

## INTERNATIONAL PERSPECTIVES

# Changes to Legal Information and Work in Times of Crisis: Feedback, Outlook and Expectations

**Abstract:** This article by Isabelle Brenneur-Garel, President of Juriconnexion and its working group, 'Journée'<sup>1</sup>, focuses on the Juriconnexion association's annual conference, held on 21 January 2021 by videoconference. The choice of topic was motivated by the recent pandemic: changes to legal information and work in times of crisis. How have professionals navigated this ongoing crisis? What coping strategies have they developed? What does the future hold? More than twenty speakers from academia, legal publishing, legal associations and networks, and the legal and legal-related professions shared their experiences with members of the working group.

**Keywords:** legal information; legal profession; digital content; Covid-19; lockdown; teleworking; remote working; ways of working; Juriconnexion

## INTRODUCTION

Juriconnexion<sup>2</sup> is an independent professional association of 30 years' standing whose 200 members use legal information, digital databases and electronic legal information products. For the first time on 21 January 2021, it held its annual conference by videoconference. The theme of the conference, entitled 'Changes to legal information and work in times of crisis: feedback, outlook and expectations' was chosen to encourage discussion between different stakeholders about the pandemic period just past and the ongoing crisis situation.

The term 'Covid-19' first appeared at the end of January 2020. Since then, the terms 'cluster', 'face-to-face', 'social distancing' and 'lockdown' have been widely used in the media. Teleworking, short-time working, masks and hand sanitiser gel have all become part of our daily routine.

The shock wave caused by the crisis affected public and private sectors, companies, universities and students. New ways of working such as teleworking and videoconferencing have emerged. Entry to libraries and universities, however, has been restricted, with access to books and knowledge disrupted by the crisis and its management.

Is an all-digital solution possible? Can access to knowledge and information endure?

Videoconferencing cannot completely replace being physically present. The State Council (EC – Order of 27 November 2020, no. 446712) has ruled that the denial of physical presence in criminal proceedings constitutes a serious and manifestly illegal violation of basic freedoms.

In addition, liberty injunctions (*référés liberté*) have been filed on numerous occasions over the closure of bookshops and the legality of companies' health protocols. There have been many points of contention between the various stakeholders.

These discussions involved 21 speakers spread over three round tables and representing public and private sector stakeholders from the legal information sphere.

**I. First Round Table: Accessing public legal information**

**II. Second Round Table: Adapting the role of publishers and producers of information and legal services**

**III. Third Round Table: Working together in times of crisis**

## I. FIRST ROUND TABLE: ACCESSING PUBLIC LEGAL INFORMATION

Featuring academics, teachers, University Library (UL) curators, members of DILA (Legal and Administrative Information Department).

**(a). Three representatives from university libraries responded to questions posed by the President of Juriconnexion as part of a dialogue.**

- Sylvie Chevillotte, General Libraries Curator at Paris I University

- Isabelle Gras, Aix University Libraries Curator
- Rémy Lérignier, Digital Legal Documentation Instructor, University of Poitiers

Have ULs suffered from the crisis and the lockdown(s)? Were there any regional differences in organisation? What about access to libraries, books and theses? How were your departments organised? How did you communicate? What measures could have been offered to users?

The lockdown between March and May 2020 was a shock to the system. Libraries were closed to users, and working from home was difficult due to a lack of proper resources. Sylvie Chevillote, General Libraries Curator of Paris I University, said that they gradually reopened from June 2020, with severe hygiene rules, limited access, barrier measures, and 'click & collect' procedures. A newsletter from 30 October 2020 still governs access rules, with an appointment system for students and the reading room reduced to 50% capacity. However, the ULs are open. They had to adapt their service according to the rules and curfews.

As for the regional ULs, Aix University Libraries Curator, Isabelle Gras mentioned the links maintained with users. From the beginning of the lockdown, an online Q&A and a chat system were set up to help them. Rémy Lérignier spoke about students' realisation as to the usefulness of paper books, now that they no longer had access. There were many requests for access to theses – more than in normal times, especially in March and April 2020. These theses are often accessible via the microfiche in the reading room. However, access was more limited under lockdown.

UL departments used their websites and social media for much of their communications. Sylvie, Isabelle and Rémy presented the initiatives they implemented to enable access to resources and maintain contact with students and library users:

- UL website continually updated, educational fact sheets, Cujas Jurisguide<sup>3</sup>
- initiatives shared between ULs
- creation of a news blog for researchers (hypothesis.org)
- creation of an 'Alice' electronic newsletter

During the first lockdown, public and private legal publishers facilitated access to their databases, as relayed on Juriconnexion's website and list. The ULs also provided access. Cairn offered time-limited free access. In Poitiers, said Rémy Lérignier, the UL enjoyed free access to the Dalloz Digital Library, which mitigated the difficulty of accessing paper books and allowed students to work from home. The faculty later opted to make this subscription permanent.

Regarding training offers, Isabelle Gras stated that face-to-face training now happens via webinar, in particular for doctoral students. These courses will continue going forward.

In conclusion, the ULs are open. They have great affection for their users and they hope to get back to how things were, with more people!

### **(b). Nicolas Molfessis, Professor at Paris 2 University and Lawyers' Club coordinator**

The current crisis has led us to address problems relating to teaching and research. How could universities organise themselves? How can students access their classes and teaching and learn about the law? Several different methods were employed:

- filming the teacher and using a platform to provide a non-interactive stream or delayed video class, with or without images, as well as access via podcast.
- taking a class on Zoom or Teams or a similar platform, depending on the students' capacities and with no limit as to time or audience. Paris 2 University has a licence for 1,000 people.

Significant efforts have also been made to give students remote access to databases. UL curators have gone to great efforts to ensure students can continue their research. The public legal information service was highly active thanks to the dedication of all its agents and contractors. In just a few weeks and months, the university community succeeded in the considerable task of remaining operational.

We do not always consider the difficulty that students face in accessing pure legal information. Students are asked to work remotely, as if we were not in the midst of a pandemic. They are asked to produce the same type of work but they often do not always have access to the necessary technology (computers, printers, etc.) or reliable internet connections. As we have seen previously, these students can count on the effective support of the ULs.

But another approach is to consider the influence of technology on the study of law itself. In the words of Bruno Latour, 'technology is mediation'<sup>4</sup> between the individual and their research subject. Jacques Ellul's<sup>5</sup> 'The Technological Society' also invites us to rethink the way we look at access to the law.

A number of new techniques for learning law – Twitch courses, videos, wifi, PowerPoint, copying/pasting bibliographical references – all have an influence on teaching. If I do documentary research in the UL in Paris, Aix or Poitiers, for example, I will be influenced by what I am given. That is, by what is made available to me. So technology is a tool, but also a type of mediation – an interface – between the individual and knowledge. Technology is not the only influence. There are a number of significant variables that bridge this divide. For example, the length of the moral rights of the author is a considerable constraint for databases. If everything was open access, we would have a very different inventory – far greater

than if we were in a copyright system with 70-year protection and the impossibility of accessing certain texts.

It seems to me that technology plays a fundamental, influential role in the study of the law. Jean Gasnault, a member of the Juriconnexion Board of Directors, told me about specific problems faced by Juriconnexion members during lockdown, in particular the difficulty of accessing information. I wrote an editorial entitled 'Who is Jean Carbonnier?' in the *Semaine Juridique Générale* of 15 June 2020<sup>6</sup>, after noting that the late Jean Carbonnier was part of a generation where digitisation was extremely complex due to copyright, among other issues. This means that 98% of his writings are not accessible online. So we find ourselves faced with this extraordinary paradox, whereby France's greatest twentieth-century lawyer is also its least consultable during the lockdown. Another example: if a student is asked to comment on the *Jand'heur*<sup>7</sup> ruling handed down by the Court of Cassation on 13 February 1930, it will be much easier for him or her to find a corrected second-year student essay on the Internet than Georges Ripert's top-quality academic commentary.

Ultimately, all these data relating to technology, access, ways of disseminating information, teaching methods, research methods, etc. have an influence on the study of the law. Two or three influences seem obvious.

Firstly, we lose a lot of genealogy of knowledge. There is no academic quality without genealogy, when the source of the knowledge is unknown. While technology makes it very easy to copy and paste footnotes, some people do not check these footnotes and do not know the authors cited.

Secondly, does the proliferation of databases help to deprioritise knowledge? Consider the decisions of the Court of Cassation, which continues to publish only a limited number of selected decisions on its website; i.e. those it considers the most important. But other portals, such as Légifrance and other private databases, publish everything. Within this profusion of information, an unpublished judgement has the same worth as a published judgement. A relatively unimportant decision may receive more comments than a major decision. And as Professor Molfessis points out: deprioritising knowledge leads to the death of learning!

And lastly, online knowledge is segmented, fragmented, or even fragmentary. It is no longer systematic, or even systemic. To combat this, Professor Molfessis encourages his students to read the entire chapters of their civil code on a question, while their usual impulse is to search for an article of the code on Google. Online, students will only have access to a few isolated lines, which are separated from what comes before and after. These conditions produce a very clear risk of confusion, on all sides, between information and knowledge, which are two extremely different things.

However, access to information through digital tools, legal researchers and university libraries has seen us through during this pandemic. We have no idea what

would have happened if the pandemic had taken place twenty years ago, when these technical tools did not exist! Students were able to continue learning. Nevertheless, it cannot be denied that legal learning suffers from the profusion of information and the confusion between information and knowledge.

### (c). Legal and Administrative Information Department (DILA)<sup>8</sup>

Participants:

- Fabrice Guillot, Head of the DILA Official Publications division.
- Emmanuel Cortes, Head of the DILA Legal Information department.



Figure 1: The Légifrance webpage.

### Presentation by Fabrice Guillot, Head of the Official Publications Division - DILA

The role of this Division includes drafting the editions of the Official Journal, publishing parliamentary debates and publishing the laws and decrees that will be the subject of our presentation here.

DILA's challenge: to ensure the daily release of the Official Journal (OJ) around 1.30 a.m., in HTML form and entirely dematerialised. The OJ also comes out in electronic form with an authentication certificate.

In times of crisis, we need to ensure the continuity of public service and the release of the Official Journal. For several years, the division has been working on a risk management plan.

Working hours are from 9am to 1am, with a day team and an evening team. We have an agreement with the Government's General Secretariat that the latest texts to be published in the next day's Official Journal must reach us by around 8 p.m.

On the technical side, a business continuity plan has been tested for several years to respond to exceptional situations linked either to an urgent current event or to technical issues. This has prepared the division for several scenarios, such as publishing an Official Journal the day after a public holiday or on a Monday. This plan allows us to publish one or more texts while the day's Official

Journal is already online, and therefore to release a second Official Journal in the course of the day. I am referring here to the supplementary OJ, a measure implemented following the terrorist attacks of 2015.

And finally, business recovery plans allow us to publish away from the DILA institutional site in Paris in the event of technical damage, flooding, or problems with the servers. However, a scenario involving total lockdown had not been prioritised, and we had to react swiftly.

The health crisis has had several impacts on the Official Publications division. On 14 March 2020, the teams moved over to an emergency business continuity plan via teleworking, with all the tools that this required (screens, VPN access, etc.), when formerly they were used to working face-to-face and in open space. Emergency changes have been a challenge in terms of management. The second impact was the need to publish legislation relating to the state of the health emergency. This is legislation that enters into force immediately, with a very tight timeframe. More legal texts with short publication deadlines were published in 2020 due to the health emergency. Eleven exceptional Official Journals were published, all of which related to the health crisis.

We had to modify IT flows to speed up the frequency of updates and the consolidation of certain texts, allowing citizens to read legal texts in a simpler format as quickly as possible. This required intensive work and the large-scale mobilisation of DILA agents. Stand-by duties were increased to allow for an almost round-the-clock production capacity.

In conclusion, the continuity plan allowed us to foresee many difficulties. Thanks to the work of the IT and editorial teams, the official publications division managed to cope during this time of crisis.

**Presentation by Emmanuel Cortès, Manager of the Dissemination of Legal Information to the DILA** within the Information Systems sub-division, and project manager for the new Légifrance.

The lockdown did not prevent DILA from pressing ahead with its project to create a new Légifrance portal. Légifrance is the public service that disseminates the law via the Internet. Since 2016, legislation, laws, decrees and orders in particular have been published daily in exclusively digital format.

#### *Impacts of the crisis:*

People were logging in to find out about government legislation, such as health emergency measures. There was an increase in traffic on: <https://www.legifrance.gouv.fr/>

There was 17% more traffic in 2020 than in 2019, and 34% more direct logins and mobile phone logins during lockdown.

#### *Modernisation of the Légifrance portal*

- disseminating the standard (consolidated codes and legal texts, case law, collective agreements and company

agreements) in compliance with repositories allowing access to people with disabilities; improving referencing and the ease of locating the versions in force; improving search options; and adding new resources (two million new pages added and 55,000 official journals). For the new Légifrance project, it was decided to open all resources in the form of APIs to provide various parties with open-data access. The project versions were tested by a panel of 4,000 users. We made the beta version accessible for 11 months – a period that unfortunately included the pandemic. Public webinars were offered both on the website and on LinkedIn to train users. We also had to strengthen our security, as all-digital solutions lead to greater IT risks.

We were able to release the finalised version of Légifrance in September 2020.

## **II. SECOND ROUND TABLE: ADAPTING THE ROLES OF PUBLISHERS AND PRODUCERS OF INFORMATION AND LEGAL SERVICES**

Seven speakers from private legal publishing and legal tech presented their actions during the pandemic, as well as their feedback and their outlook for the future.

- Isabelle Bussel, Managing Director, Law & Regulation Division, Wolters Kluwer.
- Christophe Deriot, Director of Strategic Accounts, Éditions Francis Lefebvre.
- Sophie Coin-Deleau, Operations Director, Lexis Nexis.
- Frédéric Etchart, Publishing Division Director, Lextenso.
- Fabien Girard de Barros, Director of Information and Development, Lexbase.
- Catherine Legargeant, Director of Lawyers and Legal Professions, Dalloz.
- Antoine Micaud, Co-founder of Easyquorum.

The first lockdown in March 2020 took all of these by surprise. An urgent response was needed, both for their internal organisations and for their relations with customers facing difficulties.

First, we will see the reactions of traditional legal publishers (a); then, second, the response of 'Easyquorum', a legal tech organisation (b):

### **(a). Legal publishers**

The reactions and actions had the following similarities: Implementation of teleworking, remote working tools, VPNs and management structuring to manage remote teams. Some publishers such as Lexis Nexis or Wolters

Kluwer were already used to teleworking, and expanded the process. Others, such as Lexbase, a digital native, were already equipped to cope and did not have to manage a paper publication. Others, such as Lextenso, are of a size that allowed for rapid restructuring.

Publishers then prioritised continuity of service and customer communication. Many responded to Juriconnexion's offer of help in opening up their databases and taking steps to help users during the March 2020 lockdown. The Juriconnexion Wikipedia page<sup>9</sup> lists the publishers that took part.

Which solutions were prioritised? Many chose to help customers who no longer had access to their offices, and hence were without their books or paper journals. The aim was to give them the best possible access to digital tools. Difficulties with access by IP address, lack of a VPN, or Citrix malfunctions were observed.

Certain publishers, such as Dalloz or Lextenso, set up or strengthened dedicated customer support services to respond more quickly to customer questions and difficulties. Simplified access and test code grants with free full access to databases and news were set up by Dalloz, Lefebvre-Sarrut, Lexbase, Lexis Nexis, Lextenso and Wolters Kluwer.

Specific tools were created to help customers find their way around the profusion of legal texts and regulations relating to Covid-19. Wolters Kluwer introduced a Covid-19 section to its Lamyline website. Lefebvre-Sarrut set up a hub (<http://covid19.lefebvre-sarrut.fr><sup>10</sup>), which remains in place.<sup>11</sup>

The development of webinar training increased significantly. At Wolters Kluwer in 2020, 80% of customers developed their expertise and skills remotely, with 41 webinars in place<sup>12</sup>. Some of these courses are recognised by the National Council of Bars. At Lefebvre-Sarrut, webinars were held to help HR departments with crisis management, contractual relations and force majeure. Lextenso has converted its training programme into web-based training. Lexbase, which develops multi-format tools, had success in 2020 with a tool like Lexradio, with 60,000 podcasts downloaded. Lexlearning online training courses were also well received. Some webinars were opened up for free. Lexbase set up a partnership with the Ecole Française du Barreau offering six hours of free training to all lawyers in France for 2020, and the scheme was renewed for 2021.

As for the books business, Lextenso maintained operations for both its online bookshop LGDJ and its deliveries. It managed to stick to its publication schedule.

For Lexis Nexis, the 'books' business was less rosy for paper publications. However, it stuck to its publication schedule, with two books receiving awards (the Cercle Montesquieu and Francis Durieux prizes). The use of click & collect services during the second lockdown helped to maintain book operations.

## Observations & lessons learned

Companies were forced to digitise. The abandonment of paper journals accelerated, raising questions about the future of periodical publications.

Publishers have largely been able to substantiate and strengthen their digital operations. They were able to develop new formats and content, and to learn how to interact with their customers in different ways (through tools co-created with customers, user clubs, and so). Publishers also tested their teams' ability to work in times of crisis and to cope with the ongoing situation.

## Outlook

Publishers have managed to carry out their projects despite the crisis, the need for teleworking, and their teams being physically distanced. They have also continued their research and development efforts. Lextenso has published a new news site (<https://www.actu-juridique.fr>).

The Lefebvre-Sarrut Group continues to digitise certain books, as well as developing mobile applications and 'similar content' through the use of machine learning, both for doctrine and for case law. Dalloz is working on 'jurimetry' (ways to quantify legal risk) in partnership with a Villagebyca incubator (<https://www.levillagebyca.com/>). They are also making progress on the preparation of a new 'Dalloz 3D Lawyers' portal bringing together three brands: Éditions Francis Lefebvre, Elnet and Dalloz. Lexis is pressing on with the release of Lexis360 Intelligence and developing the beta version, in co-creation with its customers. The publisher wants to work as closely as possible to its customers by means of user clubs. Wolters Kluwer wants to continue discussions with its users to meet their expectations.

All participating publishers want to return to face-to-face working, and to genuinely refresh relations with their customers.

### (b). Easyquorum Legal Tech

Easyquorum is a legal tech company involved in company law and management.

It provides lawyers with all the functionalities required to hold a remote general meeting of shareholders. This includes simplifying the organisational aspect of the general meeting, assistance with drafting, and managing subsidiaries' corporate activities. The system creates a dedicated space for partners to view documentation, connect to bodies in real time, and to vote.

Popular services include:

- Electronic signatures
- Sending of notices of meeting online (and no longer by post)
- Collaborative tools, particularly for teleworking

- Dematerialised bodies (development and increased use during the covid crisis)
- Sessions using videoconferencing, online discussions, etc. (Webex, Zoom, etc.)
- Online written consultations
- Online proxy voting
- Live voting (ability to vote in real time)

The use of this digital tool has led to a 20–40% increase in participation in general meetings and voting. The digital transformation has encouraged those who would not usually have travelled to a physical meeting to take part. Another of the tool's benefits is that organising a general meeting for 150 people costs much less (no room hire, cocktail reception, speaker, etc.).

These solutions will certainly be sustainable beyond the health crisis.

The lockdown will have proven itself an accelerator of the digital transformation.

Legal departments have been contemplating their digital transformation for several years. In just a few weeks, many will have taken the plunge. For Easyquorum, this was a fruitful development period.

### III. WORKING TOGETHER IN TIMES OF CRISIS

The following issues were raised at the third round table:

How to sustain team bonding, even remotely? How to avoid feelings of isolation? How best to experience this period? Evidence was sought from foreign legal research associations, in particular BIALL and ABJS.

We also received first-hand information from legal researchers and law firm knowledge managers with Beatriz Chatain at CMS Francis Lefebvre Avocats and Gwenola Neveu at Latham & Watkins; the organisational aspects of FlexOffice work and safety from Raphaël Hélon at PWC; a presentation by Arnaud Dumourier from the Cercle des Journalistes Juridiques; a lawyers' perspective from Eric Lequellenc, a member of the Bar Council and co-facilitator of the Paris Bar incubator; and some more negative aspects surrounding psycho-social risks with Geneviève Thiaucourt, Director of Occupational Medicine and Health at the Saint-Gobain Group. We finished on a more positive note with Michèle Côme (Come Inc), who reminded us of the importance of workplace humour at this and indeed all times.

#### **Renaë Satterley, BIALL<sup>13</sup>.**

Renaë Satterley is the librarian for the Middle Temple, one of the four Inns of Court which arranges the call to the Bar of England and Wales, and represented the British & Irish Association of Law Librarians (BIALL).

She spoke about the efforts made by her association during the crisis.

BIALL implemented the following measures to help its members during the pandemic:

- A more frequent than usual communications bulletin;
- A two-day virtual conference in June 2020;
- Virtual coffee breaks allowing people to get together, especially 'solo workers';
- All committee meetings held remotely;
- Courses and training sessions on virtual tools (e.g. Menti, Kahoot!), game-based learning sessions, Google Slides and Padlet (a platform similar to Trello, a project management support tool);
- Continuing to award prizes and scholarships.

Here are some responses to the survey of BIALL members in May 2020.

Figures showing the importance and indispensability of legal information professionals:

- 41% felt they had more responsibility;
- 54% thought that the industry would develop more unique features;
- 53% of organisations used the furlough scheme, but only 5% of legal professionals were furloughed;
- Before the pandemic, 6% of people worked from home (teleworking), compared to 93% since.

Figures showing the development of new skills by legal information professionals:

- Knowledge of new technologies: 75%
- Development of activities promoting mental and physical health: 51%
- Participation in online training: 44%
- 91% thought there would be a shift to online libraries and a reduction in hard copy sources.

However, the price of e-books is very high. The employers or companies with which we work do not understand that e-books cost more than their paper equivalents.

#### **Michele Baccherasi, ABJS<sup>14</sup>**

Michele Baccherasi represented the Association of Swiss Legal Libraries (ABJS), a sister association of Juriconnexion. ABJS is smaller, with around 40 collective members. These are mainly institutional members, public or private libraries, law firms, and around 40 individual members. ABJS has existed as an informal group since 1974. It took on its current legal form in 1998. The association's aim is to promote and defend the interests of its members, to encourage collaboration and the development of libraries and other legal information and documentation centres, to collaborate both within Switzerland and internationally, and, where possible, to come up with solutions and develop useful tools for the

Swiss legal community. The association is involved in developing the following tools: a legal classification system for works used by more than 40 libraries; the Jurivoc multilingual thesaurus; Codexplo (which helps users find which tome of the Great Swiss Legal Commentary (*Grands commentaires suisse*) commented on which article of the Swiss Civil Code or the Swiss Code of Obligations); and, recently, Swisseigne (replacing Jusbib), a new catalogue that covers the whole country (access to more than 470 Swiss academic libraries including more than 40 million paper and electronic documents).

What was the impact of the pandemic on our professions? We can draw a distinction between the public and private domains. At the Swiss Institute of Comparative Law (ISDC) and the University of Lausanne (UNIL), the UNIL campus was closed day-to-day, and teleworking was suddenly imposed in March 2020. This was followed by a hybrid working system, with controlled access and compliance with barrier procedures. The teams learned the Zoom tools, requested additional VPN (virtual private network) access and realised that some of the work could be done remotely. More negatively, however, access to certain databases was difficult via the VPN. We had to request password access, and it took over a month to obtain backup passwords from the publisher and to inform our users.

### **Geneviève Thiaucourt, Director of Occupational Medicine and Health at Saint-Gobain Group<sup>15</sup>**

Ms Thiaucourt spoke about how the Saint-Gobain group navigated the crisis: 'an unprecedented, unique and universal crisis for which we were unprepared – as was the case, I imagine, for everyone. It invaded us and we dealt with it on the fly, with mandatory agility'.

The Saint-Gobain Group is an international group with more than 170,000 employees worldwide. We had to organise ourselves to deal with the epidemic and to create a crisis unit for the Executive Committee and the regional managers and core functions, as well as crisis units in the businesses, in the entities and in the countries. These measures all had to be coordinated, whether or not the decisions were taken centrally. A somewhat rapid coordination effort was activated at group level. We implemented a constant flow of information and group reporting. The 'single document', which is well known to lawyers, was put in place. In terms of management, we were concerned about the well-being of our employees. We used small interactive guides to help our managers, and the motto was 'take care, stay close to your teams, be understanding, be adaptable, and maintain activity and above all motivation'. So the managers stayed in regular touch with their teams, at least during the first lockdown.

Social dialogue was maintained for all these measures, at least by providing information, and sometimes via consultations (PR). Measures included training courses, 'covid contact persons', and equipment purchases.

Saint Gobain made masks that helped with the shortage of these at the time.

The Legal Watch program was extremely responsive, effective, relevant and accessible.

Telecommuting was used 100% of the time wherever possible. We had to support employees who were uncomfortable with remote working technologies, upgrade equipment, and enhance our data security.

There has been extensive support, and the taboo of workplace illness is slowly falling away.

### **Michèle Côme, Comeinc humour incorporated<sup>16</sup>**

Michèle Côme added a touch of levity and humour to this round table.

She stressed that the most frequently recurring words during this conference were: '**the acceleration of digitalisation**'.

Is this digitalisation something that scares us? Should we downplay it? Perhaps this is the role of laughter in the workplace – to downplay things. Did we want to downplay it? Well yes, precisely. We are scared, we are afraid. So we take a step back from what is going on by 'laughing'

Should we forge links and encourage team bonding? This is the second point about laughter, and the reason why Michèle Côme has lots of ice breakers and games with learning goals that are adapted for specific issues.

She addresses topics such as psycho-social risks or with sketches and watercolours. She gives people a chance to reinvent themselves. Laughter is a way to do a 'factory reset' of the brain, allowing us to innovate and to create. Michèle ends with this question: 'If you laugh for just one minute a day, you gain ten extra minutes of life. So have I convinced you?'

### **Arnaud Dumourier, Cercle des Journalistes Juridiques (Legal Press Club)<sup>17</sup>**

Arnaud Dumourier presented the Cercle des Journalistes Juridiques (CJJ), which he chairs. Created in 2017, the association was founded on the fact that while a community existed, there was no space to bring legal journalists together.

The CJJ includes journalists who work for specialist publishers as well as those who deal with legal topics for more general publications, as well as freelancers who work for several publications. This diversity is what makes the CJJ special. It represents more than 30 publications.

Like legal researchers, legal journalists are rigorous in selecting legal information, and with the same vigilant approach. They are hence regular readers of the Official Journal, which, as we have seen, included a huge number of texts during this period.

Legal journalists experienced the crisis like everyone else. They were affected by the sheer number of texts

and information overload, which made our task difficult. Dealing with large numbers of texts in a limited time, especially when some employees are short-time working (furloughed), made things more complicated.

We reorganised ourselves using Wikipedia and social media, and developed new modes of editorial production including webinars, podcasts and video.

### **Eric Le Quellenec, Co-facilitator of the Paris Bar incubator<sup>18</sup>**

How did Parisian lawyers experience the crisis? Encouraged by its President, Olivier Cousi, and Vice-President, Nathalie Roret, the Paris Bar incubator sought to carry on despite the crisis. Information was grouped together in a digital 'vademeccum':

- Information on everything produced by publishers, relaying promotional offers, and free access proposals (as mentioned during the second round table).
- Training sessions and webinars for lawyers on major reforms in civil law, ethics, defence law and individual freedoms

The lawyers were receptive and turnout for the webinars was high. All work carried out during this period, including the practical information sheets and work done with experts, will be capitalised on a digital platform accessible at <https://numerique.avocatparis.org> (reserved for lawyers).

### **Beatriz Chatain, Director of Knowledge Management at CMS Francis Lefebvre Avocats**

Beatriz Chatain shared her account of the increased collaboration between Knowledge Management (KM) and Business Development during this rather complex period. To respond swiftly to our customers' information needs, the teams have pooled their expertise.

Given the avalanche of texts and new measures stemming from the crisis, we realised that we had to send our customers a covid newsletter immediately, while respecting certain CMS editorial criteria. Our KM department was involved in the whole process of drafting this newsletter, from design to implementation.

Bruno Dondero, Partner and Professor of Law at Ecole de droit de la Sorbonne (Paris I university), was in charge of the coordination. Teaching departments provided guidance, suggested topics, and prioritised content. KM made contact with the different writers and did the technical proofreading.

The Communications department worked upstream of the target, checking the style elements and integrating the content into the website. KM put together all the articles and discussed any issues with the coordinator. As soon as it got the green light, it published the newsletter. "This was an extremely positive experience that allowed

us to improve our processes". There was extensive collaboration and communication, which benefited both departments.

### **Gwenola Neveu, Information Governance Operations Manager at Latham and Watkins**

Gwenola's job involves travelling to Europe, the Middle East and occasionally the United States. Her firm, Latham & Watkins, is organised so that everyone can find the same work tools in the various offices. This provides comfort and facilitates work by keeping the same processes. There is a decentralised management structure. Latham & Watkins is what is known as an integrated company with a global platform. I am attached to the 'global support office', 'I am no longer attached to an office. My role is to help all the firm's other offices'.

When the pandemic arrived, teleworking was the preferred option for lawyers and employees. The idea was not to introduce short-time working (furlough) but to equip everyone with laptop computers, ensuring business continuity. Tools and company programmes enabled us to organise and to experience this period as positively as possible with: conferences and training or meeting webinars; podcasts on remote working, resilience, self-care, mental health, physical health, stress management, well-being, juggling work/school/family; meditation classes; online fitness classes. In addition to this programme, online coffee breaks were organised to stay in touch with the teams, games of virtual Pictionary, etc.

Looking forward, our hope is that travel can resume and that we can once again meet face-to-face in an office setting.

### **Raphaël Hélicon, CIO for France and the Maghreb, PWC**

Raphaël Hélicon is PWC's CIO and CITO for France and the Maghreb. The company has 6,000 employees, 350 partners, 27 offices in metropolitan France, 4 major business lines (audit and risks, consulting, strategy and operational solutions, transactions), and includes PWC Avocats (500 people), services to entrepreneurs (600 people) and internal functions (750 people).

Despite the size of the company, Raphaël notes that 'we were actually ready for this crisis as we had made structuring decisions in the past aimed at agility and mobility. We adjusted some things and also learned a lot during the crisis.'

The 6,000 employees were moved to teleworking four days before the official date, to check that everything was working as it should. The switch to FlexOffice since 2014 meant that employees and staff were prepared for the change. Now the company is in full FlexOffice mode. Nobody has an office. The President does not have an office. Spaces, meeting rooms, conference areas and private spaces are all reserved on a needs basis. The 'everything



everywhere anytime' concept was developed by equipping everyone with computers and mobile phones. The company dematerialised its processes and went paperless.

New difficulties brought about by the crisis were mainly those of managing, supervising remotely, leading teams and carrying out business development. We had to consider employees' knowledge of the tools and ways of adapting to the crisis situation.

Three main micro-sites were set up:

- (1) A crisis information site – coronavirus info.
- (2) Advice and tools for different work methods (organising daily meetings, etc.).
- (3) E-being well \_ managing well. Experiencing lockdown positively and psychological support, etc.

Chat rooms were set up in addition to these sites to provide parallel support, with direct access to HR

support, security, etc., as well as a chatbot. Now we are in post-crisis mode (January 2021!), with a 'new normal' that includes the widespread rollout of teleworking!

## CONCLUSION

This conference held across three round tables provided us with feedback from speakers from the public and private spheres, companies, publishers and individuals. Some extremely positive examples emerged, showing that everyone was creative, agile and collaborative. To the initial question 'Can we work together in times of crisis?' the answer was a resounding 'YES, we can.' We can also rethink our organisation and experience the crisis positively. Some keys to doing this were put forward, one of which was humour in the workplace.

## Footnotes

- <sup>1</sup> Juriconnexion - the "Journée" working group organising the conference: Isabelle Brenneur-Garel (President), Michèle Bourgeois (Vice-President), Laurence Longet (outgoing President/immediate past President), Beatriz Chatain, and Jean Gasnault, members of the Board of Directors, with technical assistance provided by Tiphaine de Mauduit, member of the Board of Directors.
- <sup>2</sup> Juriconnexion <https://www.juriconnexion.fr/>  
Juriconnexion Journée 21 January 2021 <https://www.juriconnexion.fr/save-the-date-journee-juriconnexion-21-january-2021/>
- <sup>3</sup> Paris I University Jurisguide <https://jurisguide.univ-paris1.fr/Aix> UL Q&A <https://univ-amu.libanswers.com/>  
Enssib, libraries during lockdown <https://www.enssib.fr/services-et-ressources/questions-reponses/les-bibliotheques-pendant-le-confinement>  
<https://enssib.libguides.com/c.php?g=679447>  
Poitiers UL <https://bu.univ-poitiers.fr/vos-bu-pendant-la-crise-sanitaire-covid-19/>
- <sup>4</sup> Bruno Latour is Associate Professor Emeritus of the Sciences Po medialab. [http://www.bruno-latour.fr/fr/fr\\_biographie.htmlz](http://www.bruno-latour.fr/fr/fr_biographie.htmlz)  
<https://medialab.sciencespo.fr/equipe/bruno-latour/>
- <sup>5</sup> Jacques Ellul, bibliography <https://www.jacques-ellul.org/bibliographie>  
Jacques Ellul, *The Technological Society*, 3rd edition: Economica, Classics of Social Sciences collection, (reprint of the 2nd edition), 2008 (1st ed. Armand Collin, 1954).
- <sup>6</sup> Who is Jean Carbonnier? by Nicolas Molfessis, editorial, *Semaine Juridique Générale* no. 24, 15 June 2020 Lexis Nexis <http://www.tendancedroit.fr/edito-qui-est-jean-carbonnier/>
- <sup>7</sup> Jand'Heur judgement of 13/02/1930 <https://www.legifrance.gouv.fr/juri/id/JURITEXT000006952821/>  
RIPERT, Georges. Le Marc'Hadour Report, concl. Matter. Dalloz collection. 1930, Chronicle. pp. 57–70.
- <sup>8</sup> DILA <https://www.dila.premier-ministre.gouv.fr/institution/presentation/>  
Legifrance portal <https://www.legifrance.gouv.fr/>  
Légifrance, standard statistics <https://www.legifrance.gouv.fr/contenu/menu/autour-de-la-loi/legislatif-et-reglementaire/statistiques-de-la-norme#:~:text=Les%20statistiques%20de%20la%20norme,pdf%20et%20au%20format%20Excel>
- <sup>9</sup> Juriconnexion's Wikipedia page <https://droit.org/wiki-juriconnexion/index.php/Accueil>
- <sup>10</sup> Lefebvre-Sarrut has set up a hub <http://covid19.lefebvre-sarrut.fr/>
- <sup>11</sup> Notes (to be inserted at the end of the article)  
Juricovid (Lexis Nexis) <https://www.lexisnexis.fr/media-center/juricovid-19-webinaires-lexisnexis-club-des-juristes>
- <sup>12</sup> Wolters Kluwer training courses <https://www.wk-formation.fr/lamy>
- <sup>13</sup> BIALL <https://biall.org.uk/>
- <sup>14</sup> ABJS – VJBS - ABGS <https://lawlibraries.ch/?lang=fr>
- <sup>15</sup> Saint-Gobain Group <https://www.saint-gobain.com/fr/groupe>
- <sup>16</sup> Comeinc <https://www.comeinc.fr/michele>
- <sup>17</sup> Cercle des journalistes juridiques (CJJ) <https://cerclledesjournalistesjuridiques.fr/> and **CJJ** @CercleJJ
- <sup>18</sup> What the Paris Bar incubator? <https://youtu.be/fVVRjGVfpQpc>  
Practical, digital tools for lawyers at the Paris Bar <http://www.avocatparis.org/plan-numerique-des-outils-pratiques-au-service-des-avocats-du-barreau-de-paris> Digital platform for Paris lawyers <https://numerique.avocatparis.org>

## Biography

**Isabelle Brenneur-Garel** has been President of the Juriconnexion association since 2019, having held the position of Vice-President in 2016. She has worked in legal information since 1992. Editorial positions: Directorate of Official Journals. Law firms: Cleary Gottlieb Steen & Hamilton, Baker & McKenzie, Hoche Avocats. Her role at Juriconnexion includes organising the annual 'Journée' conference alongside Michèle Bourgeois (Vice-President), Laurence Longet (outgoing President), Beatriz Chatain and Jean Gasnault (Directors).

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# AI, ALGORITHMS AND THE LEGAL INFORMATION WORLD

## Artificial Intelligence in Legal Practice: Exploring Theoretical Frameworks for Algorithmic Literacy in the Legal Information Profession\*

**Abstract:** In response to evolving legal technologies, this article by Dominique Garingan and Alison Jane Pickard explores the concept of algorithmic literacy, a technological literacy which facilitates metacognitive practices surrounding the use of artificially intelligent systems and the principles that shape ethical and responsible user experiences. This article examines the extent to which existing information, digital, and computer literacy frameworks and professional competency standards ground algorithmic literacy. It proceeds to identify various elements of algorithmic literacy within existing literature, provide examples of algorithmic literacy initiatives in academic and non-academic settings, and explore the need for an algorithmic literacy framework to ground algorithmic literacy initiatives within the legal information profession.

**Keywords:** legal information professionals; legal profession; legal technology; algorithmic literacy; artificial intelligence

### I. INTRODUCTION: LEGAL INFORMATION PROFESSIONALS AND THE NEED FOR ALGORITHMIC LITERACY

Given the prevalence of technological advancements in legal practice, legal information professionals and the information users they serve increasingly engage with new technologies that retrieve, suggest, predict, summarize,

and stipulate the law on specific areas based on user inputs and queries processed by intelligent systems. The pervasiveness of artificial intelligence and its effects on the legal practice are the subjects of discussion from authors such as Swansburg (2021)<sup>1</sup>, Legg and Bell (2020)<sup>2</sup>, Liu et al. (2020)<sup>3</sup>, Intahchomphoo et al. (2020)<sup>4</sup>, Soares (2020)<sup>5</sup>, Ridley (2019)<sup>6</sup>, Johnson (2018)<sup>7</sup>, Baker (2018a)<sup>8</sup>, Alarie et al. (2018)<sup>9</sup>, Ashley (2017)<sup>10</sup>, Hilt (2017)<sup>11</sup>, and Goodman (2016)<sup>12</sup>. Legal information professionals, regardless of library or work environment, may, in time, require some competence in both advanced legal technologies and the legal issues related to the use of algorithms, legal data, and artificial intelligence tools in

\*This article is based on the literature review conducted by Dominique Garingan for a dissertation to be submitted in partial fulfillment of the requirements for the degree of MSc Information Science at Northumbria University. The research was supervised by Dr Alison Jane Pickard.