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The Role of a National Legal Information Center in the Access to Justice*

Robert J. Nissenbaum**

The author reviews the nature of disputes and mechanisms for dispute resolution. He suggests that a national legal information center will contribute to the legal socialization of society and allow scarce judicial and alternative dispute resolution mechanisms to concentrate on social issues. Such a center would offer legal information to individuals, which in turn would spawn an automated legal information infrastructure supported by the federal government.

Introduction

Decision making in our society is predicated upon the gathering of information. Information may be gathered passively or actively. Our judicial system is based on the active pursuit of information, or research. A trial court seeks truth using a complicated set of evidentiary rules; an attorney actively pursues information through research to represent a client adequately.

Any legal system requires three elements: fairness expressed in terms of reasonableness or due process, rationality, and predictability.¹ Language is an expression of these three elements when used in a legal context.²

Dispute resolution is a form of decision making that is subject to nuances of language. When an individual has a grievance against another, we can cast that disagreement in terms of a "problem."³ If the individual seeks redress

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1. K. LEWELLYN, *THE BRAMBLE BUSH* 64-69 (2d ed. 1951) (discusses precedent as a rule of predictability for action). See also H. HART, *THE CONCEPT OF LAW* 1-17 (1961) (discusses the elements of law which are the causes of difficulty in determining a definition).

2. D. MELLINKOFF, *THE LANGUAGE OF THE LAW* 290-97 (1976). For a general discussion of sensitive implications of language, see J. WHITE, *WHEN WORDS LOSE THEIR MEANING* (1984). Language defines our relationship with others by using a common cultural basis or community. *Id.* at 276-77. Language is not stable, but remade by speakers as individuals and communities. *Id.* at x.

3. Bush, *Dispute Resolution Alternatives and the Goals of Civil Justice*, 1984 *WIS. L. REV.* 893, 907 n.26 (discusses the terminology of dispute handling) (citing Ladinsky & Susmilch, *Major Findings of Milwaukee Consumer Dispute Study*, in A.B.A. SPECIAL COMMITTEE ON ALTERNATIVE DISPUTE RESOLUTION, *CONSUMER DISPUTE RESOLUTION* 151 (L. Ray ed. 1983); Felstiner, Abel & Sarat, *The Emergence and Transformation of Disputes*, 15 *LAW & SOC'Y REV.* 631 (1981); Miller & Sarat, *Grievances, Claims and Disputes*, 15 *LAW & SOC'Y REV.* 525 (1981)).

for that problem, the individual may be said to have a "claim" against the counterpart.⁴ When the claim is partially or totally rejected, a "dispute" ensues, which must be resolved through a variety of resolution mechanisms ranging from compromise to litigation.⁵ Whether the mechanism be a casual conversation or the truth-seeking event of a trial, the common thread among all alternatives is information expressed through language.⁶

Many commentaries have suggested alternative means of dispute resolution.⁷ Alternative dispute resolution takes many forms, but primarily serves to relieve the judicial system of mundane disagreements and allows the courts to consider more urgent social policies.⁸ At best, however, alternative dispute resolution only partially alleviates the difficulty our legal system has in making sufficient resources available for solving significant moral, legal, and ethical issues. Why not avoid the dispute altogether?

This article explains the implications of a national legal information center in dispute avoidance. Making legal information widely available facilitates greater access to justice. When both parties understand the implications of their actions and what options they have, a dispute can be avoided more readily. A national legal information center can provide the information-gathering dynamic to reduce the need for dispute resolution techniques. Many situations, if based upon adequate information, may never rise to the level of a dispute, allowing the legal system to devote scarce resources to more pressing issues.

A national legal information center alone, however, will not resolve the information crises. The automation of libraries necessary for accessing such information requires mass infusions of capital. Suggestions that the federal government will bail out research libraries are problematic.⁹ The federal govern-

4. *Id.*

5. *Id.*

6. *See supra* note 1.

7. Huber, *Thou Shalt Not Ration Justice*, 44 GEO. WASH. L. REV. 754 (1976) (provides a well-documented history and bibliography of legal services).

8. Cahn & Cahn, *Power to the People or Profession?*, 79 YALE L.J. 1005 (1970). In this seminal article the Cahns suggest a "constellation of forums" designed to adjudicate legally deminimus harm. *Id.* at 1016, 1018. Through alternative forums, information on legal rights provided through the mass media, and expansion of the legal personnel supply (including considerable reliance on the paraprofessional) will enhance the individual's capacity to cope independently with legal injury. *Id.* at 1018-21.

The Cahns suggest that less reliance on the scarce resources of legal institutions for deminimus harms permit those institutions to concentrate on the pursuit of justice. *Id.* at 1022.

This article illustrates the availability of another information outlet to gain the knowledge necessary to resolve deminimus legal harms. The media has notable achievements in contributing to the information chain's legal awareness. *See e.g.*, COLUMBIA UNIVERSITY GRADUATE SCHOOL OF JOURNALISM MEDIA AND SOCIETY SEMINARS, *THE CONSTITUTION, THAT DELICATE BALANCE* (1984) (video tape recording) (an Annenberg Corporation for Public Broadcasting project) [hereinafter cited as *THE CONSTITUTION*].

9. *Excerpts from Newman's Report on Higher-Education Policy*, CHRON. HIGHER EDUC., September 18, 1985, at 17. The federal government has a "major stake in the existence of an efficient system with

ment appropriates funds in a political environment, and catalog automation is not an issue that sparks enthusiastic political debate, detailed legislation, and generous appropriation. If a proposal to provide a unique information service were advanced, however, perhaps support within the general population would be fostered. Once supported politically, financial support for legal information would follow. To meet the service expectations of those who initially support the conceptual legal information center will require advanced technological applications to information. The by-products of that technology will provide solutions for library information management problems. In effect, federal involvement in a politically expedient information program will bolster the capital-poor information community and promote development of new library technology.¹⁰

Access to Justice

Legal services programs are considered an expedient route to justice, but can a decision be rational, fair, and predictable despite legal services? Certainly it can. Legal services acts as a catalyst, but does not assure justice.

The era of the War on Poverty saw an explosion of litigation based upon human values.¹¹ In turn, lawyers were called upon frequently to intercede between the bureaucracy established to promote and protect rights and individuals seeking protection.¹² Impact litigation took on increased importance as new forms of protection were "legislated" by the courts.¹³ Eventually the system bogged down in massive litigation and a cornucopia of government regulation. The average citizen was hard pressed to understand or appreciate the contemporary concept of freedom.

rapid exchange of the latest information." *Id.* at 28, col. 5. (from CARNEGIE FOUNDATION FOR THE ADVANCEMENT OF TEACHING, HIGHER EDUCATION AND THE AMERICAN RESURGENCE (scheduled for publication Nov. 1985)) [hereinafter cited as NEWMAN REPORT].

10. OCLC markets a local library system, LS2000, based on software developed at the National Institutes of Health's Jacob Lister Center for the use of the National Library of Medicine. 20 *LIBR. TECH. R.* 215 (1984). Employees of NLM initially developed a public domain version of the software after separating from the National Library of Medicine. Initial marketing of the software was under the trade name AVATAR. AVATAR was eventually absorbed by OCLC. LS2000 is an example of a commercial spin-off of a product initially developed using federal government funds.

11. Cahn & Cahn, *supra* note 8, at 1008-09.

12. H.R. Rep. No. 247, 93rd Cong., 1st Sess. 3 (1973) (accompanying House of Representatives report to the Legal Services Corporation Act).

13. Bowler, *National Legal Services*, 50 *ITT/CHI.-]KENT L. REV.* 415, 425 (1973) (discusses the role of public service lawyers in promoting impact legislation as a substitute for legislation). *See also* Cappelletti & Garth, *Access to Justice*, 27 *BUFFALO L. REV.* 181, 224 (1978) (access to justice goes beyond traditional views of legal representation); Leubsdorf, *Three Models of Professional Reform*, 67 *CORNELL L. REV.* 1021, 1040-41, 1044 (1982) (asserts a public utility model for legal services to provide for the overall public good through expansion of government's role in delivering legal services). *See generally* M. CAPPELLETTI, J. GORDLEY & E. JOHNSON, *TOWARD EQUAL JUSTICE 201-06* (1975) (outlines the role of the public service attorney in developing governmental policy by representing private interest before legislative bodies); R. NEELY, *HOW COURTS GOVERN AMERICA* (1981).

To cope with the new freedom, the supply of attorneys¹⁴ dramatically increased through the 1970s, and there was a demand for a new kind of legal professional—the paraprofessional.¹⁵ To respond to the new litigious environment, alternative forms of dispute resolution developed along with this new type of legally sophisticated advisor. Particular target groups were singled out for assistance, including the poor or underrepresented, and organized labor.

Social unrest accompanied the new emergent rights, and a responsive legal system capable of assuaging the frustrations of the underrepresented was needed. Alternative forums sought to involve the poor and legally unsophisticated in the dispute resolution system.¹⁶ Through participation in the process, individuals could learn ways to resolve their conflicts,¹⁷ and in turn become more sophisticated at making rational ethical judgments about the law.¹⁸ In effect, the individual became socialized to the legal process and developed values, attitudes, and modes of behavior within a rational, fair, predictable, systematic framework.¹⁹

The socialization process took numerous forms worthy of brief review. Introduction to participation in the legal system was theorized and accomplished through various proposals.

Early in the rights explosion, legal services were brought into the neighborhoods of the underrepresented. By achieving community acceptance, the neighborhood law office sought not only to intercede on behalf of clients with more mundane legal problems (for example, landlord-tenant disputes), but also to monitor disputes of more fundamental importance, such as impact litigation. In addition, the neighborhood law office was designed to act as a neighborhood mediation center where relatively minor conflicts could be resolved by ordinary people.²⁰ The personnel within the neighborhood

14. AMERICAN BAR ASSOCIATION SECTION OF LEGAL EDUCATION AND ADMISSIONS TO THE BAR, A REVIEW OF LEGAL EDUCATION IN THE UNITED STATES, Fall 1984, at 66 (1985).

15. ASSOCIATION OF AMERICAN LAW SCHOOLS, THE AVAILABILITY OF LEGAL SERVICES 50 (1972); Brickman, *Expansion of the Lawyering Process Through a New Delivery System*, 71 COL. L. REV. 1153 (1971); Cahn & Cahn, *supra* note 8, at 1019; Cappelletti & Garth, *supra* note 13, at 279-80; Keegan, *The Sociology of Professions*, 5 SOC. WORK & OCCUPATIONS 259, 277 (1978) (delegation of tasks a professional is trained to perform, permitting professional to enhance expert knowledge, resulting in higher quality in client services).

16. Cahn & Cahn, *supra* note 8, at 1018 (“constellations of forums” involving laypersons to resolve disputes); Leubsdorf, *supra* note 13, at 1044 (public utility model of legal services requires permitting the underrepresented to participate in the system). See also U.S. GENERAL ACCOUNTING OFFICE, FREE LEGAL SERVICES FOR THE POOR 19-23 (1978) (discusses Legal Services Corporation’s limited attempts at community legal education) [hereinafter cited as GAO REPORT].

17. H. HART, *supra* note 1, at 101 (“[T]o assert the validity of a rule is to predict that it will be enforced by courts” is an internal statement validating a rule of a system.).

18. Tapp & Levine, *Legal Socialization: Strategies for an Ethical Legality*, 27 STAN. L. REV. 1, 35 (1974).

19. *Id.* at 4. See also K. LLEWELLYN, *supra* note 1 (outlining the elements of a legal system.).

20. Cappelletti & Garth, *supra* note 13, at 255 (neighborhood mediation courts).

law office were capable of adopting the process to the dispute.²¹ The broader the social implications of the dispute's resolution, the more a result was needed that was obtained through the credibility and sanctions available through the judicial system.²²

The neighborhood law office prototype was supported through a variety of government programs beginning in the 1960s. The Office of Economic Opportunity (OEO), which spearheaded the War on Poverty during the Johnson administration, established the Legal Services Program.²³ The program was a response to criticism that major portions of society were effectively disenfranchised. By 1967 the emphasis within the Legal Services Program was clearly on law reform.²⁴ This made the program vulnerable to political pressure.

Numerous attempts were made to reorganize the Legal Services Program, either quasi-independently from, or through a decentralized organizational structure within, OEO.²⁵ Decentralization attempts by the Nixon administration only further politicized the program and subjected the administration to political attack.²⁶

Ultimately, the notion of an independent legal services program was supported. Initial attempts to establish the current Legal Services Corporation called for an independent board of directors appointed by the president. President Nixon rejected any attempt to reduce his authority in appointing the board of directors,²⁷ and eventually decided to dismantle the Office of Economic Opportunity. This resulted in renewed political pressure for establishing an independent legal services agency.²⁸ In 1973 the Legal Services Corporation bill was introduced.

21. *Id.* at 225, 255. In adopting the choice of process to resolve the dispute, consider the relationship of the disputing parties and repercussions of the settlement. *Id.* at 225-26. If the dispute's resolution will have societal implications, the choice of process should have a higher degree of legitimacy. Minor conflicts capable of resolution between the parties are likely to benefit from some form of an informal resolution process. *Id.* at 255-56.

22. *Id.*

23. E. JOHNSON, *JUSTICE AND REFORM 39-70* (1974); H.R. Rep. No. 247, 93d Cong., 1st Sess. 1-4 (1973); Caplan, *Understanding the Controversy over the Legal Services Corporation*, 28 N.Y.L. SCH. L. REV. 583, 583 (1983); Cramton, *Promises and Reality in Legal Services*, 61 CORNELL L. REV. 670 (1976); George, *Development of the Legal Services Corporation*, 61 CORNELL L. REV. 681, 687 (1976); Hannon, *From Politics to Reality*, 25 EMORY L.J. 639, 642 (1976); Huber, *supra* note 7, at 767.

24. Hannon, *supra* note 23, at 642.

25. E. JOHNSON, *supra* note 23, at 140-62; George, *supra* note 23, at 687-90; Hannon, *supra* note 23 at 641-47; Huber *supra* note 7, at 767.

26. George, *supra* note 23, at 696.

27. *Id.* at 690.

28. *Id.* at 688-90. Several attempts were made to decentralize the organization of legal service programs offered through OEO. Each attempt resulted in increased political influence within the Office of Economic Opportunity Legal Services Program. *Id.* at 688 (McKinsey & Co. Management Study of OEO Excising Lawyer Control of the Legal Services Program); *Id.* (Fuchsberg report calling for Legal

The final version of legal services legislation restricted participation in contemporary political legal issues.²⁹ Founding legislation required the new Legal Services Corporation to study alternative forms of delivery systems for legal services, despite studies indicating the staff attorney concept was the most effective.³⁰ The Legal Services Corporation Act restricted the use of back-up centers,³¹ which were intended to serve as technical and research support centers.³² These "centers of specialization" were designed to coordinate disparate projects.³³

The Legal Services Corporation, intended to promote equal access to justice and reaffirm faith in government through law, emerged as the shell of a once-comprehensive plan. Funding issues for the corporation never completely removed it from the political arena. Continuing administrative control of funding, the development of a neoconservative attitude within the United States, and limitations placed within enabling legislation resulted in ineffectual access to justice. Developed from the early idea of alternative dispute resolution, the corporation was required to rely on the judicial system to resolve most disputes, although attempts to remove some forms of litigation from judicial forums met with limited success.

Ten years after the founding of the Legal Services Corporation, a need still exists to remove many forms of disputes from the typical administration of justice forums. The modern view of dispute resolution requires a novel approach to defining the nature of the dispute and a reexamination of institutionalized mechanisms designed to handle dispute resolution.

Modern Considerations of Dispute Resolution

The dispute resolution forum demanding the fewest resources is avoiding the disputes through noninstitutional resolution. Four elements should be considered when individuals seek to resolve difficulties resulting from their personal or business relationships. (1) Do the parties desire a degree of privacy and control over the process to resolve the problem? If so, reliance upon third parties eliminates any possibility of privacy and curtails the ability to control the process. (2) Do the parties sustain an ongoing relationship? If

Services Program's independence from Office of Economic Opportunity); *id.* at 689 (plan of Donald Rumsfeld, director of Office of Economic Opportunity, to decentralize through regional lawyer management of program and coordinate legal services with other poverty programs).

29. George, *supra* note 23, at 697-98 (abortion, selective service, desegregation, etc.); *see also* AMERICAN ENTERPRISE INSTITUTE, LEGISLATIVE ANALYSIS—LEGAL SERVICES CORPORATION BILL 25-29 (1973).

30. George, *supra* note 23, at 725 (citing 42 U.S.C. 2996f (g) (1982)); *see also* GAO REPORT, *supra* note 16.

31. George, *supra* note 23, at 709-12.

32. *Id.*

33. *Id.*

this problem reoccurs, there may be a need to institutionalize the initial resolution to avoid further controversy. (3) Do financial circumstances preclude an economic solution to the problem? (4) Do the individuals require an urgent solution to the problem?³⁴ Affirmative answers to three of the four issues indicate the possibility of some form of dispute resolution outside typical judicial responses.

Some detailed studies have been reported regarding the public's use of legal services.³⁵ Additional statistical profiling is necessary to identify segments of the population that identify with three of the four considerations outlined above. For dispute resolution to be unnecessary, controversy among individuals must be reduced. Potential disputants who desire inexpensive and expeditious resolution of problems in a nonpublic forum under conditions controlled by the parties to the dispute must be queried as to the nature of disputes that fall within these categories. Once determined, the likelihood of nonadversarial dispute resolution can be ascertained.

Going beyond nonadversarial dispute resolution requires additional threshold studies. What categories of problems does an individual consider legal in nature?³⁶ Do individuals perceive both legal and nonlegal problems as capable of resolution through extralegal proceedings?³⁷ Finally, can the perception of the extralegal proceedings' viability be altered to prevent claims from rising to the level of disputes, necessitating resolution through third

34. Nelson, *Alternative Dispute Resolution: A Supermarket for Law Reform*, 14 N.M. L. REV. 467, 473 (1984).

35. An examination of statistical reporting of legal problems for Legal Services Corporation cases is provided in the corporation's annual reports. The following information was taken from its 1979-1981 annual reports. Family matters constituted the most prevalent problems of closed cases: 33.7% (1979), 30.3% (1980) and 29.5% (1981). Housing difficulties were next: 18.3% (1979); 17.6% (1980), 17.8% (1981). Income maintenance was the third most prevalent problem: 13.4% (1979), 17.2% (1980) and 18% (1981). The fourth was consumer finance: 12.1% (1979), 13.7% (1980); 13.7% (1981).

Housing, although dominated by landlord-tenant problems, indicated that a substantial percentage of public housing problems were resolved through administrative process. Income maintenance involving entitlement programs also emphasized dispute resolution centered within the administrative process.

Consumer financial problems regarding alternative dispute resolution, along with administrative and financial disputes, will be examined more carefully. See *infra* text accompanying notes 39-49.

For an investigation of dispute settlement mechanisms in the landlord-tenant context, see Gerwin, *A Study of the Evolution and Potential of Landlord-Tenant Law and Judicial Dispute, Settlement Mechanism in the District of Columbia Pt. II*, 26 CATH. U. L. REV. 641 (1977).

During the early years of government support of legal services, the four highest areas of cases handled were welfare (430 of 2050 reported cases), housing (347 of 2050 reported cases), consumer matters (159 of 2050 reported cases), and education (121 of 2050 reported cases). E. JOHNSON, *JUSTICE AND REFORM* 296 (1974).

For a detailed statistical analysis of events resulting in laypersons consulting attorneys, see B. CURRAN & F. SPAULDING, *THE LEGAL NEEDS OF THE PUBLIC* (1974).

36. Dias, *Research on Legal Services and Poverty*, 1975 WASH. U. L. Q. 147, 155-56.

37. *Id.* (recourse to legal intermediaries).

parties?³⁸ Collection practices,³⁹ consumer rights,⁴⁰ and administrative process⁴¹ were surveyed in anticipation of the development of an independent legal service agency.

In collection practices, borrower-lender disputes arose primarily due to the lack of relevant information exchanged between the parties.⁴² Disputes would be ameliorated if information and mutual use of information were within the lender-borrower context.⁴³ Lack of information results in borrower disadvantage and financial marketplace dysfunction.⁴⁴

Consumerism is impeded by a lack of knowledge about the legal implications of the purchaser-vendor relationship.⁴⁵ Small claims courts, one of the most expedient venues for resolving consumer complaints, act as "collection mills" for business because many consumers are unaware of their consumer rights.⁴⁶ Extrajudicial mechanisms could be expedient once the claim becomes a dispute if this process develops legitimacy within the community and the consumer is informed.⁴⁷

The administrative process's legitimacy can be achieved through institutions that foster public participation.⁴⁸ Heightened public awareness of the administrative process itself creates greater credibility for the process.⁴⁹

Alternative dispute resolution establishes mechanisms to resolve claims between parties requiring institutionalized response. The development of legal services programs is an example of one such response. Various disputes in the collection, consumer, and administrative context can be avoided when individuals have the information to prevent the initial problem or resolve the claim short of relying on dispute-ameliorating mechanisms.

Internalizing Information

The legal system has failed to provide adequate institutions to promote legal socialization of the individual.⁵⁰ The individual lacks the capacity to make the ethical judgments about the law that are essential in appreciating

38. *Id.*

39. Leff, *Injury, Ignorance and Spite—The Dynamics of Coercive Collection*, 80 YALE L. J. 1 (1970).

40. Eovaldi & Gestrin, *Justice for Consumers: The Mechanisms of Redress*, 66 NW. U. L. REV. 281 (1971).

41. Cramton, *The Why, Where and How of Broadened Public Participation in the Administrative Process*, 60 GEO. L. J. 525 (1972).

42. Leff, *supra* note 39, at 39.

43. *Id.* at 40.

44. *Id.* at 39.

45. Eovaldi & Gestrin, *supra* note 40, at 284.

46. *Id.* at 321.

47. *Id.* at 300-12.

48. Cramton, *supra* note 41, at 546.

49. *Id.*

50. *See generally* Tapp & Levine, *supra* note 18.

the likelihood of potential disputes or in avoiding the escalation of problems into disputes.

Legal literacy is essential to encourage personal participation in conflict resolution.⁵¹ Realizing the implications of one's actions results in legal socialization, a sociopsychological model in which the individual internalizes and appreciates implication of action.⁵² One may then knowingly enter into a dispute realizing the possible outcome and appreciating obstacles along the way. Case-by-case resolution of disputes, however, does not foster legal socialization. The legal system is viewed as a nuclear concept.⁵³ To avoid disputes or instill the ability to resolve claims prior to reliance on external mechanisms requires universal appreciation or access to legal knowledge.

This knowledge may be gained in various ways; formal education is one. But because legal education is a scarce resource, it cannot promote universal understanding of justice. Legal socialization may be achieved through less formal means of impacting knowledge to less sophisticated audiences.⁵⁴ When legal services mechanisms were established to assist the underrepresented poor, their success would have been more readily achieved if "poverty" had been defined to include the information-impooverished individual. This underrepresented group includes many who have considerable financial resources. A broadened scope for the legal services movement would establish a more inclusive political base and generate greater appreciation for implication of legal actions.

Legal socialization assures fair, rational, and predictable results.⁵⁵ Acceptance of legal norms permits the individual to understand the reasonableness of a particular outcome through a rational process of problem solving, rather than dispute resolution. A common base of fundamental legal appreciation confirms a predictability of result, satisfying the prerequisite of a valid legal system.

A Mechanism to Internalize Legal Information

This discussion has outlined how information can limit disputes in consumer, collection, and administrative transactions, and how the dissemina-

51. *Id.* at 32-34.

52. *Id.* at 4.

53. *Id.* at 53. "In essence, isolated legal experiences tend to be system maintenance oriented and do not encourage people, including lawyers, to utilize these skills to establish reciprocal rights, build a sense of self-esteem and competency, foster internal judgment and control, and *develop alternative modes of dispute settlement.*" *Id.* (emphasis added).

54. See, e.g., THE CONSTITUTION, *supra* note 8; Dreyfuss, *Street Law*, CLINICAL LEGAL EDUC. PERSP., Fall 1978, at 10 (considers involving high school students in developing a sensitivity to legal questions) (citing *Reed v. Rhodes*, 422 F. Supp. 708 (N.D. Ohio 1976) (mandates familiarity of students with their legal rights through Street Law programs available in high schools); see also GAO REPORT, *supra* note 16.

55. Tapp & Levine, *supra* note 18, at 8.

tion of information can promote legal socialization. A national legal information center devoted to technological efficiency can promote these efforts.

When the outcome of claims becomes obvious, and individuals settle problems with minimal reliance on institutional interference, resources devoted to dispute resolution, whether judicial or extrajudicial, may then be devoted to issues of justice. Issues lacking patent results are permitted full consideration, and our legal system's advancement is hastened through emphasis on problems more appropriately resolved through the legal arena.

Funding is the foundation of an information center; service is the center's justification. Between funding and service lies technology, which helps the center accomplish the intellectual goals outlined above. Specifically articulated goals will generate political support for the center, followed by public funding for the technology necessary for the center's survival.

Notions of bibliographic utilities have never sparked a grass roots political movement, but intellectual justifications couched in politically expedient language will. A society committed to rule by law requires access to the rules of law.

Our nation is culturally diverse and governed through a synthesis of competing needs. The current national information policy mirrors this diversity. Public sector support for information is evidenced by our depository system for federal publications, the Library of Congress, and biomedical information available through the National Library of Medicine. Government support of private sector information is illustrated by copyright, antitrust, and intellectual freedom legislation. Each form of government support is a public affirmation of a politically articulated goal.

But the federal government only enters the information arena when compelled. Because the market economy has failed to provide adequate legal information needs,⁵⁶ government support will be needed for the systematic distribution of legal information. New technologies are slow to develop applications to legal information. The United States' competitive edge can be maintained only if the government assures that an efficient system will provide for the rapid exchange of up-to-date information.

By providing service through a national legal information center, we reach out to segments of society that will give the center vital political support. In effect, the center offers relevant statutes, case law, commentary, and secondary literature packaged and synthesized to be useful in avoiding disputes and promoting problem resolution. To provide such service, state-of-the-art

56. See NEWMAN REPORT, *supra* note 9; WHITE HOUSE CONFERENCE ON LIBRARY AND INFORMATION SERVICES, INFORMATION FOR THE 1980's (1979) (calling for a National Library and Information Services Act). The recent announcement of the Research Libraries Group and Library of Congress confederation for coordinated cataloging further evidences a federal role in assuring complete information resources. ADVANCED TECH. LIBR., Oct. 1985, at 1, 1-2.

technological applications are essential. Many of the common ills confronting today's information community and not answered by the private sector's turn-key product may be resolved by advance research into information management through government support.⁵⁷

As law librarianship encounters a new era of automation and technology, librarians and not technology must dictate our information organization needs. A patchwork approach of segregated noninteractive information data bases promoting isolated islands of legal information will not be politically expedient. With adequate capital and a politically viable and intellectually sound purpose, we can make significant progress in the next decade.

Conclusion

Controversy resolution takes place within an information environment where sensitivity to language is essential. Disputes require resolution by detached third parties capable of sanctioning behavior; problems or claims, which precede disputes, may be resolved by individual action or self-help. By reducing the number of disputes, the legal system is freer to turn its attentions to pressing social issues.

In several contexts—consumer relations, administrative process, and debt collection—ignorance promotes disputes. By establishing a national legal information center, knowledge concerning rule by law is communicated and internalized. When confronted by a problem or claim, the individual can discover the outcome and resolve the controversy without resorting to dispute resolution mechanisms. An investigation of legal services programs indicates an inability to promote justice while resolving individual controversies. In addition, legal service programs only permit isolated exposure to the legal system, which inhibits or misrepresents the legal socialization necessary for self-help to resolve controversy.

A national legal information center will contribute to legal socialization through service to those needing legal information. Offering legal information will create the political base necessary to attract public infusions of capital to support the technological infrastructure of the national legal information center and resolve pressing national legal information needs.

57. See Cohen, *Research Habits of Lawyers*, 9 *JURIMETRICS J.* 183 (1969); Cohen, *Computerizing Legal Research*, 14 *JURIMETRICS J.* 3 (1973).

