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REPORT TO ECONOMICS COMMITTEE *

Reed Dickerson **

The ABA’s Standing Committee on Law and Technology, in cooperation with the Georgia Institute of Technology, held its First National Conference on Automated Law Research in Atlanta, Georgia, on March 16-18, 1972. About 240 persons attended, including 27 participants and a number of members of the committee. Although most were lawyers, there was a solid representation of computer technicians, systems analysts, and law publishers from the United States and Canada. Several law professors and librarians attended.

The general purpose of the conference was to bring the attendees up to date on recent developments in computerized techniques for searching legal materials. The general focus was on the full-text searching of case law. Among the currently available systems described were IBM’s STAIRS, Mead Data Central’s LEXIS (a generalized form of Ohio’s OBAR), the Aspen Systems Corporation’s LITE (Department of the Air Force), and several Canadian systems now in use at the University of Montreal and Queen’s University. One system was shown in action. The specific applications discussed included the use of computers in law offices and by legislative bodies both for research and as aids to the legislative process.

The most significant recent developments appear to have been a greater capability for interaction between the user and the system (greater allowance for browsing and the play of trial and error), the facilitation of input through improvements in the ease and lower cost of translating materials into machine-readable form, greater speed through the use of direct access storage devices, and greater capacity for remote use through the marriage of the computer with telecommunications. Together, these developments have greatly reduced the barriers to user acceptance. The importance of recording legal materials initially in machine-readable form was heavily stressed.

The general impression left by the conference is that most of the major technical problems have now been solved and that the remaining ones involve, for the most part, a wide range of refinements. The most important remaining problems appear to relate, instead, to cost. The question most often asked at the conference was whether the legal profession could financially support the use of automated legal research in the field of case law.

At this time, answers must be confined to broad generalities. First, the present stage is still largely developmental and the fees now being charged have been set in most cases sufficiently below cost to attract a representative number of users while testing and improvement of the various systems continue. Ultimately, fees will have to be determined in each case by a balanced interaction of fee level and the number of users, the latter of which still remains hypothetical. In the meantime, efforts are being made to articulate the available hardware more adequately to the specific research

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needs of the profession. By minimizing unneeded capabilities, equipment costs can be significantly lowered and the range of potential users correspondingly broadened.

Other factors yet to be explored are the points on the scales of difficulty and expense at which it is economically feasible in a particular case for the typical lawyer to turn from traditional search methods (most of which are expected to survive) to the more sophisticated methods made possible by the computer. Whether an ultimately satisfactory equilibrium can be attained remains to be seen.