

# Use of Databases by Academic Staff and Students of the Nigerian Law School

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## **Abstract**

**Purpose:** *The purpose of this work is to assess the use of Databases by academic staff and students of the Nigerian Law School. It also discusses the various databases used by academic staff and students and the importance of these legal databases to the academic community of the Nigerian Law School in the study and practice of law*

**Design / Methodology / Approach:** *The exploratory and observatory approach was used in this study. A conceptual framework was examined to identify the extent of usage of the law database in the library by the law students and their lecturers. It was followed by the problem encountered in the use of the legal database and the way forward to solving these problems.*

**Findings:** *It was found out that for the maximum use of legal database by lecturers and their students proper guidelines need to be given to them and funds should be released by the institution to purchase more computer systems, as the computer systems available for use now are few and therefore inadequate*

**Originality /Value:** *To produce a qualitative lawyer, it is imperative that the entire student be internet literate and can effectively use the legal database in the course of their research work*

**Key words:** *Law School, Law Libraries, Database, Legal Database*

## **Introduction**

Law according to Wikipedia (2008) is a system of rules, enforced through a set of institutions used as an instrument to underpin civil obedience, politics, economics and society. Law serves as the foremost social mediator in relations between people. Aristotle declared in one of his writings in 350 BC, that the rule of law is better than the rule of any individual.

There are a wide variety of separate disciplines that make up the study of the subject law. These are: Administrative Law is the study of the activities of the administrative agencies of government. Constitutional Law is the study of the framework for the creation of law, the protection of human rights and the election of political representatives. Contract Law, regulates agreements between parties, which could relate to everything from civil purchase to trading on derivatives markets. Criminal Law relates to the study of enforcement of established rules and the prosecution by the state of an offender or offenders as the case may be. Equity is the study of equality, fairness, liberty and justice. This

aspect of the study of law is the bedrock of the whole study of the subject Law, for this is actually what it aims to ensure. International Law is the study of the affairs between sovereign nation states and how they relate to each other in activities ranging from trade, environmental regulation and military action. Property Law is the study of rights and obligations relating to the transfer of real and personal property. Tort Law (sometimes referred to as Street Law) is the study of claims for compensation where an individual or their property is injured or harmed in any way. Trust Law is the study of trust imposed on the person holding on to assets on behalf of another for investment and financial security. The above stated are what are referred to as the core disciplines of law, there are other areas of which the subject Law transcends. This is because the subject 'Law' is a multi-disciplinary subject. Some of these are Labour and Industrial Law, Cyber Law, Law of the Internet. For these areas of law to be understood there is need for the disciplines be taught within a formal environment, thus the need for legal education.

Legal training is the education of individuals who intend to become legal professionals or those who simply intend to use their law degree to some end, either related to law such as politics, academic or business.

In addition to the qualifications required to become a practicing lawyer, legal training also encompasses higher degrees such as doctorates, for more advanced academic study. In many countries other than the United States, law is an undergraduate degree. Graduates of such a program are eligible to become lawyers by passing the country's equivalent of a bar exam. Nigeria is one of such countries whereby law is not a graduate degree, unlike the United States of America where law is a course that cannot be embarked upon before first obtaining a degree in either the humanities or any of the sciences but preferably in the humanities and the social sciences.

The training of members of the legal profession in Nigeria as indeed in most English speaking African countries was for many years undertaken mainly in the United Kingdom. In order to become a legal practitioner in Nigeria, one must have been called to the English, the Scottish or the Irish Bar or enrolled as a solicitor in any of these countries.

There were obviously many defects in this system, the most obvious of which was that a Nigerian who qualified from any university outside Nigeria, would have had no opportunity to study Nigerian Law, which he would have to practice in Nigeria. A committee was thereby set up known as the Unsworth Committee on the 30<sup>th</sup> April 1959 with the mandate to "consider and make recommendations for the future of the legal profession in Nigeria with particular regard to legal education and admissions to practice, the right of audience before the courts and making of reciprocal arrangements in this connection with other countries." The committee report which was published in October 1959 recommended that Nigeria should establish its own system of legal education to meet the needs of the country and also the establishments of the Nigerian Law School to provide practical training for aspiring Barristers and Solicitors. The recommendations of the committee were accepted and the Legal Education Act was promulgated in 1962.

In 1963, four Nigerian universities, namely, University of Nigeria, Nsukka, University of

Lagos, Ahmadu Bello University and University of Ife (now renamed Obafemi Awolowo University, Ile-Ife) started offering law programs leading to the award of Bachelor's degrees in Law. Between that date and now, more than thirty nine (39) Nigerian universities now offer law programmes leading to the award of first and in many cases postgraduate degrees in law. Many more are still applying to the Nigerian Universities Commission for approval to include the program in their list of courses being offered by their respective universities.

It can be argued that as at today, the process has become a shadow of its former self, to the point where legal practitioners being called to the Nigerian Bar are increasingly becoming doubtful both in character and learning (Wokocha 2008) opined that the failure of the system is not necessarily solely a reflection of the times, which may be appositely described as the end of reading culture, the consequence of a variety of reasons which straddle across environment, commitment of staff, structure of curriculum, loss of focus and lack of inspiration on the part of the law student. There is need to stem the current downward trend in the quality of legal education. Nwogugu (1985) warned that low quality legal education is bound to affect the standing and practice of the profession. Consequently, every effort must be made to avoid the problems presented by low-standard law degree.

The dearth of up to date learning materials needed by both the law teachers and the students for effective learning of the subject is another contributory factor to the increasing fall in the standards of legal education in Nigeria. The need for adequate funding for the law library will go a long way in ensuring that required legal materials are acquired for the furtherance of legal research. According to Jegede (1992) the library is an indispensable component of a faculty that must teach law; this also applies to the Law school. Not just a library, but a good library, it is an indubitable fact that to be learned, a lawyer must be well-read, versed in research and ever alert about legal development in his environment. The dearth of books, in particular new and revised editions, has threatened to relegate legal education in Nigeria to the study of ancient law, as both students and under-paid law lecturers strive to make do with what is available. Digital technology have revolutionised many ways information is

received by us, the availability of online resources has changed everything from looking for a new house to reading newspapers to purchasing plane tickets, and even to boarding the plane. Telecommuting has become widespread, and this has greatly changed the way and manner researches are being conducted, also results of such researches are becoming more and more affected. Internet telephony presents a real challenge to established telecommunications companies. Millions of blogs, social networking sites and interactive online games have created new modes for interaction and expression. Simply put the advent of digital technology touches almost every aspect of modern life, and the way and manner researchers conduct their researches. Okewusi (1996) opined that the application of new technologies to library services holds one of the keys to improved law librarianship. Thus, the importance of the library having in its collection both online and offline databases cannot be over emphasized. To benefit from the online database services, the library must be connected to the internet. Research that was done without the benefit of the use of information highway risks arriving upon conclusions that are not in tuned with reality.

The new legal education curriculum introduced by the Council of Legal Education made it imperative that aspiring legal practitioners be computer literate.

Many of the legal materials produced both internationally and locally can be accessed in electronic databases. Many of the Foreign Law Reports and International Journals that hitherto were difficult to acquire are available on line. Instructional materials used by the lecturers are stored in CD-ROMs; the CD-ROMs are given to the students at the point of registration. It is thus imperative that the law students have personal laptops to aid their studies at the law school. CD-ROMS play a significant role in library automation and its significance cannot be overemphasized in rendering services to library patrons in the present technology driven era. They are therefore invaluable assets in conducting research into the various aspects of law.

Taslim Elias Law Library's primary mission is to serve the educational and research needs of the academic, students and administrative staff of the Law School as well as legal practitioners. The Library has a secondary

mission to support the research needs of the legal community at large. The Law Library accommodates others only so long as their use of the facilities does not interfere with its use by primary and secondary users. To ensure that the varying interests of the library clientele are well taken care of, the library must ensure that it stocks within its collections, legal materials that its clientele will find useful. There are various classification schemes that are available for use by libraries, but for a law library, the recommended classification scheme is the Moy's Classification Scheme. This scheme was specifically designed for law libraries by Elizabeth Moy's, the pioneer University Librarian of University of Lagos (1962-1965). The Law School library records are automated. The Libplus library software is the library software used to actualize this. This Libplus comes in three modules these are: - Acquisition module, Cataloguing module and Reference services module. There is an OPAC (online public access catalogue). The library clientele are able to browse the OPAC to identify the library holdings and there locations in the library materials.

### **Database**

A Database according to the Wikipedia (2008) is a structured collection of records or data that is stored in a computer system. The structure is achieved by organizing the data according to a database model. The model most commonly use today is the relational model. Other models such as the hierarchical model and the network model, Use a more explicit representation of relationships

Depending on the intended use, there are a number of database architectures in use. Many databases use a combination of strategies. The On-line Transaction Processing Systems (Herein after referred to as OLTP) often use a row – oriented data store architecture, while data – warehouse and other retrieval – focused applications like Google's Big Table or bibliographic database (library catalogue) systems may use a column – oriented DBMS architecture.

There are also other types of databases which cannot be classified as relational databases. According to Technical Terms Computer Dictionary (2005-2008) a database is typically made up of many linked tables of rows and columns. For example, a company might use a database to store information about their

products, their employees, and financial information. Databases are now also used in nearly all e-commerce sites to store product inventory and customer information. Database software, such as Microsoft Access, FileMaker Pro, and MySQL are designed to help companies and individuals organize large amounts of information in a way where the data can be easily searched, sorted, and updated.

While the first databases were relatively "flat" (limited to simple rows and columns), today's relational databases allow users to access, update, and search information based on the relationship of data in one database to another. Certain databases allow users store data such as sound clips, pictures, and videos. The databases with these additional properties have become accessible to the physically challenged library clientele. Thus it can be surmised that information retrieval have been made easy and fast for all categories of researchers. Legal records such as statutes, law reports and journal articles, stored in electronic databases are easier to retrieve than those recorded in books.

The principal product produced from databases before the advent of computers was in printed form. Bibliographic bulletins, under various names, contained the whole or part of the database. The production and distribution of these databases did not require any special advanced form of technology. The revenues received in advance for subscriptions were a form of financial guarantee for the publishers of these databases. Though these products are still widely distributed, they are nevertheless being replaced by electronic methods of accessing the stored information.

Databases come in various format. There are databases that can be accessed on-line; access is only available to those who have access to the internet. Whilst some are stored in CD-ROMs (compact disk read only memory), these are storage media that information can be stored. Databases stored in CD-ROMs can be accessed without being connected to the internet. Databases stored in CD-ROMs have limitations. They are not as current as the online databases. It is easier to update online databases than those stored in CD-ROMs. The online databases do not need to go through publishing before it can be accessed. Whereas the CD-ROMs though electronic publications, but still need to go through a form of publication and distribution same as printed materials.

In the academic law library survey conducted by the SPTL/BIALL in 2000/2001 it was reported that there one hundred and nineteen legal databases, that are daily accessed by legal scholars. Out of these, ten were classified as top ten. These are:-

Westlaw UK; Lexis Professional; IOLIS, LAWTEL; Butterworths Direct; UKOP; Current Legal Information; EUROLAW; CELEX; and Justis Weekly Law. The SPTL/BIALL survey also found that the following database though not part of the top ten but are constantly consulted by legal scholars, these are: - Index to Legal Periodicals, BOPCAS, The Law Reports, Index to Foreign Legal Periodicals, and British Company Law Library.

All the above mentioned databases are commercial legal research services, to use any of these services the user must subscribe to the desired service. Few examples of non-legal databases are: - EBSCO, JSTOR, FirstSearch, and Proquest. Some legal researchers do find the above mentioned non-legal databases useful in their legal research.

Academic law libraries realizes the importance of reviewing their collection development policy and also re structure their service to their users. Over the years there have been significant transformations in the services required by users of academic law libraries. The print medium is gradually giving way to electronic materials

Information and Communication Technology (ICT) has enhanced academic staffs' professional knowledge, skill and capabilities by expanding their subject knowledge, enabling planning and preparation thereby making their teaching to be more efficient. Yuen, Law and Chen (1999) identified teachers' positive attitude toward computers as an important factor in fostering computer integration and the enhancement of quality learning and teaching. A teacher's use of ICT in teaching will largely be dependent upon the extent to which he is in control or how proficient he's use of the technology. The more lecturers use database regularly the more they will appreciate the usefulness. Usoro (2000) opined that "if feelings of competence are increased in databases provision, the use of databases can be enhanced. Hanson, (2002), notes that legal research has been fundamentally transformed by the information technology era creating a challenge for the legal information manager and an even

greater challenge for the user. This development has increased the pressure on legal education to produce graduates with competent skills vital for a knowledge driven economy

Leach (2005) opined that databases use could promote effective learning. It can thus be that databases are an essential ingredient in creating 21<sup>st</sup> century learning environment. Indicators show that educators worldwide are now harnessing the power of technology to transform learning and enhance results Sutton (2006). Regardless of this great advancement in learning and the great strides many researchers have made in their quest for knowledge using databases, there still appears to be a great apathy from some scholars towards the use of databases in research. Etim (2006) found that the increase in the value and demand for information puts pressure on African University libraries to offer more effective services to users . African Universities must shift gears in order to justify their existence in the changing information sharing environment. The establishment of bandwidth consortia would drive prices down through economies of scale. Autzen (2007) stated that a negative attitude towards an ICT system will lead to little or no usage. Jegede (2007) found that limited or non availability of technology resources could bring about a negative attitude towards its use. To get the lecturers to use technology resources as aids to their teaching, there is need to have these resources available for their use. As Jegede (2008) found that regular use of technology resources will remove the apathy against their use, for regular use bring about a sense of confidence and competence in using them in class for teaching. The importance of digital technology in the teaching of law is further exhibited by the access to and availability of scholarly works written by erudite scholars to a larger audience of both students and academic staff of law.

### **Use of Databases in the study of Law**

Legal education aims to prepare the student for effective legal practice. The debate on the poor research skills of law graduates has further challenged the responsibility of law schools in developing life long learning skills in law students. It is noteworthy that poor research skills is not limited to only law students as a similar lack of general preparedness has also been noted among students of other disciplines (Mabrouk 2001). Cuffe (2002) noted that most

students enter law schools with poor or non – existent skills in legal research. Mizrachi (2004) reported that research carried out to evaluate the information –seeking behaviour of law students revealed a general decline in their attitude to legal research. Kerins, Madden and Fulton (2004) stated that law students tended to have problems identifying suitable information sources for case law, legislation and journal articles. The problem of law students experiencing difficulties in identifying suitable legal information can be attributed to the fact the formal legal education in Nigerian universities do not prepare the students for independent research. The lecturers tend to do the researches themselves and the information acquired from such research are giving to the students inform of notes during lectures. Recommending to students appropriate databases would greatly enhance the students’ research capability. According to Barkan (2007) the curriculum of legal education in most law schools tend to receive less priority with regards to legal research as opposed to other substantive law courses and this, to a great extent, account for the poor research skills of students. The issue of review of the law school curriculum did generate lots of debate. This Lawal(2007) opined is required to equip law graduates the needed skills to meet up with current challenges of legal practice in the twenty first century. She went further to argue that the structure of legal information is distinct from other disciplines, this she stated, is because it consists of hierarchical organized information of primary and secondary sources and other search tools which are an important aid in the research process, using these sources has often presented a major challenge to the researcher in terms of understanding the complex system in which they are variously organized in the area of law. Power (2007) noted the poor research skills of the students in accessing legal databases. Germaine (2007) opined that the current inter-disciplinary nature of Law portends the need for legal education to be rendered with a view to prepare students with the vision and ability restructures the society in line with the emerging global order. He went further to state that electronic legal sources such as Westlaw, LexisNexis, Hein Online and other databases have transformed the composition of the legal literature resulting in the digital exclusion of most developing countries.

The time has come for us to accept the fact that electronic information has come to stay. We have to learn to live with it. The practice of the legal profession is changing also is the nature of libraries and those who work in them. Legal researchers and students are making much use of the electronic forms of data and its availability fits with the changing world of academics.

### **Conclusion**

The main objective of this paper is to determine the extent of the use of databases by academic staff and law students of the Nigerian Law School in Legal research. The first assumption states that in all the four campuses of the Nigerian law school, there are law libraries. This implies that the libraries are well equipped with ICT, properly housed and organized by trained and knowledge personnel. The second assumption states that the law libraries have taken their proper place in contributing to the advancement of legal education of the users it serves. The third assumption maintains that the academic staff and law students are fully aware the potentials of a good law library.

Others assumptions are that all eligible users of the law school libraries understood the objectives of the law library which are: To cater for the information needs of the academic community of the school; to support legal research. The study of law being continuous needs a law library that would provide up to date materials that foster legal research; and to provide adequate assistance wherever needed by the academic staff and law students of the Nigerian Law School.

In order to arrive at a reasonable conclusion the research instrument adopted involved the use of questionnaires, interviews and observations. The 757 research samples were drawn from the Larger population of the two campuses of the Nigerian Law school studies. The categories of the samples drawn from the two law school campuses studied are 4 professional librarians, 725 law students and 28 academic staff. The professional librarians were interviewed whilst the law students and academic staffs were given questionnaires.

In the analysis the data collected were presented in the form of tables and in analyzing them, percentages were used for illustration and clarity It is quite interesting to know that Nigerian Academic and research libraries have procured and made available a wide range of information

and communication technologies to their users. The Nigerian Law School is no exception. The management of the school understands the importance of ICT and as such has an ICT policy. Though the ICT policy of the school is a recent one. The study revealed that the implementation of ICT in the law libraries of the school is quite recent.

The law students readily embraced the use of ICT In their legal research. Regardless of the enthusiasm with which the law students and the academic staff embraced the use of ICT, the library staff have not been as proficient as the library users would have wanted them to be. That is why quite a number of them would rather rely on their friends or colleagues in solving problems encountered in the course of their using any database site. Many of the library staff themselves do not know how to use the database. Though the management is mindful of the importance of the provision of viable database site for use by the law students and the academic staff, but constraints of available funds is a major setback to the full implementation of the school's ICT policy.

The library as at the time of study subscribes to only one legal database which the respondents found very inadequate in conducting their legal research. They, made do with a database that does not need to be subscribed to, that is databases that are free. These databases though useful are not as detailed as those that have to be subscribed to. The study revealed that though the library subscribes to CD-ROMS, they are not easily accessible to the readers. 90% of the respondents were not aware that there are CD-ROMS that are available for use in the library. They made use of CD-ROMs sold with their law text.

Those who were able to use the CD-ROMS in the library found them very useful they were able to get useful materials from the databases in the CD-ROMS, though they found the information not up to as up to date as those found in on-line database. Both academic staff and law students did not find the library guides adequate in finding out databases provided by the school. The guides to they are not helpful, as such they prefer asking their colleagues for assistance.

The guides were found by the researcher to be old and not up-to-date. New ones have not been printed in the past 5 years. This was attributed to

lack of funds. Also the computer systems available for use of both Academic staff and students are not adequate. The Librarians are aware of the importance of the importance of databases in conducting legal research, but they themselves are incapacitated by their lack of training in the use of ICT. The researcher found that they have minimal training in the use of ICT, but they do not understand the complexities of the use of legal databases. They are able to provide the traditional library services, but anything beyond this, is beyond them.

There is no doubt that the use of ICT in education generally and in legal education is invaluable. The success of the legal education system hinges on the availability of materials that would aid both the academic and students in the pursuits of their education this there is need to properly equip the academic staff that would transport the knowledge and also provide the students with the tools to assist them to develop their critical thinking abilities

The current state of legal education has much to be desired. A few recommendations are hereby proffered:

- The school management should provide adequate funding for law library to subscribe to useful on-line databases.
- The librarians need to be trained on the use of ICT and in particular databases for legal research.
- The library guides need to be reprinted with easier and up-to-date direction for easy use by both academic and law students of the school.
- There is need to increase the band width of the internet server of the school, this would greatly increase connection speed.
- All academic staff should be encouraged to make use of databases in their research, as this would greatly improve the quality of their legal research and thereby be able to impart the right type of knowledge on the law students.
- There is need for the librarians that would be at the information desk to have knowledge of law as this would greatly enhance his ability to attend to queries from the library users

The findings of an earlier study revealed that both the academic staff and law students are aware of the importance of databases in legal research, and that these databases can be made use of both on-line and in CD-ROMs. Thus the use of e-resources in legal research is very common amongst the study group. Majority of them are quite dependent on e-resources to get desired and relevant information. The researcher observed that the availability of e-resources on the campus is not sufficient as there is need for the school to increase the number of subscriptions to databases this would greatly widen the scope of research of the library users. Thus the management of the Nigerian Law School need to inject more funds into the law library for subscription to more legal databases for the use of both the academic staff and students of the school. Access to these databases will greatly enhance legal research by the academic staff and scholarly work of the students.

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