

DIGITAL COMPETENCIES OF LEGAL PRACTITIONERS OF LAHORE HIGH COURT BAR ASSOCIATION (LHCBA)

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Abstract:

Legal practitioners deal with information in their profession. The searching, finding, organizing, sorting, keeping, and evaluating legal information & knowledge are crucial for their profession and legal entity. It is, therefore important to explore their digital competencies as the expertise of digital skills is indispensable for their professional development. The study has been conducted to investigate the digital competencies of registered members of LHCBA towards their Information Communication Technology (ICT) skills in legal research. The population of this study was the practicing lawyers/advocates who were also registered with the Lahore High Court Bar Association (LHCBA). The response rate of the survey was 77.57%. The data was collected through a questionnaire which was then analyzed through SPSS version 17.0 to reach the conclusions. Findings of the study reveal that majority of the respondents use a variety of legal information sources to fulfill their information needs. Legal textbooks, Law Journals, and Pakistan Law Site are considered the most. Most of the legal practitioners prefer to have their information in print format. They also use computers and the internet while performing their research activities and retrieval of information. The results show that use of LHCBA library and the ICT skills have an impact on their practices. The study recommends that respondents need better and comprehensive digital resources. Free and easy access to digital resources is necessary which is very expensive and difficult. Findings and recommendations of this study can be a helpful source for the library practitioners, educationists, organizational heads, HEC Pakistan, planners, policy makers and the decision making bodies.

Key Words: Digital Competencies, Legal Practitioners, Professional skills

Introduction:

The technology has a significant role in every walk of life and it is accepted by all types of people and professionals in different ways. Because the law is a profession and the profession demands expertise in a body of knowledge, therefore, the lawyers being professionals are expected to be well aware of the needs of the profession and are assumed to be competent enough to cope with the challenges in this world of information and communication technology (ICT). The use of information technology has significantly transformed the legal profession from a traditional framework to technological beyond doubt. Since the lawyers deal with the information and provide services to their clients, therefore, they are the legal practitioners. People from all the disciplines are accepting digital technologies for which digital competencies are required for better understanding of their fields. As Echenique, Oliveria and Molias, (2015) prescribed that during recent years the digital competencies are considered a key concept for discussions and understanding the learning that require coping with society. They also have described the digital competencies as Digital Literacy, Computer literacy, eLiteracy, e-Skills, eCompetence, Digital Competence, and Media literacy.

The concept of Digital Competencies is varied, covering many areas of literacies and is evolving with the new technologies. Various terms have been used to describe the skills and competencies using digital technologies by several scholars. The digital competencies provide the necessary context for working, living and learning in the knowledge in the society. The digital competence is neither a skill-set that lawyers are accustomed to nor it is taught in law-schools. However, the concept of Digital Competence is a multi-faceted moving target, covering many areas and literacies and rapidly evolving as new technologies appear. Digital Competence is at the convergence of multiple fields. Being digitally competent today implies the ability to search for information and be critical about what is retrieved and how is retrieved (given the wide uptake of the Internet) and to be able to communicate with others using a variety of digital tools and applications (mobile, internet).

The legal practitioners enter the field of law with knowledge regarding laws and the processes of law only; however, they often lack basic information technology skills. Thus, the inability to use technological systems such as www, e-databases, appropriate search terms, adequate digital

techniques to find out the relevant and required information from other law resources through internet results in the waste of time and money and dissatisfaction of clients as well.

Digital competencies are highly essential for the practitioners in the present age of information and communication technologies. Without required skills, no one can excel in the present age which is highly competitive. Digital skills need to be taken into account. Skills of emerging technologies bring easiness and comfort in one's work. These competencies also prove helpful in professional development.

Research Objectives

1. To find out the present status of digital competencies of Legal practitioners;
2. To explore the purpose of using the LHCBA Library by the legal practitioners;
3. To determine the problems/barriers of digital competencies faced by practicing lawyers

Literature Review

Okeye (2013) conducted a study on the competencies of professional librarians in Nigeria. The population of his study was 89 library professionals and he received 63 responses through self-structured questionnaire. Findings revealed that there was a positive correlation between acquired and applied knowledge and working place. He also narrated that there was no relationship between acquired and applied skills and working place. Majority of respondents acquired knowledge from their educational schools. Siddike (2010) narrated in his study which was conducted to explore the digital literacy and competencies among Library and Information Professionals stated that overall competencies of library and information professionals are not satisfactory in Bangladesh. In this study, researcher presented some kinds of digital literacy competencies which are knowledge about computers, knowing the output and input devices, storage and processing of data, knowledge about different applications of computer, email-knowledge, internet browsing and use of MS Office including Word, Excel, Powerpoint, and outlook etc.

There are some barriers persist which forbid to attorneys for adoption and getting skills and competencies in the use of technologies. These barriers are lack of training, unified theory of acceptance, technology and demographic and returns of investment on trainings of ICT to the professionals. Siddike (2010) narrated some barriers in the way of digital literacy and competencies which are administrative problems, policies, lack of support from senior in learning the digital literacy and competencies, interruptible internet connections, lack of skilled

man-power, lack of information technology related knowledge and financial constraints are major factors which are hurdles in the way of learning digital competencies and skills.

Owusu (2010) submitted his study to Robert Morris University for partial fulfillment of doctoral degree on the title Barriers to Technological Acceptance in a Legal Environment: A Case Study of a Florida Law Firm. In this study, the author explored technology has been provided to legal practitioners for enhancement of skills and completion of tasks. This study narrated that attorneys were lacking in basic technological skills. Moreover, trainings did not improve the skills of attorneys but there was a significant difference in the use of technology on the basis of age and gender and these factors play a pivotal role.

Miller (2007) narrated many competencies needed to lawyers. These are efforts, time management, education, identification of their legal duties, authorized practicing only, avoid conflicts, reporting, advising, risk management, to maintain trust of clients, to perform pro-bono legal services, truthful communications, maintaining ethical values, attributes of leadership, courage to face consequences, investigative skills, writing, researching, negotiation, court representation, knowledge about the field and digital competencies. All these attributes make a lawyer more efficient and trust-worthy in the field.

Allbon (2013) conducted a study on Too cool for (law) school using technology to engage students in legal skills in which the author narrated that Leading web portal (Lawbore) launched at City University by the law librarian in 2002. Legal skills to the law were given more concentration. It included multimedia, legal writing research, and other skills. The efficiency of using techniques related to technology made a change.

Venkatesh et al. (2010) focused on technology adoption and how culture affects its use. This study was conducted on 300 employees of a company in the United States and China. The study exposed that these employees were in two different localities, the unified theory of acceptance and use of technology was still common. Adoption and make use of technology, apart from geographic distance bounded by a common wish for research.

Research Design:

The quantitative approach followed by survey research design was adopted to complete this research. The population of this study is the legal practitioners known as the Advocates and are registered with the Lahore High Court Bar Association (LHCBA). That as per

Directory¹ of Lahore High Court Bar Association, Lahore for the year 2016-2017, there were twenty-nine thousand one hundred & nineteen (29119) registered members. Since the entire population has been selected, therefore, the simple random sampling technique has been adopted to conduct the study. The sample size of this study was 379 as calculated through the Internet using the sample size calculator out of the entire population of 29119 with a confidence level of 95% and a confidence interval of 5. Since the sample size of the study was 379 therefore, 379 questionnaires were distributed among the targeted samples out of which the researcher received 294 questionnaires with a response rate of 77.57 %.

Results and Discussion:

The following sections show data analysis, findings, and discussion.

Table 1: Information & communication technology (ICT) & research skills

Information Literacy Skills	Yes F (%)	No F (%)	I don't know F (%)
i. to create and send emails.	282 (95.9%)	9 (3.1%)	2 (0.7%)
ii. to work in Microsoft Office (i.e. MS Word, Excel & PowerPoint etc.)	239 (81.3%)	44 (15.0%)	11 (3.7%)
iii. to use the Internet.	278 (94.6%)	11 (3.7%)	5 (1.7%)
iv. to use Boolean Operators i.e. ‘AND’, ‘OR’ & ‘NOT’ in searching.	73 (24.8%)	134 (45.6%)	87 (29.6%)
v. to search legal information from the Internet.	271 (92.2%)	17 (5.8%)	6 (2.0%)
vi. the knowledge about the following electronic databases;			
www.pakistanlawsonline.com	268 (91.2%)	22 (7.5%)	4 (1.4%)
www.pljlawsite.com	200 (68%)	80 (27.2%)	14 (4.8%)
www.keylawreports.com	115 (39.1%)	159 (54.1%)	20 (6.8%)
www.airwebworld.com	60 (20.4%)	199 (67.7%)	35 (11.9%)
www.chawlapublications.com	61 (20.7%)	200 (68.0%)	33 (11.2%)

¹ Directory of Lahore High Court Bar Association, 2016-2017.

www.indiankanoon.org	102 (34.7%)	157 (53.4%)	35 (11.9%)
www.lexisnexis.com	70 (23.8%)	190 (64.6%)	34 (11.6%)

(F=Frequency,%=Percentage)

Table 1 shows that there were 282 (95.9%) respondents having skills to create and send emails, 9 (3.1%) respondents having no skills to create and send emails, whereas 2 (0.7%) respondents having no knowledge to create and send emails. The data reveals that the majority of the respondents possessed the skills to create and send emails.

There were 239 (81.3%) respondents having skills to work in Microsoft Office (i.e. MS Word, MS Excel & PowerPoint etc.), 44 (15.0%) respondents didn't possess the skills to use Microsoft Office, and 11 (3.7%) respondents having no knowledge in using the Microsoft Office. The result reveals that a significant number of respondents were efficient in using the Microsoft Office. The data reveals that the majority of the respondents were well aware of the use of Microsoft Office.

There were 278 (94.6%) respondents who had skills to use the Internet, 11 (3.7%) respondents did not have skills to use the Internet, and 5 (1.7%) respondents did not have knowledge about the use of the Internet. The data reveals that a significant number of respondents were efficient in using the Internet.

There were 73 (24.8%) respondents who used Boolean Operators in searching, 134 (45.6%) respondents didn't use the Boolean Operators in searching and 87 (29.6%) respondents didn't know about the use of Boolean Operators. The data reveals that a significant number of respondents were inefficient in using the Boolean Operators in searching.

Table 2: Purpose of use of Lahore High Court Bar Association (LHCBA) library

Sources of information	S. D F (%)	D F (%)	N F (%)	A F (%)	S.A. F (%)	Mean	SD
To consult law journals/reports (cases).	12 (4.1%)	9 (3.1%)	46 (15.6%)	164 (55.8%)	63 (21.4%)	3.87	.92
To consult legislation (statutes).	8 (2.7%)	12 (4.1%)	53 (18.0%)	160 (54.4%)	61 (20.7%)	3.86	.88
To consult reference materials	6 (2.0%)	6 (2.0%)	58 (19.7%)	146 (49.7%)	78 (26.5%)	3.97	.85

(Dictionaries
/encyclopedias etc.)

To search the electronic law databases.	8 (2.7%)	11 (3.7%)	66 (22.4%)	148 (50.3%)	61 (20.7%)	3.83	.89
To search for your required legal information on Internet.	7 (2.4%)	12 (4.1%)	45 (15.3%)	153 (52.0%)	77 (26.2%)	3.96	.89
To utilize the computer facilities.	7 (2.4%)	10 (3.4%)	44 (15.0%)	166 (56.5%)	67 (22.8%)	3.94	.85
To consult text books.	1 (0.3%)	8 (2.7%)	38 (12.9%)	162 (55.1%)	85 (28.9%)	4.10	.74
To prepare the case for pleading in the court.	4 (1.4%)	11 (3.7%)	30 (10.2%)	165 (56.1%)	84 (28.6%)	4.07	.81

(S.D.=Strongly disagree, D=Disagree, N=Neutral, A=Agree, S.A.=Strongly agree)

Table 2 shows that there were 12 (4.1%) respondents who were ‘strongly disagree’ in use of LHCBA Library to consult law journals/reports, 9 (3.1%) respondents were ‘disagree’, 46 (15.6%) respondents remained ‘neutral’, 164 (55.8%) respondents were ‘agree’ while 63 (21.4%) respondents were ‘strongly agree’ to the statement regarding visiting the LHCBA Library to consult the case laws. The data revealed that majority of the respondents were ‘agree’ to the statement in use of LHCBA Library for the purpose of consulting case laws with an average (*Mean*=3.87) value.

There were 8 (2.7%) respondents who were ‘strongly disagree’ in use of LHCBA Library to consult legislation (statutes), 12 (4.1%) respondents were ‘disagree’, 53 (18.0%) respondents remained ‘neutral’, 160 (54.4%) respondents were ‘agree’ while 61 (20.7%) respondents were ‘strongly agree’ to the statement regarding visiting the LHCBA Library to consult legislations. The data revealed that majority of the respondents were ‘agree’ to the statement in using LHCBA Library for the purpose of consulting legislations with the Mean value of 3.86.

There were 6 (2.0%) respondents who were 'strongly disagree' in use of LHCBA Library to consult the reference materials, 6 (2.0%) respondents were 'disagree', 58 (19.7%) respondents remained 'neutral', 146 (49.7%) respondents were 'agree' while 78 (26.5%) respondents were 'strongly agree' to the statement regarding visiting the LHCBA Library to consult legislations. The data revealed that average respondents were 'agree' to the statement in using LHCBA Library for the purpose of consulting reference materials with the Mean value of 3.97.

There were 8 (2.7%) respondents who were 'strongly disagree' in use of LHCBA Library to consult the electronic law databases, 11 (3.7%) respondents were 'disagree', 66 (22.4%) respondents remained 'neutral', 148 (50.3%) respondents were 'agree' while 61 (20.7%) respondents were 'strongly agree' to the statement regarding visiting the LHCBA Library to consult electronic law databases. The data revealed that majority of the respondents were 'agree' to the statement in using LHCBA Library for the purpose of consulting electronic law databases with the Mean value of 3.83.

There were 7 (2.4%) respondents who were 'strongly disagree' in visiting the LHCBA Library to search for their required legal information on the Internet, 12 (4.1%) respondents were 'disagree', 45 (15.3%) respondents remained 'neutral', 153 (52.0%) respondents were 'agree' while 77 (26.2%) respondents were 'strongly agree' to the statement regarding visiting the LHCBA Library for the purpose of searching their required legal information on the Internet. The data revealed that majority of the respondents were 'agree' to the statement in visiting the LHCBA Library for the purpose of searching for their required legal information on the Internet with the Mean value of 3.96.

There were 7 (2.4%) respondents who were 'strongly disagree' in visiting the LHCBA Library to utilize the computer facilities, 10 (3.4%) respondents were 'disagree', 44 (15.0%) respondents remained 'neutral', 166 (56.5%) respondents were 'agree' while 67 (22.8%) respondents were 'strongly agree' to the statement regarding visiting the LHCBA Library to utilize the computer facility. The data revealed that majority of the respondents were 'agree' to the statement in visiting the LHCBA Library for the purpose of consulting textbooks with the Mean value of 3.94.

There was 1 (0.3%) respondent who was 'strongly disagree' in visiting the LHCBA Library to consult the textbooks, 18(2.7%) respondents were 'disagree', 38 (12.9%) respondents remained 'neutral', 162 (55.1%) respondents were 'agree' while 85 (28.9%) respondents were

'strongly agree' to the statement regarding visiting the LHCBA Library to consult the textbooks. The data revealed that majority of the respondents were 'agree' to the statement in visiting the LHCBA Library for the purpose of using the computer facility with the Mean value of 4.10 which is the highest Mean score among others.

There were 4 (1.4%) respondents who were 'strongly disagree' in visiting the LHCBA Library to prepare cases for pleading in the court, 11 (3.7%) respondents were 'disagree', 30 (10.2%) respondents remained 'neutral', 165 (56.1%) respondents were 'agree' while 84 (28.6%) respondents were 'strongly agree' to the statement regarding visiting the LHCBA Library to consult the cases for pleading in the court. The data revealed that majority of the respondents were 'agree' to the statement in visiting the LHCBA Library for the purpose of preparing their cases for pleading in the august court with the Mean value of 4.07.

Table 3: Barriers in utilizing digital resources

Problems/Barriers	S.D. F(%)	D F(%)	N F(%)	A F(%)	S.A F(%)	Mean	SD
Lack of technological skills	7 (2.4%)	30 (10.2%)	47 (16.0%)	170 (57.8%)	40 (13.6%)	3.70	.91
Lack of ICT trainings in the profession	6 (2.0%)	23 (7.8%)	43 (14.6%)	160 (54.4%)	62 (21.1%)	3.85	.91
Non-availability of law related digital resources in Library	23 (7.8%)	190 (64.6%)	60 (20.4%)	16 (5.4%)	5 (1.7%)	2.29	.76
Lack of time	17 (5.8%)	64 (21.8%)	73 (24.8%)	107 (36.4%)	33 (11.2%)	3.26	1.10
Lack of knowledge in using digital resources	12 (4.1%)	37 (12.6%)	63 (21.4%)	132 (44.9%)	50 (17.0%)	3.58	1.04
Non-availability of internet access	20 (6.8%)	74 (25.2%)	48 (16.3%)	121 (41.2%)	31 (10.5%)	3.23	1.14
Inadequate digital resources in LHCBA library	15 (5.1%)	52 (17.7%)	83 (28.2%)	103 (35.0%)	41 (13.9%)	3.35	1.08
Special skills are required to use electronic legal resources.	7 (2.4%)	39 (13.3%)	50 (17.0%)	157 (53.4%)	41 (13.9%)	3.63	.96
Lack of trained or professional staff in the library	16 (5.4%)	59 (20.1%)	52 (17.7%)	119 (40.5%)	48 (16.3%)	3.42	1.14

(S.D.=Strongly disagree, D=Disagree, N=Neutral, A=Agree, S.A.=Strongly agree)

Table 3 shows that there were 7 (2.4%) respondents who were ‘strongly disagree’ with the statement that lack of technological skills was a barrier in their legal practice, 30 (10.2%) respondents were ‘disagree’, 47 (16.0%) respondents were ‘neutral’, 170 (57.8%) respondents were ‘agree’ while 40 (13.6%) respondents were ‘strongly agree’ that lack of technological skills was a barrier in their legal practice. The data revealed that majority of the respondents was ‘agree’ to the statement that lack of technological skills for some legal practitioners was found a barrier for their legal practice.

Six (2.0%) respondents were ‘strongly disagree’ with the statement that lack of ICT trainings in the profession was another barrier in their legal practice, 23 (7.8%) respondents were

'disagree' with that statement, 43 (14.6%) respondents remained 'neutral', 160 (54.4%) respondents were 'agree' and 62 (21.1%) respondents were 'strongly agree' that lack of ICT trainings in the profession was another barrier in their legal practice. The data revealed that majority of the respondents were 'agreed' to the statement that lack of ICT trainings in the profession was another barrier in their legal practice with the Mean value of 3.85 which the highest Mean score amongst all.

Twenty three (7.8%) respondents were 'strongly disagree' with the statement that non-availability of law related digital resources in LHCBA Library was a barrier in their legal practice, 190 (64.6%) respondents were 'disagree' with that statement, 60 (20.4%) respondents remained 'neutral', 16 (5.4%) respondents were 'agree' and 5 (1.7%) respondents were 'strongly agree' that law lack of ICT trainings in the profession was another barrier in their legal practice. The data revealed that majority of the respondents remained 'disagreed' to the statement that non-availability of law related digital resources in LHCBA Library was a barrier in their legal practice with the Mean value of 2.29.

That 17 (5.8%) respondents were 'strongly disagree' to the statement that lack of time was a barrier in their legal practice, 64 (21.4%) respondents were 'disagree' with that statement, 73 (24.8%) respondents remained 'neutral', 107 (36.4%) respondents were 'agree' and 33 (11.2%) respondents were 'strongly agree' that lack of time was a barrier in their legal practice.

That 12 (4.1%) respondents were 'strongly disagree' to the statement that lack of knowledge in using digital resources was a barrier in their legal practice, 37 (12.6%) respondents were 'disagree' with that statement, 63 (21.4%) respondents remained 'neutral', 132 (44.9%) respondents were 'agree' and 50 (17.0%) respondents were 'strongly agree' that lack of time was a barrier in their legal practice. The data revealed that majority of the respondents 'agree' to the statement that lack of knowledge in using digital resources with the Mean value of 3.58.

That 20 (6.8%) respondents were 'strongly disagree' to the statement that non-availability of internet access was a barrier in their legal practice, 74 (25.2%) respondents were 'disagree' with that statement, 48 (16.3%) respondents remained 'neutral', 121 (41.2%) respondents were 'agree' whereas 31 (10.5%) respondents were 'strongly agree' that non-availability of internet access was a barrier in their legal practice. The data revealed that

majority of the respondents 'agree' to the statement that non-availability of internet access was a barrier with the Mean value of 3.23.

That 15 (5.1%) respondents were 'strongly disagree' to the statement that inadequate digital resources in LHCBA library was a barrier in their legal practice, 52 (17.7%) respondents were 'disagree' with that statement, 83 (28.2%) respondents remained 'neutral', 103 (35.0%) respondents were 'agree' whereas 41 (13.9%) respondents were 'strongly agree' that inadequate digital resources in LHCBA library were a barrier in their legal practice. The data revealed that majority of the respondents 'agree' to the statement that inadequate digital resources in the LHCBA library were a barrier with the Mean value of 3.35.

That 7 (2.4%) respondents were 'strongly disagree' to the statement that special skills are required to use electronic legal resources was a barrier in their legal practice, 39 (13.3%) respondents were 'disagree' with that statement, 50 (17.0%) respondents remained 'neutral', 157 (53.4%) respondents were 'agree' whereas 41 (13.9%) respondents were 'strongly agree' that special skills are required to use electronic legal resources was a barrier in their legal practice. The data revealed that majority of the respondents 'agree' to the statement that special skills are required to use electronic legal resources was a barrier with the Mean value of 3.63.

That 16 (5.4%) respondents were 'strongly disagree' to the statement that lack of trained staff in the library was a barrier in their legal practice, 59 (20.1%) respondents were 'disagree' with that statement, 52 (17.7%) respondents remained 'neutral', 119 (40.5%) respondents were 'agree' whereas 48 (16.3%) respondents were 'strongly agree' that lack of trained staff in the library was a barrier in their legal practice. The data revealed that majority of the respondents 'agree' to the statement that the lack of trained staff in the library was a barrier with the Mean value of 3.42.

The above results show that legal practitioners were aware of the importance of IT. They had reasonable technological skills. They had knowledge about MS Office. They could use the computer and other IT tools to perform work related to the field. They availed digital resources. They did have the proper time to locate relevant material. They had sufficient digital resources related to their profession. They faced barriers of lack of training opportunities, special skills, and advanced searching techniques.

Conclusion

The study explored the digital information needs and seeking behavior of legal practitioners of Lahore high court, Lahore, It was found in the study that the respondents of the study use a variety of legal information sources to fulfill their information needs. Legal textbooks, Law Journals, Pakistan Law Site, PLJ site, LexisNexis, AIR Journals, Indian Cases Journals, Government Publications and so many references sources were there which considered by them are the most important. Most legal practitioners are well aware and well skilled about ICTs. They use a good use of technology to bring easiness in their tasks. They also use computer and internet while performing research activities and retrieval of information. The majority of the respondents are not satisfied with the present collection and resources available in their court-libraries. Respondents generally complained about the obsolete stock, inaccessibility of requisite materials, inadequate provision of computers and internet services in their law libraries. It is interesting to find out that respondents are although utilizing their court libraries collections but the same way they have also established personal collection so that they may work as a quick reference for immediate information needs. A major number of respondents valued the supportive attitude of the library staff for their helpfulness.

The study shows that digital resources are utilized keeping in view a number of benefits like quickness, easiness, comfort, mental relief, natural taste etc. When they urgently require some case information they search out online law sites immediately rather exploring the print material. It's a very time-consuming process. The results show that most of the practitioners pointed out that information seeking had been made easy by ICT; however, they also pointed out that required skills were necessary to use online resource. This present study is helpful in understanding the digital information needs and seeking behavior of Lahore High Court Legal Practitioners. The researcher concluded that computer training and latest courses should be introduced to update their knowledge.

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