III *infra*. Because of the small user sample in Los Angeles this relationship was not explored.

59. See Appendix A, § II.E.1 *infra*.

60. *Id.*

61. *Id.* at Table IV *infra*.

62. *Id.*

63. *Id.* at Table XII & Appendix B, Table VII.A *infra*.

64. *Id.*

65. *Id.*

ence between the usage of the latter two bases.⁶⁶

C. Types of Searches

The sponsors' ordering of types of searches made is the same whether both vendors' sponsors are considered or if only MDC sponsors' rankings are ordered. The search ranked as most often made is on narrow issues of law; second, narrow issues of fact; third, general inquiries on factual patterns; and fourth, general inquiries on issues of law.⁶⁷ Users ranked narrow issues of law as the type of search most often made, followed by narrow issues of fact, citation check, and statutory interpretation, with the latter two significantly trailing the first two.⁶⁸ Law librarians and professors rank the types of searches they believe their students perform in this order: narrow issues of law; narrow issues of fact; and general inquiries on issues of law.⁶⁹

D. Need for Research Specialists

There is a dependence on research specialists in the use of public terminals.⁷⁰ The difficulty associated with retaining the knowledge needed to formulate queries and to operate the terminal apparently causes this dependence. Dependence is particularly evident in the case of the Will County terminal, where the lack of a research specialist threatens its very survival.

In Topeka, 63% of the users indicated that they have the research specialist formulate the search query.⁷¹ In Kansas City, only

66. See Appendix C, Table I.A *infra*.

67. See Appendix B, Table VII.B *infra*. In the Federal Center study, nearly one-third of both West and LEXIS system users ranked "narrowly-drawn" issues as the best type of questions with which to utilize CALR. FJC STUDY, *supra* note 3, at 112 & 113 (Table 44).

68. See Appendix A, Table XIII *infra*.

69. See Appendix C, Table I.B *infra*.

70. See Appendix B, comments following Table VII.D *infra*. Trained specialists who operate the terminals are important in achieving optimum use of CALR. SEARCH GROUP REPORT, *supra* note 2, at 13, 82 (Question 22) & 87 (Question 9). The FJC Study also identified a need for "trained" legal researchers to operate the terminals "because the legal research specialists can do it faster and obtain better results." FJC STUDY, *supra* note 3, at 101-02. In that study, only approximately thirty percent of the participants preferred to use the terminal themselves. Twenty-five percent of the West system users and about fifteen percent of the LEXIS system users wanted someone to operate the terminal for them. About fifty percent of the users of both systems wanted someone at least available to provide assistance as needed. *Id.* at 104 (Table 39). A recently reported study indicated that the practice in 1976 was just the opposite with private terminals. Meyers, *The Impact of LEXIS on the Law Firm Library*, 71 LAW LIB. J. 158 (1978).

71. See Appendix A, § II.E.6 *infra*.

43% have the research specialist formulate the search query for them.⁷² In Topeka, 80% of the users have the query keyed for them, while in Kansas City 77% have the query keyed.⁷³ These figures indicate that there is more dependence on the operational aspects of the system than on problem formulation.⁷⁴

Users in both Kansas City and Topeka believed the presence of research specialists at the terminal made for a more effective search, *i.e.*, they obtained better results. In Topeka, 92% took this position, and in Kansas City, 93%.⁷⁵ There is a slight, positive statistical relationship between general satisfaction with the results of a search request and the use of a specialist, both to formulate search questions and to key them into the system.⁷⁶

VI. REASONS FOR PUBLIC TERMINAL USE

There are two related phases of public terminal development: the creation of a client base and the retention of clients once they use the public terminal. Retention, of course, is unimportant if an adequate client base is not achieved.

A. Initial Usage

The factors which appear important in persuading potential users to actually use the public terminal are awareness through promotion,⁷⁷ demonstrated usefulness, knowledge of when to use CALR, convenience of use including both location and availability, cost of use, and strength of research habits presently instilled in the potential user.⁷⁸ With a shared terminal, the convenience, cost, and awareness factors are alleviated, but the other concerns remain.

Nonusers were asked to rank the greatest deterrents to their use of CALR⁷⁹. In Topeka, the greatest deterrent was the expense of the service, followed by a lack of training, and concern that CALR would not provide satisfactory research results. In Los Angeles, nonusers indicated the greatest deterrent to be lack of sufficient

72. *Id.*

73. *Id.*

74. An observation of the Search Group study was that participants found it more difficult to formulate search queries than to mechanically operate the terminal. SEARCH GROUP REPORT, *supra* note 2, at 44; *but see* the compiled results to question 22 of the participant questionnaire. *Id.* at 82.

75. See Appendix A, § II.E.6 *infra*.

76. *Id.*

77. The FJC Study recommended that "[i]n the future, considerable attention should be given to ensuring that potential users are aware of the [call-in CALR] service." FJC STUDY, *supra* note 3, at 94.

78. See Appendix A, § II.D *infra*.

79. The results are set forth in Appendix A, Table VII *infra*.

knowledge of the service. Second, they were not aware of its availability and, third, they were not trained to use it. In Kansas City, the deterrents were ranked in this order: insufficient knowledge about the service, lack of awareness of the service and expense.

Cost becomes more of a deterrent as the level of awareness increases. There are several levels of awareness, although the distinctions between them are small in some instances. These levels include:

- (1) unawareness of the availability of the service;
- (2) awareness of its availability but no knowledge of how to use the service;
- (3) awareness of its availability but not sufficient awareness of how to use it;
- (4) awareness of its availability and how the service is used; and
- (5) awareness of its availability, how it is used and when it should be used.

Topeka's promotional efforts appear to place its potential client base generally at level (4). The data indicates that most of the Topeka legal community is aware of the service and how it can be used.⁸⁰ Unawareness remains a major problem, however, in Kansas City and Los Angeles.⁸¹ Based on their responses, potential users in those cities generally remain at about level (3). Nonusers in Kansas City were not as concerned with cost as the same group in Topeka, because they were not generally aware of its cost.

Sponsors must not only be convinced of the benefits of CALR, but must also sell the service to their local legal communities. This is not an easy task, as the discussion on user awareness suggests. Indeed, public terminal promotion has been the major burden of local sponsors. Vendors do not seem to know, or are not willing to determine, how to market public terminals. This indicates that if the sponsor wants the terminal to be successful, it must allocate sufficient resources to the promotional effort.

Under the MDC approach, promotion is the sponsor's responsibility. Under the West approach, the responsibility is only now being fixed. One of the initial problems with the West public terminals was that the responsibility was not specifically assigned, and no one seemed to know who should perform what function. The Chicago terminal sponsor stated, "West has not been very aggressive in marketing their system in this area." That terminal is no longer in operation. The Dade County (Miami, Florida) sponsor indicated, "West has been late in getting serious in its efforts to pub-

80. *Id.*

81. *Id.*

licize what is its own system." West is now beginning to focus on promotion. With the assistance of West, the Miami sponsor is embarking on a broad-based marketing effort involving demonstrations, signs, certificates for free use, and articles in local bar journals.

Promotion in the legal community involves both communication and persuasion. Persuasion becomes more important as the level of awareness increases. The method of promotion must be designed to communicate with the lawyer—a difficult task. The key is to determine what the lawyer reads, views, or to what he listens. Local sponsors are more apt to know the best method of communication within their legal communities. This is apparently the rationale behind West's current approach of providing funds to sponsors for promotion, but allowing them to select the method to be used. Continuing legal education (CLE) programs are one way to communicate with the lawyer, particularly when CLE is a certification requirement. Communication requires a dual responsibility; unfortunately, there is no single method which will assure that the potential user will assume his role.

An IBAR representative suggested that one way to communicate with the private bar is for the vendors to make concessions on usage rates to courts in order to maximize terminal availability among the judiciary. His feeling was that if courts have CALR and use it effectively to locate the most current and relevant precedents, private firms will also be compelled to use it.

Promotion must be directed at two audiences: those lawyers who actually do legal research, and the senior lawyers who assign the research to be accomplished. It is important to keep in mind the actual research patterns within large firms. Associates do most of the research as assigned by senior partners. Under the pressures of legal practice, research must have maximum effectiveness. Since associates do most, if not all, of the actual research, there must be sufficient management interest to encourage associates to use public terminals as an efficient tool. This means that senior partners must be convinced of the benefits of CALR and public terminals in order to generate use by associates.

Lawyers within the sample who were aware of the public terminals were queried as to the most effective means of promotion.⁸² In Topeka, bar association meeting announcements were ranked the most effective, followed by demonstrations and word-of-mouth advertising. In Kansas City, bar association meeting announcements again ranked first, second was word-of-mouth advertising, and third was demonstrations. Nonusers had a "show-me" attitude. They

82. See Appendix B, § II.C *infra*.

demanded to be shown how CALR could be used to assist them in their area of practice before using the public terminals.

Nonusers were also queried as to the impact that viewing a videotape on when to use CALR would have in persuading them to use public terminals.⁸³ In Topeka, 38% of nonusers opined that such a videotape would help persuade them to use a public terminal. In Los Angeles, 61% said it would help, and in Kansas City the figure was 26%. Of the sponsors, all felt that videotape availability would have some positive impact on the use of public terminals; seven sponsors felt it would have a significant impact, and seven thought it would have a small positive impact.⁸⁴ Of the law school respondents, seven took the position that a videotape would have a significant impact on increasing the usage rates of law students, while four felt it would have only a small impact.⁸⁵

Sponsors⁸⁶ felt that direct mail to eligible users was the most effective promotional approach, followed by demonstrations. Advertisements and bar meeting announcements ranked equally as the third most effective approach. Considering just the MDC sponsors, demonstrations were ranked the most effective means, followed by direct mailings.

Interviews with sponsors and their comments on the questionnaires strongly suggested that promotion could also be improved by word-of-mouth, personal contact.⁸⁷ A KBAR representative stated, "Personal contact, whether it be via seminars or through telephone solicitation, is by far the most effective way to create enthusiasm in the concept."⁸⁸ A Los Angeles County Law Library representative stated that the library "[c]oncentrated on providing effective assistance in the use of the system so that users will leave the terminal with a positive attitude about us and pass this message to others."⁸⁹

The visibility of the terminal must be given continual attention. It should be kept "in the spotlight" through signs in the building where it is located, recurring advertisements in selected periodicals and newspapers, and other marketing efforts. The Will County public terminal may have difficulty in maintaining all of its prepaid subscribers after its first year of operation in view of the fact that their monthly time quotas are not being used. Thus, in their view the subscription expense is being wasted. The terminal sponsor indi-

83. See Appendix A, § II.D *infra*.

84. See Appendix B, Table V.B *infra*.

85. See Appendix C, Table II.I *infra*.

86. See Appendix B, Table V.A *infra*.

87. Word-of-mouth advertising was not specified on the questionnaire as a promotional approach.

88. See Appendix B, § V.D *infra*.

89. *Id.*

cated that the lack of continuing promotion is a contributing factor to this underuse.

Both the Los Angeles and Dade County law libraries ranked library displays as the most effective promotional approach.⁹⁰ In other words, they seek to persuade their established client base to utilize this additional library service. Signs are a low cost, but important, method of promotion. West provided signs to its public terminals, but some libraries do not use them. The San Diego librarian had his own signs made because of his concern with the quality of signs provided by West. The Los Angeles sponsor stated, "[o]f the various promotional techniques utilized in an effort to inform the legal community . . . , by far the most successful has been the 'eye-catching' exhibit. This item included several large attractive posters, actual printouts . . . and an actual IBM terminal identical to the one used by the WESTLAW system."⁹¹

During a one-month period immediately after the installation of the San Diego County Law Library public terminal, free use was provided to all attorney-users of the library. There was extensive free use during this period, but it did not translate into subsequent paid use. One problem might have been that the attitudes of both the user and the operator were not as directed nor as conscientious as they might have been were it a paying situation and, as a result, the user was not really satisfied. However, in a poll taken by the library, users did indicate satisfaction. A three-week, free-use period at the Boston public terminal early in 1978 did increase its client base. That sponsor suggests a continuing, expanded free-use promotional effort. MDC offers public terminal sponsors five hours of free use each month for promotional purposes. West authorizes its terminals to issue "certificates" for free use, although no monthly amount is apparently guaranteed. The certificate allows the user only one half hour of free use, which stimulates efficient research.

Law firm librarians would seem to be a good vehicle through whom to promote terminal usage. However, those firms which have their own librarian are likely to be among the vanguard of firms having their own terminal.

The two most persuasive methods of promotion appear to be demonstrations and word-of-mouth. A well-designed, free-use period which stimulates efficient and directed use of CALR can also be very effective. There is a slight, positive statistical relationship in the Topeka data between the fact of use and the awareness of availability by both demonstrations and word-of-mouth.⁹² Direct mail-

90. *Id.* at Table V.A, notes o & q.

91. *Id.* at note q.

92. *See* Appendix A, § II.E.4 *infra*.

ings, advertisements and other approaches generate greater awareness, often prompting lawyers to learn more about CALR or to use the public terminal on an experimental basis. They are necessary but not sufficient conditions for establishing a client base.

The most convincing demonstrations are those in which a research specialist solves research problems posed by an audience. This method overcomes the "show-me" attitude of many nonusers, including both senior partners and associates. Such demonstrations should cover a broad range of problems to show the applicability of CALR to a wide area of practice fields. One caveat is that the person handling the demonstration must have a broad background in law, and a good, operational capability on the terminal. The dialogue followed by the operator in processing a request from an audience must be similar to the dialogue that occurs in a public terminal setting when a person comes to the terminal site. This dialogue has an educational purpose as well as persuasive impact.

Canned problems should not be used in demonstrations unless there is no one available who is both a problem solver and a capable operator. They are not as persuasive as problem-solving demonstrations, and they prolong the mystique about the computer since the educational dialogue does not occur. If there is no dialogue, some viewers may believe that no analysis is necessary before using the computer. If it is necessary to use canned problems due to a lack of a capable operator or some other reason, it is important to have problems in many different areas of the law to demonstrate the widespread applicability of CALR.

The second effective method of promotion is word-of-mouth advertising. This involves some "arm-twisting" by the bar leadership. Thus, it is important to involve the bar leadership in the promotional approach, since only they can persuade senior partners in law firms and their contemporaries to use public terminals.

A problem existing in Kansas City is that, although the public terminal is located in the bar association offices, the association is not the sponsor and most of the bar leadership does not fully support CALR. Of the nine members of the Executive Committee of the Kansas City Bar Association, only one has access to LEXIS via a private terminal. The other eight have neither a private terminal, nor do their firms use a public terminal. Expense is the primary reason cited for this situation. Although the bar association provides space and some administrative support, the depth and intensity of the leadership support is not adequate to convince others to use the techniques or the public terminal service.

B. *Subsequent Usage*

It is important that an attorney's first terminal experience convince him or her to return a second and subsequent times. There are at least four areas of concern to the user of which a sponsor must be aware if it is to retain that user as a client: (1) the extent of satisfaction with previous use; (2) the degree of convenience and comfort of previous use; (3) the knowledge as to when CALR should be used again; and (4) cost.

The first area, user satisfaction, involves both the efficiency and the quality of the substantive results achieved. Computer system reliability can also have an impact on user satisfaction. The user is concerned with the efficiency of his use from a cost perspective as well. The operational skills of the terminal operator/research specialist are important in achieving this efficiency. Whether or not a user obtains satisfactory results depends on the problem presented, the extent of problem identification performed before the user approaches the terminal, the amount of consultation with the terminal operator, and the legal skills of the operator.

The second factor, the convenience and comfort of the previous use, applies to both the distance the user traveled to use the public terminal and the availability of the terminal upon his arrival.⁹³ Scheduled hours must be maintained. One means of overcoming availability problems during normal working hours is to require the user to secure an appointment. Comments were made by users and nonusers alike concerning the need for terminal availability after normal office hours—the time during which many lawyers do their intensive research.⁹⁴ Several sponsors indicated such availability on an appointment basis,⁹⁵ which would appear to be a reasonable accommodation both economically and in terms of availability. Until users are no longer dependent on research specialists, the cost of providing a specialist during additional hours seems to outweigh the need; nor would extended hours of availability itself insure the financial success of the terminals.

Convenience of location is also important at the law school level. Law school respondents were asked a highly subjective question about the distance their students would travel to use CALR. Of the thirteen respondents, two opined that law school students would use it only within the law school building; five suggested that students would travel only within easy walking distance; one respondent believed students would drive to a location ten minutes away; and the last three thought their students would travel up to a half-

93. See FJC STUDY, *supra* note 3, at 115.

94. See Appendix A, Tables VII & XVI *infra*.

95. See Appendix B, Table I.D & notes e-h *infra*.

hour by car.⁹⁶

The third major factor in retaining a client, as well as attracting new users, is the knowledge of when CALR should be used. This is evidenced by nonusers' comments, such as "I've not had a project yet which could be researched that way," or "some day, when I have the proper question, I'll use it." These comments indicate that nonusers perceive that CALR should be used only on questions equivalent to those in a doctoral dissertation or first degree murder case. Greater knowledge of when CALR should be used will also help a sponsor retain its data base. This is essentially an awareness problem which should be alleviated by educational programs both within the practicing bar and the law schools.

A fourth factor is cost. Merely reducing the cost, however, is not sufficient to assure adequate usage. The failure of three West public terminals which charged only \$50 an hour demonstrates this point. On the other hand, cost does have an impact on usage. It is also a contributing factor in determining when CALR should be used. Cost becomes a greater deterrent as awareness is increased.

That cost reduction is a persuasive factor in generating usage is reflected in the concerns of Kansas City users. When asked how public terminal operation and service could be improved, these users indicated cost reduction twenty times—five times more than any other single factor.⁹⁷ An attorney must be "comfortable" in charging the use of CALR to his client. The user must receive a research return commensurate with the cost so that he is not hesitant to bill that cost. Frequent comments indicate a concern that CALR, in the public terminal setting, is too expensive in relation to the benefits received.

During the Kansas City public terminal's first year of operation it averaged 15.6 hours of use per month at a flat charge of \$150 or \$175 an hour, depending on the amount of the subscription involved. In its second year of operation, the terminal was used an average of 10.5 hours per month. During that year, the cheapest usage rate available was \$187 an hour for research time and \$312 an hour for search time.

Because of a "grandfather clause" the hourly rate for research time on the Kansas public terminals is \$40 less than the Missouri rate. If all other factors were held constant, the impact of cost would be apparent from a comparison of the Kansas and Missouri usage rates. Unfortunately, since there are substantial differences in the total size of the constituencies served and the profiles of potential subscribers, comparisons are difficult to make. The re-

96. See Appendix C, Table IV.A *infra*.

97. See Appendix A, Table XVI *infra*.

sponses to the question posed to nonusers: "How could you be persuaded to use the terminal?" and the question posed to users: "How could service and operation be improved?" indicate a greater concern with cost in Kansas City than in Topeka, and more so among users than nonusers who lack a total awareness of costs.⁹⁸

Another highly subjective question, asked of law school librarians and professors, concerned the future behavior of their students *vis-a-vis* usage cost. Eleven of the thirteen who responded believed that students, as practicing attorneys, would use CALR considerably less often than in law school if they were charged \$100 an hour.⁹⁹

VII. PUBLIC TERMINAL SITE IDENTIFICATION

The key to effective site determination is to identify a location within the community which will attract attorneys needing to do research outside their offices. The terminal should be located where it is both convenient and can capture an established client base.¹⁰⁰ There are three location decisions involved the selection of the legal community to be served, the choice of the building within the community in which to house the public terminal, and the location of the terminal within that building.

The number of potential users in a community is not a sufficient condition to ensure public terminal success. For example, in Will County, Illinois, there are only about 250 lawyers. The ability of the bar leadership to solicit twelve prepaid subscriptions to cover the \$1600 monthly commitment was the key to the establishment of that terminal. In Wayne County, Ohio there are only about seventy attorneys. Again, bar leaders provided the impetus for establishing the terminal. In contrast, the Cook County, Illinois (Chicago) terminal and the St. Louis terminal both failed, despite large numbers of potential users.

On the other hand, the larger the legal community, the more likely it is that there is a central location with the resources necessary to support a public terminal. The important point is that while sole practitioners and small law firms cannot afford the overhead costs involved in private subscriptions, they may be willing to make a reasonable commitment to obtain a public or shared terminal.

Within a legal community, the location should be chosen on the basis of where a lawyer performs legal research if he must leave his office to do so. The terminal must be located conveniently enough to

98. *Id.* at Tables VIII & XVI.

99. See Appendix C, Table IV.C *infra*.

100. A convenient location was identified as an important factor for increasing usage in the federal judicial system (FJC STUDY, *supra* note 3, at 115 & 139), as well as in the criminal justice setting. SEARCH GROUP REPORT, *supra* note 2, at 13.

minimize the distance a lawyer must travel. All the public terminals for which information was received are located in law libraries or in buildings which contained law libraries. The exception was in Kansas City where the terminal is within easy walking distance of the county law library. Other possible building locations include law school libraries and libraries shared by tenants of the building in which they are located.

It appears that a law school library public terminal should not also be used for educational purposes. The high student demand for educational usage in most law schools seems to indicate that use by both practitioners and students could not be accommodated. At least one law librarian indicated pressure from the practicing bar to have the educational terminal available for their use. Because of the administrative difficulties, however, it is not likely that MDC would currently allow such dual use. West also limits its law school terminals to a single role; it is unknown whether West would be receptive to a dual role terminal.

A building-shared library is a situation in which a building management corporation, currently *not* an eligible sponsor under MDC's conditions for public terminals, could provide a CALR terminal as part of the services available in the library shared by the attorneys in the building.¹⁰¹ This would be a shared terminal rather than a "pure" public terminal since only tenants would generally be allowed to use it. In this situation, when a lawyer needs to do research outside his office, he merely goes to a law library located within the same building. The building management corporation could lease the terminal, and tenants would pay only for their actual use, although prepaid subscription commitments would be desirable. Under this arrangement, the terminal could be made available to both attorneys in the building and those in nearby buildings.

Even if the building law library were incorporated as a non-profit organization independent of the landlord, it is doubtful that MDC would allow such a terminal in light of its decision not to provide the Denver terminal.¹⁰² Incorporation would be a change in appearance more than in substance, and it is unlikely that MDC would agree to this arrangement under its present policies.

A library location is important for several reasons. It provides an atmosphere for problem solving research and, given the general practice of public terminal use, it allows the user to proceed from a

101. See Section II.H *supra*. The sharing of legal research resources is expanding. See Tilley & Champlin, *The Formation and Operation of a Common Law Library*, LEGAL ECON., Summer 1978, at 41.

102. See note 34 *supra*.

list of citations to the full text.¹⁰³ In the case of LEXIS, which provides only the official citation, Shepards Citations are usually available to provide parallel citations to West's regional reporters.

Within the library, the terminal location should be chosen to promote awareness, provide comfort, allow concentration, and preserve confidentiality. Comfort was identified by the Miami sponsor as an important factor in establishing and maintaining a client base. One Miami user called their public terminal room "a small closet." This problem is being remedied. The specialist and user should be able to communicate without revealing confidential information to third parties, without interrupting the work of others, and without being interrupted by others.

VIII. THE NEED FOR HUMAN ASSISTANCE

Nine sponsors currently provide full consultation service, from problem analysis through keying search commands.¹⁰⁴ Miami, Boston and San Diego try to place the responsibility for formulating search queries on the user.¹⁰⁵ The Boston sponsor does not even desire to operate the terminal, but rather attempts to instruct the attorney in its use.¹⁰⁶

The data indicates that there is a slight, positive statistical relationship between general satisfaction with the results of the use of a public terminal and the use of a specialist both to formulate search queries and to key search queries.¹⁰⁷ There is a slight, negative relationship between the use of a research specialist for narrow issues of law and the use of a specialist in formulating search queries.¹⁰⁸ In other words, if the problem involves a more refined issue, the researcher himself is more likely to formulate the query.

In the law schools, although some assistance is generally available, the burden falls upon the student to perform the full process from problem identification to the design of search queries and the actual keying of commands.

Of those sponsors currently offering less than full service, three of five, including the Will County sponsor, said that increased terminal operator service would improve usage rates.¹⁰⁹ Of those already providing full service, four sponsors suggested telephone inquiries

103. See SEARCH GROUP REPORT, *supra* note 2, at 13; FJC STUDY, *supra* note 3, at 107 (Table 41).

104. See Appendix B, Table II.B.3 *infra*.

105. *Id.*

106. *Id.* at note y.

107. See Appendix A, § II.E.6 *infra*.

108. *Id.*

109. See Appendix B, Table III.D *infra*.

as an added service to improve usage rates.¹¹⁰ Other full service providers stated that greater convenience and a change in research habits are necessary to improve usage rates.¹¹¹ The consensus is that, currently, lawyers are unable to solve legal problems in general—a situation which can cause dissatisfaction with CALR, or would do so if full, problem solving consultation was not provided. The Boston sponsor summed it up: "It amazes me how many lawyers are poor researchers."¹¹²

The majority view is that the input of the research specialist to problem solving, formulating search queries and keying commands is crucial to successful research in most cases, and successful research is crucial to the development of a client base.¹¹³ The major exception to this position is the Boston Social Library, which has persuaded fifty percent of its clients to return at least a second time, while encouraging self-formulation of search queries and self-keying of commands.

The consultation process and the operators' skills can also be regarded as a method of promotion. As the Los Angeles County Library sponsor stated, "[w]e feel that user assistance is extremely important in developing a high usage rate at a public terminal. Thus, from the beginning we have offered maximum assistance, both in terms of operating the terminal and in helping to devise search strategy."¹¹⁴ Erosion of their client base, due primarily to a lack of user satisfaction, was a common problem of those Westlaw public terminals which failed. Chicago was able to convince only five percent of its users to come back a second time; Baltimore had only slightly better success (less than ten percent). The extremely small percentage of second time users in both Cleveland and Columbus, Ohio indicates that this important threshold condition was never attained at those installations either.

The Search Group study indicates that the presence of a specialist is one of the conditions necessary to improve the effectiveness of CALR in criminal justice agencies.¹¹⁵ According to the study, without a research specialist the potential benefits of CALR are not likely to be realized, and lower performance results will occur when compared with manual research.¹¹⁶

The Will County terminal is currently without an operator. The law librarian who was supposed to fill that position withdrew at the

110. *Id.*

111. *Id.*

112. See Appendix B, comments following Table VII.6 *infra*.

113. See note 70 *supra*.

114. See note 112 *supra*.

115. SEARCH GROUP REPORT, *supra* note 2, at 13.

116. *Id.*

last moment. Attorneys from the prepaid subscribing firms have attempted to fill in on an on-call basis, but their infrequency of use has decreased the effectiveness of their assistance. An on-site specialist is needed, according to the Will County sponsor, if the terminal is to provide satisfactory usage to its clients.

LEXIS requires public terminal users to have attended "at least one two-hour instruction seminar in search logic and strategy"; Westlaw has no comparable requirement. Both LEXIS and Westlaw are preparing computer-assisted instruction (CAI) programs on use of their respective systems. Training programs and legal education may ultimately reduce the current reliance on operators.

The Denver shared terminal¹¹⁷ will ultimately place the burden of operating the terminal on the user, unless the user chooses to pay a surcharge for operator assistance. This points out the likely need for a research specialist with a shared terminal, at least initially. Los Angeles also views the burden as ultimately falling upon the researcher: "[The] goal [is] to develop users' independence."¹¹⁸

Even though research specialists are presently needed, in the long term, law school education and exposure through continuing legal education may ultimately shift both the query formulation and operation burdens to the actual user, while still providing a satisfactory experience. This shift could have a significant impact on the usage rates of both public and shared terminals. Legal education, however, must also improve traditional legal research and the underlying skills of legal analysis. MDC's current position is to encourage the user to become more fully involved in terminal usage. As indicated, most of the sponsors who presently argue for full, on-site services appear to view the burden as shifting back to the user in time.

A lawyer, or accountant in the case of an accounting terminal, is preferable as a specialist because of his or her problem solving capabilities. Further, his ability to present effective problem solving demonstrations and instill confidence and "trust" in users who are his contemporaries is also important. Of course, employing a high level of professional expertise creates cost implications which increase the personnel costs of operating the public terminal. However, the added expense may be essential to assuring user satisfaction with CALR and thus to encourage users to become a permanent part of the client base. Good young lawyers can be hired at reasonable salaries for such positions, although retaining them may be a problem.

117. See note 34 *supra*.

118. See Appendix B, Table II.C, note d *infra*.

It is essential that the role of research specialist or terminal operator be isolated within the terminal setting. Operational skills are lost if the responsibility is not assigned to a single or limited number of persons.¹¹⁹ Sponsors should not dilute this responsibility by designating every staff member a specialist. Nor should the designated person(s) be overwhelmed with non-public terminal tasks.

While trade-offs will be required between costs and personnel capabilities, adequate financing should be sought to enable an attorney or accountant to act as a research specialist.

IX. OTHER CALR DELIVERY MECHANISMS

The consideration of alternative delivery mechanisms requires additional treatment in a broader context. MDC requires the end user of the research product to be physically present at the public terminal during research sessions. By contrast, West does not require a user to be present, though that is the current *de facto* practice. Over ninety percent of the users in both Kansas City and Topeka indicated their presence resulted in a more effective search.¹²⁰ The inconvenience occasioned by requiring an attorney to leave his office and go to the public terminal does, however, create a problem.

MDC's policy has developed on the basis of its public terminal experience, primarily in Ohio. There, during 1973-75, all forms of inquiries and responses, including telephone, written correspondence, and on-site visits, were allowed. Assuming *arguendo*, that the user had adequately identified his problem and knew what he was seeking, the difficulty encountered when the user was not present was determining the relevance of the documents retrieved. Further, the interactive nature of the system lent itself to query refinement on the basis of retrieved materials. In the absence of the user, unless the operator knew the user's problem as well as the user, it was difficult to proceed. The scope and quality of the consultation process was also a problem. The net result was dissatisfaction with the service. This dissatisfaction is reflected in the low rate of second-time users of Ohio public terminals. Currently, the AICPA public terminal accepts both telephone and correspondence inquiries.¹²¹

119. This has been amply demonstrated by the Will County, Illinois, public terminal experience.

120. See Appendix A, § II.E.6 *infra*.

121. Conversation with AICPA Research Specialist, February 1978. See also AICPA, NATIONAL AUTOMATED ACCOUNTING RESEARCH SYSTEM (NAARS) (1978), which describes the alternative methods of accessing the accounting data bases.

The KBAR and MOBAR terminals do not generally accept such inquiries.

One of the recommendations of the Federal Judicial Center study is that geographically remote judges be served by a centrally-placed terminal within each circuit,¹²² since the projected volumes of usage do not justify a terminal at each court. Currently, each federal circuit has at least one terminal. Not all research specialists among the circuits are lawyers. The communication between a remote user and a specialist at the terminal depends to a great extent on the background of the specialist/operator. As the specialist's qualifications increase, so too do the initial interaction and discussion with the end user. On the other hand, for a terminal operator without a legal background, more specific directions must be given, and interaction normally occurs after, and not before, the results of the search query are available. The primary difficulty is the terminal operator's ability to screen the relevant material from the irrelevant.

The long-term plan is to have a full-time research specialist, probably an attorney, handle research questions at each central site. It is still unclear how successful the remote operation will be, though it should work well under the structured working conditions of the federal judicial system with its established communication network.¹²³ While this is not the typical public terminal setting, the structure, procedures and resource allocation should be monitored for guidance in utilizing a similar delivery system in other contexts.

The delivery system of the Air Force FLITE (Federal Legal Information Through Electronics) system is also of some relevance.¹²⁴ The government organization requesting the service initiates written or telephonic communication with the FLITE Computer Center in Denver. FLITE attorneys respond to the user's statement of the problem with questions and discussion to gain a greater understanding of the problem. The scope of problem areas with which the staff attorneys must deal is limited, however, unlike the typical public terminal situation. FLITE staff attorneys frame all queries for computer searches and review the results for relevance. The product again is a list of arguable relevant authority and not a memorandum. While the staff attorneys' efforts enhance user satisfaction,

122. FJC STUDY, *supra* note 3.

123. Of the small sample using the call-in service during the course of the study, about 90% stated the quality was good or excellent. FJC STUDY, *supra* note 3, at 100 (Table 38). The high volume users found telephone communication "fully adequate" for their needs. *Id.* at 102-03.

124. *See* note 18 *supra*.

they must gain in-depth knowledge of each problem before commencing the search.

A third successful delivery system was that employed by the Creighton Legal Information Center (CLIC),¹²⁵ an LEAA exemplary project. CLIC was created during the summer of 1974 to help meet the pressing need of Nebraska's rural criminal justice system for more complete, current and accessible research resources. Extensive legal memoranda, containing the analyses of legal questions resulting from original research were provided to judges, prosecutors and publicly-funded defense counsel for about three years.

CLIC bridged an information gap typical in rural legal communities throughout the United States. Research specialists (law students) in Omaha handled telephone and mail requests, but only conventional resources were used for the research. The resources at the central location (Creighton Law School Library) were substituted for those otherwise unavailable in a large number of remote locations. The primary products were problem-solving memoranda incorporating arguably relevant authority. The scope of communication required was similar to that of the FLITE operation. Again, the problem-solving areas were relatively narrow, being limited to criminal law and procedure. The degree of structure and systemization established in the CLIC operation was extensive.

It appears that some centralized research service with full, problem-solving consultation is necessary if CALR is to become feasible in rural areas. Although the requirement of end user presence is soundly based, alternative delivery mechanisms must be implemented if all segments of the legal community are to be serviced. The issue of the delivery of legal services is much broader, however, and CALR's role is intertwined with the resolution of the overall problem.

Full service delivery systems are more expensive than terminals alone, particularly in personnel costs. FLITE's staff attorneys start at more than \$20,000 per year; supervising attorneys for legal information centers modeled after CLIC are paid about the same amount. Financing such ventures is difficult, and when federal or state government moneys are involved, both the scope of eligible users served and the range of problems accepted are limited.

The general practice of having the end user present during the research session should probably not be changed. Rather, sponsors should be given the discretion to service telephone inquiries from regular system users on limited types of searches, which are primarily ministerial in nature. An experiment will begin shortly in

125. See note 17 *supra*.

which the Kansas City public terminal will serve the rural northern area of Missouri via telephone service. The frequency and quality of the use of this delivery mechanism should be carefully documented and evaluated. This mode of inquiry and delivery service could provide a feasible means of expanding client bases though, as indicated, it is not without significant drawbacks.

X. EFFECTIVE SPONSORSHIP

Sponsorship is a major responsibility. MDC has observed that sponsors generally overestimate the amount of research that lawyers do and underestimate the difficulty of persuading lawyers to change research habits and locations. Sponsors also underestimate the difficulty involved in marketing their "product."

The public terminal product must be packaged. A package should be developed by NCAIR, with the assistance of both West and MDC, covering the establishment and operation of public terminals. Public terminals should *not* be placed as if they were merely a subscription by a law firm. This study appears to be the first marketing research done in this area, or at least the first that has been published. An early 1978 meeting of West public terminal sponsors, primarily for the purpose of introducing the full text system, also provided the first opportunity for an interchange of ideas. Generally, there has not been communication among public terminal sponsors.

The following factors appear to be of importance to potential sponsors when making their decision on whether or not to undertake sponsorship: cost, size of the local legal community, progressiveness of the local bar in the use of computers, whether attorneys are used to having the latest research materials and services available, and the administrative burden. Although the administrative requirements under MDC sponsorship conditions are not really burdensome, two entities queried specifically mentioned the responsibility of billing as a deterrent to sponsorship.

A. *Identifying Sponsors*

On the issue of what organizations should sponsor a terminal, a team, consisting of a local bar association and a local law library, coordinated and assisted by a state level entity such as KBAR, MOBAR or IBAR, is the best approach. The local bar association is important because it provides personnel with credibility who can persuade members of the local bar to use the facilities. The library alone usually has the resources to communicate with the bar, but does not have the influence to persuade the membership to use the terminal. Further, the library normally has the funds and personnel

to absorb the costs of a research specialist, the space for the terminal, the administrative support and, perhaps, the fixed equipment and communication charges. It should be emphasized to potential sponsors that the public terminal is an additional library service, the cost of which should be absorbed like any other new library service.

The team approach is important in reducing the fixed costs ultimately charged to users. The library must be willing to allocate sufficient resources if it is to undertake terminal sponsorship. This teamwork almost succeeded in Will County, until the law librarian, who was to serve as the research specialist for a minimal fee (\$100/month), withdrew her offer at the last moment.

One of the West sponsors expressed concern about having its performance compared with that of the Los Angeles County Law Library, which has greater available resources. The response to this concern is that a certain level of resources must be available if the research technique is to serve the legal community as well as being an educational tool. If resources are not available, or if the potential sponsor is not willing to allocate adequate resources, then it should not undertake the sponsorship of a public terminal. A sponsor which lacks adequate resources can be more detrimental than helpful to the future of CALR.

The third entity in the team relationship is a state organization to coordinate the marketing of CALR throughout the state. It should assist in securing financial support and planning the marketing approach best suited for its own state.

B. Cost Implications of Sponsorship

A fixed financial commitment is important because sponsors must aggressively market their services. There must be some usage commitment to motivate the sponsors. From the sponsors' position, however, there is concern that their users receive a return commensurate with the cost. This concern has an impact on the threshold decision of whether to sponsor a terminal, and on the local leadership's willingness to persuade the legal community to use the terminal. This does not mean that potential sponsors do not have confidence in CALR, but simply that they may not have confidence at current price levels.¹²⁶ Assuming CALR produces better quality and more timely research, the magnitude of the improvement may still not be sufficient to justify the greater cost. Typically, a \$220 hourly charge for CALR can be seven times the attorney's hourly

126. See SEARCH GROUP REPORT, *supra* note 2, at 13. This study concluded that, in determining the utility of CALR, the most important practical, limiting factor to be considered is cost.

fee. The issue seems to be whether CALR produces a comparable increase in research quality and completeness.

The use of prepaid subscriptions by a public terminal is important in financial planning. Subscriptions increase the financial stability of operation in the MDC setting. The Kansas City terminal is aggressively seeking prepaid subscriptions to assure its financial stability. The Will County sponsor used this approach to establish its terminals well. These subscriptions commit a local user, firm, sole practitioner or governmental agency to use the terminal for a certain number of hours during the term of the contract. This approach will likely have to be employed in any new West public terminal ventures, although it will be less effective since West establishes the fee schedule. To encourage subscriptions, such users should be offered a lower usage charge than walk-in users.

XI. PUBLIC TERMINAL IMPACT ON PRIVATE TERMINAL PLACEMENT

The question of whether public terminals have an impact on the placement of private terminals must be answered on a community-by-community basis. Public terminals compete with the placement of private terminals in some legal communities but not in others. Shared terminals can also compete with private and public terminals.

The factors influencing the decision by a law firm whether or not to have its own terminal, include the size of the firm, nature of practice, progressive spirit of the firm members, and the firm's operating budget. Using these factors, one could create a firm profile to determine the likelihood of a private subscription. Since subscriber lists are considered proprietary information by both MDC and West, it was not possible to create actual profiles as part of this study. Nevertheless, an approach can be suggested.

A review of the marketing approaches employed in the case study cities and their relative successes is necessary. In the Kansas City area there are eleven firms which contain more than 35 persons. Of these eleven firms, seven have their own private LEXIS terminal; three others are public terminal subscribers, while the eleventh neither has its own terminal nor subscribes to the public terminal. The average size of the public terminal subscriber in Kansas City is twenty persons. No firm which has a private terminal is smaller than 35 members. In Kansas City, private terminals were marketed before the public terminal was installed. It is impossible to know whether, had the public terminal not been installed, there would be more private terminals. Perhaps one or more of the three, large-size, public terminal subscribers would have obtained its own terminal, but it is not certain.

In Kansas, there are no private terminals; only the three public terminals in Wichita, Topeka and Olathe. A 33-person law firm in Wichita is the largest in the state and subscribes to the public terminal. It has investigated the feasibility of a private terminal. A twenty-person firm is the next largest in Wichita. In Topeka, the largest law firm comprises seventeen persons. In Olathe, a 24-person firm is the largest and is a public terminal subscriber. The next largest public terminal subscribers in Olathe are seventeen- and eleven-member firms.

It is impossible to say whether there would be private terminals in Kansas if there were no public terminals. In the case of the Wichita firm that has investigated the possibility of implementing a private terminal, but for the *public* terminal experience, it might not have even considered a private terminal. At most, in view of the sizes of the law firms, it is likely that only one additional terminal could be expected in Kansas. On the other hand, had user awareness not been generated by the public terminals, there might not be *any* subscribers. According to a KBAR representative, LEXIS has not been aggressively marketed in Kansas. The absence of private terminals in Kansas does not necessarily mean public terminals are not a marketing factor for private terminal placement. It may be that three or four terminals are all that the market will bear because of the size of the existing law firms and the other criteria relevant to private subscriptions.

In Los Angeles there are a large number of LEXIS subscribers, according to MDC, despite the West public terminal. There are apparently no West private terminals which have been placed because of the public terminal experience. The West public terminal has thus been neither a deterrent to LEXIS' marketing effort nor a stimulus to its own marketing effort.

In Will County, Illinois, and Wayne County, Ohio, the largest local law firms are comprised of fewer than sixteen persons. There are no firms large enough to afford their own terminal, so it is not a competitive situation between public terminals and private terminals. However, there could be some competition between a public terminal and shared terminals.

A thirty-person law firm appears to be the minimum size for private terminal placement, at least with MDC terminals.¹²⁷ A law

127. A recent article based on late 1976 data indicates the bottom line on law firm size could be higher. Of the 35 law firm subscribers to LEXIS which responded to the survey, their sizes broke down as follows:

More than 200 attorneys	4
150-200 attorneys	8
100-150 attorneys	10
50-100 attorneys	11
Less than 50 attorneys	2

firm with fewer persons is highly unlikely to subscribe unless the nature of its practice makes CALR particularly attractive, or there is a very progressive and persuasive firm member whose own use singularly justifies the cost. As the size of the law firm increases above thirty members, the probability of successful marketing also increases. A sixty person firm is more likely to subscribe than a thirty person firm. In a community with a profile of firms *only* in classifications (1) to (4) of Table III,¹²⁸ the public or shared terminal approach should be utilized. In a situation in which some firms fall into category (5) and above, the private terminal market should be exhausted before shifting to a shared or public terminal approach. Further refinements in this simplistic concept can be made by the vendors who possess the facts concerning private terminals and as empirical experience occurs with shared terminals.

In Phoenix, Arizona, for example, it seems likely that MDC would have lost some of its private subscriptions had a public terminal been implemented immediately. Even if there were only one firm within the probable subscriber profile, a public terminal might cause it not to subscribe or to postpone its subscription; a shared terminal could cause the same result. This fact points out the vendors' dilemma in marketing public and shared terminals. Major pricing advantages cannot be given to public or shared terminals because of the impact they could have on private firm subscriptions. On the other hand, some reductions in cost could occur without compromising competitive concerns. The order of marketing is also important. Once a private terminal is installed, it is unlikely to be removed because of the convenience of on-site availability, even if a public terminal thereafter becomes available.

XII. OTHER LAW SCHOOL USE COMMENTS¹²⁹

One point of agreement among law librarians, sponsors and vendors is that there is a need to educate prospective lawyers about CALR *before* they formulate their research habits. Currently, through the advantageous pricing of the EDUCOM telecommunica-

Meyers, *supra* note 70, at Table 2. The sample of subscribers consisted of firms in Cleveland, Chicago, New York, and Washington, D.C. This article suggests that further research should be conducted on how the size of the law firm, size of the library and cost of the equipment determine who will become a subscriber.

128. Table III was compiled from the most recent edition of the MARTINDALE-HUBBELL LAW DIRECTORY.

129. The sample consists of only 13 law schools. It is important to emphasize that the findings of the survey may not be representative of all law school programs. However, the data is useful in identifying developing trends.

TABLE III

City Population Total Number of Firms	Los Angeles 2,809,586 538	St. Louis 622,236 186	Phoenix 581,562 169	Kansas City 507,330 130	Louis- ville 361,598 112	Omaha 346,929 89	Wichita 276,554 85	Lincoln 149,518 32	Topeka 125,011 39	Joliet 78,887 16	Wooster 18,703 8	Olathe 17,917 8
Number of Attorneys in firm												
(1) 0-5	313 58.2%	130 69.9%	125 74.0%	79 60.8%	88 78.6%	58 65.2%	61 71.8%	16 50.00%	27 69.2%	7 43.75%	7 87.5%	4 50.0%
(2) 6-15	159 29.5%	40 21.5%	29 17.1%	32 24.6%	15 13.4%	26 29.2%	20 23.5%	14 43.75%	12 30.8%	9 56.25%	1 12.5%	3 37.5%
(3) 16-25	27 5.0%	7 3.8%	8 4.7%	9 6.9%	4 3.6%	3 3.4%	3 3.5%	2 6.25%	0	0	0	1 12.5%
(4) 26-30	6 1.1%	4 2.2%	0	0	2 1.8%	0	0	0	0	0	0	0
(5) 31-35	9 1.7%	1 .5%	1 .6%	2 1.5%	2 1.8%	1 1.2%	1 1.2%	0	0	0	0	0
(6) 36-45	7 1.3%	2 1.1%	3 1.8%	7 5.4%	1 .9%	0	0	0	0	0	0	0
(7) over 46	17 3.2%	2 1.1%	3 1.8%	1 .8%	0	1 1.2%	0	0	0	0	0	0

tions network, over fifty law schools have subscriptions to LEXIS. Westlaw has at least four law school subscribers, and at least two law schools subscribe to both. Through integration into the curriculum, CALR can become an integral part of lawyers' research habits; they will be more apt to leave their offices to use the research technique and will be more active promoters of the tool. This should aid future marketing.

Currently, the lowest LEXIS law school subscription cost is \$660 per month. This entitles the subscriber to unlimited usage for educational purposes during operational times, except between 2:00 p.m. and 5:00 p.m. on weekdays, with unlimited usage on weekends. The lowest Westlaw law school subscription charge is \$1,200 per month for 100 hours of use and \$50.00 per hour for each additional hour. Law school subscribers are not allowed to use the service from 9:00 a.m. to 10:00 a.m. and 12:00 noon to 2:00 p.m.¹³⁰ Because of its availability on weekends, the LEXIS system is available to law school subscribers considerably more hours than the Westlaw system.

The long range time frame needed to develop the private CALR terminal market through the vehicle of law schools emphasizes the need for other marketing avenues to generate greater current use. As with law students, young associates, who do most of the research in large firms, will have some influence on subscriptions, though they are not initially able to determine the direction of research in their firms. It could take a long time for current associates experienced with CALR to have a major impact on CALR usage in their firms. Continuing legal education programs in CALR, during which CALR's applications are demonstrated, could increase associates' impact on other firm members and should be encouraged.

Several indications in the law school survey responses cause concern over the quality, method and timing of instruction. The deterrents to student use after training, as ranked by professors and law librarians, are: insufficient knowledge to realize when CALR would be helpful; the available materials (data bases) are not relevant; inconvenient times of operation; lack of confidence in CALR's ability to provide satisfactory results; and inadequate training.¹³¹ These rankings are tightly grouped and appear of generally equal importance.

There also appears to be a decreased frequency of use after course requirements are fulfilled. This is particularly troublesome since law librarians indicate that users are generally satisfied with their results and cost is not a deterrent. This decreased usage is pos-

130. All of these times are in the Central Time Zone.

131. See Appendix C, Table I.F *infra*.

sibly related to the problem students have in identifying the research situations in which CALR would be helpful.

MDC is providing financial support for the development of innovative, standardized instructional materials, including computer-assisted instruction (CAI) and a large screen visual aid.¹³² West also utilizes CAI, but its program needs updating because of its recent introduction of full text data bases.

In addition to refining their instructional methods, the law schools need to utilize more goal-oriented research projects to develop long-term cost consciousness. The use patterns that are developed should be the most efficient from a cost standpoint. A sloppy or inefficient research approach in law school will not cost the student anything immediately, but will be very expensive when he must later pay for it. If sloppy habits are formed in law school, they will be very difficult to change later. The resulting cost implications will decrease the frequency of CALR use in practice.

XIII. CONCLUSIONS AND RECOMMENDATIONS

On the basis of the findings of this study, the following recommendations are made to NCAIR and the vendors which market public terminals:

1. NCAIR should serve as a clearinghouse for information about the status of and developments in CALR. While conducting this study, it became evident that there is no single organization maintaining current and complete information on on-going studies and other developments. This clearinghouse role should be performed for all vendors and should encompass related topics such as source data capture and retrospective data capture.

2. NCAIR should assume an active role in the counseling of potential sponsors and in the transfer of knowledge about public terminals and shared terminals. This is not necessarily an easy responsibility to fulfill. The Los Angeles public terminal sponsor attempted to start a newsletter among the West public terminal sponsors but received no cooperation from the other sponsors.

3. NCAIR, through MOBAR, should carefully monitor, document and evaluate the northern Missouri telephone inquiry service to be provided by the Kansas City public terminal.¹³³ The evalua-

132. MDC is financially supporting experimentation with a large screen visual aid at the University of Missouri at Kansas City law school. This screen is used at the front of the classroom and is joined to a LEXIS terminal by a coaxial cable. Because of the size of the screen, students in the classroom can view the system queries and responses as easily as if they were using the terminal.

133. An experiment will begin shortly in which the Kansas City public terminal will serve the rural areas of northern Missouri via telephone service.

tion should be sound in methodology and conducted by an objective party.

4. NCAIR should encourage the American Bar Foundation's development of a videotape on when to use CALR, and assist in its distribution.¹³⁴ Development of the videotape is apparently at a standstill because of a change in personnel. Affirmative action appears necessary to get this videotape completed and distributed.

5. During the next six months, MDC should assess the impact of its new, shared terminal policy and reexamine that policy using subscriber profiles if there are few or no takers. Although the actual statistics are MDC's proprietary information, inquiries have not disclosed any subscribers under the old, shared terminal policy. The new shared terminal policy does not appear to be substantially different.

6. The sharing of a single facility between both the accounting and legal professions is a dimension which should be carefully explored as interest and use develops within each profession.

7. MDC should allow *all* potential public terminal sponsors to elect Schedule A as their commitment charge.¹³⁵ This is necessary, but not sufficient in itself, to insure the success of public terminals.

8. West should lower the financial commitment required of new public terminals. Requiring 54 hours of use by a new sponsor before it will recover its cost probably means that there will be no new public terminals. In Los Angeles, which has the highest usage—about 26 hours a month—the public terminal is playing both an educational and important library service role. This role can be developed in other locations only through a more reasonable compromise between sponsor sales motivation and other West marketing concerns.

9. Both West and MDC should continue their pricing incentives to law schools, and should continue to urge that CALR instruction be integrated into legal research and writing courses, so that law students will place it in its proper place in the research-analysis

134. The Search Group study recommended that West and MDC should improve both the quality and extent of training provided to system users. SEARCH GROUP REPORT, *supra* note 2, at 13. The Federal Judicial Center study identified a "higher level of skill with the system" as an important factor in increasing CALR usage. FJC STUDY, *supra* note 3, at 114 (Table 45). This study also suggested videotape as a potential method of training call-in users. *Id.* at 140.

135. Under Schedule A, the use charges to the sponsor are \$20.00 less per hour than under the current public terminal rate, and sponsors would have a \$1,000 monthly usage commitment rather than \$2,500. The Search Group study recommended that "providers of [C]ALR service should explore means of lowering system charges." SEARCH GROUP REPORT, *supra* note 2, at 13.

cycle.

10. MDC should continue its economic support of the development of innovative, but standardized, instructional materials such as their self-paced, computer-assisted instruction (CAI) program and large screen visual aid.¹³⁶ West should update its CAI program to encompass its new full text approach. In addition to refining instructional methods, more goal-oriented research projects and other efforts should be utilized to develop long-term consciousness.¹³⁷

136. See note 134 *supra*.

137. *Id.*

APPENDIX A
ELIGIBLE USER SURVEY RESULTS

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I. ELIGIBLE USER QUESTIONNAIRE (SAMPLE COPY)

ELIGIBLE USER QUESTIONNAIRE

City

The ultimate purpose of this study is to determine how to increase and improve the usage of computer-assisted legal research public terminals. To do so, we must find out more about user's and potential user's awareness, attitudes and patterns of use. The questions herein are directed toward that objective. Your cooperation will be sincerely appreciated.

PLEASE USE THE BACK OF THE FORMS IF YOU NEED ADDITIONAL SPACE TO ANSWER A QUESTION.

I. General Questions:

- A. What is the size of your law firm (or law department if within a corporation or other business or non-business organization)?

_____ 1-5 lawyers
 _____ 6-12 lawyers
 _____ 13-25 lawyers
 _____ more than 25 lawyers

- B. What is the specific nature of your personal practice? CHECK ALL THAT APPLY.

_____ general practice	_____ labor law
_____ real estate	_____ tax law
_____ criminal law	_____ natural resources
_____ securities	_____ commercial law
_____ corporate	_____ antitrust
_____ domestic relations	_____ administrative agency practice
_____ trusts and estates	_____ other (Please explain.)

- C. When did you graduate from law school?

_____ less than 3 years ago
 _____ 3-5 years ago
 _____ 6-10 years ago
 _____ more than 10 years ago

- D. Have you ever viewed a demonstration of computer-assisted legal research?

_____ Yes _____ No

If yes, where? _____

When? _____

II. Awareness Questions:

Were you aware of the availability of the public terminal service?

_____ Yes _____ No

IF YES:

1. Do you know where the terminal is located?

_____ Yes _____ No

If yes, where is it located? _____

How far is it from your office?

- _____ within the same building
 _____ within easy walking distance
 _____ within a ten-minute drive
 _____ within a half-hour drive
 _____ within a two-hour drive

2. What are the terminal's hours of operation?

3. How did you become aware of the availability of the public terminal? (In the left column check all those which apply.)

Became Aware
 Through

Rank

- | | |
|-------|---|
| _____ | _____ advertisements in periodicals |
| _____ | _____ bar association or other meeting announcement |
| _____ | _____ bar association demonstrations |
| _____ | _____ word-of-mouth |
| _____ | _____ other (Please explain.) |

IN THE RIGHT COLUMN, PLEASE RANK THE APPLICABLE METHODS IN THE ORDER OF THEIR EFFECTIVENESS, 1 BEING THE MOST EFFECTIVE.

4. What other methods of promotion would be more effective?

III. Use and Attitude Questions:

A. Have you ever personally used the public terminal?

_____ Yes _____ No

Have any other members of your firm used it?

_____ Yes _____ No

B. If you personally have NOT used it:

1. WHY? (In the Applies column please indicate all that apply.)2. IN THE RANK COLUMN, PLEASE RATE THE RELEVANT FACTORS IN ORDER FROM THE LEAST DETERRENT TO THE GREATEST DETERRENT TO YOUR USE, 1 BEING THE LEAST DETERRENT.AppliesRank

_____	_____	I wasn't aware of its existence
_____	_____	I don't know enough about the service to determine if it would be helpful to my practice
_____	_____	The materials available through the service are not relevant to my practice
_____	_____	Too expensive
_____	_____	I haven't been trained in how to use it
_____	_____	I don't like to use a computer terminal
_____	_____	The times it is in operation are not convenient to my schedule
_____	_____	I don't think it would provide satisfactory research results
_____	_____	The location is inconvenient
_____	_____	I don't like to do research on headnotes only
_____	_____	other (Please explain.)

3. What could the public terminal sponsor do to persuade you to use the terminal?

4. Would a video tape presentation on when to use a public terminal help persuade you to use the terminal? _____ Yes _____ No

C. IF YOU HAVE USED THE TERMINAL:

1. What method of inquiry do you usually utilize?

_____ go to the terminal site
_____ telephone the terminal research specialist
_____ write to the terminal research specialist

2. Have you used it more than once?

_____ Yes _____ No

If so, how often do you use it, on the average?

_____ once a month
_____ twice a month
_____ three times a month
_____ more (Please explain.)

3. PLEASE RANK THE FOLLOWING DATA BASES OR LIBRARIES IN THE ORDER OF YOUR USAGE FROM THE MOST USED TO THE LEAST USED, 1 BEING THE
- MOST
- USED:

_____ my state's statutes
_____ other states' statutes
_____ my state's case law
_____ other states' case law
_____ federal case law
_____ federal statutes
_____ federal administrative agency regulations,
rulings and decisions
_____ other (Please explain.)

4. Do you prefer to formulate your own search queries or do you prefer to relate your problem to a research specialist and let him handle it from there?

_____ formulate myself
_____ specialist

5. Do you prefer to key in the search queries yourself or do you prefer that a "research specialist" do so?

_____ myself _____ specialist

6. On what types of research problems do you use the terminal?
INDICATE ALL THAT APPLY.

_____ general inquiry on issues of law
 _____ general inquiry on fact patterns
 _____ citation check
 _____ narrow issue of fact
 _____ narrow issue of law
 _____ statutory interpretation
 _____ materials not yet in print
 _____ other (Please explain.)

7. Have you been personally satisfied with the results of the research?

_____ Yes, in general
 _____ No
 _____ Yes, but only for these types of searches:
 _____ general inquiry on issues of law
 _____ general inquiry on fact patterns
 _____ citation check
 _____ narrow issue of fact
 _____ narrow issue of law
 _____ statutory interpretation
 _____ materials not yet in print
 _____ other (Please explain.)

8. In your opinion, do you get better results out of your search if you are at the terminal with the operator to assist in formulating queries and to review the materials as they are retrieved?

_____ Yes _____ No

IV. Improvements Questions:

- A. How could public terminal operation and service be improved?
 B. Would these corrective measures cause you to use the terminal more often?

_____ Yes _____ No

II. STATISTICAL ANALYSIS OF ELIGIBLE USER QUESTIONNAIRES

A. *Introduction*

Both relational and descriptive statistics were compiled. The subjective comments elicited by the open-ended questions were compiled both by individual respondent and by question.

Because of the ordinal and interval nature of the data, Kendall's tau B was used to measure association between variables. A primary advantage of tau B is that it is appropriately used when a large number of inter-relationships are present in the set of independent variables, such as exists in this study.

The power of the relationships were defined as follows:

Kendall's Tau B (Absolute Values)	Relationship
0-.1	None
.1-.2	Slight
.2-.4	Moderate
Greater than .4	Strong

The researchers opted to use .10 as a level of significance for this survey research. That is, they accepted a 90% probability that variance in the dependent variable is caused by variance in the independent variable rather than by chance.

When the tau value is negative, the relationship is inverse rather than positive. For example, in Topeka there is moderate, inverse relationship between use and being in real estate practice. This means that a lawyer in that city who engages in real estate practice is less likely to use the public terminal in conjunction with that practice.

A ranking approach was used to determine overall positional relationships on specific questions. Values were assigned to each position in inverse order based on the number of entries in a specific question.

Because of the limited user sample in Los Angeles, only the statistical relationships in Topeka and Kansas City between use and other factors are reported.

B. *The Sample*

The target sample size for each case study city group was one hundred users and one hundred nonusers. It was recognized from the outset that the user group would not likely reach the specified size because of the actual number of users at each site and the percentage of responses expected from that group.

Because of delays in receiving user lists, it was decided to initially select a random sample of 150 practitioners at each site and send them the questionnaires. The oversampling was done to compensate for non-responses and for the users who would also be reached.

Certain questions on the form were to be answered by both groups, while others were to be answered only by one group or the other. When the data was compiled, responses which were not part of the relevant group of

questions were not recorded. For example, if a nonuser answered both the set of user and nonuser questions, the responses to the user set were not recorded. The cover letter which accompanied the questionnaires asked the respondents to answer the questions themselves, and not to delegate the responsibility. The responses indicate that very few, if any, of the questionnaires were answered by other than the randomly selected individual or specified user.

After receiving the user lists from Topeka and Kansas City, the questionnaire was sent to users who had *not* yet been queried. Although greater oversampling was considered for Los Angeles to generate an acceptable user sample, it was decided not to do so on the basis of the number of user responses in the initial random sample.

Follow-up letters were sent to both the randomly selected individuals and the identified users to prompt a greater response rate. Table I indicates the number of questionnaires sent and the number of responses received:

TABLE I

	Sent			Responses			Returned Undeliverable	
	Eligible Users	Users (No Duplicates)	Total	Non- Users	Users	Total		
Los Angeles	150	0	150	33	4	37 (25%)	16	(11%)
Kansas City	150	73	223	52	56	109 ^a (48%)	6	(3%)
Topeka	150	27	<u>177</u>	27	43	<u>70</u> (40%)	<u>1</u>	
Totals			550			216 (39%)	23	(4%)

Since not all respondents answered each question, there are different response totals among the questions.

1. Organizational Size

The respondents can be broken down by size of law firm or legal department as follows:

TABLE II

SIZE	TOPEKA	LOS ANGELES	KANSAS CITY
1-5	29 (43%)	19 (51%)	16 (15%)
6-12	24 (35%)	6 (16%)	32 (29%)
13-25	14 (21%)	2 (5%)	23 (21%)
More than 25	1 (2%)	10 (27%)	38 (34%)

2. Nature of Practice

The respondents engage in all types of practice, with general practice being indicated most often.

3. Years Out of Law School

There was a good distribution in Topeka and Kansas City with respect to the number of years out of law school:

a. One Kansas City respondent did not indicate whether or not he had used the terminal, nor were we able to ascertain to which group he should be assigned on the basis of other information on his form.

TABLE III

TIME OUT OF SCHOOL	TOPEKA	LOS ANGELES	KANSAS CITY
Less than 3 years	15 (21%)	4 (11%)	19 (17%)
3 to 5 years	14 (20%)	3 (8%)	33 (30%)
6 to 10 years	14 (20%)	9 (25%)	23 (21%)
More than 10 years	27 (39%)	20 (56%)	34 (31%)

4. Awareness

Seventy-nine percent of the respondents in Topeka had seen a demonstration of CALR, 35% had in Los Angeles and 85% had in Kansas City. In Topeka, 97% of the respondents indicated that they were aware of the availability of the public terminal service, 65% responded similarly in Los Angeles and 94% in Kansas City. Of those respondents who indicated that they were aware, 94% in Topeka claimed that they knew where the public terminal is located, 92% said so in Los Angeles and 83% in Kansas City.

5. Distance Between Office and Terminal

The distances of the public terminal from the respondents' office are distributed as follows:

TABLE IV

DISTANCE	TOPEKA	LOS ANGELES	KANSAS CITY
Within same building	4 (9%)	0	3 (4%)
Within easy walking distance	43 (65%)	4 (41%)	68 (81%)
Within a ten minute drive	12 (18%)	9 (39%)	8 (10%)
Within a half-hour drive	4 (6%)	8 (35%)	5 (6%)
Within a two-hour drive	1 (2%)	2 (9%)	0

6. Other's Use

It is interesting to note that, even though the respondents themselves may not have used the public terminal, other members of their firm or law department often had:

TABLE V

USAGE	TOPEKA	KANSAS CITY
Not used	43	56
Other members used	55	69

C. Promotion

Respondents who were aware of the availability of the public terminal service were asked how they became aware of it, and to rank the different promotional methods through which they became aware according to their effectiveness. In other words, they were asked *only* to order those ap-

proaches which created their awareness. They ranked them in the order set forth in Table VI.

TABLE VI

PROMOTIONAL METHOD	TOPEKA	LOS ANGELES	KANSAS CITY
Advertisements in Periodicals	4	3	4
Bar Association or Other Meeting Announcement	1	2	1
Bar Association Demonstration	2	4	3
Word-of-Mouth	3	1	2

Those in the "aware" group were asked what other methods of promotion would be more effective. The most often mentioned was the integration of CALR demonstrations into continuing legal education programs.

D. Nonusers' Views

Nonusers were asked to rank the reasons why they had not used the public terminal. The order is given in parenthesis in Table VII. The raw ranking score is also provided because of the closeness of those figures.

TABLE VII
RANKINGS OF REASONS WHY PUBLIC TERMINAL NOT USED

	TOPEKA	LOS ANGELES	KANSAS CITY
Wasn't aware of it	0	78 (2)	79 (2)
Don't know enough about it	38	107 (1)	53 (6)
Available materials not relevant	49 (5)	35 (6)	61 (5)
Too expensive	85 (1)	32	67 (4)
Not trained how to use	73 (2)	73 (3)	74 (3)
Don't like to use computer terminal	7	10	25
Time of operation not convenient	6	20	18
Wouldn't provide satisfactory research results	62 (3)	22	33
Inconvenient location	23	51 (5)	33
Don't like to do research on headnotes	38	27	30
Other	59 (4)	52 (4)	184 ^b (1)

Nonusers were asked the open-ended question, "What could the public terminal sponsor do to persuade you to use the terminal?" Some respondents indicated that several factors were important rather than a single factor. Thus, the two nonusers in Topeka who indicated that more convenient hours of operation would be persuasive might also be among the five who indicated that CALR applicability and effectiveness in their practice must be demonstrated before they would use the public terminal.

b. In the "Other" category, thirteen Kansas City nonusers gave "insufficient training" as the primary reason for nonuse, nine stated that they had their own terminal and six indicated that the primary reason they did not use the terminal was that others did their research for them.

TABLE VIII

PERSUASIVE FACTORS	TOPEKA	LOS ANGELES	KANSAS CITY
Demonstrate applicability and effectiveness	5	6	8
Increase awareness of how to use	4	12	4
Reduce costs	4	2	3
More convenient location	4	3	5
More convenient hours of operation	2		
More research material available	3		

Nonusers were also asked whether a video tape presentation on *when* to use a public terminal would help persuade them to use the terminal. Of those who responded, 10 of the 26 (30%) said yes in Topeka, 17 of 28 (61%) said yes in Los Angeles, but only 11 of 43 (26%) said yes in Kansas City.

E. Usage Patterns

Other possible types of relationships were examined in addition to those identified below, including use and size of organization, use and distance to travel, etc. Since the samples in Kansas City and Topeka are not geographically distributed to any extent, no relationship between use and distance as a single influencing factor surfaced. The multiple regression analysis did identify distance as an influencing factor which interacted with other factors.

1. Nature of Practice

There are several statistical relationships between the fact of use and the nature of the respondents practice. In Kansas City, there is a slight relationship (.13, Sign .093) between having used the terminal and being in general practice. There is also a slight, positive relationship between use and having a tax law practice (.15, Sign .06). In Topeka, those who practice in real estate law are less likely to use it (-.21, Sign .03); those who practice corporate law are less likely to use it (-.25, Sign .02); and, trusts and estates practitioners are also less likely to use it (-.17, Sign .08). In Topeka, there is a slight, positive relationship between labor law practice and having used the terminal (.199, Sign .05).

2. Distance Between Office and Terminal

Almost all users are within a ten minute drive of the terminals in both Topeka and Kansas City.

TABLE IX

	Within same building	Within easy walking	Within ten minutes drive	Within half hour drive	Within two hours drive
Topeka	6 14%	25 60% 74%	8 19% 93%	3 7%	0
Kansas City	0 0%	46 85% 85%	5 9% 94%	3 6%	0

3. Years Out of Law School

In both Kansas City and Topeka, the number of years out of law school is inversely related to whether the attorney has used the terminal. The relationship is stronger in Topeka ($-.29$, Sign $.005$) than in Kansas City ($-.17$, Sign $.025$).

4. Promotion

In Topeka, there was an inverse relationship between terminal use and becoming aware of the terminal through a meeting announcement ($-.20$, Sign $.04$). There was a slight, positive relationship in Topeka between use and becoming aware by a demonstration ($.17$, Sign $.08$); and by word of mouth ($.17$, Sign $.08$).

5. Frequency of Use

Of those who used the terminal and responded, the following percentage returned at least a second time:

TABLE X

	TOPEKA	KANSAS CITY
No	6 (15%)	10 (18%)
Yes	41 (85%)	46 (82%)

Users report their frequency of use as follows:

TABLE XI

	TOPEKA	KANSAS CITY
Use less than once per month	20 (47%)	29 (52%)
Once a month	14 (33%)	23 (42%)
Twice a month	6 (14%)	3 (5%)
Three times a month	3 (7%)	1 (2%)
More than three times a month	0	0

6. Dependence on and Effect of Use of Research Specialists

Users are dependent on research specialists, more so for terminal operation than for search query formulation. In Topeka, 26 of 41 (63%) users indicated that the research specialist formulated their search queries for

them and 33 of 41 (80%) stated that the specialist keyed the queries for them. In Kansas City, 31 of 54 (57%) users indicated that they formulated their own queries but only 12 of 53 (23%) stated that they keyed their own queries.

When asked whether better results are obtained if the end user is at the terminal with the operator during the session, ninety-two percent of the users who responded in Topeka said yes and ninety-three percent said so in Kansas City.

There was also a slight, negative relationship between researching narrow issues of law and using a specialist to formulate search queries (-.13, Sign .09). On the other hand, the data indicates a slight, positive relationship between the use of a public terminal for a general inquiry on a factual issue and having the specialist formulate the search queries (.16, Sign .06).

There is a slight, positive relationship between the user being satisfied with the search results and his use of the specialist to both formulate search queries (.16, Sign .05), and to key the query commands (.17, Sign .04).

7. Data Bases Used

Users ranked the data bases by frequency of use as indicated in Table XII. The cumulative totals are also shown to indicate the closeness of the ordering.

TABLE XII

DATA BASES MOST OFTEN USED	TOPEKA	LOS ANGELES	KANSAS CITY
Own State's Statutes	137 (4)	0	181 (4)
Other States' Statutes	71	0	92
Own State's Case Law	225 (1)	21 (2)	290 (2)
Other States' Case Law	178 (3)	20 (3)	193 (3)
Federal Case Law	214 (2)	24 (1)	306 (1)
Federal Statutes	117 (5)	0	161 (5)
Federal Administrative Materials	69	0	120
Other	1	7	9

8. Types of Searches Performed

Table XIII indicates the users ranking of the types of searches conducted at the public terminal.

TABLE XIII

TYPES OF SEARCHES MADE	TOPEKA	LOS ANGELES	KANSAS CITY
General Inquiry on Law	18	1	13
General Inquiry on Fact	15	1	12
Citation Check	18	1	20
Narrow Issue of Fact	24 (2)	2	36 (2)
Narrow Issue of Law	39 (1)	3	50 (1)

Statutory Interpretation	17	1	20
Materials Not in Print	14	1	19
Other Use	1	0	2

F. *User Satisfaction*

Of those users who responded in Topeka, 79% indicated that they were satisfied with the results of at least some types of searches conducted at the public terminal. Fifty-four percent indicated that they were satisfied in general with their research work product. In Kansas City, 66% indicated that they were generally satisfied and 88% were satisfied with the results of some types of searches. Of those users who indicated that they were satisfied with the results of some types of searches, research conduct on narrow issues of law and fact were the most satisfying.

TABLE XIV

SATISFACTION WITH RESULTS	TOPEKA	KANSAS CITY
No	9	7
Yes, in general	23	37
Yes, for some searches	11	12
General Inquiry on Law		1
General Inquiry on Fact	1	
Citation Check	5	5
Narrow Issue of Fact	7 (2)	8 (1)
Narrow Issue of Law	8 (1)	7 (2)
Statutory Interpretation	5	2
Materials Not in Print	4	1

The data was analyzed to determine if there were relationships between satisfaction with results and particular areas of practice. The associations in Table XV were identified.

TABLE XV

Generally Satisfied with Results		
Natural Resources	.19	Sign .02
Satisfied—General Inquiry on Law		
Securities	.18	Sign .03
Domestic Relations	.14	Sign .08
Labor Law	.18	Sign .03
Commerical Law	.13	Sign .09
Antitrust	.18	Sign .03
Admin. Agency Practice	.15	Sign .07
Satisfied—General Inquiry on Fact		
Criminal Law	.26	Sign .004
Domestic Relations	.14	Sign .08
Commercial Law	.13	Sign .09
Admin. Agency Practice	.15	Sign .07

Satisfied—Citation Check		
Corporate Law	-.13	Sign .0979
Tax Law	-.16	Sign .06
Natural Resources	.22	Sign .015
Satisfied—Narrow Issue of Fact		
Real Estate	.13	Sign .08
Natural Resources	.29	Sign .002
Commercial Law	.20	Sign .02
Satisfied—Narrow Issue of Law		
Real Estate	.14	Sign .08
Securities	-.16	Sign .05
Natural Resources	.16	Sign .05
Satisfied—Statutory Interpretation		
Securities	-.16	Sign .05
Corporate	-.17	Sign .04
Admin. Agency Practice	-.19	Sign .03
Satisfied—Materials Not in Print		
Criminal Law	.19	Sign .03
Corporate Law	-.16	Sign .06
Natural Resources	.16	Sign .05

G. *Methods of Increasing and Improving Usage*

The multiple regression analysis of this exploratory research, which measures the impact of factors working together, could only find qualifiable variables which influence use about thirteen percent of the time. The most important of those influencing or independent variables are years out of law school (inverse relationship) and the distance of travel to the terminal (inverse relationship). That is, the fewer years since graduation from law school and the closer the potential user is to the public terminal, the more apt he is to use it.

Users were also asked how public terminal operation and service could be improved. The Topeka and Kansas City responses are presented in Table XVI. Here, as with the open ended "change" question asked of nonusers, users were not limited to a single response.

TABLE XVI

FACTORS	TOPEKA	KANSAS CITY
Demonstrate applicability and effectiveness	3	4
Increase awareness of how to use	4	3
Reduce costs	6	20
More convenient location	4	4
More convenient hours of operation	5	3
More research material available	10	4

APPENDIX B

PUBLIC TERMINAL SPONSOR SURVEY RESULTS

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[Ed. Note: *In addition to the survey results of the fourteen responding public terminal sponsors, additional comments, suggestions and observations of the sponsors have been included in the text and footnotes. Although some of these responses have been edited for clarity, no substantive information has been omitted.*]

Joliet Illinois	Cleveland Ohio	Dallas Texas	Miami Florida	Boston Mass.	Los Angeles California	Baltimore Maryland	Chicago Illinois	Olathe Kansas	Wichita Kansas	Topeka Kansas	Kansas City Missouri	New York New York	San Diego California
Will County Courthouse	—	—	73 W. Flagle Street Courthouse	1200 Courthouse St.	301 W. 1st St.	618 Criminal Courts Building	2900 Daley Center	Law Library Johnson County Courthouse	700 Century Plaza	State Law Library Capitol Building	1102 Grand Avenue	1211 Avenue of the Americas	1105 Front Street
Will County Bar Association	OBAR	Dallas County Law Library	Dade County Law Library	Social Law Library	Los Angeles County Law Library	The Library Company of Baltimore Bar	Cook County Law Library	K-Bar Research Inc.	K-Bar Research Inc.	K-Bar Research Inc.	Mobar Research Inc./Missouri Bar	AICPA	San Diego County Law Library
Harry C. McSteen	R.J. Asman	Betty J. Thompson, Head Librarian	Eric L. Welsh	Jean Roberts, Reference Librarian	Frank Houdek, Reference Librarian	Kai-Yun Chiu, Librarian	Bruce W. Sims	Peggy Grant and Bruce Sims	Bruce W. Sims	Peggy Grant	Robert B. Satchell	Hortense Goodman	O. James Werner, Librarian

INTRODUCTORY INFORMATION

I. GENERAL QUESTIONS

I.A. WHAT TYPE OF PUBLIC TERMINAL DID YOU OR DO YOU HAVE?

LEXIS	X	X											
WESTLAW			X	X	X	X	X	X	X	X	X	X	X
Other												X ^a	

I.B. WHEN WAS IT FIRST MADE AVAILABLE FOR USE?

	10/1/77	—	1976	9/76	3/76	9/76	—	9/1/76	10/1/75	10/1/75	4/76	1973	12/76
--	---------	---	------	------	------	------	---	--------	---------	---------	------	------	-------

I.C. IS IT STILL IN OPERATION? IF NO, PLEASE INDICATE THE DATE OF TERMINATION AND THE REASONS FOR THAT DECISION.

Yes	X	—	X	X	X	X	—	X	X	X	X	X	X
No		—	—	X ^b	X ^c	X ^d							

I.D DURING WHAT HOURS OF EACH DAY OF THE WEEK IS THE TERMINAL AVAILABLE FOR USE?

	9-5 ^e	9-5	9-4	9-9	9-9	8:30-6 ^f	10-5	9-9 ^g	8-5	8:30-5:30	2-5	8:30-5 ^h	9-5	8-5
Monday-Friday														
Saturday-Sunday	arrange- ment with building mainte- nance supervi- sor	—	—	9-3 Sat. by appoint- ment made 2- 1/2 hours in advance	—	—	—	—	by appoint- ment only	by appoint- ment only	—	by appoint- ment only	—	—

I.E WHERE IS THE PUBLIC TERMINAL LOCATED?

Bar association office										X		X		
Public law library	X		X	X	X	X	X	X	X		X			X
Courthouse	X	X	X	X	X									
Law school														
Office building														
Other														X ⁱ

a. NAARS.

b. Date of termination: January 1978. WESTLAW was not being utilized enough to justify West Publishing to keep it in our library. Our Library Committee voted not to subsidize cost.

c. Date of termination: January 1978. Insufficient use.

d. Date of termination: January 1, 1978. West Publishing Co. withdrew the service in line with a new marketing scheme to centralize operations.

e. Evenings by arrangement with the building maintenance supervisor.

f. These hours are determined by the availability of the WESTLAW computer facilities from the West Publishing Company in St. Paul, Minnesota.

g. During library hours.

h. After 7:30 p.m. by appointment only.

i. AICPA office.

II.C WHAT TYPE OF TRAINING ON HOW TO USE THE SYSTEM IS PROVIDED TO THE USER?

	X	X ^b	X	X	X	X ^e	X ^f	X ^g
None								
Classroom-type training								
Self-instructional from materials provided by the terminal sponsor (including video or audio tape)	X					X ^c		X ^g
Other							X ^f	

u. Law student in second year. From Oct. 1, 1975, through Feb. 10, 1978, a lawyer was the terminal operator.

v. Four lawyers (librarians with J.D.'s) and four librarians and library assistants.

w. Terminal operator may be absent from terminal at various times in order to visit law firms for marketing and promotional efforts.

x. Provides assistance by showing various options, such as proximity operators, asterisks, etc. They must come up with words.

y. We try not to operate terminal for attorneys. We instruct them in its use.

z. Must be of limited scope, requiring no discretionary decisions by operator.

a. *Ibid.*

b. In the near future, WESTLAW is supposed to have a two-part training program on-line. When the second part, which deals with problem solving, is available, I will have new users go through it.

c. Demonstrations and step-by-step individual instruction.

d. Training of public terminal users is not only offered but in fact is encouraged. Since our operators are reference librarians who have many other library responsibilities in addition to guiding WESTLAW users, it is our goal to develop users' independence. As this goal is approached, the general efficiency of Library service will be improved despite the added dimension of involvement required by the "automated" format of research devices, and with added effectiveness in reaching adequate search results.

For the most part, training is conducted in the context of the solution of actual problems presented by the paying user. Initially, the user is asked to fill out a Query Formulation Sheet and is given a general explanation of the searching techniques which can be used with WESTLAW. This is felt to be an extremely important aspect of training, since proper query formulation is so vital to achieving successful results with the system. During the actual running of the searches, the Library operator explains step by step the mechanical operation of the system. In this way, the user learns the use of the keyboard and the procedures involved in conducting actual searches. The objectives of this "training" is to get the user to headnotes for evaluation as quickly as possible and thus release the staff member, and to lessen the amount of aide the user will require the next time he uses WESTLAW.

The success of this training program is difficult to measure since the general pattern is for repeat users to return after a month or two, by which time much of the training has been forgotten. Efforts have been made to reinforce the initial training, with step by step prompting charts prepared by Library staff and a pocket guide prepared by the West Publishing Company.

A more formal training procedure, utilizing an on-line training course, audio-visual materials, and "hands-on" practice sessions is currently under development. It is hoped that such a program will be more effective in producing totally independent users.

Joliet Illinois	Cleveland Ohio	Dallas Texas	Miami Florida	Boston Mass.	Los Angeles California	Baltimore Maryland	Chicago Illinois	Olathe Kansas	Wichita Kansas	Topeka Kansas	Kansas City Missouri	New York New York	San Diego California
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II.D IS THIS TRAINING REQUIRED AS A CONDITION OF UTILIZING THE PUBLIC TERMINAL?

Yes X
 No X X X^h X X Xⁱ X X X^j

II.E IF CLASSROOM-TYPE TRAINING IS PROVIDED, WHAT IS THE TOTAL TRAINING PERIOD?

0-2 hours X
 2-4 hours X
 more than 4 hours X

II.E.1 WHO SERVES AS THE INSTRUCTOR?

Mead Data personnel X
 Terminal operator X X X X^k

II.F IF SELF-INSTRUCTIONAL MATERIALS ARE USED, PLEASE IDENTIFY THEM.

Boston, Massachusetts West Offers a WESTLAW USERS MANUAL that is quite good and they have added a computer-assisted step-by-step training, as a feature on the computer itself. (Part I is available, but disappointing. They are revising it.)
 Kansas City, Missouri LEXIS Primer provided for all clients.
 San Diego, California Audiocassette prepared by us. (Needs updating now that full text is available on WESTLAW.)

II.G HOW MUCH CLASSROOM TRAINING DO YOU THINK IS REALLY NECESSARY?

0-2 hours X X^l
 2-4 hours X
 More than 4 hours X X X^m X

II.H. IN ADDITION TO ANY REQUIRED TRAINING, WHAT IS THE NATURE AND DURATION OF OTHER TRAINING AVAILABLE TO PUBLIC TERMINAL USERS?

Los Angeles, California	Demonstrations—provided for groups of three or more; uses “canned” problems which illustrate the features and capabilities of the system.
Olathe, Kansas	Advanced seminars are offered through the Kansas Bar Association’s Continuing Legal Education program. These seminars discuss automated legal research as it relates to a particular area of the law.
Wichita, Kansas	Seminars presented as a part of Kansas Bar Association’s Continuing Legal Education program. Each seminar is usually oriented to focus on application of LEXIS research to a specific topic area.
Topeka, Kansas	Same comments as Olathe, Kansas, <i>supra</i> .
Kansas City, Missouri	Self-instructive through Primer.
San Diego, California	Manual prepared by WESTLAW can be borrowed for study.

II.I. WHAT IS YOUR OPINION OF THE SUCCESS OF YOUR TRAINING PROGRAM?

Poor									
Fair	X		X		X		X		X
Good									
Excellent		X							

- e. Explaining the capability of the system; what the system does NOT do; assisting in formulating the query. If the user expressed interest in using the system by himself, we would explain the keyboard function.
- f. Associate subscriber receives the standard Mead Data Central training given to all regular subscribers. Public terminal users are served by AICPA staff and require no training.
- g. Personal instruction.
- h. But we do encourage it.
- i. Sometimes training is greatly abbreviated due to attorney’s lack of time and need for information as quickly as possible.
- j. Because we always provide a person to assist.
- k. For associate subscriber.
- l. One 30-45 minute hands-on lesson is generally sufficient to train lawyers to use WESTLAW with only minimal supervision.
- m. Less than two hours of basic instruction is necessary if the user is to be assisted in formulation of search requests and operation of the machine by a terminal operator. However, much more time is required if the user will be performing these functions primarily alone.

	Joliet Illinois	Cleveland Ohio	Dallas Texas	Miami Florida	Boston Mass.	Los Angeles California	Baltimore Maryland	Chicago Illinois	Olathe Kansas	Wichita Kansas	Topeka Kansas	Kansas City Missouri	New York New York	San Diego California
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II.J HOW MANY POTENTIAL USERS HAVE RECEIVED FREE TRAINING?

0-5				X										
6-20	X						X					X		
21-50								X						
51-100					X ⁿ	X				X				X
over 100														

II.K HOW MANY POTENTIAL USERS HAVE PAID, IN FULL OR IN PART, FOR THEIR TRAINING?

0-5				X										
6-20	X						X		X ^o	X ^o	X ^o	X	XP	X
21-50														
51-100														
over 100														

II.L WHAT IS THE TRAINING COST TO THE SPONSOR PER USER?

Joliet, Illinois	\$60.00
Boston, Massachusetts	We do not charge for staff time.
Olathe, Kansas	Since K-Bar does not use video or other instructional material, there is no direct cost to the sponsor other than the use of the salaried personnel who act as instructors.
Wichita, Kansas	No cost other than use of salaried personnel as instructors.
Topeka, Kansas	Same comments as Olathe, Kansas. <i>supra</i> .
Kansas City, Missouri	Unknown.
New York, New York	None—associate subscriber pays fee to MDC and MDC renders their standard training.
San Diego, California	Not determined.

IV. QUESTIONS CONCERNING ACTUAL USERS AND USE

IV.A APPROXIMATELY HOW MANY DIFFERENT ELIGIBLE USERS HAVE ACTUALLY USED THE TERMINAL? [Information provided in an exclusive manner.]

0-5									
6-20	X								
21-50		X							X
51-100			X		X				
over 100				X ^f	X	X	X	X	X ^g X

a. The lawyer population of Los Angeles County, constituting the primary audience of the Library, and, thus, the primary audience for the WESTLAW service, is so widespread that it is difficult if not impossible to accurately answer this question. Los Angeles County has approximately 20,000 lawyers, most of whom probably have their offices within a 10 to 30 minute drive to the Library. However, a significant number of potential users within Los Angeles County are more than 30 minutes away by automobile.

b. With the exception of requests for general information about the use, cost, availability and general characteristics of the service, neither telephone or written inquiries are accepted. Library policy prohibits the Reference Librarians from engaging in extensive legal research projects for any individual patron. This policy is reinforced in the case of any automated service by the fact that successful use of such systems requires interaction between the computer and the individual knowledgeable about the specific problem under investigation. Altering search strategy in response to initial search results and judging the relevancy of retrieved materials must necessarily be done by the person most familiar with the actual problem. Such interaction is virtually impossible to achieve for telephone and written inquiries.

In recognition of the hardship this policy creates for some potential WESTLAW users, the staff has given some thought to ways in which the problems necessitating this basic policy might be resolved. For example, a file of the names, addresses and telephone number of local legal research firms and/or of law students desiring research work might be maintained for referral purposes. Someone unable to come to the Library could contact these third parties, explain to them their problem in full, and authorize their use of the service at the Library. In this way, the Library would avoid both the problem of "practicing Law" and the problem of uninformed interaction with the computer, while the patron would gain the ability to employ WESTLAW in his legal research without using it in person. Another thought has been to explore the use of an expanded Query Formulation checklist which would clearly indicate the search strategy to be employed and a sufficient factual background to judge the relevancy of retrieved materials. A waiver of the Library's responsibility for search results would be a necessary component for this solution to the write-in problem. Such a procedure would constitute a departure from the present Library policy concerning the scope of reference duties and requires the approval of the Board of Law Library Trustees.

- c. Anyone is eligible to have accounting research performed by institute staff.
- d. See note b *supra*.
- e. See note c *supra*.
- f. 153.
- g. With institute staff performing terminal operations.

Joliet Illinois
 Cleveland Ohio
 Dallas Texas
 Miami Florida
 Boston Mass.
 Los Angeles California
 Baltimore Maryland
 Chicago Illinois
 Olathe Kansas
 Wichita Kansas
 Topeka Kansas
 Kansas City Missouri
 New York New York
 San Diego California

OF THESE, HOW MANY HAVE USED IT AT LEAST: [Information provided in an exclusive manner.]

twice?	1/2	30	50%	— h	5	5%	65	100+	95%	65%	18	15
three times?	5	14	— h	— h	2	—	50	73	85%	65%	6	5
four times?	3/4	8	40%	— h	—	—	32	60	50%	15%	6	6
five or more times?		5	10%	— h	—	—	19	45	35%	20%	14	2

HOW MANY OF THESE LAWYERS USE THE TERMINAL AT LEAST ONCE EACH MONTH ON THE AVERAGE?

3	0	5	0	0	10	15-20	5	0
---	---	---	---	---	----	-------	---	---

HOW MANY OF THESE LAWYERS USE THE TERMINAL AT LEAST ONCE EVERY OTHER MONTH ON THE AVERAGE?

12	1-2	2	4	0	0	19	30	20	4	0
----	-----	---	---	---	---	----	----	----	---	---

IV.B ON THE AVERAGE, HOW MANY TIMES IS THE TERMINAL USED EACH MONTH?

9	—	10	15	15-20	36 ⁱ	15	15-20	50-60	15-20	15 ^j	7-10	7.5
---	---	----	----	-------	-----------------	----	-------	-------	-------	-----------------	------	-----

IV.C ON THE AVERAGE, HOW MANY TELEPHONE INQUIRIES DO YOU RECEIVE EACH MONTH?

n/a	—	0	5 ^k	3-4	n/a	0	—	n/a	n/a	2	100	0
-----	---	---	----------------	-----	-----	---	---	-----	-----	---	-----	---

IV.D ON THE AVERAGE, HOW MANY WRITE-IN INQUIRIES DO YOU RECEIVE EACH MONTH?

n/a	—	0	5	3-4	n/a	0	—	n/a	n/a	2	1-2	0
-----	---	---	---	-----	-----	---	---	-----	-----	---	-----	---

IV.E HOW LONG DOES AN AVERAGE TERMINAL SESSION RUN? [Denoted by 'hours:minutes.']

0:8-10	—	1:30	0:45-1:00	0:50	0:45	1:00	0:15-20	0:15-20	0:12-15	0:35	less than 1:00	0:46
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IV.F ON THE AVERAGE, FOR HOW MANY HOURS EACH MONTH IS THE TERMINAL IN USE?

—	—	7	14	26	8	15-20	6-7	12-15	4-5	10.6	10-12	5.7
---	---	---	----	----	---	-------	-----	-------	-----	------	-------	-----

IV.G HOW MANY PRE-PAID HOURS OF TERMINAL USE PER MONTH HAVE YOU SOLD ON A SUBSCRIPTION BASIS?

35 — 0 0 0 0 0 0 0 9.5 15 7 9.2 2 0

IV.H PLEASE INDICATE HOW MANY PRE-PAID SUBSCRIBERS YOU HAVE IN EACH OF THE FOLLOWING CATEGORIES AND, ON THE AVERAGE, FOR HOW MANY HOURS EACH MONTH THOSE IN EACH CATEGORY HAVE SUBSCRIBED: [Denoted by 'Number in Category:Hours per Month.']

— Solo practitioners have subscribed for about — hours each month.

— Small firms (2-5 lawyers) have subscribed for about —hours each month.

1:5 4:1 1:5

1:2:3

—^m

1:1/6

— Medium-size firms (6-12 lawyers) have subscribed for about — hours each month.

3:75 12:2 6:2

10:3

5:1.75

— Medium-large firms (13-25 lawyers) have subscribed for about — hours each month.

8:4.75 9:5 5:2

— Large firms (over 25 lawyers) have subscribed for about — hours each month.

2:3 4:3.5 10:4.9

1:2 2:— 1:2ⁿ

h. The monthly statistics compiled relating to WESTLAW use do not lend themselves to this question concerning repeat usage. However, monthly rates of return users have been determined, with a high in 1971 of 41%, a low of 11% and an average monthly return rate of 29%.

i. This figure refers to paying users per month.

j. For the period 4/1/77 through 9/30/77.

k. Merely requests for information about WESTLAW.

l. Refers to on-line time.

m. The Library does not sell access to the WESTLAW service on any basis. The system is currently installed at the Library by the West Publishing Company, to examine the feasibility of a public access terminal in a large public law library. The service is, in a way, viewed by the Library as a form of a concession; users are billed directly by the West Publishing Company. The Library is not involved with the establishment of prices or the collection of user fees and, therefore, is not concerned with the question of prepaid subscribers.

n. Accountants.

Joliet Illinois	Cleveland Ohio	Dallas Texas	Miami Florida	Boston Mass.	Los Angeles California	Baltimore Maryland	Chicago Illinois	Olathe Kansas	Wichita Kansas	Topeka Kansas	Kansas City Missouri	New York New York	San Diego California
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— Corporate law departments have subscribed for ___ hours each month.

— Law schools have subscribed for about ___ hours each month.

1:1 3:1 1:1/3 2:1

PLEASE LIST OTHER PRE-PAID SUBSCRIBERS AND THEIR AVERAGE COMMITMENTS:

Joliet, Illinois	One municipal government (City of Joliet) about 3 hours a month.
Wichita, Kansas	Wichita Bar Association—1 hour per month.
Topeka, Kansas	Secretary of Administration (Government): 10 minutes per month; Attorney General's Office: 90 minutes per month; Supreme and Appeals Court, Kansas: 90 minutes per month.
Kansas City, Missouri	Kansas City Attorney—85 hours per month; City of Independence—53 hours per month.

IV.I HOW DO YOU BILL NON-PREPAID USERS?

Monthly X

West Publishing handles billing.

X

Members of the Kansas Bar Association are billed at a rate of \$5.40 per minute. Non-members are charged \$7.20 per minute.

X

X

X

X

X

Using a non-subscription rate, they are billed according to actual use as reflected on MDC invoices.

X

After a search is completed, the invoice and printout are sent in the same envelope. If researcher is present, he takes the printout with him, and the invoice is mailed the same day.

X

V. PROMOTION

V.A PLEASE INDICATE THE ACTIONS YOU HAVE TAKEN TO PUBLICIZE THE AVAILABILITY OF THE PUBLIC TERMINAL TO POTENTIAL USERS. PLEASE RANK THE RELATIVE EFFECTIVENESS OF EACH METHOD YOU HAVE USED. [Most Effective=1.]

Mailings to potential users	X	6	1	4	1	2	3	2	1	3	1
Advertisements	X	2	1	3	2	4	4	4			2
Announcements at bar association meetings	[Poor] X	1	4	2		3	2	2	3		
Demonstrations at bar association meetings	[Good] X		5	2		1	1	1	2	1	
Other		1 ^o	2 ^p	1 ^q	3 ^r	X ^s	5 ^t			2 ^u	3 ^v

o. Signs in library (1), articles in local publications (3), user certificates, demonstration for individuals, handout kept at circulation desk (2).

p. Announcements at Boston Private Law Librarian's meetings.

q. From the beginning, it was recognized that to insure that the public terminal concept for computer assisted legal research received a fair trial during this experimental period, a concerted effort to publicize both its existence in the Library and its capabilities in the area of legal research would have to be made. Thus, a significant portion of the Library staff time and effort spent on WESTLAW was directed toward the goal of "selling" the system to the local legal community. The Library confined its efforts to announcing a new Library service and to advising West Publishing Company as to advertising plans they might attempt. Since the service is not sponsored in any way, no voluntary promotional service by attorneys was available or utilized. The principal means of promotion are briefly described below.

(1) *Newspaper Articles*—Several articles were written by staff members and submitted to the local legal newspapers. These concentrated on what WESTLAW was and how it was used in the form of announcing the availability of the new service at the Library.

(2) *Directed Mailings*—Rather than employ general mailings which would be extremely expensive and probably fail to reach many of the real potential users, the approach of using mailings directed to small, selected groups of likely WESTLAW users was adopted. Such mailings included a general announcement letter when the service was initially installed in March, 1976, a letter to local law review editors, and a letter to local law school deans. More mailings of this sort are planned for the future.

(3) *Posters*—Several posters were received from the West Publishing Company. Since these were not totally appropriate for a public terminal situation,

	Joliet Illinois	Cleveland Ohio	Dallas Texas	Miami Florida	Boston Mass.	Los Angeles California	Baltimore Maryland	Chicago Illinois	Olathe Kansas	Wichita Kansas	Topeka Kansas	Kansas City Missouri	New York New York	San Diego California
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V.B IN YOUR OPINION, WHAT EFFECT WOULD A VIDEO TAPE PRESENTATION ON WHEN TO USE PUBLIC TERMINALS HAVE ON INCREASING THE USAGE RATES?

Would have no effect
 Would have a small effect
 Would have a significant effect

	X	X	X	X	X		X	X	X	X	X	X	X	X
--	---	---	---	---	---	--	---	---	---	---	---	---	---	---

V.C WHAT IS YOUR OPINION OF THE SUCCESS OF YOUR PROMOTIONAL EFFORTS?

Poor
 Fair
 Good
 Excellent

	X		X				X					X	X	X
--	---	--	---	--	--	--	---	--	--	--	--	---	---	---

V.D WHAT SUGGESTIONS DO YOU HAVE FOR OTHER SPONSORS TO INCREASE USAGE RATES BY IMPROVING PROMOTIONAL EFFORTS?

Joliet, Illinois
 Dallas, Texas
 Miami, Florida

Boston, Massachusetts
 Los Angeles, California
 Chicago, Illinois
 Olathe, Kansas

More training time—more actual use and thereby familiarity with system—to reduce fear of inability to research successfully.
 More bar presentations and publication in bar journal and bulletins.
 I would suggest that the location for the terminal be located in an area with ample room for at least 3 persons. A cramped space tends to hinder use. If possible, it should be near reference or circulation desk. Signs should be posted at all branch libraries.
 Use display ads and submit articles to local publications.
 Direct mailing helped especially where attorneys could keep brochure with cost information, services available, etc.; word-of-mouth helped a great deal, especially now that SJC law clerks use WESTLAW frequently. Law librarians and secretaries helped spread word of computer's availability.
 "Word of mouth" is the most effective promotional device. Concentrated on providing effective assistance in the use of the system so that users will leave the terminal with a positive attitude about it and pass this message to others.
 West has not been very aggressive in marketing their system in this area.
 See comments of Topeka, Kansas *infra*.

Library staff prepared additional posters which were displayed in several locations around the reading room. They were also placed in each of the 8 branches of the Library, along with a supply of handouts (see below).

(4) *Handouts*—Brochures prepared and produced by the West Publishing Company were used both as in-library handouts and as fillers for the various mailings. In addition, several items were prepared by the Library staff as informational handouts for library patrons. These included a "Facts & Figures" Sheet which supplied the essential information about the service and a Selected WESTLAW Reading List.

(5) *Exhibits*—Two major exhibits presented in a display case in the lobby of the Library were utilized as promotional techniques. The first exhibit was designed as an informational presentation on computer-assisted legal research in general; the second as an eye-catching display for the WESTLAW service available in the Library. In addition to these temporary presentations (displayed for one month each), a permanent bulletin board was designated as a "WESTLAW Information Center" and is used to showcase short articles, reading lists, informational sheets, and so forth.

(6) *Free Demonstrations*—Generally limited to groups of potential users (four or five in number), especially those likely to pass on information about the system to fellow members of a large organization. Examples include groups of law librarians, public legal agencies, litigation department members of law firms. To facilitate such demonstrations, several problems were worked out in advance and utilized so as to best illustrate the capabilities of the system and the operating techniques.

(7) *Journal Article*—A very effective means of promoting the existence and use of the public terminal was an article entitled *Automated Legal Research at the Los Angeles County Law Library*, co-authored by two Reference Librarians, William Ford and Frank Houdek, and published in the *Los Angeles Bar Journal* [53 L.A.B.J., July 1977, at 46]. This article explained the operation of the public terminal and was responsible for a heavy influx of new users after it appeared.

(8) *Talks*—Talks by Reference Librarians before several local bar association groups and legal research classes have been moderately successful in spreading the word about the existence of the public terminal at the Library.

Of the various promotional techniques utilized in an effort to inform the legal community about the existence of WESTLAW at the Library, by far the most successful has been the "eye-catching" exhibit. This item included several large attractive posters, actual print outs from WESTLAW searches, and an actual IBM terminal identical to the one used by the WESTLAW system. Low in informational content, this display grabbed the attention of all patrons entering the Library and visibly raised both the interest level of most patrons and the actual number of users. Second in degree of success is probably the combination of posters and handouts utilized both as in-library promotional devices and as supplementary mailers in response to phone requests for information on the service. Again, the most important factor seems to be the ability of the individual item to "catch the eye" of the patron, rather than the amount of information it conveys. Other public terminals might well consider this fact when designing their own promotional efforts.

The greatest disappointment in promotional methods has been the directed mailing. The most important aspect of promotion is reaching the potential user with the information that the public terminal is readily available to him/her at the Library. The impression is that the mailings utilized to this point have failed to reach those persons—intermediaries seem to intercept them and throw them away. Nevertheless, no matter how great the exposure is for those users who come to the Library, a great number of potential users never enter the Library and, therefore, such efforts must continue if the public terminal is to be successful.

- r. Distributed twenty-five free coupons.
- s. Weekly demonstrations at the library.
- t. Television interviews (2).
- u. Articles in professional publications.
- v. Articles in bar publication and legal newspaper.

Joliet Illinois	Cleveland Ohio	Dallas Texas	Miami Florida	Boston Mass.	Los Angeles California	Baltimore Maryland	Chicago Illinois	Olathe Kansas	Wichita Kansas	Topeka Kansas	Kansas City Missouri	New York New York	San Diego California
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Topeka, Kansas

Personal contact, whether it be via seminars or through telephone solicitation, is by far the most effective way to create enthusiasm in the concept. Stress should be placed on the use of automated legal research as an adjunct to one's practice rather than as a total replacement for manual research.

Kansas City, Missouri
New York, New York

Increased usage has resulted almost entirely from previous research yielding miraculous results.

Publicize by means of demonstration—demo standard should be concise—most demo time should be spent on fielding research problems from floor and letting audience see how quickly response comes.

Emphasize the cost effectiveness of *time saved*, which outweighs the use charge which deters many users initially.

San Diego, California

VI. FINANCES

VI.A How Much Do You Charge for Use of the Public Terminal by Non-Subscribers?

Joliet, Illinois

\$4.50 per minute, \$270.00 per hour—non-subscribers, but members of Will County Bar Association.
\$6.00 per minute, \$360.00 per hour—non-subscribers and non-members of Will County Bar Association.

Cleveland Ohio
Dallas, Texas

We used promotional rates.

West charged \$25 first 30 minutes, \$1 each minute thereafter.

Miami, Florida

Minimum charge \$25.00 per half hour, dollar a minute thereafter.

Boston, Massachusetts
Los Angeles, California

\$25.00 for first half hour and \$1.00 per minute after that; total charge for 1 hour, \$50.00.

No charges are imposed by the Library. The pricing structure is determined by the West Publishing Company. At the present time, a minimum charge of \$25.00 for the first 30 minutes of computer time is imposed, with a charge of \$1.00 for each additional minute over 30, to a maximum of \$25.00 for each succeeding half hour.

Baltimore, Maryland

\$25.00 per 1/2 hour. \$1.00 each additional minute up to \$25.00 for each 30 minutes. This rate was determined by West and West billed the users directly.

Olathe, Kansas

\$5.40 per minute. \$7.20 per minute for non-subscribers who are also *not* members of the KBA.

Wichita, Kansas

\$5.40 per minute (or \$7.20/min.)

Topeka, Kansas

\$5.40 per minute.

Kansas City, Missouri

\$240 research: per MDC
\$400 search: invoices

New York, New York

\$200 per hour—minimum charge \$50.

San Diego, California

\$50 per hour. \$25—1/2 hour. \$25 minimum. \$1 per minute thereafter.

VI.B WHAT SPECIAL FINANCIAL ARRANGEMENT DO YOU HAVE FOR SUBSCRIBERS?

Joliet, Illinois

Bill \$160 per month and that includes up to \$100 per month of LEXIS time. \$3.50 per minute of use. The other \$60 covers a share of the equipment and communication charges.

Boston, Massachusetts

No special financial arrangements. Each patron pays only for the time he uses.

Los Angeles, California

None.

Baltimore, Maryland

None.

Olathe, Kansas; Wichita, Kansas; and Topeka, Kansas

Subscribers pay \$3.60 per minute if they sign a 1-year contract. They are billed monthly for the contract amount and are allowed to carry over unused time during the entire year. Trial subscriptions at \$3.00/minute on a 6-month basis permit only a 1-month carryover.

Kansas City, Missouri

"Subscribers" rates—\$200/\$333 [reg. \$500 min./yr.] "Participants"—\$187.20/\$312 [reg. \$250 min./qtr.]

New York, New York

\$150 per hour—minimum use of 2 hrs. per month.

San Diego, California

No subscribers.

VI.C HOW MANY HOURS OF USAGE PER MONTH IS REQUIRED FOR YOUR PUBLIC TERMINAL TO BREAK EVEN?

By subscribers only

—w 21-30 11-20 21-30 21-30 11-20 11-20 21-30

By non-subscribers only

—w 21-30 11-20 21-30 11-20 11-20 11-20 11-20 over 40

VI.D IS THE PUBLIC TERMINAL SELF-SUPPORTING?

Yes

X

No

X

—w

X

X

X

X

w. Since the service is made available to library users in the manner of a concession, the questions of break even point and a self-supporting public terminal are up to the West Publishing Company to determine.

Joliet Illinois	Cleveland Ohio	Dallas Texas	Miami Florida	Boston Mass.	Los Angeles California	Baltimore Maryland	Chicago Illinois	Olathe Kansas	Wichita Kansas	Topeka Kansas	Kansas City Missouri	New York New York	San Diego California
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VI.E PLEASE DESCRIBE THE TERMS OF THE CONTRACT YOU HAVE WITH THE COMPANY OFFERING THE SERVICE; IF THE TERMS ARE STANDARD, PLEASE SO INDICATE; OTHERWISE, PLEASE DESCRIBE ANY SPECIAL ARRANGEMENTS.

LEXIS standard public terminal contract	X							X ^a	X ^a	X ^a	X		
WESTLAW standard public terminal contract		X											
Other		X ^x		X ^y	X ^z							X ^b	X ^c

VI.F WHAT SUPPORT DOES THE SPONSOR PROVIDE?

Funds							X	X	X	X	X		
Space			X	X			X ^h	X ^h	X ^h	X ^h		X	X
Personnel		X	X	X							X	X	X
Billing service	X						X				X	X	
Other	X ^d		X ^e	X ^f	X ^g								X ⁱ

VII. USE OF SERVICE

VII.A. WHAT DATA BASES OR LIBRARIES DO YOUR USERS USE? (RANKED FROM GREATEST (=1) TO LEAST).

Statutes of state of public terminal	3	-j	5		5	6	7	5	5	5	5	19	19
Other states' statutes	6	-j	3		7	7		7	6	6	6		
Case law of state of public terminal	2	1	1	1	1	2	1	1	1	1	1	82	82
Other states' case law	4	2	1	3	2	3	3	2	3	2	3	68	68
Federal case law	1	3	1	2	3	1	3	3	2	3	2	70	70
Federal statutes	5	-j	3		4	5	5	4	4	4	6	25	25

Federal administrative agency
rules, regulations and deci-
sions

7 — j

19

Other

1^k

4

6

4

1^m

- x. WESTLAW did not cost the library anything. Users were charged by hour by West.
- y. Social Law Library does not pay for the equipment or the telephone lines. West absorbs this cost. We have free time for demonstrations, etc., and terminal is on constant stand-by on a direct telephone line to Minneapolis, Minnesota computer center.
- z. The service was originally installed in the Library in an experimental mode under which the West Publishing Company provided the equipment, any needed service, and various promotional materials and user aids. In return, the Library provided space for the terminal and reference staff personnel both as operators and as coordinators of local promotional efforts. This arrangement allowed the Library to provide a new kind of legal research tool for the patrons while the West Publishing Company tested the feasibility of offering such a service through a public access installation. Though not currently under the experimental mode, the arrangement with the West Publishing Company remains the same.
- a. "Grandfathered" under old public terminal rate—\$77 per hour for research time.
- b. NAARS standard public terminal contract.
- c. Standard contract is \$1000 per month. When user income exceeds \$800 in one month, we receive one half of additional user charges. When user income reaches \$1600, we receive all additional user charges for that month. [All relates to standard contract as of 1/1/78.]
- d. Technical advice on research problems.
- e. Training, some promotion, etc.
- f. The public terminal is not separately sponsored by another agency. The library itself has provided space for the terminal and reference staff personnel. Billing is done by West Publishing Company. Much of the library time and effort put into the WESTLAW program has been self-generated to insure that a fair test for public terminals was provided.
- g. West provided all costs of transportation, installation, equipment rental, publicity, and one day staff training.
- h. K-Bar Research, Inc. is a not-for-profit affiliate of the Kansas Bar Association. Through the Kansas Bar, K-Bar has been able to obtain rent-free space in law libraries or bar association offices for its terminals. In addition, the Kansas Bar provided partial funding.
- i. Promotion.
- j. WESTLAW contains only case law.
- k. Digest search and headnote search.
- l. INFORM library.
- m. NAARS library—Annual reports, most of the time. Literature file, less often.

Joliet Illinois
 Cleveland Ohio
 Dallas Texas
 Miami Florida
 Boston Mass.
 Los Angeles California
 Baltimore Maryland
 Chicago Illinois
 Olathe Kansas
 Wichita Kansas
 Topeka Kansas
 Kansas City Missouri
 New York New York
 San Diego California

VII.B WHAT TYPES OF SEARCHES ARE PERFORMED THE MOST OFTEN? (RANKED FROM GREATEST (=1) TO LEAST)

General inquiries on issues of law	4	2 ⁿ	5	2	3	2	5	4	5	4	1	4
General inquiries on fact patterns	2	4	5	4	5	3	3	3	3	3	3	2
Citation check	6		3		5	4	6	5	6	5	5	6
Narrowly defined issues of fact	1	3	1 ⁿ	3	2	2	2	2	2	2	4	1
Narrowly defined issues of law	3	1 ⁿ	1	1	1	1	1	1	1	1	2	3
Statutory interpretation	5	5	1		5	4	4	8	4	4	6	5
Materials not yet in print	7		3		2	7	7	7	7	7	7	7
Other			1 ^o	5 ^p		8 ^q	8 ^q	6 ^q	8 ^q			1 ^r

VII.C WHAT IS YOUR OPINION OF THE SATISFACTION OF YOUR VARIOUS USERS WITH THE RESULTS OF THEIR RESEARCH?

GENERAL INQUIRIES:

Poor	-t												
Fair	-t				X	X ^x	X ^y		X ^a		X ^b		X ^d
Good	-t	X ^s	X ^u	X ^v	X ^w	X ^x		X ^z				X ^c	
Excellent	-t												

OTHER MORE DEFINED INQUIRIES:

POOR	-t												
FAIR	-t					X ^x							
GOOD	-t	X ^s	X ^u	X ^w	X ^x	X ^x	X ^y		X ^a		X ^b		X ^d
EXCELLENT	-t			X ^v				X ^z				X ^c	

VII.D WOULD INCREASED TERMINAL OPERATOR SERVICE (IN TERMS OF THE TYPE OF ASSISTANCE PROVIDED THE RESEARCHER) INCREASE THE USAGE RATE OF THE TERMINAL?

Yes	X	X	X	X	X	X	X	X	X	X
No										X ^e

- n. Nearly all WESTLAW's material is available in pink advance sheets.
- o. Headnote and key number searches.
- p. Key number searches.
- q. LEXIS segment searches.
- r. Narrowly defined issues on annual report presentations and disclosures.
- s. Satisfaction in direct proportion to training and skill of the user.
- t. Like all research, the results are mixed, but the computer improves the odds immeasurably.
- u. One reason why the majority of users had only fair to poor results with a more defined query was that it was difficult for attorney to define the question properly.
- v. Many lawyers use WESTLAW as a one-stop check on their research to be sure they did not miss anything in the printed digests, to check most recent pamphlets and cases, to try new approach to problem without using precious time. (Usually very successful.)
- w. Of the 431 paying users during 1977, their reactions to the system and the results achieved were characterized as follows by the Reference Librarians:
 - (1) 192 (45% of total) classified as "positive" (i.e. better than expected; highly satisfied with both the system and the results; will use system again).
 - (2) 226 (52%) classified as "average" (i.e. satisfied with the system, although not necessarily with the results in the particular search; will use system again).
 - (3) 13 (3%) classified as "negative" (i.e. disappointed with results and the system; expected more from the system; not likely to use it again).
- x. The level of satisfaction was either very poor or excellent, thus averaging from fair to good.
- y. See note a *infra*.
- z. On the general inquiries, user satisfaction is not optimum. This stems more from most users' lack of knowledge concerning LEXIS research than from inadequate work product. They have trouble evaluating the LEXIS work product and determining its value to them. The actual result, in my opinion, is often better than the satisfaction indicated by the user. Unfortunately, we must be concerned with user satisfaction as well as work product.
- a. Those users who present broadly defined questions are generally less satisfied than those who have analyzed the question more carefully. The simple reason for this is that a broad search tends to retrieve too many irrelevant cases. However, an experienced operator can usually detect a search problem that needs further clarification. As a general rule, the satisfied user is one who has learned to utilize the unique capabilities of the machine.
- b. The meager success of the terminal must be attributed to user satisfaction. Since the terminal is used as back-up very frequently, the results are known before the session, and if the "electronic" answer is the same as the "human" answer, the results are deemed "good." Those using the machine for *initial* research have left with excellent satisfaction, generally.
- c. No user has ever been dissatisfied.
- d. Most satisfied are those who have done some research using traditional methods and resources before using the PT.
- e. I give complete aid in formulating search—no help held back.

Joliet Illinois	Cleveland Ohio	Dallas Texas	Miami Florida	Boston Mass.	Los Angeles California	Baltimore Maryland	Chicago Illinois	Olathe Kansas	Wichita Kansas	Topeka Kansas	Kansas City Missouri	New York New York	San Diego California
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IF YES, PLEASE INDICATE HOW SERVICE SHOULD BE INCREASED:

Joliet, Illinois	Provide a highly trained operator. [No operator currently.] Training first, then service on call.
Cleveland, Ohio	It would be possible to increase usage in the short run by providing telephone or letter service of <i>inquiries</i> . However, since WESTLAW is highly reactive, the amount of use would fall off because the librarian, being less familiar with the problem, would be sending irrelevant documents.
Miami, Florida	
Los Angeles, California	We feel that user assistance is extremely important in developing a high usage rate at a public terminal. Thus, from the beginning we have offered maximum assistance, both in terms of operating the terminal and in helping to devise search strategy. Beyond accepting telephone/written inquiries, which as a general Library policy we do not do, there is not much we could do to increase our present level of service.
Wichita, Kansas	<i>See</i> comments of Topeka, Kansas <i>infra</i> .
Olathe, Kansas	Allowing the terminal operator to take requests via telephone or mail would increase usage. However, the operator must be very competent in LEXIS research and should have considerable legal background, if possible. Also, within this type of framework, the operator will usually need to converse with the remote user in order to acquire as much relevant data input as possible. The operator can also cross-reference state reporter cites obtained from LEXIS into the appropriate West or other reporter service.
Topeka, Kansas	Sporadic users, many of whom would benefit from a public terminal service, require the assistance of an experienced operator. Although the mechanical operation of the computer terminal is not difficult, the ability to conceptualize the problem for automated research is an acquired trait, as is becoming a proficient manual researcher. Experience, or the assistance of an experienced operator, consistently increases the success ratio on the machine.
Kansas City, Missouri	Improved convenience. Raising of awareness; turning to LEXIS early as a pattern of conduct.

VII.E IN YOUR OPINION, DO PUBLIC TERMINALS IMPROVE THE QUALITY OF LEGAL SERVICES?

Yes	X	X	X	X	X	X	X	X	X	X	X	X	X
No													

PLEASE COMMENT:

Cleveland, Ohio	Computer-assisted legal research improves the quality; thus, public terminals provide an additional outlet.
Miami, Florida	It improves it because it allows you to research case law more thoroughly. This is because a case may be indexed under a different topic or key number than you would have obtained in the descriptive work index.

Boston, Massachusetts

Los Angeles, California

Chicago, Illinois

Olathe, Kansas

Topeka, Kansas

Kansas City Missouri

New York, New York

San Diego, California

It amazes me how many lawyers are poor researchers. Many do not really know sources or alternatives and need considerable bibliographic instruction and direction to effectively use a large library.

The potential for better legal services is certainly present in computer-assisted legal research. Faster, more efficient, and more effective (by cutting across classification lines which make for an inherent ineffectiveness in manual approaches) case law research is presently available if the system is used correctly. As with all other research tools, the skill and judgment of the individual user is the most important factor in determining the success achieved in legal research. Whether or not the cost of legal services will be reduced depends to a great extent on whether effective use is achieved, and, indeed, then passed on to the client.

A public terminal's main attribute is the fact that it allows attorneys who do not have terminals in their offices an opportunity to use it on a steady basis. Legal research that can be done more efficiently and completely by use of a public terminal is an addition to the services we provide in this library, and improves the quality of legal services.

See comments of Topeka, Kansas infra.

Offering a public terminal service balances the discrepancy between large firms and small firms, and metropolitan centers and rural areas. Clearly the legal community is moving toward a greater use of computers within the practice. Public terminals allow anyone to take advantage of a still relatively costly service.

Like any device that allows more complete research, a public terminal can be an aid in preparation.

Possible for smaller firm to access a great research tool.

Properly used, computer can search more thoroughly, crossing topics, than using digests, and can do it quicker. Material found is more informative than digests since you can examine search terms *in context of opinion*. You are not limited to terms chosen by editors of digests.

VIII. NAMES AND ADDRESSES OF SOME OF YOUR USERS WHO CAN BE CONTACTED FOR INFORMATION ABOUT THEIR USE OF YOUR SERVICE.

[This information is available from the authors].

IX. ANY OTHER OBSERVATIONS, COMMENTS, ETC., THAT YOU THINK WOULD BE HELPFUL

Our system works *ONLY* because subscribers have agreed to pay (and do pay) \$160 per month. The actual use charges will not pay for the service most months, although occasionally we have heavier use than usual. The cost is very reasonable and the rate schedule—

(3.50 per minute—subscriber and Will County Bar Association member)

(4.50 per minute—non-subscriber and Will County Bar Association member)

(6.00 per minute—non-subscriber and non-member Will County Bar Association)

—gives subscribers the feeling that being a subscriber provides an advantageous rate and therefore they are not "carrying" the non-subscribing lawyers. It works very well.

Joliet Illinois	Cleveland Ohio	Dallas Texas	Miami Florida	Boston Mass.	Los Angeles California	Baltimore Maryland	Chicago Illinois	Olathe Kansas	Wichita Kansas	Topeka Kansas	Kansas City Missouri	New York New York	San Diego California
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Miami, Florida

It should be made clear to the user that while the operator is willing to help, the problem is that of the user. The patron is responsible for coming up with the key terms. The most the librarian or operator can do is encourage the use of synonyms and arrange the key terms to the best advantage. Users' suggestions on query formulation should be sought.

Use should be promoted among the small firms. 85% of total use was by firms of ten lawyers or less.

Promotional efforts should be undertaken as soon as possible. I feel that West has been late in getting serious in its efforts to publicize what is its own system.

Baltimore, Maryland

The main thrust of successful computerized legal research rests on the type of query, the formulation of the query, the familiarity of the operator in the query, the understanding of the capability and limitation of the computer by the users. I believe that it is a matter of time until public terminals will be a way of life in the legal community. This is not to say that systems that are available now are perfect. I think that the cost of using computerized legal research is still a prohibiting factor. In the case of our failure to maintain the system after a year of experiment, I feel that the legal community in Baltimore as a whole is conservative. In my judgment, timing is not right for Baltimore to use the public terminal on a widespread basis. I feel that companies providing these services should concentrate not only on selling the services, but also to make them available to law schools free or near free. Let's say "hook" those future lawyers on the efficiency of a public terminal so that a potential market is there-fore created.

Olathe, Kansas

As the LEXIS libraries get larger, the processing time of all search requests is increasing. Whereas two years ago, approximately 14-18% of on-line time was processing time (search time), that same figure is now approximately 24-28%. These figures are determined at the end of each month for each terminal operated by K-BAR. Ultimately, this will mean a change in K-BAR's rate structure unless we are able to substantially increase monthly usage and operate on a narrower "net" per hour basis.

APPENDIX C
LAW SCHOOL SURVEY RESULTS

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INTRODUCTION

The following results are descriptive in nature rather than relational. Some of the responses are highly subjective, since we asked the law librarians or other professionals responsible for the terminals about the patterns of their student usage, not the students themselves.

The most used data bases, in order, are the case law of the state in which the school is located, federal case law and other states' case law. It is a toss-up between state and federal case law for second place. The most frequently made types of searches, in the respondents' opinions, are, in order, narrowly defined issues of law, narrowly defined issues of fact and general inquiries on issues of law.

The respondents at six of the law schools thought that student research was more scholarly than practice-oriented; two opined that it was more practice-oriented than scholarly and the four others thought it was about equal.

As was to be expected, the greatest deterrents to student use *prior* to having been trained in the use of CALR were not knowing enough about it to determine if it would be helpful, and not being aware of its existence. The rankings of deterrents to student use *subsequent* to having been trained were grouped tightly with the greatest deterrent being a lack of enough knowledge about CALR to determine if it would be helpful. The others followed in this order:

- materials available are not relevant
- the times it is in operation are not convenient
- don't think it would provide satisfactory research results
- not adequately trained in how to use it

- the location is inconvenient
- don't like to use a computer terminal

The comments to this question also indicate that the demand for computer time is great and is likely to preclude the use of the same terminal as a "public terminal" because of this competition. The deterrence question also hints at the level of adequacy of training programs and convenience as influencing use.

All law schools except one require training before the terminal may be used. All of the schools which utilize classroom training supplement it with self-instructional materials, hands-on training or other materials or methods. Eleven of the thirteen law school librarians believe that the classroom portion of the process can be accomplished in fewer than four hours. The same number indicated that they felt the success of their training program was good. One rated their success as fair and the other did not respond.

Surprisingly, seven law librarians indicated that their CALR training program was *not* integrated into their "Legal Research & Writing Course," while six indicated it was. Nine of the law librarians reported that instruction on *when* to use CALR was given. Seven felt a video tape presentation on *when* to utilize CALR would have a significant effect on increasing the student usage rate; four others felt it would have only a small effect, but only one respondent opined that it would have no effect. This and the deterrent responses above indicate that one of the problems encountered in the public terminal setting, *when* does one utilize CALR in resolving a problem, is also a problem at the law school level.

Eight of the respondents reported that their students are generally satisfied with the results of their research. Four others indicated their students were satisfied with certain types of searches. *None* registered general dissatisfaction. The decline in student usage rates after training, despite this claimed satisfaction, is troublesome. Twelve of the thirteen librarians indicated that student attitudes toward CALR improved after their first use; seven respondents felt that attitudes improved greatly. The single respondent who thought no change would occur indicated that the students were generally enthusiastic from the start and that the first use did not alter their enthusiasm.

In general, students do not have a research specialist available for assistance in the same manner as a public terminal specialist. Assistance is available, but operators will not key the student's query for him. The intent is generally to encourage students to formulate and key their own search queries.

Some highly subjective questions were asked about students' future behavior and the impact of distance to travel and expense. Seven librarians, in response to the question, "What is the maximum distance your students would travel to utilize a CALR terminal?" indicated that their students would go only within easy walking distance. Three felt students would travel a maximum of a half hour and two others indicated that students would travel up to two hours to use a CALR terminal. As to future behavior, eleven of the librarians felt that their students, as practicing lawyers,

would use CALR "considerably less often" in comparison with law school usage if a rate of \$100 per hour were charged.

Comments indicate that a lack of cost-consciousness in law school use may be a problem for future use. More goal-oriented and efficient research might better prepare a student for CALR use and cost in practice. The comments, however, do support the position that acceptance of CALR is a problem which law school usage will help to overcome.

The following tables are a compilation of the responses given by the thirteen law school surveyed concerning their use of CALR. The schools included in this compilation are:

University of Kansas, Lawrence, Kansas ("Kansas").

University of Southern California Law Center, Los Angeles, California ("Southern California").

Washington University, St. Louis, Missouri ("Washington").

University of Texas Law School, Austin, Texas ("Texas").

Stanford University Law School, Stanford, California ("Stanford").

Hastings College of the Law, San Francisco, California ("Hastings").

University of Missouri at Kansas City, Kansas City, Missouri ("Missouri").

McGeorge School of Law, University of the Pacific, Sacramento, California ("McGeorge").

Washburn University of Topeka Law School, Topeka, Kansas ("Washburn").

Western State University College of Law, San Diego, California ("Western State").

University of Florida, Gainesville, Florida ("Florida").

University of California at Berkeley, Berkeley, California ("U.C.-Berkeley").

University of California at Davis, Davis, California ("U.C.-Davis").

The footnotes to the tables are the verbatim comments of the individuals who completed the questionnaires.

I.C. APPROXIMATELY HOW MANY DIFFERENT STUDENTS ACTUALLY USE THE TERMINAL DURING A SCHOOL YEAR?

0-5													
6-20													
21-50													
51-100													
more than 100													
	x	x	x	x	x	x	x	x	x	x	x	x	x

OF THESE, HOW MANY STUDENTS USE IT AT LEAST—

Twice	95% ^d	80	100	100+ ^e	n/a	200	65	— ^g	100	50%
Three times	25%	60	51-100	n/a	50	7	— ^g	40	25%	
Four times	10%	40	21-50	n/a	30	10	— ^g	10	20%	
Five or more times	10%	20	6-20	100%	30	12	— ^g	60	20%	

I.D. IN YOUR OPINION, IS YOUR STUDENT USE OF CALR MORE SCHOLARLY-ORIENTED THAN PRACTICE-ORIENTED?

More scholarly	x	x	x	x	x								
More practice													
About the same													

I.E. WHAT IS THE GREATEST DETERRENT TO STUDENT USE *Prior* TO HAVING BEEN TRAINED IN THE USE OF CALR? (RANKED FROM GREATEST (=1) TO LEAST).

Not aware of its existence	1	1	1	1	7	3	2	7	2
Don't know enough about it to determine if it would be helpful	7	4	1	3	6	2	8	8	6

- a. ABA, CPR and ethics opinions.
- b. Only case law is available in Westlaw databanks. Rank information is unavailable.
- c. Seminars frequently utilize "written by" features to locate decisions by particular judges.
- d. Legal research and writing classes require the use of the terminal at least twice. Usage drops sharply thereafter.
- e. Texas has a student body of nearly 2,000 law students.
- f. Used for freshman papers.
- g. Records not kept. But most who use it do so regularly.

SCHOOLS	Kansas	Southern California	Washington	Texas	Stanford	Hastings	Missouri	McGeorge	Washburn	Western State	Florida	U.C. Berkeley	U.C. Davis
Materials available not relevant	4	5				5		7	6			3	
Too expensive	— ^h	n/a				1		1	1				
Not trained in its use	8	6	2	2		9	1	9	9			1	
Don't like to use computer terminal	5	2				8		5	1			4	
Times in operation are not convenient	3	1				3		3	1				
Don't think it would provide satisfactory results	6	3				4		6	5				5
Location is inconvenient	2	1				2		4	1				
Other					— ⁱ					— ^j	— ^k		— ^l

I.F. WHAT IS THE GREATEST DETERRENT TO STUDENT USE Subsequent TO HAVING BEEN TRAINED IN THE USE OF CALR? (RANKED FROM GREATEST (=1) TO LEAST).

Don't know enough about it to determine if it would be helpful	2	1	3			8	2	7	6			4	4
Materials available not relevant	3	5	1	2		6		5	7			3	6
Too expensive	— ^m	n/a				1		1	1	— ^q			n/a
Not trained in its use	1	1		1		9	4 ⁿ	8	5			2	
Don't like to use computer terminal	6	2				7		4	2			5	1
Times in operation are not convenient	5	4			1	3		2	2				2
Don't think it would provide satisfactory results	7	3	2			5	3 ^o	6	8			1	5
Location is inconvenient	4	1				2		3	2				3
Other							1 ^p			— ^r	— ^s		

II. TRAINING

II.A WHAT TYPE OF TRAINING ON HOW TO USE THE SYSTEM IS PROVIDED TO THE STUDENT? (INDICATE ALL THAT APPLY).

None												
Classroom-type	x	x	x	x	x	x	x	x	x	x	x	x
Self-instruction materials provided by MDC (including video or audio tape)	x	x	x	x	x	x	x	x	x	x	x	x
Hands-on training	x	x	x	x	x	x	x	x	x	x	x	x
Other			x ^t					x ^u		x ^v		x ^v

II.B IS THIS TRAINING REQUIRED AS A CONDITION OF UTILIZING THE TERMINAL?

Yes	x	x	x	x	x	x	x	x	x	x	x	x
No			x									x

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- h. We pay a flat rate rather than a per-use rate. Expense, therefore, is irrelevant to the students.
 - i. As we do not allow students to use LEXIS terminal until they have had the training, we are unable to answer this question.
 - j. Untrained students are not permitted to use it!!
 - k. Most used to computer use.
 - l. Not allowed.
 - m. We pay a flat rate rather than a per-use rate. Expense, therefore, is irrelevant to the students.
 - n. Older students who didn't get training.
 - o. Misunderstanding.
 - p. Inadequate knowledge of the legal concepts needed to make good search requests. Also, logistics problem of not being able to get on the terminal during peak season.
 - q. Free for our students!
 - r. None of these answers apply to our terminal. Our demand for computer time is greater than our supply.
 - s. Too many people using it. Competition for resources.
 - t. A self-paced training program utilizing readings, questions, and on-line exercises was developed.
 - u. Solo use and experimentation is encouraged.
 - v. Scheduled training sessions conducted by experienced students on library payroll.

SCHOOLS	Kansas	Southern California	Washington	Texas	Stanford	Hastings	Missouri	McGeorge	Washburn	Western State	Florida	U.C. Berkeley	U.C. Davis
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II.C If CLASSROOM-TYPE TRAINING IS PROVIDED, WHAT IS THE TOTAL TRAINING PERIOD?

0-2 hours	x	x			x		x	x	x				
2-4 hours			x										x
More than 4 hours										x		x	

WHO SERVES AS THE INSTRUCTOR?

Kansas The teachers of legal research and writing (Professor) and teaching assistants.

Washington Legal bibliography instructor and reference librarian.

Stanford Associate dean.

Missouri Charles R. Dyer.

McGeorge Dennis J. Stone, faculty member assigned to LEXIS.

Western State Professor S. Finz.

U.C.-Berkeley The law librarian.

U.C.-Davis Various.

II.D If SELF-INSTRUCTIONAL MATERIALS ARE USED, PLEASE IDENTIFY THEM.

Kansas LEXIS primer.

Southern California Video-tape, primer, simulator used with flip chart.

Washington Audio tape.

Texas John E. Christensen, Learning to Use Lexis (Austin, 1977, Tarlton Law Library) (tentative draft of self-paced learning materials under contract with MDC is currently being field-tested.)

Stanford Simulator provided by LEXIS.

Hastings Primer, videotapes, simulator.
 Missouri Primer, simulator tape and flip chart.
 McGeorge Simulator provided by Mead Data. Edited version of video tape provided by Mead Data.
 Washburn Mead Data training tapes—2 video-cassettes, LEXIS flip charts.
 Western State Westlaw User's Manual. Westlaw program contains instruction function.
 U.C.-Berkeley Mead Data video tapes and printed materials.

II.E HOW MUCH CLASSROOM TRAINING DO YOU THINK IS REALLY NECESSARY?

0-2 hours x x x x x
 2-4 hours x x x x x
 More than 4 hours x

II.F IS YOUR TRAINING PROGRAM INTEGRATED INTO A "LEGAL RESEARCH AND WRITING COURSE," OR IS IT A SEPARATE AND DISTINCT PROGRAM?

Integrated x^w x x x^x x
 Separate x x x x x x^y

II.G WHAT IS YOUR OPINION OF THE SUCCESS OF YOUR TRAINING PROGRAM?

Poor
 Fair x
 Good x x x x x x
 Excellent x x x x x x

w. We have a group of instructors, whom we call "LEXPERS," who coordinate their efforts with the legal research and writing teachers but are not otherwise connected with the class. LEXPERTS are also available at regularly scheduled hours to assist anyone who needs help using the terminal, whether the work is connected with classwork or with another research problem.

x. The scheduling of videotape viewings utilizes the legal research and writing mechanism so that the flow of traffic can be controlled to some extent. Groups of students are trained throughout the year utilizing the self-paced materials—so, in a sense, the program is separate.

y. But intention is to integrate.

III.B DO STUDENTS PREFER TO FORMULATE THEIR OWN SEARCH QUERIES, OR DO THEY PREFER TO RELATE THEIR PROBLEM TO A RESEARCH SPECIALIST WHO HANDLES IT FROM THERE?

Student	x ^b	x	x	x ^c	x	x	x	x	x	x	x	x	x	x	x	x	— ^d	x	x	— ^e
Specialist																				

III.C DO STUDENTS PREFER TO KEY IN THE SEARCH QUERIES, OR DO THEY PREFER THAT A "RESEARCH SPECIALIST" DO SO?

Student	x	x	x	x ^f	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
Specialist																				— ^g

IV. GENERAL QUESTIONS

IV.A IN YOUR OPINION, WHAT IS THE MAXIMUM DISTANCE YOUR STUDENTS WOULD TRAVEL TO UTILIZE A CALR TERMINAL?

Within the same building				x										x ⁱ						
Within easy walking distance					x		x		x								x		x	x
Within a ten-minute drive	x																			
Within a half-hour drive			x			x ^h										x				

- z. Depends on the presentation!
- a. Might if very good—otherwise not much.
- b. I want to qualify the answers to III.B and C. by noting that students like to have a "LEXPRT" readily available when they run into problems.
- c. The specialist option is not really available to students since they are encouraged to do their own.
- d. Our students do the research themselves. There is no alternative for them.
- e. No experience—probably formulate own.
- f. Again, students do their own. Having a specialist is not an option for them. If a specialist were available, they might prefer to utilize him/her.
- g. Our students do the research themselves. There is no alternative for them.
- h. On occasion students have gone to the other law school in town.
- i. Don't know. Ours is in the same building.

SCHOOLS	Southern California		Washington		Texas		Stanford		Hastings		Missouri		McGeorge		Washburn		Western State		Florida		U.C. Berkeley		U.C. Davis				
	Kansas																										
Within a two-hour drive																											
IV.B DO STUDENT ATTITUDES TOWARD THE USE OF CALR CHANGE AFTER THEIR FIRST USE?																											
Changes negatively																											
No change																											
Improves attitude slightly	x			x		x ^l																			x		
Improves attitude greatly			x				x							x											x ⁿ		
IV.C ASSUMING YOUR STUDENTS ARE NOW PRACTICING LAWYERS, IN YOUR OPINION, WHAT IMPACT WOULD A \$100 PER HOUR FEE HAVE ON THEIR USAGE OF CALR IN COMPARISON TO LAW SCHOOL USAGE RATES?																											
No change																										x	
Would use slightly less often																											x ^q
Would use considerably less often	x			x		x ^o		x		x				x													x ^r
Would use slightly more often																											
Would use considerably more often																											

V. ANY OTHER OBSERVATIONS, COMMENTS, ETC., THAT YOU HAVE ON HOW TO IMPROVE AND INCREASE PUBLIC TERMINAL USAGE.

Kansas I think terminal use for unpublished material would be much greater if the data base could get it on-line faster. At present, I am told by Mead that it takes about six weeks to make an opinion available. That is no faster than most advance sheets, and a good deal slower than hard copy sources like slip opinions and looseleaf services. Mead's service to law schools is a good idea and more law schools should be recruited. New graduates who are proficient in the use of LEXIS and enthusiastic about it are the best ambassadors.

Texas It will take time for computer-assisted research to gain wide acceptance. If a local bar association were to subsidize a terminal and make a specialist available during certain hours and have the terminal available during other hours for personal searching, I believe that one could have the best of both worlds. Probably the law school would be an ideal location for a public terminal since the hard copy case materials would be readily available and students interested in performing searches (with or without the attorney being present) could readily make the availability of their services known.

Missouri

I came to UMKC this year and make LEXIS mandatory in the Leg. Bib. class. Subsequently, in doing memo & brief problems, the students used LEXIS just like any other source.

Washburn

Passage of time. Larger file of cases, at least to 1939. Faster computerizing of new data base. Advertising regarding costs of specific searches; many attorneys feel cost will be too great.

U.C.-Berkeley

Since I can speak from experience only of use in Law School and the Law School Community, my comments cannot be directed to a public terminal. Within the School, however, improvements and an increase of terminal usage would be achieved by: (1) Incorporating the training into the research and writing program. (2) Offering a formal training in computer use to research associates who conduct the research programs before the beginning of sessions. (3) Making the faculty more aware of the availability of the terminal. (4) Attracting the faculty to learn to use the terminal under individual guidance or as a group. (5) By publishing and distributing a manual or audio-visual aid explaining in simple terms the principal advantages of computer research over book research under clearly specified circumstances.

U.C.-Davis

Public terminals are important and should generate more use as large numbers of students with appropriate training reach the profession.

j. For an extremely important matter.

k. Would travel further.

l. Since probably favorably inclined to begin with.

m. Student generally enthusiastic from the start.

n. But tapers off *some*.

o. Students use LEXIS as no direct cost—without cost-consciousness they would likely use the service only on extremely important matters.

p. Hopefully, they would think out their search terms much better. Perhaps, then a specialist might be seen more favorably. Because it is "free" to them, students use LEXIS experimentally, trying to see what it can do for them.

q. Will be willing to pay for it if law school experience was good.

r. But still quite a bit.

