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Hello BLAW: Bloomberg Law, the Newcomer in Legal Research, Meets Academic Users

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HELLO BLAW

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by Mary Ann Neary and George D. Wilson

BUSINESS + LEGAL

There's a new legal information provider in town. Bloomberg, a widely-known provider of business and financial data and news, has been working the past several years to create and disseminate its Bloomberg Law (BLAW) suite of services to law firms as well as to a number of law school libraries.

Bloomberg intends BLAW to be a product that integrates its business and financial data and news coverage with legal research and analytical tools. With BLAW, Bloomberg is looking to challenge the domination of LexisNexis and Westlaw in the online legal information arena.

For law firms, Bloomberg is working to position BLAW as indispensable not only for legal research and analysis but also for business development. For law schools, Bloomberg is seeking to acquaint students, faculty, and staff with BLAW and develop their use and reliance on the product. Bloomberg is aiming for law students to be well prepared to join firms that already use Bloomberg and for law school faculty and staff to be able to benefit more fully from Bloomberg's integrated platform in their teaching, research/writing, and administrative tasks.

Some Background on BLAW

In late 2006 and early 2007 Bloomberg began to offer access to BLAW to between 20 and 30 top U.S. law schools. Bloomberg provided the law schools free access to the service for three years with an option to retain the service at the end of that period on a fee basis.

The libraries at the law schools played the primary role in setting up dedicated Bloomberg terminals and in registering and introducing students, faculty, and staff to Bloomberg equipment and the accompanying software. Boston College (BC) Law School and Stanford Law School were two early recipients of Bloomberg services. BC Law and Stanford Law each have worked with Bloomberg and used BLAW for two years, experiencing both the advantages and the challenges of implementing this developing service.

Using and Learning the BLAW System

BLAW users have two options for accessing the system: use a dedicated, dual-screen Bloomberg terminal and log in with a system-authorized username and password or employ a dedicated biometric fingerprint scan device—known as a Bloomberg B-Unit—to connect. The advantage to the B-Unit is the ability to log in via any Internet-connected computer *anywhere* in the world (hence, the "Bloomberg Anywhere" logo prominently displayed on login screens).

Obtaining a username and password for use on a dedicated Bloomberg terminal requires online registration with brief telephone confirmation by a Bloomberg Help Desk member. To obtain a B-Unit, the user requires the physical delivery of the device and then completion of a registration process with a BLAW representative. Even though the actual registration process is quick and simple, it can be somewhat inconvenient because BLAW representatives generally must be present in person or on the telephone. As Bloomberg is still ramping up its BLAW operations, these representatives appear to be spread quite thinly and, therefore, are frequently occupied. Finally, B-Units can also on occasion malfunction or have difficulty recognizing individuals' fingerprints, requiring BLAW representative troubleshooting.

Beyond Bloomberg equipment issues, it is notable that on all of its applications Bloomberg uses an interface with a black background that harks back to MS-DOS (Microsoft Disk Operating System). Research components are organized and accessed under three- or four-character, all-capital-letter codes. As one can tell from its own appellation, "BLAW" is no exception. So the BLAW interface can be a bit daunting as well as confusing to users, especially new ones.

To help accommodate users and alleviate any confusion, Bloomberg has superimposed an easy-to-use, point-and-click "Law Menu" of basic functions as an initial step for users. Bloomberg has also recently come out with a handy 16-page "Quick Reference Guide" that presents clear, simple steps for such things as logging in, navigating the system, finding information on menus, keyword searching, printing/e-mailing/downloading search results, creating bookmarks, and setting up alerts.

Training for BLAW is typically conducted on site for users, whether in a law firm or a law school. Experienced and knowledgeable BLAW attorney representatives, at times with the aid of other, experienced Bloomberg technical personnel, provide assistance with equipment set-up, registration, and training. Typically, initial training covers the use and navigation of the Bloomberg system, searching Bloomberg business and financial data and news, as well as the details of BLAW components. Users can supplement this initial training by accessing a menu of Bloomberg training resources by typing BU (for "Bloomberg University") and then adjusting their personal default settings (PDF) and picking up convenient tips/shortcuts (EASY).

Unlike LexisNexis and Westlaw, Bloomberg does not offer a program for training and hiring BLAW student representatives as assistants to the BLAW attorney representatives. The company's position is that all customer service inquiries should always be handled by actual Bloomberg personnel. Due to this

RESEARCH + FINANCE

policy, it is necessary for an out-of-state BLAW attorney representative to respond directly to registration and training requests. Alternatively, it is possible to consult Bloomberg's 24/7 Help Desk personnel on the telephone or online via instant messaging—although they may not be able to cover BLAW-specific questions in as much detail as BLAW attorney representatives. Note that when calling Bloomberg, there is no toll-free telephone access to either BLAW attorney representatives or Help Desk personnel.

Range of BLAW Resources

BLAW's non-law resources consist of the full set of Bloomberg business and financial data and news. For example, by typing MAIN, a user can display the principal Bloomberg menus for market sectors, customer support, and more. Typing BLAW displays the principal menu of legal functions, while BBLS enables a search interface for legal documents. If one types NEWS or TOP, the current, most popular news headlines on Bloomberg display.

News monitors are also available, such as SECM to monitor securities law issues. Typing LIVE permits access to live audio/video broadcasts. All data as well as news coverage is immediately accessible. However, there can be restrictions on certain actions; for instance, there is a time delay for online trades, such that users—at least those in law schools—cannot execute them immediately online.

The legal resources in BLAW are made up of: (1) primary law sources, including federal and state statutes, federal and state cases, the Bloomberg Law Citator (BCIT) service, and federal and state court dockets; and (2) secondary sources, including the Bloomberg Law Digest (BBLD) (organized by core legal topics, such as civil procedure and practice, corporate law, criminal practice and procedure, evidence, privacy and information law, and real and personal property), subject-specific customized Bloomberg Law Reports (BBLR), and certain specialty services.

Bloomberg pulls federal and state statutes from the official federal and state government Web sites. As a result, there are no annotated statutory codes in BLAW. Notably, there is also no ability to use BCIT, Bloomberg's citator service

(see below), to check for subsequent treatment of statutory citations.

Federal and state case law is pulled from official government Web sites as well. However, the unique BCIT product can be used here. Bloomberg has clearly invested significant time, effort, and care in BCIT. Useful citation analysis summaries are provided by case composite visual symbols. These indicate "positive," "distinguished," "caution," "statute," and "negative" treatment categories.

photo by Jason Liu.

BLAW's dedicated biometric fingerprint scan device—known as a Bloomberg B-Unit—allows users to log in via any Internet-connected computer anywhere in the world.

BCIT also helpfully covers the direct history of the case being checked so that a user can, with only a single click, display a case's progress through the courts. Citing references can be sorted conveniently by date, court, and analysis. All citing references are hyperlinked so that users can jump directly to them. Detailed information on using BCIT can be obtained by typing BCRG. Although Bloomberg is still developing BCIT, it appears to be growing into a serious competitor to LexisNexis' Shepard's Citations and Westlaw's KeyCite.

When standard case citations, such as citations to federal circuit court opinions in the Federal Reporter or federal district court opinions in the Federal Supplement, are not available, Bloomberg provides unique internal BLAW citations, just as LexisNexis and Westlaw reference their own unique document access designations. According to BLAW representatives, Bloomberg is pursuing recognition of the BLAW citation format in the Bluebook ("A Uniform System of Citation").

Federal court dockets are provided via records mined from the U.S. PACER (Public Access to Court Electronic Records) system. Unlike PACER, there is no charge to law school users to search

dockets on BLAW. Since Bloomberg does not maintain a continuous live feed of data from PACER, dockets are not automatically updated. Academic users, however, can update a docket at no charge by clicking on a link marked "Update this docket," and the results are e-mailed to the user. The message appears in the user's Bloomberg mail folder, and users are alerted to the incoming mail by a blinking sign in the upper portion of the screen; clicking on a link embedded in the e-mail brings the user to the updated docket.

"I am most impressed with Bloomberg's docket tracking feature," says Cara Perlas, a researcher at Stanford's Securities Class Action Clearinghouse. "One can set a docket track to receive e-mail notifications of changes to a court docket. These changes can be whenever there are new proceedings since the last time I downloaded the docket, these changes can be based on keywords that I am tracking, and these notifications can be delivered as frequently as 'intradaily.' Furthermore, all my alerts are easily managed using the Bloomberg system."

Bloomberg has the ability to send couriers and runners to retrieve docket information that it does not have posted online. Certain cases may, nevertheless, not be tracked in BLAW (e.g., some bankruptcies of smaller companies that are not deemed relevant to Bloomberg's bankruptcy coverage, i.e., "no asset" cases).

Bloomberg is also building up its state court docket resources for case research and tracking. Again, Bloomberg will dispatch couriers and runners to retrieve docket information that it does not yet have online with no charge to law school users. Significant expansion of state case docket information by Bloomberg will be necessary before this component of BLAW becomes truly effective and reliable.

Bloomberg's secondary sources are strongly represented by the periodic BBLR (the Bloomberg Law Reports). These reports—generally published weekly or monthly—provide customized, expert coverage of major developments in continually expanding practice areas via convenient PDFs. Currently, there are 23 topical areas, including bankruptcy, banking and finance, director and officer liability, environmental law, intellectual property, labor and employment, securities law, and sustainable energy. Continually changing URLs for the online location (outside of the Bloomberg system) of BBLR, however, are inconvenient (no book marking capability) and frustrating to users; PURLs (Persistent Uniform Resource Locators) would be preferable.

BLAW also offers a growing number of specialty services, such as BNA (Bureau of National Affairs) resources. Both Bloomberg Law Reports and BNA access will be useful to law firm librarians who may not want to subscribe to BNA or other news-related sources separately. Currently, the BNA titles are a selected subset of the total BNA publications. Additional practice-specific sources include Rochelle's Daily Bankruptcy Reports. To track bankruptcy cases, one can type BNKF and bring up a function that follows companies seeking protection from their creditors. It is also possible to type BLBK for a link to a bankruptcy dockets search engine.

BLAW also incorporates congressional bill tracking (USBI). The law blog (LAWB) monitoring is easy-to-use and expanding. These features appeal to academics and practitioners, and extend the scope of BLAW coverage.

BLAW Experience at BC Law and Stanford Law

BC Law has installed one dual-screen, dedicated BLAW terminal that is accessible in the BC Law Library's computer lab, which is open 110 hours per week. Bloomberg software is also installed on 22 terminals in teaching/computer-assisted legal research labs. BC Law Library staff announced BLAW to faculty and students and conducted initial training in April 2008.

Faculty members at BC Law have been slow in their adoption of BLAW as part of their research arsenal, citing their lack of time to master a new system. Students have adopted BLAW out of initial curiosity and then realized the value of access to the corporate and financial data resources. The most enthusiastic student users are those students who have worked in the financial industry or who are planning to do so.

Students appreciate having BLAW's permission to use their academic access at summer jobs (there being no summer session at BC Law), as well as Bloomberg's permission to use the service for six months after graduation with no restrictions. Sarah McGarrell, a second-year student, has been a strong user of BLAW. "Once a user gets comfortable with the interface, the search process is straightforward and efficient," she says. "It is easy to refine a search as well." McGarrell found the ability to have corporate background and financials available to be the most valuable aspect of BLAW for her use.

There are 10 upper-level, semester-length research courses at BC Law taught by the legal information librarians. Bloomberg Law has been integrated into many of these classes, notably Advanced Legal Research (taught by Mark Sullivan

and Mary Ann Neary), and Bankruptcy Law Research (taught by Mary Ann Neary). Students in these two classes are required to enroll in BLAW, and the BLAW system is incorporated into class presentations and assignments. In addition, the BLAW representative delivered topic-specific presentations for librarian-taught, semester-long classes in Law Practice Technology (Marguerite Most, instructor), Insurance Law Research (Karen Breda, instructor), and Intellectual Property Research (Joan Shear, instructor).

Sample BLAW Commands

MAIN: display principal menus for market sectors, customer support, and more

BU: access "Bloomberg University," a menu of training resources

PDF: adjust personal default settings

EASY: view a list of convenient tips and shortcuts

BLAW: display principal menu of legal functions

BBLS: enable a search interface for legal documents

NEWS or TOP: display current, most popular news headlines on Bloomberg

SECM: monitor securities law issues

LIVE: access live audio/video broadcasts

BCIT: use Bloomberg Law Citator service for citation analysis summaries

BCRG: get detailed information on using the Law Citator

BBLD: access Bloomberg Law Digest, organized by core legal topics

BBLR: read customized subject-specific Bloomberg Law Reports

BNKF: track bankruptcy cases

BLBK: link to a bankruptcy dockets search engine

USBI: track congressional bills

LAWB: monitor law blogs

The BLAW representative was an expert user and tailored these presentations for class needs in cooperation with the librarian instructor. Due to BC Law's incorporation of Bloomberg software on all workstations in the computer labs where research courses are taught, students have ready access to the service during classes.

Stanford Law has installed two dual-screen, dedicated BLAW terminals at the library's first floor main reading room, open 103 hours per week. The initial training for faculty and staff was held in November 2007. The service was rolled out to students in January 2008.

Overall, law faculty members have been slow to accept BLAW as part of their research routine. Some faculty members have balked at providing a fingerprint to authenticate the biometric device used to access BLAW.

Student adoption of BLAW has ranged from mild curiosity to enthusiastic adoption. Not surprisingly, students who have worked in the financial industry are the most enthusiastic users.

Students appreciate BLAW's permission to use their academic BLAW access at their summer jobs. Unlike Westlaw and LexisNexis, this BLAW access is totally unrestricted so there is no requirement that the job be at an approved nonprofit entity or part of an internship. While this access admittedly functions as an advertisement for BLAW in the law firm environment, it is a helpful bridge tool for students. Yan Kuznetsov, a second-year student at BC Law, used BLAW during his summer employment at Credit Suisse and accessed the service "primarily to receive instant news updates on the topics that interested me at those particular moments," he says. "Everyone in the office was impressed with my portable log-in device and my ability to log on to Bloomberg for free. I still use the Bloomberg news service and believe it is an excellent resource. Incidentally, I was also able to change my settings in such a way that allowed me to read news in Russian, which saved me a lot of time going to Russian Web sites in search of needed information."

Since there is no summer session at BC Law or Stanford, this employment-based access ensures that students keep active use of the service. Users are required to log in at least once every month or risk losing access to the BLAW service. In addition, Bloomberg permits students to use the service for six months after graduation with no restrictions.

Stanford has also integrated the use of Bloomberg Law in its upper-level research courses. The Advanced Legal Research class (taught by law librarians Paul Lomio, Erika Wayne, Kate Wilko, and George Wilson) includes demonstration of BLAW as part of the course instruction. Students receive B-Units and access the service using the Bloomberg Anywhere capability on their laptops.

Bloomberg use has also been integrated at Stanford's Mills Legal Clinic—Organizations and Transactions Clinic (Jay Mitchell, director, and Alicia

E. Plerhoples, fellow). In addition, the *Stanford Journal of Law, Business & Finance* (Ashley Walter, student editor-in-chief) uses Bloomberg via a dual-screen, dedicated BLAW terminal.

A senior analyst at Stanford's Securities Class Action Clearinghouse, Jason Hegland has searched Bloomberg extensively and comments that the service is "information rich, regardless of what you are looking for." Hegland finds the multiple approaches to searching using the BLAW menus helpful. As a "power user," however, Hegland also notes that the "menu-driven system is not intuitive and a bit clunky in its operation." This comment echoes the responses of many students in both institutions who find the BLAW system and menus cumbersome and confusing.

Future BLAW Developments

Bloomberg personnel recognize the limitations of the present BLAW menu system and the need to streamline log-in procedures. Pamela Haahr, the manager of the law school initiative within BLAW, reports that Bloomberg has been focusing on a streamlined interface for legal researchers with the goal of offering a sophisticated desktop solution for modern attorneys. These changes are based on feedback received from the pilot group of law schools and existing law firm subscribers. The resulting future product should prove more appealing to law students and attorneys in its similarity to other electronic research systems.

While it does not currently offer the breadth and depth of law resources present on Westlaw and LexisNexis, Bloomberg's BLAW service offers significant other strengths in docket-level access and in the financial and news arenas, all of which are increasingly important to law firms and practitioners in monitoring firm business strategies and crucial developments in the financial sector. The enhanced BLAW service in development now promises to deliver the same strong research product with a more user-oriented interface. ∎

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