

Is information literacy a basis for life-long learning? Observations from the workplace.

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Abstract

The premise of university based information literacy programs is that students learn transferable skills relating to the use and management of information, and therefore are well equipped for lifelong learning. From her work with new graduates from most Australian law schools over almost a decade, Carmel O'Sullivan observed that while graduates generally understood the process of finding information, in a professional context this was not enough. The more challenging topics of understanding the need for information, critical evaluation, managing information, synthesising new and existing knowledge, and acknowledging the cultural, ethical, economic, legal, and social issues surrounding the use of information are significant for the success of a junior lawyer. In her role as national training librarian for one of Australia's largest law firms, Carmel designed and delivered a year long information literacy program for law graduates. That program sought to address what Carmel interpreted as an information literacy gap between university and work by encouraging law graduates to un-learn some behaviours and attitudes they had picked up at law school, and to expand on their information seeking skills.

Paper

INTRO SLIDE

Icebreaker

Let me tell you a little story... A couple of years ago, I was visiting the Melbourne office of the law firm I worked for, and giving a series of legal research workshops for the lawyers there. One of the people who had signed up was a senior partner, and before his session, he confided in one of the librarians that we was afraid his lack of computer skills would impede the progression of the class, so he was hoping to meet me before hand to get up to speed. We suspected he didn't want to be embarrassed in a class full of "young-gun" lawyers, and of course I was happy to give him a bit of pre-workshop coaching.

Now this guy was probably in his 60s, and he'd been practising law for perhaps 40 years – well before all the electronic research tools that are supposedly making researching so much easier now. For all I knew he might have been someone who took 5 minutes of excruciating concentration to manoeuvre the mouse across the screen to the Search button. I was prepared for the worst! However, I was reasonably confident that he would recall the print versions of the tools that new graduates now search electronically. So I started off explaining the connection between the printed tool (now basically obsolete) and the electronic version, and what parts of that old print version were able to be searched in various ways in the electronic version.

One of the things I often have trouble getting through to some new grads is the concept of fields – in law when you're searching for "judicial consideration" of a certain phrase, that's a lot different from searching just for mention of that phrase, for instance. And so doing a general search for that phrase turns up a lot of things that just aren't relevant, even though they're a match for the search. Well, there was no such problem with our senior partner. He instantly understood what the search engine was doing and why certain results came up. His extensive knowledge of the law enabled him to look critically at the results and ask searching questions of me – why did that case come up when I know it's about a and I searched for b? And when I explained why, he really listened and was able to construct more accurate searches, or filter what he did get. He was a bit like a maths whiz using a calculator – he used the technology, but he could also do the sums in his head, and he knew what kind of number should come up. So if the computer said 1000 and he knew the answer would be more like 10, he asked why.

It was really a fabulous exchange and we both ended up with a huge amount of respect for each other. All the things that I had tried many different techniques to get the new grads to realise and question and think about came absolutely naturally to him. He had never used the databases before, it was probably years since he had to do any real research himself, yet he was my ideal “information literate” student. This gap between a new graduate who turns up to work at a law firm and that senior partner is what I want to explore a bit further today.

OUTLINE SLIDE

Case Study

A graduate legal research training program

- Background
 - First thing I did...
 - Teaching new lawyers
 - Reasons for success
 - Why the program was necessary
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The background

Because this is a case study, let me start by simply describing the program. I know that most of this audience are academic or polytechnic or TAFE librarians (apart from at least one law firm librarian). This symposium is about transitions, and one of the key transitions that is a focus of many educational institutions is that transition into the institution – whether it be into the first year of high school, or into the first year or TAFE or Uni. Really I’m talking about the same thing – but in this case it’s the transition from law school into the first year at work in a law firm. I’m hoping that just as the teacher librarians in the audience are keenly interested in how their year 12s fare as first years at uni or TAFE, so the academic librarians will be interested in how their graduates fare in their first year at work. And I hope that in discussing how well or badly particular information literacies transfer across the study/work boundary, we might identify some questions or issues that are pertinent across the board and which perhaps deserve more study and research.

PHOTO SLIDES ON AUTO

So, to explain.... In law firms it is traditional to focus a lot of energy into professional development at several key transition points – the first year as a graduate lawyer, the first year as a senior associate, and the path towards partnership. In particular, the first year as a graduate lawyer is one where the new lawyers really are treated quite differently. In the past they were “apprenticed” for 5 years or so, and more recently for 2 years. Articled clerks did their learning on the job and under the tutelage of a more experienced lawyer. Nowadays, that on the job learning has morphed and constricted and been formalised. It’s pretty much the norm for law graduates to do a certificate type postgraduate qualification either full time or while working at a law firm, in order to qualify to practice.

In about 1999/2000 the firm I worked for was one of the first national firms in Australia to move to a system where the new graduate intake in every office got the same “practical legal training” from an outside provider, which then gave them the extra qualification needed on top of their law degree to be admitted as a legal practitioner. It was in this era that I was offered a role as the national training librarian for the firm. It was a job I had sort of asked for, in that a year or so earlier, when my boss had done an exercise asking us each to describe our dream job, I had somewhat facetiously suggested that it was about time law firms realised the value of having information literate lawyers and was prepared to fly someone around the country teaching them the skills they lacked. So around the end of 1999, a new role was created for

me, and I was told to write my own position description and see what I could do with the job. It seemed a bit too late to confess that I wasn't really serious about that fantasy job!

My approach to designing this "fantasy job" was very much influenced by Christine Bruce. She was an inspirational teacher, and had given me the kind of grounding in information literacy principles that I later discovered not too many library graduates had the benefit of. In the beginning I was doing this solo, and I literally did spend the first couple of years flying around the country teaching lawyers about research.

First thing I did

The first thing I did when I sat down in my new office with nothing on my task list, and the expectations of the whole library staff at least weighing heavily on my mind, was to construct a list of "research competencies". What I was doing was formalising the things I thought lawyers (and there was a separate list for support staff) should be aware of or competent at. I was mindful of two things when I wrote that list – a "methodology based" approach to teaching legal research, and the information literacy principles so ably taught to me by Christine during my library degree.

The methodology based approach simply meant that you looked at legal research as case based, legislation based, or subject based, and used different methods for each type of research. What I tried to make explicit in my set of research competencies was the links between each method. So if you start off with a piece of legislation, that legislation will be interpreted by the courts (meaning you have to move to a case based approach) and it will be commented on in secondary materials (meaning another methodology is called for). I included a set of competencies for staying up to date, and a set of general research competencies that were independent of each of the methodology based approaches. Because I was keenly aware not only of the principles of information literacy, but also the day to day working environment, I deliberately included reference to the management of information (keeping file notes, bearing the cost and client's needs in mind, sharing knowledge with your colleagues), and to the human sources of information (using checklists and guides, asking for help and advice, maintaining contacts at relevant government departments, knowing who the experts are in your field, being an active member of relevant professional bodies etc).

These research competencies were published on the firm's intranet, and I used them as a reference point when designing individual training sessions, when writing guides and checklists, and when designing each year's program. I guess they were similar to a really detailed set of graduate outcomes.

Teaching graduates

While my job entailed more than just teaching the new graduates in their first year with the firm, that was a significant and quite a discrete part of the job, so it's quite easy to describe. At the start of each year, we came up with a full year's program of classes to be run in five offices around Australia. There were typically 8-10 classes that graduates had to attend. In that first year, they also attended their "practical legal training" classes with the outside provider, and a lot of additional in-house sessions offered by their practice group or the professional development team. So it really was a period of intense learning for them.

The classes that we ran for graduates were all hands on workshops, either in a training room with computers, or in group discussion venues. There were no chalk and talk lectures. Even the library tour in their first week was a treasure hunt where they needed to talk to people and share their discoveries, rather than the librarian walking around pointing out the obvious to a bunch of yawning youngsters. The groups were almost always less than 10 (in larger offices we ran 3 or 4 repeats of the same workshop). We ran the same program in each office, with alterations to the detail in the sessions that were very jurisdiction based – so I'd write 5 versions of a legislation workshop, for instance, and make different examples for Western Australia, Victoria, Queensland etc. Later, we added some practice group specific sessions, and those ran in the offices with significant practice in those areas. Not all graduates in each

office attended those “specialised sessions”. We ran them just as the graduates rotated into those practice areas, and only for the couple of individuals who were moving into the particular areas. In the larger law firms it’s common for graduates to spend 3 or 4 months working in one practice area, and then rotate to another one. Just to complicate matters, they often rotated to a whole different office, which brought with it additional logistical complications!

Two things that made it successful

In retrospect, I think there are two things that really made the graduate program successful. **First**, I think deliberately using information literacy principles as the foundation of those research competencies that I wrote on the very first day, meant that every individual session did address more than the ability to find information. They were more interesting sessions to teach, and I’m certain they were more interesting to participate in.

Secondly it was that I was not just keen but DESPERATE to listen to criticism. I evaluated every single session in the first couple of years. I spent hours collating the results and determining how I could improve each session. I kept my own learning journal, and later I used this technique with the librarians who joined the training team. I consulted widely with the librarians in the firm, with the lawyers in the firm, with the HR professionals in the firm. During the year we explained the goals of the program to the graduates as we taught them, and encouraged them to tell me whether or not I was getting close. At the end of each year we held focus groups with the graduates we’d taught in that year, and then planned a program for the following year that took account of the things we’d learned from all of our consultations. This wasn’t paying lip service to the idea of evaluating our performance. I wasn’t trying merely to get some positive feedback to add to my bouquet file. I really wanted to get inside the skin of the lawyers and find the right ways to enrich their working lives, to give them the support they needed, while respecting their professionalism, and hopefully getting them to respect the professionalism of their librarians.

Why was a program necessary?

The big question is - why did we need to create a year long graduate program to teach legal research skills to the top graduates from a wide range of Australian law schools? Shouldn’t they be information literate already? Doesn’t 4 or 5 years at law school teach you all you need to know about legal research, and shouldn’t your first year in a law firm be spent learning how to write good advices, what time to arrive at Friday night drinks, and how to fill in your time sheet? After all, we’re not talking about people scraping through their degrees. These were some of the top students from some of the top law schools. Shouldn’t they be totally at ease in a law firm library?

Obviously in my experience, the answer is no. Most law graduates don’t emerge from university with the skills they need to carry out research in a professional context. Most – and this has improved noticeably over recent years – are tech savvy and familiar with the most common electronic legal research tools. They can almost always find some information that’s probably fairly relevant to the issue at hand. Many often cannot find the most up to date, most authoritative, most relevant information available. So they find “stuff”, but not necessarily the right stuff. They will be able to give advice, but it may often be advice based on the information that was easiest and quickest to find. For research where the answer may be elusive and possibly non-existent, they won’t be able to confidently say that there is no answer, nor diligently work through a process of tracking down that elusive authority, should it exist. There are exceptions, of course, and I have seen graduates who turn up on their first day, absolutely work ready. It almost goes without saying that these are the graduates who are also most enthusiastic participants in the research training program. It’s often the ones most in need of the training who take the most persuading that we have anything worthwhile to teach. In the main, I think it’s fairly accurate to say that if law graduates are information literate when they walk out of their final exam, something happens over that summer break, and they’re not information literate come February the following year.

So what exactly are the gaps? If we return to the senior partner I described at the start, what set him apart was his understanding of the context in which he worked, and his practical appreciation of the need to evaluate, critique and select appropriate authorities. Those are things he has absorbed over years of practice. He is focused on his clients, and he knows exactly what the difference is between information that is quickly and easily found, and information that is correct, authoritative and meets the client's needs.

Is this because uni based info lit programs hadn't matured, and therefore we weren't seeing grads with the benefit of those programs? I think that is certainly true at the moment, and now is the time when law firms will start to see more graduates arriving who have had 5 years of "embedded" information literacy training. But now that I have moved back to a university, and am working more closely with academic law librarians, I realise that most of them are dissatisfied with the extent of their information literacy programs and most would admit that their graduates probably don't get the grounding they really need. So certainly one reason for the information literacy gap is quite simple – those skills aren't yet being taught in a satisfactory manner at all universities. Connected with that is the problem that many universities focus their IL interventions in the first year, and it is a rare few among law schools at least who have the degree of stepped exposure to information literacy embedded into the curricula. So not only are graduates suffering in the workplace because they may not have had exposure to a sophisticated IL program, those who did have a good IL program quite often will have had that in the first year, and haven't deepened their skills throughout the degree.

While it's hard to tell simply from casual observation, but my suspicion is that while graduates would be much more comfortable with the transition to work in a law firm if they had the benefit of an embedded IL program over their full law degree, I think there is still a dramatic shift from university to work which will take some negotiation. The senior partner example I used in the beginning does demonstrate that information literacy is in many ways about the **context** in which the literacy is practiced. It is very difficult to replicate the atmosphere of a law firm when you are at university, not to mention inappropriate since so many law graduates never practice! Graduates will have to un-learn their solitary, competitive approach to university studies and work in a more open, team based environment. They will be very closely supervised on a day to day basis by a few people, rather than assessed along with a couple of hundred others in a remote fashion on a few occasions during the semester. At university they can be expected to master how to "find" conventional legal material, but in practice, the type of research they will carry out will be much more random, focussing often on the obscure, unusual or difficult, and it will not always be confined to law. Some will end up practicing in an area where conventional research isn't required day to day, but they still need to be adept at staying up to date, organising information, interpreting information, and creating new understandings.

The 6 information literacy standards do stand up reasonably well in a professional work environment, but the practicalities of recognising the information need, evaluating and managing information, constructing new understandings and understanding the issues surrounding the use of it are quite different in a work context. Perhaps the mechanics of finding the information is the same, but those remaining five standards do take on a different colour when transferred into the work context.

Perhaps it is teaching people the skills to adapt to a new context that should be the focus of university il programs in the later years?

RECAP SLIDE

- Background to the program : PLT
 - Approach : methodology + all 6 IL standards
 - Success : research competencies + reflect / evaluate / improve
 - Why?
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- Uni programs not yet mature
 - Uni programs in first year, or purely “find” based
 - Dramatic shift in context between study and work.
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Summary

To recap, then, the program that I developed for that particular law firm came about at a time when new graduates were participating in a national “practical legal training” program, and the library’s program fitted nicely with it. It centred around teaching graduates skills and attitudes based on both a methodology approach to legal research, and the full set of information literacy standards. It was successful because not only did we deliberately try to expand our focus in each session beyond simply finding information, but also because we made a concerted and sustained effort to reflect on the program, seek feedback and input, and to continuously improve what we offered. This kind of program was probably partly compensating for the fact that many law school information literacy programs were not fully mature, and we weren’t yet seeing graduates who’d gone through a whole embedded program. And many of the programs that were in place focussed on the first year, and on the ability to find information, to the detriment of later years, and the remaining IL standards. But even with the benefit of cutting edge programs, I think there is still a “gap” by virtue of the dramatic shift in context between university and work. I think there is work to be done both in universities and in the workplace on discovering what makes for a successful transition into a different context, and how academics, librarians and learning and development professionals on both sides of the study/work divide can assist people in making that transition a successful one.

CLOSING SLIDE

Questions?