

The Value of Business-Related Information in the Academic Law Library*

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The authors present reasons why academic law librarians should be aware of the need for business-related information in the law school and provide advice on collection development for business materials.

Until recently, most academic law librarians have shown little interest in collecting business-related materials. Focusing on the materials necessary to support the basic business courses in the law school curriculum, they left the responsibility for collecting specialized business materials to the university and business school libraries.¹ Among the academic law librarians who did collect business-related materials beyond those necessary for the basic business courses, many limited themselves to statistical information provided by the federal government—information that could also be used in answering general reference questions.

Changing emphases in the law now call into question the wisdom of continuing this benign neglect of business-related information sources.² In response to the increased importance and complexity of a bewildering variety of commercial transactions in all aspects of society, an increasing

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1. Although this article focuses on business-related materials, its approach is equally applicable to the academic law librarian's responsibility to collect interdisciplinary materials in fields such as economics, biotechnology, and political science.

2. A hallmark of legal education is its conservatism. In most instances, what is taught in the classroom follows in the wake of events in society. Over time, the law school curriculum changes to keep pace with the practice of law and with business developments. Most law librarians will develop their collection to mirror what is covered in the classroom; adventuresome librarians anticipate the curriculum and collect materials that may become of interest to the faculty and students.

number of business-related courses have entered the law school curriculum. Consequently, academic law librarians must reassess the role of business-related materials in their libraries.³

The Need to Collect Business Materials

The legal landscape has changed with the emergence of large law firms that specialize in putting together megadeals frequently involving multinational corporations. The exploits of these firms, often with 500 or more attorneys and far-flung international practices, are followed closely in the *Wall Street Journal* and the *New York Times*.⁴ An example will reinforce this point. Recently, within a one-week period, a law firm librarian in Dallas was asked to:

- acquire financial information about a Chinese bank;
- acquire certain financial documents of a Colorado corporation;
- search published sources for statements concerning the receivership of a failed bank;
- locate the auditor of the most recent 10-K of a major oil company;
- acquire the most recent financial report of an insurance company;
- locate new materials on mergers, leveraged buyouts, and acquisitions;
- and
- identify the current and past officers and directors of a corporation.

The increased prevalence and importance of business-related transactions eventually will become reflected in the law school curriculum.⁵

What is "Business Information"?

The phrase "business information" is not self-defining. For the purpose of this essay, business information, broadly defined, encompasses

3. Until recently, most academic law libraries, with a few exceptions, such as Columbia and Yale, did not collect extensively outside of traditional legal materials.

4. These newspapers, too, have adapted to the increased prominence of business. The *Wall Street Journal* now has a law section, where it had none before. Within the past several years, the *New York Times* has come out with a separate business section, much of which covers the interaction of law and business issues. Local newspapers focus on business and legal matters, often featuring a separate business tabloid section on Mondays.

5. If one needed further proof of the importance of business information to the academic law library, one need only consider the proliferation of international law courses, many with business aspects to them. At the University of Texas such classes include International Business Transactions, International Commercial Litigation, Taxation of International Transactions, International Mining and Petroleum Transactions, and International Banking and Financial Law. This range of courses is not uncommon at other law schools.

The importance of these courses will increase in the immediate future. Witness the dramatic developments in Eastern Europe and the potential for changes in its business climate that these developments portend. Europe 1992 is one year away, and the consequences that will flow from that historic event will also spark dramatic changes in the way business is done.

factual information about business transactions, including statistical information that individuals in business rely upon to make decisions, as well as legal materials relating to business. Hence, you would find under this broad rubric private and government statistics, information about financial markets, accounting information, banking information, government information, insurance information, marketing information, tax-related information, and current awareness information.

The type of business information most immediately relevant to legal education is that which directly supports courses in the curriculum. For example, in law schools with courses in accounting for lawyers, one would expect the librarians to collect materials, most frequently teaching materials, related to legal accounting. Similarly, many academic law libraries also collect some business information materials to support the traditional courses in business organizations.⁶ In such instances, however, the materials tend to be basic ones that explain the fundamentals of corporate structure and operation and, in some instances, economics and finance.

Indeed, preparing law students for the world of practice is another reason to make business information available in the law school environment. New lawyers should be as familiar with the jargon of LBOs, M & A, poison pills, white knights, and shark repellants⁷ as they are with the Rule Against Perpetuities and the Rule in Shelley's Case. While traditional legal materials provide excellent discussions of well-developed concepts, they are of little help in explicating rapidly developing areas of the law.

A member of the Texas law faculty is interested in business trends, securities law, and international business and banking transactions. Because these are rapidly changing areas, she cannot rely on traditional doctrinal materials for her teaching and research. Instead, much of her research is in periodicals such as the *Asian Wall Street Journal*, *Euromoney*, and the *Financial Times* as well as in foreign and international governmental publications. She takes the position that she must keep

6. A few books written specifically for law students have tried to fill in the lacunae in many students' knowledge of business information and operations. See, e.g., R. HAMILTON, *FUNDAMENTALS OF MODERN BUSINESS* (1989) ("written primarily for the benefit of law students who have no prior business background"); B. MANNING & J. HANKS, JR., *A CONCISE TEXTBOOK ON LEGAL CAPITAL* (3d ed. 1990).

7. Representative titles of these genres are: H. BENJAMIN & M. GOLDBERT, *LEVERAGED ACQUISITIONS AND BUYOUTS* (1988); M. GINSBERG, *MERGERS, ACQUISITIONS AND LEVERAGED BUYOUTS* (1989); S. REED, *THE ART OF M & A: A MERGER/ACQUISITION/BUYOUT GUIDE* (1989); R. WINTER, M. STUFF & G. HAWKINS, *SHARK REPELLANTS AND GOLDEN PARACHUTES: A HANDBOOK FOR THE PRACTITIONER* (1983).

abreast of domestic and foreign business developments because the law follows, rather than anticipates, these developments. In no other way would she be able to anticipate the emerging legal issues. Not surprisingly, she is also a heavy user of online electronic databases.

Collection Development Issues

How should academic law librarians begin to collect business-related materials? This question raises important collection development issues, including the most basic one: How should we educate ourselves to make intelligent acquisitions decisions about business information sources?⁸

The first step must be one of self-education. We must talk with our faculty, keep apprised of business developments by reading the national newspapers, and acquire and read the primary business reference books. Two such books, Lorna Daniell's *Business Information Resources* (1985) and Diane Strauss's *Handbook of Business Information* (1988), provide a wealth of information on the basic sources of business information currently available.⁹

The faculty members of your business school and the business librarians at your university libraries and business schools are additional resources. It has been our experience that they are pleased to discuss what they do and what materials they rely on. You ignore their assistance at your peril.

There is another reason why knowing local business librarians is important for collection development: Business materials are expensive. It is not necessary to have all of these materials available within the law library—it is enough to have them accessible on campus. Academic law librarians need not develop business collections to rival those of the university and business school libraries; they must develop a basic collection of business materials and be aware of the rest.

Most academic law libraries already have some basic business resources in newspapers such as the *Wall Street Journal* and the *New York Times* and various statistical resources such as the *Statistical Abstract of the United States* and the *CIS American Statistical Index* and *Statistical Research Index*.

8. Bibliographies of different types of business information valuable to academic law libraries are in Young, *Business Information in the Law School: A Selective Bibliography of Commercial Sources*, 83 LAW LIBR. J. 117 (1991); Bridges, *Business Information in the Law School: A Selective Bibliography of Government Documents*, 83 LAW LIBR. J. 131 (1991).

9. These books are also invaluable for providing reference service to faculty and students and belong in all academic law libraries.

The popular business press—the *Wall Street Journal*, *Forbes*, *Fortune*, *Business Week*, and the business section of the *New York Times*—can be an invaluable source of business information to be mined for hints on developing business trends. By reading these and similar publications, you will become aware of topics of importance to business, new court cases, and proposed legislation. Armed with this information, you will learn the vocabulary necessary to enter the land of business information.

Second, you will often find that news stories frequently refer to studies by different organizations or individuals, and that many of the studies are free for the asking. When you come across interesting studies, you can request them and route them to interested faculty as well as add them to the collection.

The popular business press is also valuable for its book reviews. These reviews give you access to a part of the publishing industry that is alien to many academic law librarians. Over time you will begin to recognize the names of important reviewers and authors.

Congress and federal agencies are also fertile sources of business information—information that many of you have on the shelves in your government documents collections. All academic law libraries are selective depositories for United States government documents. Consequently, they possess the beginnings of a business information collection. Sometimes, however, the library must undertake a major “marketing” effort to bring this information to the attention of the faculty and students. Government business information can be difficult to use, and you may need to develop programs to make the materials more accessible to faculty and students.

Finally, and, perhaps most economically, many of the best sources of business information are already available to you through databases such as WESTLAW, LEXIS/NEXIS,¹⁰ and DIALOG.¹¹

10. Online business information will be revolutionized further by EDGAR, the Security and Exchange Commission’s Electronic Data Gathering, Analysis and Retrieval system that is fast moving from its pilot to its operational phase. By 1993 electronic filing through EDGAR will be mandatory for all 15,000 SEC filers. Once EDGAR is in place, the SEC will offer subscriptions for various levels of information. The most expensive subscription, at \$255,000 a year, will provide immediate access to all data as it is accepted and released by the SEC. But Mead plans to integrate EDGAR data into LEXIS, allowing complete text searches at rates comparable to existing LEXIS charges.

11. Instead of describing in any detail the coverage of business information resources on the two databases, we recommend that you study the most current WESTLAW Database List and LEXIS/NEXIS Library Contents and Alphabetical Lists. Both services continually add materials to their databases. At present, the business coverage of LEXIS is broader than that found on WESTLAW, primarily because the former also offers NEXIS. Academic law libraries that subscribe to NEXIS already have a growing collection of business materials.

ABI/INFORM, which provides access to a core business information collection, is available in DIALOG and NEXIS. It indexes approximately 300 core business journals and provides detailed abstracts to all articles from this group of journals; it also selectively indexes and abstracts articles from another 300 journals.

While the business information databases on WESTLAW and LEXIS/NEXIS are impressive, DIALOG offers the largest number of business information databases currently available. And because you pay as you search on DIALOG, you avoid paying for materials you neither use nor want. Although not as easy to use as WESTLAW or LEXIS, DIALOG certainly rewards those who use it judiciously.¹²

Suggested Acquisitions

In looking at the wealth of business information available to us, it is possible to divide business information into different categories. Although not based on any scientific study, these categories can be described as popular, reference, academic, and niche materials. While it may be difficult to draw a bright line distinction between the categories in all instances, the divisions are, nonetheless, useful.

In the category of popular business literature, we have already touched on the importance of newspapers and magazines, such as *American Lawyer*, the *Asian Wall Street Journal*, *Barron's*, *Business Week*, the *Financial Times*, *Forbes*, *Fortune*, the *New York Times*, and the *Wall Street Journal*. While they have some value for research and teaching purposes, their primary importance is for the current awareness value of their news stories, reports, and book reviews. These materials frequently provide the first inklings that particular business and legal developments are afoot.

Under the category of basic business reference materials, we mention again *Business Information Resources* and *Handbook of Business Information*. Both are valuable, although Strauss's *Handbook* is more current and offers a better description of the use and value of the various business materials.

You should also consider the various indexes to business literature as important business materials. While all of us are familiar with *Current Law Index* and *The Index to Legal Periodicals*, how many realize that Information Access, the publisher of LegalTrac, also publishes *Business Periodicals Index*, described by some as one of the best business indexes

12. One of the more useful business information databases on DIALOG is the DIALOG Business Connection. This service comprises many of the services most popular business databases, including Disclosure, D&B Dun's Financial Records, Moody's Corporate Profiles, Standard & Poor's News, Trinet, and Thomas Register Online.

Other selected DIALOG databases of interest in the law school setting include: ABI/INFORM, American Banker Full Text, Arthur D. Little Online, Mergers (Merger and Acquisition filing with the SEC since 1985), Economic Literature Index, Facts on File, Mergers & Acquisitions Filings, and the Insider Trading Monitor.

available? H.W. Wilson Company's *Business Index* is also one of the primary indexes of business literature and is now found in print, online, and CD-ROM formats.

The *New York Times*, always strong in its legal coverage, is now devoting more space to business matters. Because the *Wall Street Journal*, the leader in business coverage, now carries a daily law column, it can be useful to acquire it in microform.¹³ Law libraries should also have the print indexes to both, if possible. Although not normally thought of as a business paper, the *Washington Post* is important because it may provide the best coverage of the federal regulatory agencies.¹⁴

Finally, no library can be without the basic statistical reference materials that are so important to answering all varieties of business reference questions. Included among these materials are two major statistical indexes: *American Statistical Index* and *Statistical Research Index*.

The third category is academic business information—primarily in journal format. These publications differ from the popular press materials in that they are scholarly and academic. Unlike the academic legal literature, however, these journals are not edited by students and they seem, in general, to publish articles in a more timely fashion than do student-edited law reviews. Representative titles include *The American Economic Review*, *Brookings Papers on Economic Activities*, *Corporate Finance*, *Euromoney*, *Harvard Business Review*, *International Financial Law Review*, *Journal of Economic Literature*, *Journal of Economic Perspectives*, *The Journal of Political Economy*, *The Quarterly Journal of Economics*, and the *Stanford Business Review*.

A final type of business information is found in niche or boutique publications. These publications are highly specialized in their focus; prime examples are industry newsletters, such as *Aviation Week*. The primary value of these materials is that they are excellent sources for extremely narrow types of business information. Because their focus is so specialized, they are frequently the first publications to discuss emerging business problems and issues. Their very specificity, however, makes them unlikely candidates for addition to most academic law library collections.

The purpose of this essay has been to sensitize academic law librarians to the role that business information can play in academic law libraries. On a broader point, even for readers in libraries that cannot afford to collect

13. While coverage of the *New York Times* is available on NEXIS from 1980, the *Wall Street Journal* is available in full text only on the Dow-Jones News Retrieval Service on a "pay-as-you-search" basis. An abstract service for the *Wall Street Journal* is available on NEXIS.

14. The *Washington Post*, like the *New York Times*, is available on NEXIS.

business information sources, this essay will have been successful if even one reader says, "You know, I should be anticipating the business-information needs of my faculty and students."