CALL Conference Summary 2024 – Languages of Law

Michelle Gerrits, Library Manager, Lambton County Law Assocation.

TR Breakfast Demo

1. CoCounsel Core – workflow tool – generative AI tool – due diligence, tracking dates and deadlines, review documents, contract compliance, summarizes material, searches databases, drafts correspondence
2. Practical Law – integrates AI and drafting tool – like asking colleague or student
- Will be integrating secondary sources starting with CED

Keynote Speaker – Thomas Mulcair – Language Rights in Canada

- Gave a thorough history of language rights in Canada and various provinces
- Looked at minority language rights, co-drafting rather than translation in schools, discriminatory rights, school board rights, airlines and language requirement and how it affects individuals
- Various bills that affected language rights
- Canada is nowhere close to what European countries and language rights
- Political dithering is not going to help, there is some optimism about identity and language as the next generation is more open and progressive however they do not see politicians as arguing as their leaders and will push for more action.

Bringing Legal Beyond Libraries – Courthouse Libraries BC

- Obtained law foundation grants for print materials and looked at collection development tools, training and support and facilitated the connection between public libraries and intermediaries

Why?

- People go the public library for help
- Print resource demand remains high
- People want in-person help
- Public librarians have community expertise but law librarians have legal information resources and legal reference expertise
- Digital equity exists since the public library has computer and internet access however online resource navigation is problematic and print is preferred
- Print is seen as accessible, relevant and relatable but there were barriers
  - Limited space, staff time to buy, process and awareness of new materials
  - A curated list was not used as it was complex or content was complex

- Smaller libraries were affected by space and staffing issues
- Print needed to be more animated
- Resolution of issues included promotion of understanding of the justice system and EDI issues
  - Allowed for flexible spending like multiple copies for book club discussions or particular titles
  - Added a children's list on family, criminal and social justice issues
  - Legal display kits were developed
  - Legal Aid BC had topical booklets/pamphlets
- Legal Reference Training occurred with public librarians
  - Learned to define "what is the legal question"
  - Ways to alleviate anxiety in overstepping role as librarian to advice giver
  - Geographic distance was a barrier to training but it was resolved with virtual training and the use of stories or practical scenarios to guide answer
  - Many questions were wills, family or residential tenancy related
  - Covered online reference tools
  - Looked at court forms
  - Involved regional libraries in planning and delivery of training/ whole system training day
- Outreach
  - Lack of awareness of resources
  - Provide local or provincial referrals
  - CLBC or references services
  - LawMatters site
- Improvements
  - Community forums
  - Virtual series
  - Updated guides with best practices for hosting forums
  - Improved communication – blogs
  - Contact lists at the forums
  - Use of social media to communicate
  - Needs to be accessible and relevant
  - Relationships are key
  - Training contextualized in stories is critical
  - Collaboration is important
  - A2J needs to connect
  - Reduces fatigue/burnout when common experiences are realized
  - Plain language options important
  - Plan for indigenous options as well

Library Instruction in the Age of Social Media

- Short videos like TikTok and YouTube are trendy
- This is how youth consume information
- We need to reframe what will reach them in the most effective manner
- Video tutorials – Osgoode Hall
    - Self-paced
    - Short text description with video list
    - Shows difference between tools or vendors
    - Look at secondary sources, legislative research, case law, legal citation and other
- UBC imbeds their videos into their LRW course where they read and they there are video demonstrations
- Lexis+ has user training rooted in tradition format but shifted after 2020 to YouTube
    - Facilitated training – Teams or on-demand
    - Micro-videos – one minute with no audio demos
    - Personality driven – influencer-type video on first year topics
    - Formal Online videos - directed to students or others with a quiz at the end
- Intention/reasoning for video for law libraries on campuses
    - Less attendance at a workshop in classrooms
    - Pop up workshops in library – traffic driven during breaks – like 12:30
    - Less attendance than with virtual
    - Record the session and put them up
    - Progressive – recorded to virtual
    - Meet the audience where they are at
    - Become a content creator
    - Younger generation employees are pushing others to meet customers where they are
- Technology needed – process, software, permission, topics and updating
    - Avoid the professional video route
    - Work at your comfort level
    - Camtasia to start, Panopto software more complicated
    - Screen capture
- How to
    - Screen capture and caption
    - Make a topic list, choose your order and go
    - Use open access
    - If you are recording your screen MUTE YOUR EMAIL NOTIFICATIONS
    - Do-It-Yourself and make it quick and dirty
    - Audacity, Camtasia, Zoom, Teams, iPhone
    - Microphone might be a good investment (Yeti was mentioned)
- Consider
    - How
    - User Stats

- o   Promotions
- o   Feedback
- LIBGuides
  - o   Collaboration with LRW course and library and link them to promote
- Mixed Feedback
  - o   meet them where they are or force them to lengthen their attention span?
  - o   Make it on-demand, for review or for remedial purposes?
  - o   Is it like a movie trailer promo, or is it the entirety of the consumption?
  - o   Concern about attention span

Lexis+ Demo

- There is a dialogue component that allows for interaction, summarizing and drafting
- Primary, secondary, Practical Guidance, Halsburys and Precedents
- Discussed AI and how input is not used for training or shared with others
- Discussed risks of open LLM and errors, bias, hallucinations
- Provides the links so you can validate the research
- Summarize tool
- Creation – drafting tools relies on Practical Guidance and secondary sources
- Is improving citing capabilities
- Market intelligence component
- CaseMap – collaboration tool and summarization
- AI assistant built in can take your factum and summarize or could look at your employment agreement and suggest clauses
- Practical Guidance has Resource Kits, Toolkits and Presentations as well as the commentary and drafting materials
- Students at law schools have Lexis+ access
- There are online learning certifications available that are skill and topic based for students

Navigating Bill 96: Legal, Linguistic, and Societal Perspectives

In June of 2022, Québec's National Assembly passed Bill 96, *An Act respecting French, the official and common language of Québec* ("Bill 96"), which significantly amended the Charter. The stated purpose of Bill 96 is to "affirm that the only official language of Québec is French". The Bill aims to accomplish this by imposing new French language requirements on government services, businesses, and the workplace. From a workplace perspective, the new Act can be divided into two components: (1) the usage of French in the Workplace and (2) the application of a French Program.

Implications of the bill

1.   De-ethnicizing the notion of linguistic groups

2. Contributions of immigrants, English-speaking and indigenous to Quebec culture
3. Project for a just, inclusive & pluralistic society anchored in a common history and culture
4. Diversity and complexity of language behaviour
5. Take into account he complexity of the linguistic integration process of immigrants
6. Distinguish between the family sphere & the public sphere
7. Affirmation and promotion of the clear predominance of French as the common public language
8. Recognition of the presence of French and English as the de facto public languages in Montreal
9. Promoting the dialogue and solidarity between the English and French speaking communities

"All Quebeckers share responsibility for the future of the French language as a national language or common public language"

Bill 96 counters the Charter and courts will have limited victory

Plain Language

Goals

- Short and concise
- Avoid hyperbole
- Avoid underlining (it confuses readers with possible link)
- Use pronouns
- Maintain trust by limiting typos and grammar errors
- Use timeless text
- Eliminate extra words, an in our case legalese
- Avoid blue (confusion with links)

People judge errors and errors break trust

Use "you" and "we" to engage users and to save words

Eliminate Legalese

- Redundancies
- Prepositional phrases – "in relation to"
- Hidden verbs (use analyze vs conduct an analysis)
- Unnecessary modifiers (very, completely, absolute)
- Double words (due and payable)
- Jargon (ex. Vs i.e.)
- Facilitate vs help
- Discretionary vs optional

- Abbreviations and acronyms – should not have to look up meaning, shorten long frame or refer back to find the first introduction
- Use of passive voice is seen as week
- Use words to downplay or hide meaning "funds were misappropriated"
- Incomplete information
- Long sentences

Consider the use of headings, lists and table

- Headings
    - break up the information and material will appear less dense
    - gives the information an active voice
- Lists
    - Easily scanned
    - Minimum of three items
    - Maximum of seven items
    - Consider priority in the list unless information is alphabetical
    - Avoid numbers
- Tables
    - If … then situations
    - Series of complex, conditional items

Links

- Not just about navigation
- Use the name of the linked page to provide information for example "apply here" vs "click here" in that click does not identify why you would click

Resources

Canadian Government – Treasury Board Secretariat

Plainlanguage.gov

Technology to assist

- ChatGPT – conversion to plain language – simple task and is good at it
- Grammarly.com – responsible AI that ensures your writing and reputation shine
- Word Rake.com – legal adjacent tool
- Jasper.ai – for marketing – fee-based
- Hemingway App Editor

User Testing

- Get feedback

- Think aloud to edit
- Unfiltered response on how someone else is comprehending your writing
- Might test age, education, technology competency and cultural competency

PRESIDENT'S ROUNDTABLE

- Volunteering for Association
    - benefits for both participant and organization
    - Builds professional networks
- Branding and Social Media
    - LinkedIn
- Volunteering
    - How to avoid burnout
    - Bring a buddy to build

Vendor Demo – Cite Right

- Workflow tool
- Uses – citing, coordinating, drafting for court and clients
- Ingests cases- organization – cite review – deliver

Plug in on browser and save items to a personal library

Built into MS Word and is helpful for legal citation and footnoting

- Jurisage and CiteRight merger
- AI insights provide summaries
- Higher level than the MyJR plugin
- Assistive Technology

**if you downloaded the MyJR plugin to your browser earlier you still have access since they cannot pull it back now after the merger

Vendor Demo – Answer Connect from CCH

- Authoritative content
- Smart platform
- Integrated solution
- Research Summarizer
- Tax topics
- Federal and provincial content as well as online books and news
- Search or browse
- Set up notifications

- Taxonomy filters can be used on case law
- There are topical pages and tabs in each section

DEI Session   *was late to the session and did not get all the information

Vicki Jay Leung - University of Windsor Law Library (Don and Gail Rodzik Law Library)

Anti-Racism Media Club – books, film, etc.

Truth and Reconciliation Reading Circle – Call to Action #28 – required course - skills-based training in intercultural competency. conflict resolution, human rights, and anti-racism

How to meet that need?
Why me?
What, Who, How?
- Adapt, Grow, Fix and Repeat
Faculty accepted library staff to do this because indigenous professors had too much going on
- Indigenous advisor
- Law and non-law students participated
- Sessions on
  - Residential schools
  - MMIW – Missing and Murdered Indigenous Women
  - Braiding Sweetgrass
  - Braiding, drum circle, walk, dance, panel discussions
- Chance to learn, share and assist
- Involved clinical therapist since the topics were emotionally burdened

Kim Nayyer – Cornell University

Inclusivity Initiatives Librarian – as a response to the George Floyd protests and the pandemic

- Concentration on justice structure flaws
- Considered AI and implicit bias
- Part of the 1L curriculum that talked about the structure of the US judicial structure and the librarian worked with the law profs to develop tutorials with readings
- Given Kim is a Canadian teaching US Law it was uncomfortable
- Both a lawyer and a librarian and was able to look at the library collection and the teaching related to inclusivity
- Built LibGuides
- Orientation module was developed
- An upper-level elective for two credits was developed looking at critical perspectives, knowledge, technology, structures and data

- Additional indigenous law, federal Indian law and Tribal Law examined and experiential component - 16 students with field trip to a courthouse library

Things You Can Do to Build Trust and Support Others

- Pride event
- Guest Speaker
- Author visit

*Think about the culture of the organization

- Reduce library anxiety
- Have library workshops for affinity groups
- Apply for Research Grants for assistance
- Pair with Grad Students

LIGHTNING TALKS

Best Practices – Indigenous Conventions in Writing About Legal Issues

- Aboriginal vs indigenous?
- Capitalization
- Words in indigenous languages
- Terminology

Attention to these ensures that Respect is Shown

Insidious Cloud of Stereotype Threat

- Fear of fulfillment of a stereotype leads to underperformance
- Fear will prevent them from using the library
    - Create safe and diverse staff group
    - Offer of help
    - Vary group options

Legislation Monitoring Tools

- KPSource (AB)
- Quickscribe (BC)
- Legislative Pulse (LexisNexis)
- Codify
- Visual Ping
- Use a check list on each monitor to remind patrons of possible places to search

<u>We Take Judicial Note</u>

Information about non-English terms in American Case Law

<u>"Generating" Guidelines for Artificial Intelligence for Legal Research and Writing Update on the work of the CALL/ACBD AI Working Group</u>

- Updating the Progress of the working group
- Meetings with vendors
- Next steps – drafting, consultation with users and vendors, and deployment

Kim Thuy – Closing Speaker

This Vietnamese-born refugee to Canada provided an informative, descriptive yet humorous background to her experience as a refugee and her family's subsequent immigration experience into Quebec. She spoke about the political change in Vietnam that resulted in significant changes to her life. The atmosphere became anti-patriotic and anti-cultural and they were not allowed books or music except for the communist propaganda. The family did not speak or read because there was no risk if they did not have exposure. There was no burden to carry if there was no risky behaviour. Her family fled after the fall of Saigon in 1975 and arrived at a refugee camp in Malaysia run by the UN. They spent four months in the camp and a Canadian delegation selected them for refugee status because of their parents French-language proficiency, and ability to interpret French, English and Vietnamese.

She spoke of their experience in communist Vietnam, their time in the refugee camp and then their immigration to Quebec and the struggle to establish herself in this new culture and community. Language carries culture and she learned to navigate various experiences in her teens. She talked about becoming an interpreter herself and her decision to pursue a career in law. She spoke as well as her attempt to open a restaurant despite not being able to cook. She spoke about the impact of a tv and movie producer who hid out in her restaurant and how he took her notes from a notebook and took them to a publisher which led her to being established as an author. She has been presented with a number of awards for writing and her novels have been published in various languages.

Her talk was very moving. It spoke to her history as a refugee and an immigrant with all the culture shock that accompanied the experiences and to the impact of language on her life. She managed to convey the difficult experience with humour and humility. One line that stayed with me was that with literature a "reader can adopt their own perspective". She talked about using precise and concise words but those words cannot capture the intent. Words give the story neutrality and it "gives the reader the right to judge". I really enjoyed her presentation and hope to locate English versions of her books.