

continued from page 80

magical goodies from the vendor bag. And we weren't even grateful—we wanted more and better. The amazing thing is, we often got it.

So Lexis and Westlaw spent many dollars betting that they would create generations of lawyers who would live and die by computer-based research—that the pennies they spent then would yield dollars later. Smart folks—they rolled a 7.

Now we have a population of wired law students who want more and more features and options. At the same time consolidations in the legal information business have created two megaentities built around each of the on-line systems. No one can predict what new technological breakthroughs will come next, but it's a good guess that they will be in the orbit of Westlaw or Lexis-Nexis. I do not for an instant disparage the potential of Web-based upstarts like LOIS and Versuslaw, but if they flourish, they likely will be absorbed.

Two things are for certain. One is that the drunken Santas have sold the companies to accountants. Legal information is a business now, and that means the days of giveaways and love-ins for new users are past. (Hope not for a Lexis golf umbrella in your future.) The second thing is that legal information will never be the same. Hypertext links and bandwidth will define research protocols in the future. As my Uncle Virgil used to say, "I'm not sure where we're headed, but it's away from where we were." ☐

Robert Berring is professor and librarian at Boalt Hall Law School, Berkeley. He is currently a consultant with West and has been a consultant for Lexis-Nexis in the past.

Academia Now: Nonpreferred Customers By Penny Hazelton

BEFORE CONSIDERING HOW LAW SCHOOLS have been affected by the changes at Lexis-Nexis and West, it's important to remember that the two services have always had a different impact on academic libraries.

In part this is because firm and school libraries have different missions. Firms serve clients who need quick turnaround and will pay for it. It's not essential for firm libraries to own hard copy versions of every item; electronic access, even if it's expensive, can be sufficient if it's fast and reliable. By contrast, most law school libraries have a research mission.

We must provide a broad spectrum of legal literature for students and faculty of different capabilities and interests. We must also teach students and faculty how to use the wide variety of research tools. Thus we need both hard copy and electronic resources.

Lexis and Westlaw have also affected academic libraries differently because they weren't created for us; they were designed to support research for practitioners. Much of the primary historical and secondary material needed by law students and faculty can't be found on these systems. Fewer than 26,000 volumes of print material in my library, for example, are on Lexis or Westlaw.

But as Bob Berring notes above, Lexis-Nexis and Westlaw have aggressively wooed academic libraries over the past two decades because they recognized that we provided an excellent introduction to their future customers. Now, however, both companies are reevaluating the resources they've been offering academic users.

The marketplace is extremely competitive, with many types of electronic tools vying for our dollar. Westlaw and Lexis are no exception. The profit motive, always present in computer-based legal research, is more apparent than ever in all aspects of the relationship between law schools and Lexis and Westlaw.

Many of my colleagues have noted a decline in the general level of service to law schools. Both companies no longer support hardware (computers, modems), and both withdrew their support (equipment, paper, and cartridges) for dot-matrix printing. Their representatives have larger territories and less time to spend on-site. At some schools Lexis and Westlaw have cut back the hours of students hired as company representatives. Both services also pay more attention to whether "peripheral" users—adjunct and affiliate professors, lecturers, and visiting scholars—should have access. These changes vary greatly from institution to institution and company to company, but are widespread.

Both companies have developed products specifically for the legal education market—electronic casebooks, Web sites for law schools, The West Education Network, and the Lexis-Nexis Virtual Classroom, all with direct links to the vendors' on-line systems. These classroom-related products are being marketed directly to the law school and faculty, often leaving the library completely out of the picture. Clearly, both companies are trying to win future customers by marrying their on-line products to technology in the classroom. ☐

Penny Hazelton is a professor and head librarian at the University of Washington School of Law in Seattle.