Artificial Intelligence & the Future of Law Libraries

Mid-Atlantic Roundtable Report

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Contributing authors:

Cas Laskowski, University of Arizona, James E. Rogers College of Law (Co-Host)

Teresa Miguel-Stearns, University of Arizona, James E. Rogers College of Law (Co-Host)

Anonymous

Tina Ching, Associate Director for Technical Services, Stanford Law School

Emily Florio, DLA Piper LLP (US)

Kerry Lohmeier, Associate Dean of Library & Information Services, Assistant Professor, University of Akron School of Law

Jean O'Grady, Director of Research & Knowledge, Venable, LLP

Adeen Postar, Law Library Director and Professor of Practice, Pence Law Library, American University Washington College of Law

Austin Williams, Director, Law Library & Professor of Law, Georgetown University Law Center

Kristin Wolek, Law Library Fellow, University of Arizona Daniel F. Cracchiolo Law Library, James E. Rogers College of Law

Please see Appendix A for full list of Roundtable participants

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Introduction

On Friday, October 13, 2023, a group of legal experts and legal information professionals gathered at the University of Arizona's Washington D.C. Center for Outreach & Engagement for what would be the first of six regional roundtable discussions on Artificial Intelligence & the Future of Law Libraries. This project was prompted by the far-reaching impacts – known and still unknown – of artificial intelligence (AI) on the legal information landscape.

While there is much discussion about generative AI's actual and potential disruption to law practice and legal education, there has been little discussion of how generative AI will change the legal information and law librarianship profession and practice. This project aims to break this silence and thrust law libraries and legal information centers to the forefront of discussion about AI, particularly generative AI.

The goal of this project is to gather a diverse (in every way) group of some of the most creative, thoughtful, and strategic people in the industry and give them the space to generate ideas and perspectives about the future. Participants of each of the six regional roundtables will draft a report, like this one, and then participants will collaboratively generate a white paper synthesizing all the findings and providing recommendations for law libraries as we progress into the age of AI.

The group that gathered at the Mid-Atlantic Roundtable in Washington DC was a mix of experienced academic, government, and law firm librarians, law faculty, and library and information science faculty. In order to facilitate meaningful conversations and sharing of ideas, the group was small, about 30 people, all of whom committed to spending the entire day in dialogue with one another about the opportunities and challenges libraries and librarians face with the infusion of artificial intelligence into the legal information infrastructure.

Cas Laskowski, Associate Librarian and Head of Research, Data & Instruction at the University of Arizona Daniel F. Cracchiolo Law Library, who is trained in scenario-building

methodology,[1] moderated the discussions on three consecutive themes: services, collections, and staffing. Notes from each table at each session were rigorously recorded, anonymously compiled, and form the basis of this report. The Roundtable operated under the Chatham House Rule, as does this report, to provide the safest environment possible for open and honest dialogue.

Key Takeaways

1. While the challenges for law libraries and law librarianship are real, the opportunities outweigh the challenges.
2. Immediate action is needed to ensure our values are reflected in AI tools and policies.
3. Gathering buy-in from the library team is critical to law libraries' continued relevance and longevity, and supporting law librarians' professional development in this emerging area is vital to these efforts.
4. Passivity on the part of law librarians with regard to AI, especially generative AI, will alienate legal information professionals in ways that are detrimental to the future of legal informatics.[2]

Opportunities Afforded by AI

Throughout the discussions, participants noted multifaceted uses for AI that could improve law libraries. From enhancing law library work and services to improving accessibility, inclusivity, and access to justice. AI is a tool to help create a future where librarians are empowered, impactful, and sought-after partners in various legal efforts, especially those involving AI.

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[1] Scenario-building methodology is a moderation technique whereby the moderator leads participants, who are organized into small groups, in vicious and virtuous cycles of thinking about, visualizing, and articulating mistakes we cannot afford to make (vicious) and opportunities we cannot afford to miss (virtuous). In these Roundtables, the sessions were dedicated to law library collections, services, space, and/or staffing.

[2] Legal informatics is a branch of information science that studies how law and technology intersect, and how technology is applied in legal environments.

Improvement of Work Culture & Job Satisfaction

AI technologies and resulting workplace efficiencies have the potential to revolutionize law library work culture by offering more flexible work arrangements, increased opportunities for continual learning and skill development, and enhanced services to law library users. AI-driven automation will increasingly streamline and perform tasks which will free staff to focus on higher-level and more complex and enjoyable work, which in turn will enhance a law librarian's value, productivity, and job satisfaction. This evolution of work will likely result in increased flexibility in work schedules, and such flexibility would improve quality of life and work culture for staff, and potentially increase diversity (broadly defined) in law librarianship. An increase in productivity and greater focus on higher level services could result in more competitive salaries which would help attract new employees and retain current ones.

With a greater focus on technology-enhanced skills, new staff positions should be created to address the need for programmers, legal tech experts, and UX librarians who are able to leverage emerging AI technologies for the benefit of the organization. Traditional librarian credentials might be challenged by the need for different skillsets as we develop new career paths. Recruitment incentives and retention efforts would be enhanced with continuous professional development opportunities in related areas such as data science, contract negotiation, and intellectual property, particularly copyright and digital rights management, as well as in more traditional law library work, particularly around collection development and research..

Roundtable participants envisioned drawing students to reimagined and rebranded libraries as information centers where librarians teach students to utilize technology effectively in all aspects of the legal profession. This would augment the mission and increase the reputation of law libraries among institutions and, as a result, attract more technologically savvy and highly skilled people to the legal information profession.

Law Librarians as Legal Informatics Leaders

Librarians are experts in data curation, information analysis, and design services, providing essential guidance alongside AI technologies. Law libraries have been creating specialized staff positions, such as data programmers and legal technology librarians, for

decades to respond to technological advancements and evolving work. In the era of AI integration, libraries could rebrand our profession to promote our expertise as being invaluable to AI efforts and to position ourselves as leaders in the field.

As the accessibility of generative AI and other advanced AI models increases, librarians can expand their impact into these new domains. The integration of AI necessitates continuous professional development and training initiatives. With this comes the opportunity for law librarians to assume these emerging roles adapting quickly to new technologies and emerging trends. By associating the law library with AI and emphasizing collaboration and innovation, law libraries are articulating a positive vision of the future and showcasing the myriad ways in which stakeholders can benefit.

Leveraging AI for Accessibility and Inclusivity

AI presents unprecedented opportunities to make information more accessible and inclusive for all users. By advocating for unlocking data and creating shared collections that are easily discoverable and shareable, law libraries can support the development of new APIs and AI tools that can adapt this information to people of differing needs and resources.

AI can also help with overcoming barriers. For example, ChatGPT was used to draft initial summaries of Roundtable notes and outlines for this report, serving as a useful remediation for one author's dysgraphia. It can also increase equity among individuals of differing privilege. For example, while one high school student might hire a college application coach, a first-generation student with more limited resources can leverage generative AI to similar ends.

Utilizing AI for Justice

AI has the potential to change the work of the courts and address access to justice gaps in ways that would fundamentally alter the work of legal information professionals and empower communities. The courthouse library of the future could supply lawyers and judges with information that could be utilized in selecting juries, locating witnesses, and drafting conscientious, neutral, and fair legal documents such as jury instructions, motions rulings, and sentencing memorandum. AI-driven information retrieval and

document automation systems, developed by legal information professionals in collaboration with legal information and access-to-justice partners, could help self-represented litigants navigate child custody hearings, landlord-tenant disputes, and criminal appeals.

Challenges of AI Adoption and Implementation

In recent years, law libraries have encountered myriad challenges – and sometimes failures – in the adoption of AI in their institutions and in their overall management practices. These challenges span from the pressure to adopt AI without proper evaluation to the failure to advocate effectively for the library's value and role as AI experts. This section delves deeper into these complexities, examining the challenges and potential implications of AI adoption in the law library, AI training for staff, AI advocacy efforts, and AI policy development by law library management.

Pressure to Adopt AI Quickly Prevents Strategic Engagement

The pressure to adopt AI technologies often outpaces a clear understanding of its implications, benefits, usability, and actual value. The rush to integrate AI technologies prevents collaboration across library types, exacerbating disparities in technology adoption, and prevents libraries from readying their staff to teach and integrate these technologies into existing frameworks.

New online resources incorporating or built solely with generative AI are coming on the market every week. While the marketing and sales materials might herald the future time and cost savings, the reality is that these predictions are often premature. Many of these tools are untested on a large scale, which makes the law librarians' job even more complex. In addition, these new generative AI tools, along with existing tools that are adding AI features quickly, come at a high cost.

The additional privacy and security concerns that come with the use of generative AI, particularly for law students, law firm clients, and juveniles in the legal system, has increased law librarians' time and effort in the procurement process. Without a robust understanding of AI and its potential uses, law libraries cannot fully exploit AI's capabilities or anticipate its impacts. This deficiency hampers not only the deployment of

AI solutions but also their acceptance by law library users. Law libraries must create comprehensive AI strategies and policies for themselves, their institutions, and our industry.

Finding the AI Balance

Libraries must strike a balance in their adoption of AI. A reluctance to embrace AI altogether is as equally detrimental and inefficient as embracing AI too quickly or over relying on AI. The challenge is to avoid these extremes and find a balanced approach, which will likely be unique to each institution.

Libraries are frequently re-examining their workflows and processes. It should be no different when it comes to AI-powered tools, work, and implementation. For example, a law librarian's routine work might be superseded with a third-party application allowing the librarian to engage in new and innovative work or services. At the same time, an overreliance on AI products and data for acquisitions, for example, could lead to incomplete or biased collections.

Thus, while law libraries must resist the temptation to accept the status quo and instead foster a culture of continuous improvement and innovation, law libraries must also strike a balance between leveraging AI technologies and maintaining human-centric services and activities that prioritize user needs, access, and empowerment.

Blurred Lines between Information Technology and Information Professional Domains

Libraries often struggle to articulate their value and to advocate effectively for their role within their institutions and communities. Libraries historically have let others define them, which has allowed decisionmakers to see libraries as superfluous at times, even as libraries increasingly expand services to their communities. Technological advances and the blurring of lines between information technology (IT) departments and libraries creates challenges. For example, a library's identity is falsely tied to books and space while computational advances are routinely seen as the bailiwick of the IT department. In fact, law libraries (not IT departments) are at the forefront of legal informatics.

If law librarians fail to market themselves effectively, this false assumption about libraries and librarians will prevent us from carving out a new role in this evolving environment. Our lack of advocacy leads to misconceptions about the law library's relevance, and perpetuates a cycle of underfunding and undervaluation. Underfunding leads to issues with staff retention and the inability of libraries to purchase new products needed to support library operations.

Reduction in Space, Collections, and Budget

The shift towards digital resources and the reduction of physical collections has been posing a variety of challenges for libraries for many years, particularly in terms of space and collection preservation. Print law collections have rapidly declined as libraries reallocate their budgets for digital access rather than print ownership. Many libraries have removed print versions of digitally available resources and no longer provide a print backup of content contained in databases. Collections are further diminished as vendors merge or fail, resulting in a loss of databases, competition, and access. This leaves historical preservation at the mercy of third party commercial vendors who do not have the same priorities, values, or incentives of the law library profession.

The reduction in print collections has allowed organizational leaders to reclaim and reallocate space, such as for centers and clinics in academia, office space in law firms, and meeting rooms in government law libraries. In these ways, the reduction of collections, space, and budget disempower law libraries, weakening our ability to adapt to emerging needs.

Needs: Identified Needs Arising from Roundtable Discussions

A reflection of the opportunities and challenges of AI adoption naturally leads to discussion of law library and law librarian needs in order to remain relevant to our respective institutions. Needs include both resources and strategies together with leadership, commitment, and creativity. This section expands upon the naturally occuring "must haves" articulated in the preceding sections in addition to emerging needs.

Need for Comprehensive Strategies

The absence of comprehensive AI strategies and policies is a significant oversight within libraries and many other sectors. Without clear guidelines and plans, law libraries face challenges in AI integration, risk management, and ethical considerations, leading to a disjointed approach to AI adoption within the institution and across the industry.

Law librarians can play a role in developing institutional policies. Developing clear and actionable AI strategies is essential for law libraries to navigate the challenges and opportunities AI presents. For example, in a law firm, before any lawyer uses a generative AI tool, there should be policies in place that address permissible use, approved products, client limitations, notification requirements, and more:

- Permissible use: is there a firm policy about what is allowed? Does the firm permit the use of any generative AI tools on firm computers and/or for firm business?
- Approved products: is there a list available of the tools that may be used?
- Client limitations: are there clients that do or do not allow generative AI to be used on the work being done for them?
- Notification requirements: if you use a generative AI tool, should you be notifying anyone about it? For instance, as a researcher, should you tell the requesting lawyer that (and how) you used an approved generative AI tool?
- Interorganizational communication: are there guidelines for effective interorganizational communication about AI efforts and projects to facilitate sharing?

Being proactive, rather than reactive, is essential to facilitate law librarians' future adoption of AI resources and to demonstrate our adoption of and interest in the technology.

Need to Reexamine Budgets and Explore Alternative Funding Streams

The integration of AI can have significant implications for library budgets and pricing strategies. Libraries are advocating for the adoption of AI technologies that lead to increased budgets and advocating for transparent pricing models divorced from traditional student or employee full-time equivalent calculations. By training AI models for improvement and collaborating with competitive publishers, libraries are enhancing their services and collections while advocating for fair and competitive pricing. These

efforts ensure that libraries have the resources they need to continue providing high-quality services to their users in the digital age. Additionally, libraries are exploring alternative funding sources, such as grants and partnerships, to supplement traditional funding streams and support AI initiatives.

Need to Invest in Professional Development

A critical barrier to AI adoption is the prevalent skills gap among law library staff. One solution to address the skills gap among law librarians is the availability of both institutional and association training, preferably on-demand, on the fundamentals and use cases of AI. Many law librarians are still at the beginning of their AI learning journey, and without an understanding of AI basics, one cannot fully imagine how AI can assist one's day-to-day tasks and provide research support more broadly. Law librarians who do not learn about and embrace AI will risk being left behind.[3] AI is here to stay.

Libraries need to invest in comprehensive training programs that cover a range of topics, including vendor license negotiation, library assessment, AI systems development, and ethical AI global impacts. By providing staff with the tools and resources they need to succeed in the digital age, libraries can empower their teams to adapt quickly to new technologies and emerging trends.

Vendor and contract negotiation skills are going to prove critical as new AI systems are developed and companies increasingly seek to collect training data for their products. Poor negotiation skills, caused by little-to-no training on how to negotiate vendor contracts, leads to unfavorable results for libraries. A disadvantaged bargaining position may result in law libraries' inability to hold vendors accountable for the ethical use of AI in their products. Information users are not sufficiently knowledgeable to push back on monopolies to provide leverage for contract negotiations, contributing to the cycle of poor ineffective and unsuccessful negotiations. Law libraries must advocate for fair and transparent vendor contracts that prioritize ethical AI practices and hold vendors

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[3] One Roundtable participant shared a recently-heard quip about lawyers, and adopted it for law librarians: "AI won't replace law librarians, but law librarians who use AI will replace those who do not." See, e.g., https://www.law.com/dailybusinessreview/2024/03/13/a-i-wont-replace-attorneys-but-tech-savvy-lawyers-might/.

accountable for their products and services. It follows, then, that understanding how these systems are created and function, at least at a base level, and engaging with the ethical dilemmas therein is vital to successful contract negotiation in this new age of legal informatics.

Many libraries will need to advocate for increased scholarships and funding for continued education courses to ensure that all employees have access to ongoing learning opportunities. By investing in professional development, libraries not only enhance staff capabilities but also foster a culture of lifelong learning and innovation. As mentioned previously, this will contribute to a positive workplace culture, job satisfaction, and improved recruitment and retention of legal information professionals.

Need to Create New and Innovative Partnerships

Collaboration with various partners is essential for driving innovation in law library management. Law libraries are partnering with IT and related departments, legal institutions, and data scientists to pool resources and create models that support AI integration. These collaborations create partners out of competitors, reducing the pressure in each of these units to prove value in new AI efforts. By reducing friction and encouraging collaboration across institutions, libraries can leverage the expertise of diverse stakeholders to address complex challenges and drive positive change.

Additionally, libraries are fostering collaborations with community organizations, schools, and businesses to identify shared goals and leverage collective resources for mutual benefit. These partnerships enable libraries to tap into a broader network of expertise and resources, enhancing their capacity for innovation and adaptation in the digital age.

Seeds: Interesting ideas for potential implementation

One of the benefits of creative conversations such as this Roundtable, is that they give us time and space to examine "what is" and imagine "what might be," thus formulating seeds of ideas that we can further explore and expand. It is not the goal of this section to create a roadmap for how to bring these ideas to fruition nor to judge their merit. Rather, this section will capture those seeds, together with the readers' curiosity, so that

as the project moves into the next phase, we might find that some of these seeds grow into actionable next steps.

National Trust for Government Data

Government data, though more accessible than in the past, is still disparately stored, formatted, and distributed. The idea is to have a National Trust that is a central repository of open, machine readable data from all levels of government. The National Trust owns the data which will ensure that it is available with an open license to the world. Our National Trust will be a model for other countries.

Consortia for Digitization and Shared Digital Collections

It is critical to consider the future of law library collections in a way that is responsive to the challenges of space and budgets as well as the increased need for data. This idea is to create a consortia of law libraries with the main goal of digitizing and creating shared data and digital collections. Consortia members might, for example, collaboratively develop new datasets or shared historical collections, and provide access to them through the consortia.

Information Professionals as Information Publishers

A related idea is that information professionals might find ways to publish legal information and utilize the revenue to help fund our various missions. The majority of legal information is published by third-party, for-profit vendors. In this new model, the third-party is a legal information organization such as an academic or government library.

Taking control – or at least participating in – legal information publishing will benefit researchers, patrons, and libraries by making legal resources more affordable and

accessible. The information will certainly be preserved, too. AI can facilitate this effort, making creation and publication of some materials less resource intensive.

<div align="center">Library Developed AI Systems</div>

Another idea generated during the Roundtable is to collaboratively create a relevant, safe chatbot that is trained on a large set of library data for use in library services. Such a chatbot would be responsive to queries and requests that libraries tend to receive, and would provide answers from a controlled, curated collection of data and responses. AI-powered chatbots can provide reference assistance 24/7, triaging questions and directing users to relevant resources while improving customer service and accessibility.

Similarly is the idea to develop internal AI systems to facilitate information retrieval, such as an AI powered search interface over a back-end database of library vendor contracts that one could prompt for on-demand answers to contract terms, such as sharing limitations, indemnification clauses, and data privacy policies.

Conclusion and Recommendations

This new era of AI systems and innovations presents a complex landscape of challenges and opportunities. Through strategic planning and collaboration, law libraries can forge a productive and impactful future with law libraries as key members of legal informatics leadership. Some creative and insightful strategies arose out of this first Roundtable.

To take leadership roles, we need law librarians to be well versed in AI and well resourced within their organizations. Quality professional development and thoughtful curricular adjustments in librarianship training is needed, as is a need to craft intentional strategies for how we might move forward, together. Collaboration across the legal profession will be vital to the success of any future progress in this area.

We hope this initiative is merely the first step in establishing such a network of collaboration, and that these conversations will lead to the development of initial strategies for an AI-empowered legal information future.

Appendix A – Mid-Atlantic Roundtable Participants, October 13, 2023

Elizabeth Adelman, Director of the Law Library, Vice Dean for Legal Information Services, Associate University Librarian for Law, University at Buffalo

Anonymous

Simon Canick, Director, Arthur W. Diamond Law Library, Columbia Law School

Tina Ching, Associate Director for Technical Services, Stanford Law School

Kristee Copley, Assistant Librarian for Technology, U.S. Court of Appeals for the Federal Circuit

Michelle Cosby, Assistant Dean of Legal Information Services, Washington and Lee University School of Law

Courtney Dalton, Research Librarian, Cornell Law Library

Andrew Dang, Law Student, Arizona State University

Mary Abigail B. Dos Santos, Manager of Library Services, Caplin & Drysdale

Elizabeth Edinger, Associate Professor of Information Services and Director of the Law Library, Columbus School of Law, The Catholic University of America

Emily Florio, DLA Piper LLP (US)

Kerry Lohmeier, Associate Dean of Library & Information Services, Assistant Professor, University of Akron School of Law

Gina Lynch, Chief Knowledge and Innovation Officer, Paul, Weiss, Rifkind, Wharton & Garrison LLP

Scott Matheson, Superintendent of Documents, U.S. Government Publishing Office

Marc Miller, Dean and Ralph W. Bilby Professor of Law, University of Arizona, James E. Rogers College of Law

Teresa Miguel-Stearns, Associate Dean & Director, Daniel F. Cracchiolo Law Library, University of Arizona James E. Rogers College of Law

Jean O'Grady, Director of Research & Knowledge, Venable, LLP

Glorio Orrego Hoyos, Fellow, O'Neill Institute for National & Global Health Law, Georgetown University Law Center

Adeen Postar, Law Library Director and Professor of Practice, Pence Law Library, American University Washington College of Law

Leland Sampson, Head of Web Content and Services at Maryland Thurgood Marshall State Law Library

Tara Sklar, Faculty Director, Health Law & Policy Program; Associate Scholar; Distinguished Public Service Scholar

Tanya S. Thomas, Research & Instructional Technology Librarian, University of Maryland, Francis King Carey School of Law

Austin Williams, Director, Law Library & Professor of Law, Georgetown University Law Center

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