

## Second life

*Your old law books can help build overseas legal systems.*

**L**ike many lawyers, Simon Fodden held on to his old law books years after they became outdated. Fodden, Professor Emeritus at Osgoode Hall Law School in Toronto, even held on to his notes from first-year law school until 20 years into his law school teaching career. "There's a bit of a nostalgic value there," he laughs.

Fodden, whose work now focuses on the use of information technology in law schools, thinks that lawyers are often wedded to old law books because of their clout.

"It comes down to this: in law, books are still authoritative, whereas what appears on legal databases isn't always 100 percent authoritative across all databases," he says. "Also, books are really very convenient and handy."

But when it comes time to finally dispose of old law books — be they obsolete collections of legislation and caselaw, old reporter series or out-of-date law school textbooks — many firms today are more than ready to downsize. But it's getting tougher to find recipients, says one Vancouver law librarian.

"No one wants them anymore," says Susan Crysler, McCarthy Tétrault LLP's manager of library services. "We try to give them away to listservs, but they don't always want them. And with so many of the books available online, it does really become a matter of space.

"It's dreadful, really," she adds. "There's no kind-to-the-earth way to remove them. Some firms take their older series and put them in the reception area to line the walls, which is a nice way to appreciate their beauty." But most lawyers don't have that option, and are reluctant to simply put them in the blue box for recycling. Their expense and bulk are among the reasons why "they're being replaced or squeezed by electronic databases," says Fodden.

### Worthwhile destinations

Happily, however, there is one option available that both saves the books from the shredder and serves a worthy cause: donating them to developing countries and international relief agencies.

Certain Canadian law books are very useful for many African countries, says Monique Pongracic-Speier, a litigator with Vancouver's Schroeder & Company and a volunteer with Lawyers Right Watch Canada. The LRWC often puts out requests for books, with great success: the response from Canadian lawyers to LRWC's recent campaign for law books to send to Sierra Leone was "overwhelming."

"If we're dealing with a foreign country which is a common-law jurisdiction, Canadian law books tend to be quite useful for certain types of non-criminal matters," says Pongracic-Speier. "Many countries in Africa that are in a post-conflict position are interested in seeing current Canadian law. Also useful are practice materials — for example, good standards of how to run a law office." (See the sidebar for more information.)

Currently undertaking a book drive to restock law libraries in Cameroon, LRWC may issue tax receipts to book donors because it is a registered charity. However, it won't issue tax receipts for any



Monique Pongracic-Speier

and all law books or reports, explains LRWC director Gail Davidson.

"One university wanted a tax receipt for \$48,000 for sending us books," Davidson recalls. "But their books were not of a content that was useful. We couldn't give them a tax receipt for anything, sadly. But we don't want to spend thousands of dollars shipping junk down to Africa."

### Print obsolescence

As online resources increase and printed versions decrease, might foreign and developing countries suffer from a dwindling number of donated texts? Not at all, says Fodden. "What we'll see is an increased number of free databases. There are already a number of efforts in various countries to bring free legal resources to the Internet."

Pongracic-Speier concurs. "In many countries where a legal system is being updated to a post-colonial and post-conflict situation, they're already way ahead of us on electronic law resources," she says. "Law centres in Africa do have access, but those are select centres because of the cost."

Open-source legal databases are growing as well. Wex (a free online legal encyclopedia at [www.law.cornell.edu/wex](http://www.law.cornell.edu/wex)) and WikiLaw (a free open-content legal resource at <http://wiki-law.org>) are two new resources, but Fodden suggests looking elsewhere at the moment.

"Far better are such legal information institutes as CanLII ([www.canlii.org](http://www.canlii.org)) and the Legal Information Institute at Cornell University ([www.law.cornell.edu](http://www.law.cornell.edu))," he says. Also worth checking out are the Australian Legal Information Institute ([www.austlii.edu.au](http://www.austlii.edu.au)), the Commonwealth Legal Information Institute ([www.commonlii.org](http://www.commonlii.org)) and the World Legal Information Institute ([www.worldlii.org](http://www.worldlii.org)). Visit the SLAW Website ([www.slw.ca](http://www.slw.ca)) for more information about online legal databases. ■

— Marlane Press

## Where can I send my old law books?

- Incorporated as a non-profit agency in 2000, **Lawyers Right Watch Canada** ([www.lrwc.org](http://www.lrwc.org)) aims, among other things, to provide international support to lawyers whose rights, freedoms or independence are threatened as a result of their human rights advocacy, and to preserve and enhance the rule of law.

- A U.K.-based registered charity, the **International Law Book Facility** ([www.ilbf.org.uk](http://www.ilbf.org.uk)) provides printed legal texts to legal professional bodies, advice centres, *pro bono* groups, law schools,

institutions and individuals involved in access to justice in common-law jurisdictions of Africa, Asia and the Caribbean.

- The **Canadian Book Exchange Centre** ([www.collections.canada.ca/cbec-ccel/index-e.html](http://www.collections.canada.ca/cbec-ccel/index-e.html)) helps Canadian libraries help each other. A resource-sharing service provided by Library and Archives Canada, the centre is a redistribution clearinghouse that arranges for the exchange of publications deemed surplus by one library but needed by another. ■