‘I’ll just Google it!’: Should lawyers’ perceptions of Google inform the design of electronic legal resources?

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ABSTRACT
Lawyers, like many user groups, regularly use Google to find information for their work. We present results of a series of interviews with academic and practicing lawyers, where they discuss in what situations they use various electronic resources and why. We find lawyers use Google due to a variety of factors, many of which are related to the need to find information quickly. Lawyers also talk about Google with a certain affection not demonstrated when discussing other resources. Although we can design legal resources to emulate Google or design them based on factors perceived to make Google successful, we suggest this is unlikely to better support legal information-seeking. Instead, we suggest the importance of taking a number of inter-related tradeoffs, related to the factors identified in our study, into account when designing electronic legal resources to help ensure they are useful, usable and used.

Categories and Subject Descriptors
H.1.2 [**Human Factors**]: Human information processing.

General Terms
Human Factors

Keywords
Information-seeking, Google, law, legal, digital libraries, Grounded Theory, user studies.

1. INTRODUCTION AND RELATED WORK
Google is arguably one of the greatest Internet success stories of our era. In a study by Aula et al. [1] of 236 experienced web users, Google was used as a primary search engine by 95.3% of them. Indeed, in 2006 the word ‘Google’ became a verb in the Oxford English Dictionary. In this short paper, we examine what we can learn from Google’s success when designing electronic legal resources. We discuss, by referring to a series of interviews with lawyers and law librarians, the perceived factors that make Google successful. We suggest that rather than design electronic legal resources to be ‘more like Google,’ we should learn from users’ affectionate comments about Google and design systems with an awareness of the factors perceived to make Google useful, along with an awareness of the associated design trade-offs.

Most related to our work is a study by Fast and Campbell [2], who observed and compared Librarianship and Information Science students searching the Web using Google and searching a web-based library catalogue (OPAC). As well as video and audio recordings, they collected retrospective verbal reports from the students and asked them questions about their perceptions of Google and OPACs. They presented their results in the form of five paired categories: organisation and clutter, trust and evaluation, expectations and confidence, time and effort and freedom and control.

The study revealed two paradoxes. Firstly participants praised the way OPACs were organised, but preferred to use the Web even though they noted it to be disorganized. Secondly, they displayed trust for documents in the library catalogue, but remained confident that they could evaluate the trustworthiness of documents on the web, even though they noted these documents could sometimes be untrustworthy. Fast and Campbell suggest the students’ preference for Google might be due to the confidence that systems like it, which have a low skills threshold, provide, along with design and interface factors. Arguably part of the preference for Google may also be because, unlike library catalogues, it provides access to many of the documents it indexes.

Our study also examines perceptions of Google, but using lawyers as opposed to Librarianship and Information Science students. As with other busy professionals, legal information-seeking is often characterised by heavy time pressure. For lawyers, this means pressure to gain a complete, correct and current picture of aspects of the law, often in a limited amount of time. Legal information-seeking has caused interest in the fields of Information Behaviour Research and HCI research alike, with a number of recent user-centred studies such as [3] and [4].

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2. DATA COLLECTION AND ANALYSIS

Our study involved a series of semi-structured interviews with twenty-eight academic lawyers, five law librarians and fifteen practicing lawyers. Most of the academic lawyers were based at a large London university, whilst two were from a nearby vocational law college. Academic lawyers included taught students from first year LLB (Batchelor of Law) undergraduates to LLM (Masters of Law) level and also included research students and staff, lecturers and a Professor of Law. The law librarians worked for libraries that belonged to or were affiliated with the two academic institutions. The practicing lawyers worked in the Dispute Resolution department of the London branch of a multinational law firm and ranged from Trainee to Associate level.

During the interviews, the lawyers were asked questions related to their background and the extent to which they perform electronic information-seeking as part of their work. They were also asked what electronic resources they regularly use, in what situations they use them and why they use them. These interview questions formed part of a broader Contextual Inquiry into academic and practicing lawyers' information-seeking behaviour. The academic strand of the study is discussed in [5]. During the study, as well as using Google and Google Scholar, lawyers chose to use a variety of dedicated electronic legal resources, including resources produced by LexisNexis Butterworths and Westlaw, two major publishers of electronic legal resources.

The interviews were transcribed and analysed according to the open and axial coding stages of Strauss and Corbin's Grounded Theory [6] and excerpts from the transcripts are presented below. In the excerpts, academic lawyers are denoted by an 'A,' law librarians by an 'L' and practicing lawyers by a 'P.' '[…]' denotes omitted text.

3. FINDINGS

We found that lawyers select electronic resources, including the Google search engine, due to a variety of factors, which include the perceived *quality of results*, *degree of flexibility and control offered*, *simplicity and approachability*, *familiarity* and *speed/time-saving benefits*. These factors are highly subjective and inter-related. We argue that many of these factors are linked to the important need for lawyers to find information quickly, which many academic and practicing lawyers pointed out was extremely important when working on client advice, preparing for court or preparing lectures.

Most lawyers were aware that Google provides legal information that is more general than that provided by dedicated legal resources and therefore should be used for different search purposes. However, bearing in mind these different purposes of use, Google is perceived by lawyers to provide **quality results** or as one undergraduate student phrases it, it 'tends to pull up exactly what I need.' This is not the case with other electronic legal resources. Related to the quality of results, some lawyers commented on the wide document coverage provided by Google. Lawyers were aware of the need to be cautious with the regard to the authority of documents and recognised that Google was useful for, as one vocational student phrased it, 'gaining a layman's perspective' on legal issues as opposed to a legal perspective.

Another pair of factors identified was that of the **degree of flexibility and control** that lawyers perceive Google to offer (related to Fast and Campbell's 'freedom and control' category). These factors are illustrated by the Lecturer and student below respectively. Not only does Lecturer A6 highlight tolerance of 'vague' search terms in Google, but also speaks of getting 'the result *quicker'* (referring to obtaining a particular case), relating Google's search input flexibility to potential time savings:

"The difference is probably that in the British and Irish Legal Information Institute and in Westlaw, the search engines need a greater degree of precision. You know, full case names, citations, something like that. […] With Google I find that a vague approximation of the relevant terms actually gets the result quicker." - A6 (Lecturer)

"With Google, you just define everything. You're in control with Google. Well that's what you think anyway, and I like that. […] You can define everything, you can choose everything." – A11 (Undergraduate student)

Another factor that influences Google's use is its perceived **simplicity and approachability**, as explained by the undergraduate student and law librarian below:

"I used to hate computers. So Google is something simple and looks approachable to me. […] Google made me like computers!" – A11 (Undergraduate student)

"I think law students are the same as all other students, are the same as all other people that are not involved in the information profession. They just think Google is a gift from heaven and it's fabulous. ***R: What exactly is it about Google?*** *Ease. Ease of use. Solely and specifically ease of use. One box, search terms in, voomph! Twenty seconds later, results back." – L1 (Law Librarian)*

Again, Law Librarian L1 illustrates the link between the simplicity and approachability of a resource and speed/time savings. In addition, the above factors can all contribute to lawyers' repeated use of Google which, in turn, can lead to **familiarity** with the system (and speed and time savings when using Google over other resources):

"I don't think I know how to look into the online legal journal databases very well, but I know how to use Google very well because I do it all the time when I use the Internet." – A8 (Undergraduate)

Indeed, **speed/time savings** are important factors in their own right for explaining Google's popularity, particularly amongst lawyers who have indicated that legal work is often particularly time-sensitive:

"Sometimes I've had a very pressured time just to get an answer to something. Google. It's brilliant! The other

search tools, you really have to have marshalled your thought process a bit more, I think. And while they're more effective, if you've got limited time, I'm a great believer in Google - I think it's great!" – P5 (Associate)

Like the Associate above, many lawyers spoke about Google using affectionate terms such as 'it's brilliant.' One student claimed he was 'very grateful for Google.' This affection for Google also extended to practicing lawyers. Indeed, members of all groups of lawyers in our study spoke of Google in a positive light (and none spoke of it in a negative light). In addition, although the lawyers in our study displayed varied search sophistication (in general taught students were less sophisticated than other groups of lawyers at information-seeking), the factors we have highlighted were identified by lawyers across the board, not just by those in certain groups.

4. IMPLICATIONS FOR DESIGN

When referring to dedicated electronic legal resources, lawyers were just as negative as they were positive. Many lawyers, particularly taught students, spoke of frustration concerning knowing where in the system to go in order to find a particular type of legal document. Lawyers also mentioned (or demonstrated in the Contextual Inquiry part of the study) that they sometimes found it difficult to know where within a document or meta-data a search that is restricted to a particular segmented field might match their search terms to in order to bring back the results.

Figure 1 illustrates a mock-up of part of a (fictitious) electronic legal resource that allows users to search for legal case reports. These reports can be searched in the traditional way by entering search terms (perhaps connected by Boolean syntax) or by entering text into a number of segmented fields (such as a 'case name' field which might search for the text entered in the field in the title of the case or a 'judges' field which might search for cases that have been heard by a particular judge or judges).

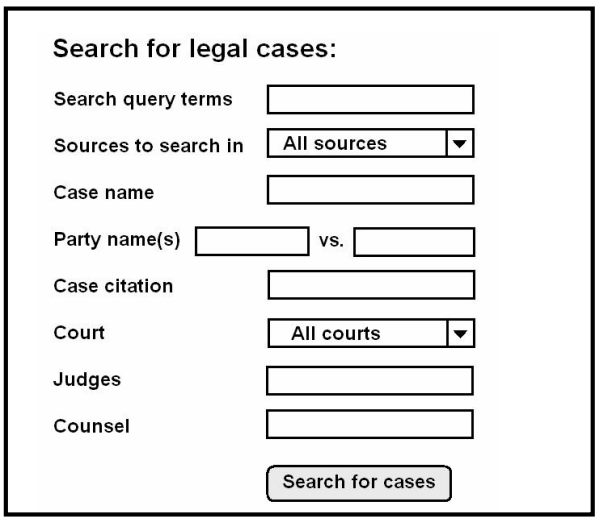

Figure 1. Mock-up of segmented search fields commonly used in electronic legal resources to facilitate searching for legal cases.

Although we can design legal resources to be 'more like Google' by reducing complicated system features such as the segmented search fields above and by providing a simple open search field, we suggest this is unlikely to be useful for supporting legal information-seeking. This view is supported by this law librarian, who explains that the kind of 'woolly' searching that Google provides may not yield suitable results if implemented in an electronic legal resource:

"I think there are advantages in making systems more Google-friendly or Google-like but not to give in to that whole system and assume that that kind of woolly type of searching is going to produce the results that you really want." – L3 (Law Librarian)

It is also tempting to design legal resources based on the factors that we have highlighted that make Google successful. However, this approach (along with the approach of designing to emulate Google is potentially risky. This is because both of these approaches do not take the *information being sought* (and therefore the information-seeking tasks that the electronic resource should be designed to facilitate) into account. For example greater control, as provided through the segmented field searches in figure 1, may be preferable to lawyers when looking for a particular case or citation of a case, but not when trying to gain an overview of a legal area by examining various cases that have dealt with a particular legal subject.

Rather than prescribing how to design 'optimum' electronic legal resources based directly on the Google search engine or around the factors which are perceived to make Google successful, we suggest the need to make considered design decisions by making careful tradeoffs between the factors we have discussed. These tradeoffs must be made based on the *context* in which the resource will be used. For example, providing a single open search field (as opposed to several segmented fields) to allow users to search highly organised repositories of legal cases is unlikely to produce *quality results* in situations where lawyers have particular details about the legal material being sought and simply want to find it.

However, introducing too many segmented search fields to facilitate more powerful searching might improve the quality of results, but impact negatively on the *simplicity and approachability* of an electronic legal resource, making it more difficult to increase *familiarity* with the resource. It might, however, impact positively on the *degree of contro*l offered and, if it improves the quality of results, might also provide *speed/time-saving benefits*.

It is important to highlight, however, that the process of considering these tradeoffs is likely to differ for each electronic resource being designed. Therefore we do not believe that it is useful to design a resource based on factors perceived to make Google or any other resource successful. Instead, we suggest the importance of taking a number of inter-related tradeoffs, related to the factors identified in our study, into account when designing electronic legal resources. We also suggest that the balance of these tradeoffs that is likely to make an electronic legal resource successful will be

highly dependent on the types of information that the resource is designed to facilitate searching. We argue that only by considering the balance of these tradeoffs for each electronic resource that we design can we help ensure that our resources will be useful, usable and used.

We suggest that future research in this area might focus on examining a particular electronic resource or resources in light of the tradeoffs that we have discussed with the aim of suggesting ways of improving the design. For example, it may be possible to prototype a new electronic legal resource and ask lawyers to explore using the prototype and discuss their experience making reference to the factors and associated tradeoffs that we have identified.

5. ACKNOWLEDGMENTS

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