

Global Trends and Paradigm Shift in Legal Research

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Abstract

Over the years, global legal research has undergone a revolution. The advent of research revolution driven by modern day technology has prompted a wide research view as against the monolithic nature of global legal research. The issues regarding legal research have revolved around two questions: 'How is research training best achieved?' and 'What is the nature and meaning of "legal research?'" These questions have prompted other questions, such as 'What methodologies are most effective in achieving the aims of legal research?' In some jurisdictions, it appears that no significant progress is being achieved in legal research. In spite of the extensive legal research carried out by researchers in those jurisdictions, the study lacked a clearly defined research direction due to the inability and failure of the legal researchers to develop it. This paper discusses the emerging trends that are reshaping the way legal research is understood, accessed, and delivered. In this era of artificial intelligence (AI), this paper explores the global trends, predictions, and challenges and suggested ways to facilitate the global development of legal research geared towards a pragmatic future of law.

Keywords: Research, methodology, technology, researchers.

Introduction

The word “research” has been defined variously by different authors, writers, and commentators. Research is a diligent and systematic inquiry or investigation into a subject in order to discover or revise facts, theories, applications, etc.¹ It is defined in the Merriam-Webster online dictionary as a studious inquiry or examination, especially an investigation or experimentation aimed at the discovery and interpretation of facts, revision of accepted theories or laws in the light of new facts, or practical application of such new or revised theories or laws.² In other words, it means the collection of information about a particular subject. Research is also a logical and systematic search for new and useful information on a particular topic. It is an investigation of finding solutions to scientific and social problems through objective and systematic analysis. Research is a careful and detailed study into a specific problem, concern, or issue using scientific methods. According to Shuttleworth, a research, in the broadest sense of the word, includes any gathering of data, information, and facts for the advancement of knowledge.³ Goddard & Melville define research as answering unanswered questions or exploring which currently does not exist. It involves systematic and creative work undertaken to increase the stock of knowledge, including knowledge of humans, culture and society, and the use of this stock of knowledge to devise new applications.

Research is used to establish or confirm facts, reaffirm the results of previous work, solve new or existing problems, support theorems, or develop new theories. A research project may also be an expansion of past work in the field. Research projects can be used to develop further knowledge on a topic. To test the validity of instruments, procedures, or experiments, research may replicate elements of prior projects, or the project as a whole.⁴ There are several forms of research. They include social, scientific, artistic, humanities, economics, business, marketing, etc. There are vast areas of research in other disciplines such as law, literature, languages, history, and sociology. Research can be about anything and on any issue. Each of these began with an issue or a problem followed by intensive research on the issue in order to solve a problem. Whatever the research subject area, research has to be an active, diligent, and systematic process of inquiry in order to discover, interpret, or revise facts, events, behaviours, and theories. Applying the outcome of research for the refinement of knowledge in other subjects, or in enhancing the quality of human life also becomes a kind of research and development.

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¹Dictionary.com, <http://www.dictionary.com/browse/research> (Accessed on 11th October, 2023).

²Merriam-Webster Unabridged <https://www.merriam-webster.com/dictionary/research> (Accessed 11thOctober, 2023).

³Martyn Shuttleworth, *Definition of Research*, <https://explorable.com/definition-of-research> (Accessed 14th August, 2023).

⁴OECD Frascati Manual 2015: Guidelines for Collecting and Reporting Data on Research and Experimental Development, The Measurement of Scientific, Technological and Innovation Activities, OECD Publishing, Paris, 2015.

Contemporary Trends in Legal Research

Legal research is the process of identifying and retrieving information necessary to support legal decision-making. In its broadest sense, legal research includes each step of a course of action that begins with an analysis of the facts of a problem and concludes with the application and communication of the results of the investigation. Black's Law Dictionary⁵ defines legal research as the finding and assembling of authorities that bear on a question of law. Legal research is generally the process of finding an answer to a legal question or checking for legal precedent that can be cited in a brief or at a trial. Sometimes, legal research can help determine whether a legal issue is a "case of first impression" that is unregulated or lacks legal precedent. Virtually, every lawsuit, appeal, criminal case, and legal process in general requires a certain degree of legal research. Research therefore involves gathering information for a purpose, and it is the purpose that usually determines the type of research undertaken and how it is conducted. Legal research would, in a similar vein, involve the collection of legal materials for the purpose of discovering new facts that would contribute to the body of knowledge in a legal field or subject.⁶The purpose of legal research therefore is to find authority that will aid in finding a solution to a legal problem. The processes of legal research vary according to countries and the legal systems involved. In Nigeria, legal research generally involves tasks such as:

i. Finding Primary Sources of Law, or Primary Authority, in a given Jurisdiction: Primary authorities are the rules of law that are binding upon the courts, government, and individuals. Examples are statutes, regulations, court orders, and court decisions. They are generated by legislatures, courts, and administrative agencies.

ii. Searching Secondary Authority: Secondary authorities are commentaries on the law that do not have binding effect but aid in explaining what the law is or should be. This includes law reviews, legal dictionaries, legal treatises, legal digests, journals, and legal encyclopedias.

iii. Searching non-legal sources for investigative or supporting information: Legal researchers may consult books or other materials in other professions or disciplines in order to resolve a legal problem. For example, it may be necessary for a researcher to consult medical books and materials when researching on liabilities of a medical practitioner to his patient.

Legal research is the process of finding and retrieving information necessary to support legal decision-making and it begins from the analysis of facts to the application and communication of results.⁷ Legal research includes each step of a course of action that begins with an analysis of the facts of a problem and concludes with the application and communication of the results of the

⁵Black's Law Dictionary Eighth Edition at page 915.

⁶Hutchinson, 'Valé Bunny Watson? Law Librarians, Law Libraries and Legal Research in the Post-Internet Era,' (2014) 106(4) Law Library Journal 579, at 584.

⁷Olubiyi, Ifeoluwa & Olaniyan, Ayobami & Odiaka, Ngozi, *The Role of Technology in the Advancement of Legal Education and Practice in Nigeria*. (2015) <https://www.researchgate.net/publication>, (Accessed on 17th August, 2023).

investigation.⁸ It therefore involves the process of finding answers to legal questions or checking for precedents that would aid the determination of a subject matter, however obscure. The legal profession and research are inseparable Siamese twins, just as research and information are the twin sides of the same coin. Legal research therefore is indispensable to the legal profession and the effective practice of law. Without legal research, a legal practitioner will find his or herself groping in the dark for answers that the light of research brings to their notice. Legal research is performed by anyone with a need for legal information. They include lawyers, law librarians, and paralegals. Sources of legal information range from printed books, to free legal research websites like FindLaw.com, Martindale Hubbell and information portals. Law libraries around the world provide research services to help their patrons find the legal information they need in law schools, law firms and other research environments. Many law libraries and institutions provide free access to legal information on the web, either individually or via collective action, such as Free Access to Law Movement.

Doctrinal Research: According to Tijani and Popoola, historically, research on law has been classified as “black-letter law” and “law in context”, referring to research that use doctrinal and non-doctrinal research methods, respectively.⁹ From history, doctrinal research has been the dominant legal method in the common law world, although other categories of research such as reform oriented, theoretical, and fundamental have been acknowledged as important and to this extent doctrinal research has always included an interdisciplinary aspect. Nevertheless, legal academic success has been measured within a doctrinal methodology framework, which includes the tracing of legal precedent and legislative interpretation. The essential features of doctrinal scholarship involve ‘a critical conceptual analysis of all relevant legislation and case law to reveal a statement of the law relevant to the matter under investigation.’¹⁰This ‘conceptual analysis critique’ is based on an understanding of the rules of precedent between the court jurisdictions, the rules of statutory interpretation, the tacit discipline knowledge such as the difference between civil and criminal jurisdictions, and various tests of liability, along with the acknowledged reasoning methods, borrowed from philosophy and logic, such as induction and deduction.

In 1987, the Australian Pearce Committee highlighted doctrinal as the main category in its research taxonomy, describing it as research which ‘provides a systematic exposition of the rules governing a particular legal category, analyses the relationship between rules, explains areas of difficulty and, perhaps, predicts future developments.’ The Council of Australian Law Deans subsequently expanded on this earlier definition as ‘Doctrinal research, at its best, involves rigorous analysis

⁸Myron Jacobstein and Roy Mersky, *Fundamentals of Legal Research*, 8th Ed., Foundation Press, p.1, 2002.

⁹ Tijani N. and Popoola O.D., ‘Emerging Legal Research Methodological Issues and Opportunities in Developmental Economies’ (2019) 3 (1) *Journal of Information Science, Systems and Technology*, 35-47.

¹⁰Pearce D., Campbell E. and Harding D., *Australian Law Schools: A Discipline Assessment for the Commonwealth Education Commission*, 1987 p. 312.

and creative synthesis, the making of connections between seemingly disparate doctrinal strands and the challenge of extracting general principles from an inchoate mass of primary materials.’¹¹ In 2006, Minow, the Dean of Harvard Law School, identified ‘doctrinal restatement’ as one of the main contributions legal scholars make within their research.¹² Bartie identifies ‘doctrinalism’ as a ‘unifying element in legal scholarship in England and Australia.’¹³ Writing from a European perspective in 2011, Gestel and Micklitz describe the process in similar terms stating that in doctrinal work, scholarly publications, existing principles, rules and precedents.¹⁴ Accordingly, the law somehow represents a system so that ‘through the production of general and defeasible theories, legal doctrine aims to present the law as a coherent net of principles, rules, meta-rules and exceptions. At different levels of abstraction, decisions in individual cases are supposed to exceed arbitrariness because they have to fit into the system so that the system remains coherent.’¹⁵ Therefore, there is widespread agreement on the basic tenets of doctrinal research. The Australia standard legal research texts and the legal research under the common law jurisdictions are evidence of an old paradigm. Regarding these texts all that is required is an explanation of how to use legal research sources and research reference books.¹⁶ This is termed a ‘bibliographic approach’ to teaching the doctrinal legal research methodology.¹⁷

However, the doctrinal method has been widely criticised, largely because it has never been sufficiently explained to non-lawyers and lawyers themselves.¹⁸ Legal researchers have not been in the practice of describing their methodologies even within their academic work. In the past, few Ph.D dissertations have provided a separate description detailing the extent of the method. The doctrinal method is qualitative and idiosyncratic. Especially in the courts and in practice, the outcomes are often limited to the specific facts of the case. As a way of combating criticism from the physical sciences, Langdell, in the early part of the nineteenth century, had tried to promote law as a ‘legal science,’ and the law library as a ‘lawyer’s laboratory’. He stated that:

Law, considered as a science, consists of certain principles or doctrines. ... Each of these doctrines has arrived at its present state by slow degrees; in other words, it is a growth, extending in many cases through centuries. This growth is to be traced in the main through a series of cases. ... Moreover, the number of fundamental legal doctrines is much less than is commonly supposed. ... If these doctrines could be so classified and arranged that each

¹¹ Council of Australian Law Deans, Statement on the Nature of Legal Research, p. 3, 2005.

¹² Martha Minow, ‘Archetypal Legal Scholarship – A Field Guide,’ (2013) 63(1) Journal of Legal Education, p. 65.

¹³ Susan Bartie, ‘The Lingering Core of Legal Scholarship,’ (2010) 30(3) Legal Studies 345, at 350.

¹⁴ Rob Van Gestel and Micklitz H.W., *Revitalizing Doctrinal Legal Research in Europe: What About Methodology?* European University Institute Working Papers Law, p. 26, 2011.

¹⁵ W. Twining, *Taylor Lectures 1975 Academic Law and Legal Development* (Lagos: University of Lagos Faculty of Law), 1976.

¹⁶ Enid Campbell, Lee Poh-York and Joyce Toohar, *Legal Research: Materials and Methods* 4th ed, 1996.

¹⁷ Terry Hutchinson, *Researching and Writing in Law*, 2nd ed, p. 34, 2006.

¹⁸ Kimball B, ‘The Inception of Modern Professional Education: 1826-1906,’ (2009) 2 app 349.

should be found in its proper place, and nowhere else, they would cease to be formidable from their number. ... It seemed to me, therefore, to be possible ... to select, classify, and arrange all the cases which had contributed in any important degree to the growth, development, or establishment of any of its essential doctrines.¹⁹

A few years later, in the Harvard Law School Annual Report, Langdell again noted: “The work done in the library is what the scientific men call original investigation. The library is to us what a laboratory is to the chemist or the physicist, and what a museum is to the naturalist.”²⁰ In this respect Langdell was suggesting that the law ‘ought to be studied from its own concrete phenomena, from law cases, in the same way that the laws of the physical sciences are derived from physical phenomena and experiments.’²¹ Historically, the doctrinal process has been described within a problem framework with a number of linear steps including assembling the facts, identifying the legal issues, analysing the issues with a view to searching for the law, undertaking background reading and then locating primary material, synthesising all the issues in context, and coming to a tentative conclusion.²² There is certainly a need for a more sophisticated approach to tease out the doctrinal method. However, the limitation of this doctrinal approach is that it excludes the consideration of the ways and manner in which these laws impact the society at large. In reality, some of the provisions of Rules of Court, evidentiary and other laws and legal precedents, have been overtaken by emerging developments globally and therefore require some legal research reform. This necessitates thinking outside the box of existing legal research, to gather newer information and knowledge through scientific analysis, public surveys and other means of information gathering.²³

Additional Categories of Legal Research:

Doctrinal research was not the only type of research categorised within the early discipline reviews. The reports categorised other methodologies such as law reform research, legal theory research, and fundamental research separately.²⁴ The Pearce Committee acknowledged ‘reform-oriented’ research, research which ‘intensively evaluates the adequacy of existing rules and which recommends changes to any rules found wanting’ as a separate category.²⁵ This also is a form of doctrinal research. Pure doctrinal research identifies and analyses the current law. Reform-oriented

¹⁹Creswell, John W. *Research Design: Qualitative, Quantitative, and Mixed Methods Approaches*, 4th ed., Thousand Oaks: SAGE Publications, 2014. https://en.wikipedia.org/wiki/Research/cite_note-42 (Accessed on 3rd August, 2023).

²⁰ Redlich J., *The Common Law and the Case Method in American University Law Schools*, 1914, p. 15.

²¹ Hutchinson T., *Researching and Writing in Law* (2010) 41 at 42.

²² Pearce D, Campbell E. and Harding D., *Australian Law Schools: A Discipline Assessment for the Commonwealth Tertiary Education Commission*, p. 312, 1987.

²³ Christopher Ogundare, Senior Research Fellow, National Judicial Institute and Senior Legal Assistant to the President, Court of Appeal, 2021 p. 12.

²⁴*Ibid.*, p. 16.

²⁵ Weisbrot D., *The Future for Institutional Law Reform*, in Opeskin B. and Weisbrot D (eds.), *The Promise of Law Reform*, 2005, p. 31.

research recommends change. Most ‘good’ quality doctrinal research goes well beyond description, analysis, and critique, and invariably suggests ways the law could be amended or the philosophy, processes or administration of the law could be improved. In many common law jurisdictions, there are separate organisations working to develop a reform agenda, these being the law reform commissions. For example, Nigeria has the Nigerian Law Reform Commission. The reform-oriented research is primarily doctrinal, but depending on resources and the potential to be ‘interdisciplinary’ in its methods.²⁶ Amongst the types of research identified in the Pearce Committee Report, was theoretical research, ‘research which fosters a more complete understanding of the conceptual bases of legal principles and of the combined effects of a range of rules and procedures that touch on a particular area of activity.’²⁷ Legal theory is a crucial tool to provide a critical perspective on the law. However, in the past, the utility of theoretical research may have been diminished because of the limited exposure of the profession to theory (and the language of theory) and also because of the seeming gap between legal theory and practice.²⁸ Even academic lawyers, have been so steeped in positivism that they have not sufficiently fostered knowledge of legal theory and the skills of critique and applied this to the law. Certainly this is not the case currently. Research activity at postgraduate level always includes a conceptual framework, a component of which is the theory underlying the law itself, and the philosophy that best encapsulates the researcher’s view of the law. Minow identifies comparative and historical inquiries as another typology or intellectual contribution of legal scholarship which describe an earlier era or contrasting legal regime; contextualize the selected era or regime utilizing social sciences such as anthropology or history; and illuminate differences, choices, or continuities when compared with contemporary domestic practice.²⁹ Despite not being placed in a separate category, comparative research was acknowledged in the earlier taxonomies which included statements about the need for lawyers to ‘keep up’ with the ‘legal and other relevant literature of all common law jurisdictions including England, New Zealand, Canada and the United States.’³⁰

The legal profession has in recent time, witnessed tremendous growth in the field of legal research. This is made possible by the introduction of partnership in research with other fields of study closely related to it. Thus, there is an increasing collaboration between legal researchers and researchers in other field particularly the behavioral scientists. For example, Kaplan, a political scientist, and Katzenbach, then a University of Chicago law professor, collaborated in a study of international law.³¹ Apart from the facts that this increasing collaboration is mutually beneficial in the long run, it is more fruit yielding and also more result oriented. This paradigm shift is evident

²⁶Minow (n. 12), p. 17.

²⁷*Ibid.*

²⁸*Ibid.*

²⁹Martha Minow, (n.12)

³⁰*Ibid.* (n. 12), p. 23.

³¹ Morton Kaplan & Nicholas deB. Katzenbach, *The Political Foundations of International Law*, 1961.

in the area of conducting research where attention has gradually shifted from mono-disciplinary to trans-disciplinary research.

i. Independent Legal Research: This is the research carried out by other scholars like sociologists, political scientists, anthropologists and researchers from other disciplines conducting legal research as it relates to their subject particularly those who regard legal phenomenon as part of their subject to engage in independent legal research.³² Today, in the study of legal phenomenon most importantly in the area of social behavior, social control and an acceleration of field studies in judicial, legislative and administrative process, legal research seems to be witnessing increasing interest by other disciplines.

ii. Project Research: This is another trend in legal research. Formerly a legal scholar worked alone or with one or two student assistants if he was fortunate to be located in one of the Law schools that would supply an assistant.³³ For example, Judges now have research assistants attached to them who assist each of the Judges in research works.

iii. Doctrinaire Linear Research: This is another trend in global research. The word doctrine in itself is derived from the Latin word “*doctrina*” which means instruction or teaching. This implies that the Legal Researcher uses already laid down procedures to achieve the desired result asked of him or her. Doctrinaire linear research method involves studying and working with case law, legal statutes, scholarly opinion, articles and policy documents.³⁴ They also work with previous interpretations and adjudications of legal matters in case law, so as to aid their arguments. In addition, the evolution of computer and internet has moved the legal research from the traditional methods of sourcing material through the catalogue in the libraries to technology based legal research from the internet. Nowadays, legal information may be retrieved or extracted from the internet and some other electronic devices such as Lexis, Law Pavilion, Law Digest etc. This is not only time-saving but it is also energy-conserving and cheaper at the long run. It also provides access to information, materials and data at the same time with minimal costs.

Paradigm Shift in Legal Research

The term paradigm shift refers to a major change in the worldview and practices of how a concept is accomplished.³⁵ A paradigm shift can happen within a wide variety of contexts from monolithic legal research to contemporary global trends. Paradigm shifts in legal research often happen when

³²*Supra.*

³³*Supra.*

³⁴*Supra.*

³⁵ Adam Hayes, ‘What is a Paradigm Shift? Definition, Example, and Meaning,’ (2022) Journal of Business Essentials, <https://www.investopedia.com/terms/p/paradigm-shift.asp>, (Accessed on 21st November, 2023).

new research methodology is introduced that radically alters the existing order for better legal research. Through legal research the researchers verify and clarify the laws, theories, and application of the law so as to understand their effects on our situation. Traditionally, legal research includes gaining background information on a regulation, using a form, using law books, legal databases, locating a rule and identifying a statute. Legal research is our scientific experimentation while law libraries were laboratories of the law. The concept of paradigm shift was first formalized by physicist and philosopher of science Thomas Kuhn. He describes the manner in which scientific communication, and by extension, communication in legal research is shared among the members of the profession.³⁶ This work describes how the paradigms shift provide a framework for scientific study and communication. A paradigm includes “law, theory, application, and instrumentation, which together, provide models from which spring particular coherent traditions of scientific research.”³⁷ Kuhn’s use of the paradigm to explain communication within a scientific community also applies to communication within the legal community. Just as scientists do, the legal professionals also do negotiate the extent of principles and rules, testing ideas rules and principles against existing frameworks. As we reach widespread acceptance of the use and meaning of a word or concept, it becomes part of a paradigm, usually enshrined in high court decisions or legislative actions and, eventually, with a set of key numbers and a new topic in the digests.³⁸ Paradigm shift is a major change in how people think and get things done that upends and replaces a prior paradigm. It can be as a result of the accumulation of anomalies or evidence that challenges the status quo, or due to some revolutionary innovation or discovery. Whenever there is a paradigm shift, there is often resistance to the new development from the existing order. Paradigm shifts are important because they define how we perceive reality and how we behave within it. Everyone is subject to the limitations and distortions produced by their socially conditioned nature.

Paradigms are shared world views, which determine what topics are ‘suitable’ to study, what methodologies are acceptable and what criteria may be used to judge success. Jones defines paradigm as the presentation of a more tangible description.³⁹ Paradigm shifts in legal research often happen when new technology is introduced that radically alters the existing legal research methodology.⁴⁰ One of the main difficulties facing legal researchers is the lack of a legal research paradigm.⁴¹ Without a paradigm, Ziegler warns that all factors may seem equally relevant. Hence,

³⁶ Thomas S. Kuhn, *The Structure of Scientific Revolutions* 3rd ed. 1996.

³⁷ *Supra*, p.10.

³⁸ Barbara Bintliff, ‘Context and Legal Research,’ (2007) 99 (2) Law Library Journal p.254.

³⁹ John Jones, *Undergraduate Students and Research*, Ortrun Zuber-Skerritt (ed), Starting Research, Supervision and Training 50, 54, 1992.

⁴⁰ *Ibid*.

⁴¹ Peter Ziegler, ‘A General Theory of Law as a Paradigm for Legal Research,’ (1988) 51 Modern Law Review 569.

it could be argued that legal research has been plagued by a lack of cohesion in terms of the projects undertaken and the development of research depth.⁴²

Langdell states that:

We have also constantly inculcated the idea that the [law] library is the proper workshop of [law] professors and students alike; that it is to us all that the laboratories of the university are to the chemists and physicists, the museum of natural history to the zoologists, the botanical garden to the botanists.⁴³

Though the most common paradigms in the traditional legal research are contained in statutes and textbooks, the law changes through the revolutions described by Kuhn and it forms the basis of the paradigm shift in legal research. According to Kuhn, the paradigms of legal research respond with a revolution of its own. Where the traditional legal research is in a set of common textbooks, most notably the digests, the contemporary paradigms now search the universe for information. The revolution in legal research is as a result of the migration to electronic research. The emergence of technology has brought about a change in legal research. Susskind states that the practice of law and the administration of justice will be more radically affected in the coming 50 (fifty) years by Information Technology than by any other single factor that we are aware of today.⁴⁴ It is important to note that, effective legal research starts with a considerable understanding and analysis of the background information and knowledge of the area of legal research which consequently resorts to persuasive argument. In this regard, Sloan describes a typical approach to legal research by stating that no matter where the researcher begins his search for authority, the first steps in the research process is generating a list of words that are likely to lead the researcher through index system of each concept.⁴⁵ Sloan further states that just as journalists would ask questions, legal researchers also develop search curiosity by asking what, who, where, when, how, and why questions.⁴⁶

The paradigm changes in legal research occasioned by the new trends, resort to the rising dominance of electronic information sources which gives the legal researcher the world of information at his fingertips.⁴⁷ Through this computer based research source, the researchers are exposed to special interest statements, a mixture of primary and secondary authorities, opinionated documents and a host of other materials. For instance, a search for a particular legal concept can

⁴² *Ibid.*

⁴³ Christopher Columbus Langdell, Address at Harvard University Quarter-Millennial Celebration, in 3 L.Q. Rev. 123, 124, 1887.

⁴⁴ Richard Susskind, *Transforming the Law: Essays on Technology, Justice and the Legal Marketplace*. 79 2000.

⁴⁵ Amy Sloan, *Basic Legal Research: Tools and Strategies*, 2nded. p.19, 2003.

⁴⁶ *Supra*, p. 21.

⁴⁷ Susan Feldman, 'The High Cost of Not Finding Information,' (2004) KMWorld Journal, p. 9, <http://www.kmworld.com/Articles/ReadArticle> (Accessed on 23rd October, 2023).

bring thousands of hints through the search engines like Google, Qwant, Google scholar, Startpage, SearX, MetaGer, DuckDuckGo, etc.

Artificial Intelligence (AI) has in the recent decades, made valuable contributions to global digital legal research. AI is “the study of mental faculties through the use of computational models.”⁴⁸ The use of AI includes a variety of technologies and tools, enabled by the cloud, big data, and modern processing.⁴⁹ According to Jeremy, the current computer processing takes a “logical” approach and it can scan millions of web pages to match a google search or analyze thousands of chess games to anticipate or suggest a chess move.⁵⁰ However, to mimic the human mind and suggest the needed move, these processes will need to be grounded in understanding and experience by interacting with the outside world.⁵¹ The textbooks which used to be the authoritative sources of legal research, are fast being displaced by links to electronic sources, the search for legal information, the search for annotated codes that have more research information than the digests, and which often includes citations to regulations, legislative reports, law review articles and other related types of materials. In the contemporary era, most textbooks sources are now available online and this makes the textbooks to have a global availability and accessibility. This development affords the legal researchers the opportunity to access the materials at the comfort of their homes. In view of the series of revolutions that have emerged in legal research through the contemporary trends, Kuhn notes that textbooks “have to be rewritten in the aftermath of each scientific revolution.”⁵² Legal research paradigm has completely gone through a ‘scientific’ overhaul, as its metamorphosis from monolithic nature to a series of research specialties with distinct rules and applications, has led to diverse legal research trends for researchers.

Challenges of Global Trends and Paradigm Shift in Legal Research

Technological advancements are reshaping legal research and creating new ways of working from the rise of the cloud to the mass adoption of large-language models and AI technology-driven legal research is grappling with its own challenges. In an ever dynamic and process-driven profession, legal researchers find themselves bogged with specific challenges which have led to transformative solutions that redefine the future of legal research. The challenges are as follows:

⁴⁸ Eugene Charniak and Drew McDermott, *Introduction to Artificial Intelligence*, 6 (Mark S. Dalton et al. eds., 1985); see also Patrick Henry Winston, *Artificial Intelligence 1* (2d ed. 1984) (defining artificial intelligence as “the study of ideas that enable computers to be intelligent”).

⁴⁹ Prakash Mallya, *Slowly, But Surely, AI Use Is Rising Across Industries*, Hindu, <http://www.the-hindu.com/business/Industry/slowly-but-surely-ai-use-is-rising-across-industries/article>; (Accessed on 23rd May, 2024). Also Paige Tanner, *The Role of Cloud and Data Center in the Artificial Intelligence World*, Mkt. Realist, <https://marketrealist.com/2018/01/role-cloud-datacenter-artificial-intelligence-world?source=google> (Accessed on 23rd May, 2024).

⁵⁰ Jeremy Hsu: *Creating True Artificial Intelligence*, Live Sci. <https://www.liv> (Accessed on 27th May, 2024).

⁵¹ *Ibid.*

⁵² *Ibid.* (n. 37).

i. Virtual Work:

The inability of some legal researchers to adapt to the mastering of virtual communication tools, navigating the nuances of online hearings which are the new normal orchestrated by the global shift towards remote work, accelerated by the COVID-19 pandemic, continues to influence the legal sector. The failure of researchers to embrace flexible work arrangements is becoming more prevalent.

ii. Technology Reshaping Legal Practice

In this age of AI, transformation due to rapid advancements in technology, automation, and blockchain are becoming integral tools in legal research, document analysis, search for legal information and contract review are made easy. Legal researchers who are not vast in the use of AI, do find it difficult to carry out their research work using the contemporary technological developments towards the enhancement of efficient and innovative solutions.⁵³ However, the rise of technology also brings forth ethical challenges and considerations that are related to privacy and data security, necessitating a careful balance between ethical responsibilities and innovations.

iii. Diversity, Equity, and Inclusion:

The legal research is experiencing a heightened focus on inclusion, equity and diversity. The legal researchers that fail to prioritise and demonstrate a sense of commitment to these values might become irrelevant.

iv. Data Protection and Cybersecurity:

With the rising frequency and sophistication of cyber threats, cybersecurity and data protection have become dominant concerns for researchers. The legal profession is tasked with preserving sensitive information and guaranteeing compliance with evolving data protection laws.⁵⁴ As cyber threats evolve, researchers that fail to stay vigilant, adopting robust cybersecurity measures and staying informed about the latest developments in data protection regulations might find it difficult to operate within the dictates of the global trends in legal research.

Recommendations

Despite all the challenges facing the global trends and paradigm shifts in legal research, there are ample opportunities for enhancing operational efficiency through technology integration. When technology solutions are implemented effectively, legal researchers can harness the benefits to improve outcomes for their research. Researchers should be vigilant and be sensitive to latest development in cybersecurity measures and data protection regulations.

⁵³ Charniak and Mcdermott (n. 48) p.13.

⁵⁴ *Ibid.*

In the circumstance, legal researchers should identify and automate repetitive research tasks such as research onboarding and research flows. Automation in this respect can enhance collaboration with other legal researchers, improvement of research experience by sharing and streamlining legal research information so as to boost overall productivity. Additionally, researchers should embrace legal research technology which empowers legal researchers to adapt to resource verifications and tackle the ever-evolving challenges of the paradigm shifts. Ultimately, this strategy enhances and propels the research exercise forward in the modern legal paradigm.

Conclusion

The traditional research methodology is no longer efficient and sufficient for the contemporary legal researchers and modern lawyers, as they are exposed to the global trend in legal research, which consequently widens their logical reasoning. Whether the researcher's focus is praxis or academic publication, the global trend in legal research has added immeasurable value to the threshold skill of the researchers and lawyers. In view of this global development, legal research nowadays is built on broader research objectives, extensive choice of methodologies and it enhances interdisciplinary interactions. The global trend in legal research has made research so exciting for legal researchers: the methodological choice is broadened, accessibility of research materials and variables are widened, originality assessment has become easy and researchers' interactions have been on a high side as legal researchers across the globe interact in conferences and trainings which are fundamental keys for the new transnational legal research era. Enhancing the emerging global research technologies, is an important step in finding solutions to the research issues facing the modern research theories and methodologies. Therefore, it is my humble submission, that the legal research training can no longer be wrapped within a narrow doctrinal methodology and bound to a stagnant practice-focused paradigm. There is no doubt that legal research skills have undergone a progressive change, but it must continue to develop in order to run *pari passu* with its contemporaries in the modern research environment.