

CHAPTER ONE: INTRODUCTION

1.1 Overview

The study investigates the information seeking behavior and information needs of judges and lawyers at Judiciary, Lusaka of Zambia. This chapter covers the background to the study, problem statement, objectives of the study, research questions, justification and significance of the study, delimitation of the study and theoretical and conceptual framework.

1.2 Introduction

It has been severally argued that in the modern society, information availability is not a problem. The problem is accessibility (Chifwepa, 1998). Accessibility of information sources is a key theme in this information abundant era (Ugah, 2008). More often than not, resources may be available in the library and even identified bibliographically as relevant to one's subject of interest, but the user may not be able to lay hands on them. One may identify citations in indexes, but may not have access to the sources containing the relevant articles (Ugah, (2008). Similarly, advancements of the information era and the open data movement has resulted in exponential growth of legal documents published online (Opijnen and Santos, n.d). However, Opijnen and Santos (n.d) further argue that accessibility and searchability have not kept pace with this growth rate. An overload of information (particularly if of low-quality) carries the risk of undermining knowledge acquisition possibilities and even access to justice. Additionally, the qualitative complexities of legal search cannot easily be underestimated. Legal work is an intertwined combination of research, drafting, negotiation, counselling, managing and argumentation. It is an information-intensive job as everything that has to be undertaken, whether providing legal advice, representing a client in court, or drafting a legal document requires information. Otike and Matthews (2000) claims that lawyers are ranked second to the historians as the leading users of information and that their constant reference to information is certainly the main reason for lawyers calling themselves special people or 'learned people'.

Different from a scientist, a lawyer has no laboratory equipment and no experiments to conduct but greatly depends on information produced in various forms to make sound decisions. Otike and Matthews (2000) further assert that of all the professions, law has the largest collection of books because a well-stocked reference law library is important to the lawyer, as well as to the

judge in the administration of justice. Anything less than perfection is likely to negatively affect the outcome of a court decision or influence a legal argument. Information organization by information providers and system designers should therefore, solely be undertaken to facilitate retrieval of information by users. There are a lot frustrations felt by users who fail to find the information sources they want. In this regard, understanding of information needs and information-seeking behavior of legal professionals is imperative. It aids in the planning, implementation and operation of information system and services in their work settings (Otiike and Matthews, 2000). Information seeking behavior in this study was taken to mean the skill displayed by judges and lawyers when searching for existing legal resources to find information required for their work. The distinct features of legal information objects and the complicated tasks of legal professionals require proper understanding in order for information providers and system designers to implement appropriate mechanisms to support information-seeking at every level of the value adding process.

Today, accessibility to, and provision of, legal information is one of the key elements in transition from a closed dictatorship to a democracy. A democratic nation relies on efficient and effective judicial system. The more accessible information sources are, the more likely they are to be used (Ugah, 2008). Readers tend to use information sources that require the least effort to access. Users may find information inaccessible due to a number of reasons among them poor reputation of the information system, lack of awareness of the source of information, distance, limited time, language barrier, lack of relevant content and limited connectivity particularly in this electronic environment (Mulauzi and Kendra, 2009). Any legal information system designed without sufficient knowledge of the users' needs is apt to fail. Knowledge of the information needs of lawyers and judges may aid information providers and system designers in providing targeted information services and designing appropriate information retrieval applications.

1.3 Background of the study

Ndulo (2002) argues that the Zambian law is derived from a number of sources such as native customary law, the common law of England, and the various laws (both colonial and post-independence) enacted by Parliament. The first law that ever existed in Zambia was the indigenous laws referred to as customary law. Customary laws form an important part of the Zambian law as the great majority of Zambians still conduct most of their personal activities in accordance with, and subject to, customary laws. The customary law systems are largely tribal in

origin and to a greater extent operate only within the area occupied by the tribe. They cover disputes in which at least one of the parties to the dispute is a member of the tribe. Customary law is largely relevant and limited to the area of personal law, in regard to matters such as marriages, inheritance, and traditional authority. It has little application to commercial, contract, constitution or criminal law.

The common law system of judicial administration in Zambia was first introduced by the British through the 1889 Royal Charter. The Royal Charter entrusted the administration of the country to the British South African Company (BSAC) authorizing it to administer justice. (Hoover, 1984).

Kunda (1998) argues that the judiciary is the third organ of the government. The Judiciary is one of the three wings of Government that is the Executive, Legislature, and Judiciary. It has the responsibility to apply the laws to specific cases and settle all disputes. The real meaning is what the judges decide during the course of giving their judgments in various cases. From the citizen's point of view, Judiciary is the most important organ of the government because it acts as their protector against the possible excesses of legislative and executive organs. Role of judiciary as the guardian of the constitution and fundamental rights of the people makes it more respectable than the other two organs.

1.3.1 Judiciary of Zambia

According Ndulo (2002), Zambia's judicial system is based on English common law and customary law. Common law is administered by several high courts, which have authority to hear criminal and civil cases and appeals from lower courts. The Judiciary of Zambia is an independent arm of the government. The independence of the judiciary has been respected by the government. Under clause 118 (2) of the Constitution, in exercising judicial authority, the courts shall be guided by the following principles:

- (a) Justice shall be done to all, without discrimination;
- (b) Justice shall not be delayed;
- (c) Adequate compensation shall be awarded, where payable;
- (d) Alternative forms of dispute resolution, including traditional dispute resolution mechanisms, shall be promoted, subject to clause (3);
- (e) Justice shall be administered without undue regard to procedural technicalities; and

(f) The values and principles of this Constitution shall be protected and promoted.

1.3.2 Court structure

The Judiciary consists of the following courts:

1.3.3 Superior courts

1. The Supreme Court of Zambia;
2. The Constitutional Court of Zambia;
3. The Court of Appeal;
4. The High Court of Zambia;

The Supreme Court and Constitutional Court rank equivalently.

1.3.4 Lower courts

1. The Subordinate Court;
2. The Small Claims Court;
3. The Local Court; and
4. Courts as prescribed

Clause 122 (1) states that the Judiciary shall be subject only to the Constitution and the law and not be subject to the control or direction of a person or an authority.

Judiciary (2010) argues that the objectives of the judiciary are: to provide a forum for a peaceful, fair and prompt resolution of civil claims and family dispute, criminal charges and charges of juvenile delinquency, disputes between citizens and their government, supervise the administration of estates descendants, consider adoptions petitions and preside over matters involving the dissolutions of marriages; provide legal protection for children, mentally ill persons and others entitled by law to special protection of the courts and to regulate the admission of lawyers to the bar. The prime function of the judiciary is to provide justice to the people whenever they approach it. It awards punishments to those who after trial are found guilty of violating the laws of the state or the rights of the people. The aggrieved citizens can go to their courts to seek redress and compensation. They can do so either they fear any harm to the rights or after they have suffered any loss. The judiciary fixes the quantity and quality given to the

criminals. It decides all cases involving grants of compensation to the citizens. The judiciary has a duty to interpret and apply laws to specific cases in the course of deciding the disputes that come before it.

Furthermore, the President of Zambia, on the recommendation of the Judicial Service Commission, appoints a Chief Administrator who is responsible for the day to day running of the judiciary and the implementation of resolutions of the Judicial Service Commission (Supreme Court of Zambia Act, 2005).

1.3.5 Supreme Court

The Supreme Court of Zambia is the highest court of appeal in Zambia. It was created by article 91(2) of the constitution. The Chief Justice, the Deputy Chief Justice and seven or more Supreme Court judges are members of the Supreme Court. The Supreme Court of Zambia Act, No. 41 of 1973 of the Laws of Zambia grants appellate and original jurisdiction to the Supreme Court. The court has jurisdiction as may be conferred upon it by, or under, the constitution or any other law. The Chief Justice, Supreme and High Court Judges are appointed by the Republican President upon ratification by Parliament. Under article 91(3) of the constitution, the Judicature is an independent arm of the government to be administered in accordance with the Judicature Administration Act. The Republican President, after consultation with the National Assembly, appoints the Chief Justice and Supreme, Constitutional, Court of Appeal and High Court Judges. The Judiciary Service Commission on behalf of the President appoints the Chief Administrator, Registrar, lawyers (Research Advocates) and other senior court officials (Ndulo, 2002).

1.3.6 Constitutional Court

According to National Assembly of Zambia (2016), subject to Article 28, the Constitutional Court has original and final jurisdiction to hear: (a) a matter relating to the interpretation of this Constitution; (b) a matter relating to a violation or contravention of this Constitution; (c) a matter relating to the President, Vice-President or an election of a President; (d) appeals relating to election of Members of Parliament and councilors; and (e) whether or not a matter falls within the jurisdiction of the Constitutional Court.

(2) Subject to Article 28 (2), where a question relating to this Constitution arises in a court, the person presiding in that court shall refer the question to the Constitutional Court.

(3) Subject to Article 28, a person who alleges that: (a) an Act of Parliament or statutory instrument;(b) an action, measure or decision taken under law; or (c) an act, omission, measure or decision by a person or an authority; contravenes this Constitution, may petition the Constitutional Court for redress.

(4) A decision of the Constitutional Court is not appealable to the Supreme Court. (1) The Constitutional Court shall be constituted by an uneven number of not less than three judges, except when hearing an interlocutory matter. (2) The Constitutional Court shall be constituted by one judge when hearing an interlocutory matter. (3) The full bench of the Constitutional Court shall be constituted by an uneven number of not less than five judges. (4) The Constitutional Court shall be presided over by: (a) the President of the Constitutional Court; (b) in the absence of the President of the Constitutional Court, the Deputy-President of the Constitutional Court; and (c) in the absence of the Deputy-President of the Constitutional Court, the most senior.

1.3.7 Court of Appeal

The Court of Appeal has jurisdiction to hear appeals from:

(a) The High Court; (b) other courts, except for matters under the exclusive jurisdiction of the Constitutional Court; and (c) quasi-judicial bodies, except a local government elections tribunal. (2) An appeal from a decision of the Court of Appeal shall be made to the Supreme Court with leave of the Court of Appeal (1) The Court of Appeal shall be constituted by an uneven number of not less than three judges, except when hearing an interlocutory matter. (2) The Court of Appeal shall be constituted by one judge when hearing an interlocutory matter (Ndulo, 2002).

1.3.8 High Court

According to the High Court of Zambia Act (2005), the Constitution Act and the High Court Act, No. 41 of 1960 of the Laws of Zambia provide for the existence of the High Court of Judicature in Zambia. The President of Zambia acting in accordance with the advice of the Judicial Service Commission appoints judges of the High Court subject to ratification by the National Assembly. The constitution gives the High Court, except for matters reserved for the Industrial Relations Court, unlimited jurisdiction to hear and determine any civil or criminal proceedings under any law, and such jurisdiction and powers as may be conferred on it by its constitution or any other law. In addition to these broadly stated powers, various other laws and provisions in the constitution specify particular types of actions the High Court may hear. The court is also given

broad jurisdiction in the areas of probate and marriage law. The criminal jurisdiction of the High Court is also stated in broad terms. The Criminal Procedure Code says that, subject to other provisions, the court may try any offence under the Penal Code and any other written law. In addition, the High Court hears appeals from the Subordinate Courts.

The High Court consists of: (a) the Chief Justice, as an ex-officio judge; and (b) such number of judges as prescribed. There are established, as divisions of the High Court, the Industrial Relations Court, Commercial Court, Family Court and Children's Court.

The Chief Justice may constitute, by statutory instrument, specialized courts of the High Court to hear specific matters. The composition of courts specified in clauses (2) and (3) shall be prescribed. The High Court has, subject to Article 128: (a) unlimited and original jurisdiction in civil and criminal matters; (b) appellate and supervisory jurisdiction, as prescribed; and (c) jurisdiction to review decisions, as prescribed. The High Court shall be constituted by one judge or such other number of judges as the Chief Justice may determine (Ndulo, 2002).

1.3.9 Judge

Judges are extensive users of information in their role as decision makers. According to the Black's Law Dictionary (2004), a judge is someone who deals with court matters, they interpret the law, evaluate the evidence given and take control of hearings and trials which occur in their courtrooms. Most importantly, they play a significant role in the decision making although the entire decision is not up to them. However, a contrast to that the jury also has a role of making a final decision in what is called reaching a verdict. Therefore, the judge and juries have same functions on this matter.

The judge presides over the court of law. It is his or her job to hear the arguments of prosecuting and defense lawyers, the one defending and the one prosecuting the said client. The judge must be impartial and make a decision on the case. His decision must be based on his knowledge of the law and his or her own personal judgment (Garner, 2004).

Furthermore, a judge hears all the witnesses and any other evidence presented by the parties to the case, assesses the credibility and arguments of the parties, and then issues a ruling on the matter at hand based on his or her interpretation of the law and his or her own personal judgment. To qualify as a judge, one must have gone to a law school, must pass a standardized

bar exam, and have experience as a lawyer. However, it should be noted that while every judge is a lawyer not every lawyer can be a judge.

1.3.10 Lawyer

The Black's Law Dictionary (2004), defines a lawyer as "a person learned in the law as a councilor, solicitor" in this study, the 'lawyer' is a person who is practicing legal matters in the judiciary of Zambia. The word research advocate is used as a synonym to the word lawyer.

It is the job of a lawyer to advise their clients in all aspects of the law. They may also prepare a case for their clients and argue it on their behalf in a court of law. A lawyer advises and represents his client and might defend him as well in matters of the law. A lawyer also gives legal advice as regard to legal matters. Furthermore, a lawyer assists the court in arriving at a correct judgment. Usually a lawyer collects legal materials relating to a case and thereby helps the judge to arrive at the correct judgment. Without the assistance of a lawyer, it would be a difficult task for the judge to arrive at a satisfactory judgment. The lawyer requires up – to – date knowledge and legal information to maintain a reasonable quality in his or her practice. To qualify as a lawyer, one must have gone to a law school and must pass a standardized bar exam.

The libraries of Judiciary of Zambia facilities are designed to assist judges and lawyers in their quest to interpret the law of the land and execute justice equitably. The libraries are classified as special libraries as their collection is mainly based on law literature and with only a special type of clientele (legal practitioners). The collection of the libraries holdings includes law reports, court judgments, Statutory Instruments, Acts, and many assorted law text books. The Libraries have about nine thousand volumes of books. The libraries headed by librarians and the chief librarian as overall supervisor.

The main reason for selecting judges and lawyers as the study is that they are considered to be the main actors of the judiciary of Zambia. Moreover, these professionals are heavy users of legal information.

1.4 Statement of the problem

There is a dearth of literature on the information needs and seeking behavior of legal personnel in Zambia particularly lawyers and judges. Thus, a study on the information needs and information seeking behaviour of lawyers and judges is of evident importance. In spite of each court having a library in Zambia to provide legal knowledge and access to legal information,

there is limited knowledge on the information needs, sources and challenges Judges and lawyers encounter to access appropriate information. As argued by Tuhumwire and Okello-Obura (2010), the design of any formidable system of information access and use must be based on careful analysis of the target group's information sources and how to access them. Similarly, the acquisition of information resources is based on the knowledge of the desired and needed information sources. Therefore, it was the intention of this study, therefore, to bridge this gap in knowledge. Hence the necessity for this study.

1.5 Purpose of the Study

The purpose of this study was to investigate the information needs and information seeking behaviour of judges and lawyers at judiciary superior courts in Lusaka, Zambia. This study had the following specific objectives:

- i) To determine the information needs of judges and lawyers.
- ii) To establish the information seeking behavior of judges and lawyers.
- iii) To ascertain challenges faced by Judges and lawyers in accessing information.

1.6 Research questions

This study was guided by the following research questions:

- i) What are the information needs of judges and lawyers?
- ii) What is the information seeking behavior of judges and lawyers?
- iii) What challenges do Judges and lawyers face when accessing information?

1.7 Significance of the study

Little is known on the information seeking behaviour and information needs of judges and lawyers in the Judiciary of Zambia. It is hoped that the results of this study may help in increasing the level of awareness on the information needs of judges and lawyers to the library staff at Judiciary Zambia. It is also hoped that the results of this study may help the library staff at judiciary have an idea of how their libraries were operating in terms of information provision. Ultimately, the results of the study will be helpful to the Judiciary management as they will learn on the performance of the superior court libraries. Lastly, it is hoped that the study will provide additional knowledge to what is already existing in the field of this study and open up new avenues for further research to be conducted.

1.8 Delimitation of the study

The study confined itself to the superior courts of the judiciary and these courts included Supreme Court, Constitutional Court, Court of Appeal and High Court of Judiciary, Lusaka. The reason for confining to the superior courts mentioned was that these courts handle a lot of court cases. Furthermore, these courts are highest in terms of ranking and as such they make use of information extensively in their execution of duty. However, the fact that the study was confined to Judiciary Lusaka alone implied that the other higher courts found in other provinces of Zambia were not covered. Consequently, no information will be available on the information seeking behaviour and information needs of judges and lawyers found in other provinces of the Judiciary Zambia. This implies that nothing will be known about these courts in regard to this topic. Besides, the study will only focus on the information seeking behaviour and information needs of judges and lawyers found in the courts mentioned above.

1.9 Limitations of the study

The research did not have enough time to conduct an in – depth interview with all the respondents as they are usually busy people attending court sessions. Instead the researcher employed a self-administrated questionnaire to the respondents. This may affect the findings of the study negatively as rich data in regard to the topic may not have been collected. Furthermore, the study focused on a relatively new emerging phenomenon in Zambia, that is, information needs and information seeking behaviour of judges and lawyers. Indisputably, this implied a challenging task for the research regardless of the more specific interests that the study may have. Furthermore, the localization of the study to Lusaka based courts and narrowing the research to include only Supreme, Constitutional, High Court and Court of Appeal courts could affect the generalization of the study findings. However, some of the limitations observed in the study might provide possible avenues from which future research could be conducted under a similar topic.

1.10 Theoretical framework

The study was guided by Leckie et al (1996) model theory and which is predicated on the hypothesis that information seeking begins with the enactment of a particular work role. Kuhlthau and Tama (2001) argue that Leckie et al six-element model theory is applicable to all professionals. Leckie et al.'s six-element model theory was devised by examining the literature on professionals' information-seeking behavior highlight that professionals play many distinct

roles, including not only those relating to providing specific expertise and knowledge related to their domains, but other more general roles such as selecting and processing, counseling, supervising and planning. Furthermore, these roles result in distinct types of activities which in turn shape the type of information needed, the way in which it is retrieved and the ultimate use of that information. The Leckie et al.'s six-element model theory are as follows:

1. **Initiation** - Becoming aware of the need for information when facing a problem.
2. **Selection** - Identifying and choosing a general topic for seeking information.
3. **Exploration** - Seeking and investigating information on the general topic.
4. **Focus formulation** - Fixing and structuring the problem to be solved.
5. **Collection** - Gathering pertinent information for the focused topic.
6. **Presentation** - Completing information-seeking, reporting and using the result of the task.

A look at the six stages, points to the fact that the direction to accurate legal information depends on careful identification of the needed legal information based on the problems to be addressed and adoption of strategic approaches to getting the information.

Leckie et al (1996) argue that judges and lawyers have roles just like service providers, administrator and researchers which result in distinct tasks or activities from which a particular information needs arise. Like engineers, judges and lawyers tend to depend upon personal knowledge, experience and perceptions when they choose information sources. When an information need is not satisfying, the user may begin the information seeking process again or redefine the information need. Leckie et al provides a feedback loop, which highlights the benefit of the outcome of the information seeking process to the original information need or task, as well as other roles unexpectedly. In this model, Leckie et al further observed that the feedback loop only loops back as far as the characteristics of the information need. However, it is conceivable that the looping could also go back to the task and work roles at which point the information need as well as the task or role may be redefined and further rounds of information seeking may be undertaken, employing different combinations of sources and awareness factors.

Therefore, the basic premise of Leckie et al six-element model is that roles and related tasks of the professionals lead to information needs that in turn lead to an information seeking activity (Leckie et al (1996). During the information seeking activity, a number of intervening factors can

affect the outcome of the seeking process and these factors include sources of information and general awareness of these information sources. A feedback loop allowing individuals to re-start a search when the original information seeking activity does not provide the appropriate information is a key component of the model. The model critiques other models for not having this component. Information needs arise out of situations pertaining to a specific task that is associated with one or more of the work roles played by the professional. The information needs of the engineer are determined or characterized by their context (situation-specific need, internally or externally prompted), frequency (recurring or new need), predictability (anticipated or unexpected need), importance (degrees of urgency), and complexity (easily resolved or difficult). Other factors that influence professional's information needs include individual demographics or attributes and circumstances, such as age, profession, specialization, career stage, and geographic location. The way in which information is sought is influenced by a number of factors (Leckie et al, 1996).

Furthermore, Leckie et al. (1996) observed the following three factors which include; sources of information, awareness of information and the outcomes of the information-seeking process influence information-seeking.

(a) Sources of information

Professionals seek information from various types of sources which can be characterized as formal conferences, journals or informal (personal conversations), internal or external (source within the organization or outside); oral or written sources (written sources include paper copies and electronic texts) and personal sources (these include personal knowledge and experience, professional practices). The choice of information sources is not necessarily confined to one or two sources. A combination of several sources may be required to fulfill an information need. These sources have particular characteristics which appeal to the user and thus have an influence on his choice of a source.

(b) Awareness of information

The professional's awareness of information sources and, or information content determines the way information-seeking will take. Various important factors like familiarity and prior success, trustworthiness, timeliness, cost, quality and accessibility are linked to information awareness.

(c) Outcomes of the information-seeking process

The intended outcomes of the information-seeking process have a greater bearing on the actual information required. Increased knowledge of the outcome of the process of information-seeking behaviour of researchers is crucial to meeting their information needs.

This study chose the Leckie et al. (1996) professionals' information-seeking model to serve as its theoretical framework because it has attributes that could help to address the principal research question; it incorporates both information needs and information-seeking behaviour, which are the core aspects of the current study. In addition, the model was derived from studying professionals (lawyers, engineers and health professionals) in the workplace. In other words, it is applicable to all professionals. Below is the Leckie et al model of information seeking for professionals

Leckie et al.'s Model of Information Seeking of Professionals

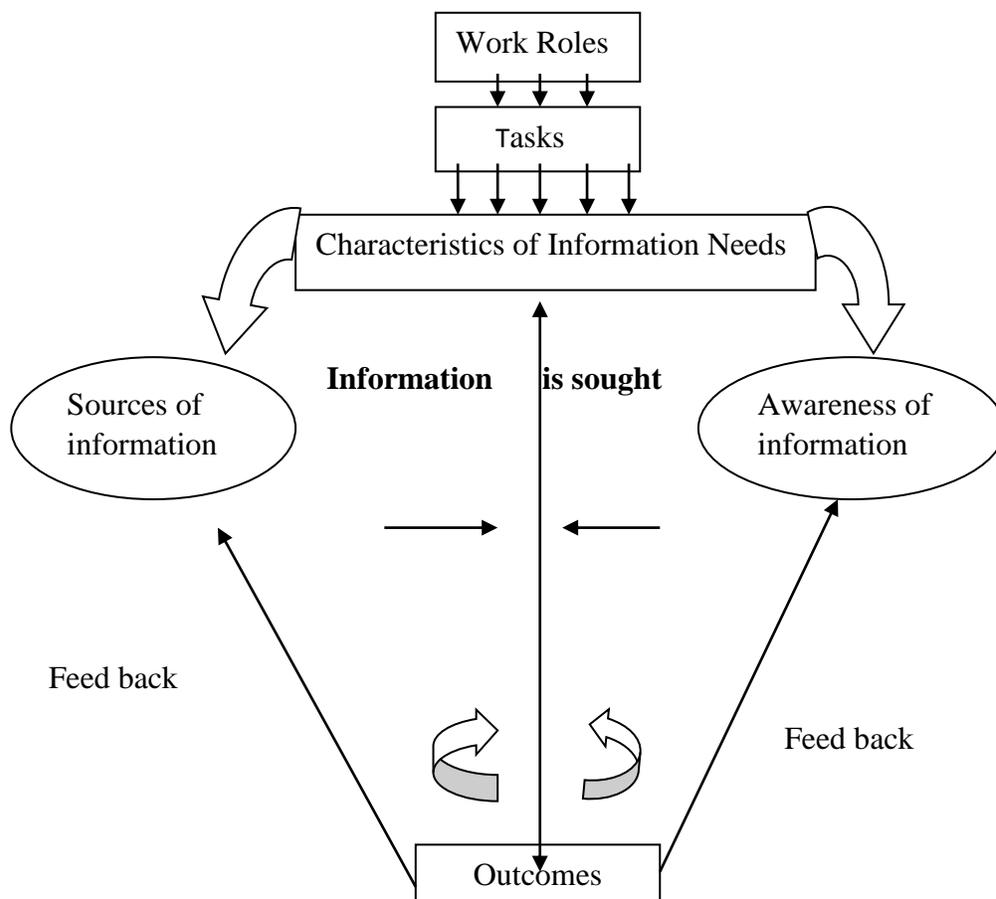


Figure 1: Leckie et al.'s Model of Information Seeking of Professionals

Source: Leckie et al. (1996)

The basic premise of the model, as illustrated in Figure 1, is that roles and related tasks of the professionals lead to information needs that in turn lead to an information seeking activity. During the information seeking activity, a number of intervening factors can affect the outcome of the seeking process; these factors include sources of information and general awareness of these information sources. A feedback loop allowing individuals to re-start a search when the original information seeking activity does not provide the appropriate information is key component of the model; they critique other models for not having this component (Leckie et al., 1996).

1.11 Definition of Operational Terms

Information: Information means data, signals, facts, views, opinions, ideas, events and news, to mention just a few, which are of significance to influence persons, actions, behavior and decisions a person makes when interrelating with others in any given environment (Makri, 2008).

Information need: An information need is a requirement that drives people into information seeking. An information need evolves from an awareness of something missing, which necessitates the seeking of information that might contribute to understanding and meaning. Furthermore, information need is what an individual ought to have for his work, his research, his edification and his recreation. In other words, information seeking is the ability to efficiently scan literature using manual or computerized methods, in order to identify a set of useful articles and books while seeking information is the process where an individual goes about searching for information, which is a process that requires the information seeker to apply personal knowledge, skill or personal information infrastructure to solve a problem (Case, 2008).

Information Seeking Behaviour: In this study information-seeking behaviour stem from concerns surrounding how people use information in their work environments. Information seeking behaviour arises as a consequence of a need perceived by the information user, who in order to satisfy it, makes demands upon formal or informal information sources or services, resulting in either success or failure. Information seeking behavior is mainly concerned with who needs what kind of information for what reason; how information is found, evaluated and used. Furthermore, he calls information behavior as those activities a person may engage in when identifying his or her needs for information searching for such information anyway and using or transferring that information. Information seeking is necessary but preliminarily activities to the

more significant endeavor of using information for new knowledge to accomplish task and goals that encompasses the work of a legal professional (Makri, 2008).

Judiciary: The Courts that enforce laws and protect the rights guaranteed in the Constitution.

This branch of government is independent from the legislature and the executive. This branch of government is independent from the legislature and the executive (Judiciary, 2010).

Library: A collection of information resources regardless of formats providing ‘every reader his/her book’ (Huruna, (2001). Furthermore, Baird (1994) defines a library as a treasure of valuable books and other information resources for a targeted group of people to use and gain from it.

1.12 Summary of Chapter One

The Judiciary of Zambia is an independent arm of the government. The independence of the judiciary has been respected by the government. The background of the judicial system was discussed in the study. The chapter also looked at the court structure and the four superior courts of Zambia which include; The Supreme Court, Constitutional Court, Court of appeal and the High Court. The functions of a judge and a lawyer were also discussed.

Furthermore, the chapter outlined the statement of the problem, purpose of the study, objectives of the study, the significance of the study, delimitation of the study, limitations of the study, Theoretical framework adopted and the definition of operational terms used in the study

CHAPTER TWO: LITERATURE REVIEW

2.1 Overview

Literature review is imperative as it gives a background of related studies conducted which guides the researcher in his/her understanding and analysis of data collected. Various studies have been conducted on information needs and information-seeking behaviour of judges and lawyers worldwide. However, no studies have been undertaken in Zambia to investigate the information needs and information seeking behavior of judges and lawyers of the Judiciary, Zambia. Studies have been carried out in various countries of the world such as South Africa, Kenya, Nigeria, England and Uganda to examine the information needs and information seeking behavior of judges and lawyers. Therefore, this section will review the studies on information needs and information seeking behavior of judges and lawyers to have a better understanding of the topic at hand.

2.2 The information needs of judges and lawyers

Studies on the information needs of judges and lawyers focus primarily on why judges and lawyers conduct legal research, since this task is closely identified with their work role. (Otiye, 2000). Since the law practice is based heavily on precedent cases, lawyers invariably need to research prior decisions. As a result, they must constantly stay aware of updates to the law and recent precedents. In a study by Haruna (2001) on information needs and seeking behaviour of legal practitioners and challenges to the law libraries in Lagos, Nigeria, discovered the most common information need is the desire to know the latest decisions and the most recent legislation. Lawyers are heavily reliant on obtaining and absorbing this current information, so it must also be accurate. This need for current information is compounded by two factors: an urgency to retrieve the information quickly and a lack of time available. Judges often give lawyers a few hours or even just minutes to produce case citations and material.

Furthermore, the study by Haruna (2001) revealed that the three highest ranking types of information sought by lawyers were knowing the latest decisions of superior courts, knowing most recent legislation and obtaining information on local and international seminars. Further the study revealed that the information needs of judges and lawyers are greatly influenced by the nature of the work they do.

According to a study by Otike (2000) on legal information needs of lawyers in Kenya where it was revealed that the legal profession, just like the members of the general public, requires legal information to make informed decisions. The scope of each practice determines the specificity of legal information needed for ready reference and research. Judges and lawyers need to understand the law to enable them perform the various challenges presented to them in life without worrying about going against. Lawyers, for instance, seek information in order to assist in solving legal cases and in order to keep abreast of the law. Law references, laws of other countries, law reports, update of court rules and judge cases were found to be the most needed information resources by Judges and advocates. In a study conducted by Case (2008) on information needs of legal practitioners, it was revealed that legal information is the basic information need for both judges and lawyers. And their information needs are greatly influenced by the nature of the work they do.

In another study by Haruna (2001) concerning the information needs of judges and lawyers in Lagos, Nigeria. The study revealed that many judges and lawyers were interested to know the latest decisions of superior courts as their greatest professional information needs. Others expressed the need to know the recent legislation from parliament, obtaining information on local and international seminars and conferences, and on acquisition and application of legal know-how.

According to a study on the information seeking behaviour of law practitioners of Bahawalpur Pakistan by Bhatt and Khan (2011), the study brought forward very pertinent information in regard to the information needs of judges and lawyers. That majority of judges and lawyer's information needs included those for case preparation, for improving their personal competencies, general knowledge or current awareness and such information which would help them be consistent in their job presentation. The study further revealed that there was much preference for print format of information resources over electronic format. Print format provided ready references for them and could be referred to at any time.

In a related study by Thanuskodi (2009) on the information needs and use pattern of District Court lawyers in Tamilnadu, India. The findings revealed that the District Courts advocates frequently use civil and criminal law information in their daily work. The study also revealed that print information resources are used more frequently than IT-based library sources and facilities. And this was attributed to the lack of awareness about availability, improper selection

or unfamiliarity with such IT based resources. Furthermore, the study revealed that respondents used the information as often as they handled a variety of cases almost every day. Books and law reports were considered most important. Although respondents perceived library as an effective source in meeting information needs.

Tuhumwire and Okello-Obura (2010) examined the legal information needs and access problems of lawyers in Uganda. Law reference, laws of other countries, law reports, update of court rules and judge cases were found to be the most needed information resources by advocates. The authors suggested for handy means of accessing information for facilitating relevant information in least time and concluded with the need for more serious and proactive ways of accessing legal information

In a study by Kuhlthau and Tama (2001) on information search process of lawyers also found that judges expressed a preference for print texts over computer databases for more complex tasks. The court libraries and their personal collection were the main source of hard copies. The printed materials proved satisfactory for their information needs in their duties.

Case (2008) conducted a study on the information needs of legal practitioners and it was observed that legal practitioners need specific information relevant to the specific matter on which they are working and general information in order to keep up to - date. Furthermore, the information needs are created as a result of an individual's performance of a social role, and these factors shape the user's needs. The study concluded by suggesting that information needs represent gaps in the current knowledge of the user's unexpressed needs that the user is aware of but does not like to express, together with dormant needs of which the user is unaware.

From the aforementioned, it can be observed that judges and lawyers have several identifiable information needs such as a need for legal rules and need for inference examples. And mostly their preferred format was the print media as it provided ready reference information when performing their duty. Consequently, it can be said that information needs determine the information seeking behaviour of an individual.

2.3 The information seeking behaviour of judges and lawyers

Much of the research on the information-seeking behaviors of judges and lawyer's centers on their use and preference of various legal resources. While the evolution of electronic resources

such as intranets and online databases has established a firm footprint in the judge's and lawyer's work, many tried and true methods remain difficult to replace.

According to a study by Thanuskodi (2009) on information seeking behavior of judges and lawyers, it was revealed that legal professionals have different ways when seeking information. They engaged different tactics such as consulting previous court judgments and rulings, consulting colleagues in the professions, consulting library staff to retrieve the information they had cited. The study also highlighted that the outcome of the information seeking rely on the sources of information available as well as the awareness of those sources and that legal professionals should be fully aware of information resources available to them and how best to use such resources. Furthermore, it was reported that the seeking process of legal professionals is initiated by a recognized need for information and a decision to act on it in which the information seeking reflects the experiences of the information seeker. Judges and lawyer's information seeking process is triggered by the incidences as the cases at hand, this eventually triggers information seeking behaviour, followed by the information needs then the sources of information consulted.

In a study by Hainsworth (1992), to explore the individual, organizational and environmental factors that influence judges' information seeking behaviour. The study revealed that judges have particular needs regarding organization information which are not met by any system, the time needed for information seeking is predicted based on the judges' situation regarding the case, and the oral argument and panel conference affect the judges when seeking the information. Judges seek information independently and individually. Law clerks and personal library collections are the most used resources in judges' information seeking. The quality and depth of the judges' information seeking is guided primarily by their internal feelings of satisfaction towards their resulting opinions. Information that is available in hard copy is mostly preferred by the majority of the judges and their information seeking behaviour is affected by time.

Kuhlthau and Tama (2001) in the study on the information search process of Lawyers' information seeking behavior with a particular focus on the variety of information tasks that lawyers undertake and how they use information to accomplish their work and the role that mediators play in the process of legal seeking and use, discovered that the legal professionals explained that their work comprised both routine and complex tasks and that their information needs and search pattern depended on the particular task they are performing. She explains that

complex tasks involved preparing a case for trial moving from fact gathering to defining the theory of the case to dissolving the matter through trial and that cases settled out of court were generally considered to be a routine nature. Furthermore, in her study, she found that lawyers used sources outside legal literature for example to address questions related to medical, environmental and social issues.

The study further revealed that there are two classes of judges and lawyers (the old and new generations). Though the information needs are the same but the method of getting the information differs. Most of the old generation judges and lawyers expressed a preference for printed text over computer data bases for complex task as they find it difficult to cope with the new technology especially in finding the right 'keywords' to use in getting information from the computer. They preferred using indexes in doing their research. The younger generations also made use of text in print. But there was the expectation from this group that computer sources would make work easier. The study also revealed that apart from the formal legal reference sources, Judges and lawyers also made use of internal files and external electronic sources in accomplishing their tasks.

A study on the methodology for identification of information needs of users conducted by Davadason and Lingam (1997) revealed that legal practitioners work in information rich environment which is in constant flux, with ongoing additions to statutes and other sources of legal research. As a result, those involved in the study and practice of law stay current with published legal literature relating to their area of study or area of practice. The literature encompasses court rulings and judgments, legislation and regulations, as well as secondary material including research. Essential information skills required of legal practitioners include the ability to locate primary and secondary material, the ability to evaluate the relevance, applicability and value of the material to the task at hand, the ability to manage the material and the ability to use the information for a specific purpose. Consequently, these are likely to be information skills that are required of legal practitioners.

Otike (2000) investigated the information needs and seeking behaviour of lawyers in Kenya. The investigation revealed that judges have the poorest research skills especially when it comes to using online resources, they would prefer using resources that are highly convenient to them such as in print format. Majority of advocates argued that Information and Communication Technology (ICT) has changed their information seeking and gathering habits to some extent.

Changes in the information environment have influenced the information seeking behaviour of judges and lawyers. Furthermore, the investigation revealed that mostly these judges depend on research advocates to search and identify needed information needs for them. The judges would just provide a citation for the information need in question. Nevertheless, the law library staff being conversant with where to locate the information in the library would search and retrieve information needs for the judges and lawyers. Otike also noted that a judge or lawyer's work is determined by the legal needs of the clients, which subsequently the judges and lawyers need for information in turn influences their information seeking habits. However, the researcher noted that experience has a considerable influence on their legal information needs.

In a study by Kuhlthau (2004) on information seeking behaviour of judges and lawyers, it was discovered that library staff played a pivotal role in searching information needs for judges and lawyers. Judges and lawyers depended on library staff for meeting their information needs. Judges and lawyers provided citations to the library staff and the library staff searched for the information, retrieved it and then made it available to the judges and lawyers. Therefore, the role of law librarians in promoting the access to legal information was highly appreciated among the judges and lawyers. Information needs facilitate the information seeking behaviour of an individual. Information seeking is a basic activity indulged in by all people and manifested through a particular way of behaviour. It is also an aspect of scholarly work most interesting to academic librarians who strive to develop collections, services, and organizational structures that facilitate seeking of information.

2.4 Sources of information needs used by judges and lawyers.

A study conducted by Clinch (2000) on legal information discovered that there are distinct information sources available in the legal discipline, which differs from those available in other discipline. It includes both primary and secondary legal sources. The primary sources of law are divided in two categories such as legislation (statutes and regulation) and case law (court decisions and administrative tribunals) primary legal resources are the products of the legislative such as the official bodies within the authority that make laws. Secondary legal sources are the sources cited in court for its informative values and it provides relevant references to primary sources of law. Secondary legal resources include law textbooks, legal journals, legal encyclopedias, case law digests, and electronic database resources. The electronic resources in a law library can include; Westlaw, Lexis Nexis and Ebscohost. Secondary legal resources can be

an excellent starting point for legal research because it provides a broad overview of the law. In a study conducted by Makri (2008) on information seeking behavior of academic lawyers, it was revealed that personal libraries of judges were the major sources of information for meeting day-to-day legal information needs.

Thanuskodi (2009) conducted a study on information seeking behavior of law faculty at Central Law College, the findings revealed that much of the information that govern the legal profession is contained in instruments made under powers granted by statutes. These include statutory instruments, orders in council and local-by-laws. Furthermore, the study revealed that the legal information needs of legal professionals vary because of the variety of cases handled and areas of specialization. Practicing lawyers need access to statutes, acts and decrees that are passed by the government and are basically arranged according to years accompanied with an index.

Wilkinson (2001) conducted a study on information sources used by judges and lawyers in problem solving and the study found that judges and lawyers overwhelmingly preferred informal sources when seeking information. In addition, they preferred sources of information internal to their organizations rather than external sources. Kuhlthau and Tama (2001) also observed that lawyers rarely require sources outside legal literature to support their work of constructing a complex case. Furthermore, the study revealed that the internet improved their productivity. Almost all the respondents indicated that the internet was useful as a communication tool, as well as a very important source for getting latest information.

Furthermore, a study on the use of internet by lawyers in Ghana by Hinson et. al. (2007) revealed that out that seventy-eight percent of the lawyers agreed that the internet improved their productivity. Eighty-eight per cent of respondents indicated that the internet is useful as a communication tool, whilst 76 percent of the respondents considered the internet to be very important for getting information.

According to a study by Hainsworth (1992) on the information seeking behavior of judges of the Florida District Courts of appeal, it was discovered that generally, the library is considered as the most heavily consulted information source for legal information. However, libraries did not fulfill their role in meeting all the information needs of judges. The study recommended that efforts should be made by all legal information providers to ensure that there is adequate legal information available in the law library. This could be through well-organized partnerships both at local and international levels.

Otike (2000) investigated the information needs and seeking behaviour of lawyers and the investigation revealed that legal information needs are met through a number of sources. The source of legal information is from law books of primary and secondary nature. Primary materials include acts of parliament, subordinate legislation and reputed decisions of courts and tribunals. Secondary materials include all types of legal literature that are formal records of law such as encyclopedia, digests, cases, textbooks, formats, dictionaries, indexes and bibliographies and e-legal information. The investigation recommended that the mentioned information resource must be within reach of the lawyers so as to have their information needs met. In the absence of that, it would prove difficult to have their information needs. Furthermore, the study revealed that lawyers take a number of things into account when assessing the information need they receive. These include the standing or credibility of the information provider, the extent to which it can be seen to be objective, its motive in providing the information, and the likelihood that it will get things right.

2.5 Challenges faced by Judges and lawyers in acquiring information

According to a study by Otike (2000), judges and lawyers just like any other user, experience considerable problems in satisfying their information needs. Among them is the currency of information. Legal practitioners, work in an information-rich environment which is in constant flux, with ongoing additions to statutes and other sources for legal. The rate at which the information is updated by law making bodies, many legal institutions fail to cope hence using unupdated information and this has a negative impact on the provision of justice. In another development Devadason and Lingman (1997) conducted a study on information needs of legal professionals and the findings emphasized that the information work carried out by judges and lawyers can be complex, often involving finding and working with a wealth of a diversity of information. This wealth of legal information concentrates around different types of documents for instance, law reports/legal cases, legislation, commentary articles, forms and precedents etc and these must be in both hard and soft copies. Unfortunately, most court libraries do not have a comprehensive law collection in various formats on information needs of legal professionals. Most court libraries do not have a comprehensive law collection in various formats and often not updated on time. The report recommended that some other materials have considerable gaps and all these need to be addressed.

Otike (2000) also revealed that in most cases a judge or lawyer spends a considerable amount of time looking for information due to lack of search skills to access legal information. Sometimes the problems are with the information providers. Some law libraries do not provide an adequate information service because of knowledge levels of library staff. The study observed that libraries provide services on three levels: passive, reactive and assertive (proactive). A passive collection lies in wait for the chance user; a reactive library is happy to answer requests. A proactive library is one that takes time to know its primary clientele, anticipates the needs of the users and consults with them regarding the needed information material. Unfortunately, the majority of information providers are passive or reactive. The study concluded by suggesting that legal information providers need to be both reactive and proactive in information provision if information needs of judges and lawyers are to be met at the point of need. This is because when an information user is not satisfied, the user may begin the information seeking process again or redefine the information need. This is time consuming. Information must be available whenever and wherever it is needed.

Kumar (2004) carried out a research whose purpose was to study the problems faced by judges and lawyers in accessing information in the judiciary of India. The study established that the major problems faced by judges and lawyers were the lack of appropriate information resources especially for those located outside the main cities. Current amendments to the laws reached them a little bit late. It further established that some courts had a challenge in purchasing current and updated law books because of inadequate funding.

In a study Thanuskodi (2009) it was revealed that there was a challenge in accessing amended latest information to help in the accomplishment of the legal fraternity. Dealing with outdated information sources was a concern for the judges and lawyers as it delayed the passing of judgments in the courts of law. Judges would spend considerable time looking for updated information.

2.6 Summary of the reviewed literature

The review scanned studies on literature undertaken on the Information needs and information seeking behaviour of judges and lawyers. Some studies are narrow in scope as they target only lawyers, while other studies are broad in targeting different categories of legal professionals such as judges and lawyers. However, the literature reviewed has indicated that judges and lawyers were very much interested in knowing the latest decisions of superior courts, knowing most

recent legislation and obtaining information on local and international seminars. Because just like any other profession, legal professionals, require updated legal information to make informed decisions. The judges' and lawyers' information seeking are greatly influenced by the nature of the work they do and most judges depend on lawyers commonly referred to as research advocates to search information needs for them. Nevertheless, law librarians usually search information needs for their users. Furthermore, the sources of legal information needs include both primary and secondary sources. However, personal libraries are the major sources of information for meeting day-to-day legal information needs. The review of literature concludes by looking at the challenges faced by judges and lawyers in accessing their information needs and how the challenges can be mitigated.

There has been no research in Zambia that has been conducted to establish the information needs and information seeking behaviour of judges and lawyers at the judiciary of Zambia. Therefore, this study sought to pay particular attention to information needs and information seeking behaviour of judges and lawyers at the judiciary.

CHAPTER THREE: METHODOLOGY

3.1 Overview

This section presented the methodology that was used during the study. That is the research design, population, sample and sampling procedure, research instruments, data collection procedure, validity of the instruments, data analysis and ethical issues.

3.2 Research Design

The study employed a survey research design. According to Creswell (2009) a survey design provides a quantitative or numeric description of trends, attitudes or opinions of a population by studying a sample of that population. Surveys are used to answer the questions who, what, where, and how much. Furthermore, surveys are undertaken with a view towards making statistical inferences about the population being studied, and this depends strongly on the survey questions used (White, 2003). Survey design is also a means of gathering information that describes the nature of the extent of data ranging from physical counts and frequencies to attitudes and opinions (Punch, 2005). This method was preferred in this study because it allowed the researcher to generalize the findings from a smaller group to a larger group. In addition the method was chosen because it allowed collection of large amount of data in a highly economical way.

Quantitative method was adopted in the study and this method involves measurement in terms of quantities or numbers (Cooper and Schindler, 2001). Structured questionnaires were used to collect quantitative data. This approach was necessary in this study as it enabled the researcher to have the statics of how many respondents sought for what type of information source hence helped in knowing the most used sources of information.

3.3 Population

According to Creswell (2009), a population is a collection of objects, events or individuals having some common characteristic that the researcher is interested in studying. In this study, the population comprised judges and lawyers (Research Advocates) at Supreme Court, Constitution Court, Court of Appeal and High Court of Judiciary of Zambia, Lusaka. The estimated population was 112. 60 judges and 60 lawyers.

3.4 Sample size and Sampling Procedure

A sample is defined as a subset of the population. According to Singh (2006) the study of a population is not possible and it is also impracticable in any research endeavor hence the need to undertake sampling. Furthermore, according to (White, 2003) a sample is a subset of a population that is used to represent the entire group as a whole. In this study, the sample size involved thirty (30) judges and (30) lawyers/ research advocates bringing the total number of respondents to sixty (60). To effectively recruit research participants from the identified research target group, simple random sampling was used. According to Jackson (2011) simple random sampling is the basic sampling technique where a group of subjects (a sample) for study is selected from a larger group (a population). Each individual is chosen entirely by chance and each member of the population has an equal chance of being included in the sample.

3.5 Sampling

In order to arrive at the number of participants to be administered with the questionnaires; the online Raosoft([www.raosoft.com/sample size](http://www.raosoft.com/sample_size)) sample size calculator was used at 10% margin of error, 95% confidence level over the population size of 112. The calculated sample size came to 60. To select the sample, a simple random sampling was used. The serial number was given to all the members of the population. In this method, every element was selected from a list of a population having serial numbers.

3.6 Data Collection Instruments

Primary data was collected through structured questionnaires. The rationale for using a structured self-administered questionnaire for respondents was that it was cheaper, easy to administer and enabled the researcher to pose a number of research questions in a short time and receive appropriate answers within a shortest period of time. Furthermore, Punch (2005) argues that in a structured questionnaire, questions asked are precisely decided in advance.

3.7 Validity of the Instruments

The questionnaire was validated by the researcher and the supervisor who critically examined the contents of the instrument. Necessary corrections were made in order to improve the instrument. Equally, pre-testing of instruments to test the relevancy and validity of the questions was done on 2 judges and 3 lawyers. The respondents were requested to comment on the following:

- The clarity of the questions contained in the instruments.

- To state according to their opinion whether or not the instruments had been organized in a logical order.
- To state the relevance of questions in the instruments, to the research topic.
- Also to comment on the length of the questions

3.8 Data Analysis

Data analysis is one of the critical components of a research. Creswell (2009) defines data analysis as a process of making meaningful and useful conclusions from bulky and jumbled pieces of information obtained during the course of one's investigation of the problem. Data was analyzed using SPSS 23.0 to create tables and perform various statistics. SPSS 23.0 software package was ideal because it gave detailed data analysis in terms of frequency, percentages and tables. The reason for selecting SPSS was that it makes easy to interpret data and also it is readily available.

3.9 Ethical Considerations

Ethics refers to the appropriateness of behavior in relation to the rights of those who become a subject of your work or are affected by it. This relates to moral standards that the researcher should consider in all research methods in all stages of the research design (Saunders, 2009).

Approval of the study proposal and permission to conduct this research was sought from Directorate of Research and Graduate Studies at the University of Zambia (Humanities and Social Sciences Ethics Committee) and also an introductory letter was obtained from the department to allow easy identification with authorities in various schools. Furthermore, the researcher ensured that consent was sought from everyone who had participated in the research and this was without being coerced. The researcher ensured that verbal consent was obtained so as not to frighten the participants. Issues of confidentiality were taken into consideration as the identity of the participants was protected at all times. Permission was sought from Chief Administrator who is in charge of administration at Judiciary before data collection from the respondents.

3.10 Summary of Chapter Three

The chapter discussed the details of methodology used in the study. The discussion included the research design, research population, sampling size and sampling techniques. The chapter also discussed data collection procedure, data collection instruments, validity of the instruments and data analysis procedure which were used to collect and analyze data. The data was analyzed using SPSS 23.0 and presented in line with research questions. Issues of ethical considerations were also explained. The succeeding chapter presents the field research findings of the study on information needs and seeking behaviour of judges and lawyers in superior courts of Judiciary, Zambia.

CHAPTER FOUR: PRESENTATION OF FINDINGS

4.1 Overview

This chapter presents the findings of the study which investigated the information needs and seeking behaviour of Judges and lawyers of the superior courts of Judiciary in Zambia. Sixty (60) questionnaires were distributed and forty-five (45) were returned representing a seventy five percent (75%) response rate. The chapter is divided into the following sub-headings; Demographic characteristics of respondents, the information needs of judges and lawyers, information seeking behaviour of respondents and the challenges faced by judges and lawyers in accessing information.

The responses were based on the research questions which were correlated to the study in question.

4.2 DEMOGRAPHIC CHARACTERISTICS OF RESPONDENTS

The study investigated the age, gender, education levels and work experience of the respondents who participated in the study (Table 1). In terms of age, the findings showed that 31% of the respondents were aged between 30 and 40 years while those between 41 and 45 year were 36%. Thirty-three percent were above 45 years and no respondent reported being below 30 years old. Therefore, respondents aged 41 and years were the majority that participated in the study.

Additionally, the study revealed that 51% of the respondents who took part in the study were male while 49% were females. There was no much difference in the percentage participation between male and female in this study.

Table 1: Demographic characteristics of respondents

Demographic characteristic		Frequency	Percentage
Age	Below 30 years	0	0
	30 to 40 years	14	31
	41 to 45 years	16	36
	Above 45 years	15	33
Gender	Male	23	51
	Female	22	49
Education level	Undergraduate degree	36	80
	Masters degree	9	20
	PhD degree	0	0
Work experience	Less than 5 years	17	38
	5 to 10 years	11	24
	11 to 15 years	13	29
	Above 15 years	4	9

On education levels of the respondents, the study found that 80% had undergraduate degree, 20% had masters degree and no respondent had a PhD qualification. It can then be concluded that there were more undergraduate degree holders that participated in this study. This could be attributed to the difficulty to pool through in legal education. For instance, high failure rates have been recorded on several occasions at Zambia Institute of Advanced Legal Education (ZIALE). In 2015 for instance, 18 out of 206 students who sat for exams have been admitted to the bar while only 16 out of 360 students were being admitted to the bar in 2017. This somehow discourages people to pursue higher qualifications in this profession. The study results further revealed that among those that participated in the study, the 17 had worked for less than five years, followed by 11 who had work experience of between five and ten years. 13 reported that

they had work experience of 11 to 15 years while 4 had worked for more than fifteen years. It appears those who had worked for less than five years were more available for the study than the more experienced ones. The more experience tended to be too busy for the study.

Table 2: Courts of operation of respondents

Court of operation	Frequency	Percent
Supreme Court	11	24
Constitution Court	4	10
Court of Appeal	11	24
High Court	19	42
Total	45	100

Furthermore, the study sought to solicit information on the respondents courts of operation. The findings revealed that 11 of the respondents operated from Supreme Court, 4 operated from Constitution court, 11 operated from Court of Appeal and 19 operated from High court. The findings are depicted in Table 2.

Table 3: Professional status of respondents

Professional status	Students	Percent
Judges	22	49
Lawyers	23	51
Total	45	100

The table above indicates that 22 of the respondents were Judges and 23 were lawyers.

4.3 INFORMATION NEEDS OF JUDGES AND LAWYERS

Table 4 showing information needs of respondents

Kinds of information respondents needed	Frequency	Percent
Case Preparation	30	67
How justice is administered	27	60
Information to keep up to date with modern trends in law	39	87
Statutes	32	71
Current awareness	31	69
General knowledge	21	47
Information which would be of help to be consistence in the job presentation	34	76

The results of the study showed that the respondents had a variety of information needs as indicated in Table 3 above. The findings revealed that 30 of the respondents particularly needed information on case preparations, 27 needed information on how justice is administered, 39 needed information on how to keep up to date with modern trends in law, 32 needed information on statutes, 31 needed information on general knowledge and 34 needed information on information which would be of help to be consistence in the job presentation.

Table 5: Views on the kinds of information formats preferred by respondents.

Information formats preferred by respondents	Frequency	Percent
Print	17	38
Digital	16	36
Both Digital and print	10	22
Total	45	100

In regard to information formats preferred by the respondents as shown in the Table 4 above, the findings revealed that 18 of the respondents preferred print formats, 17 preferred digital formats

and 10 preferred both digital and print formats. It can therefore, be deduced that many of the respondents preferred already printed information. This could be attributed to the time limit they had to present that particular information.

Table 6: Showing formats versus professional status of respondents

kind of information formats preferred	professional status		Total
	Judge	Lawyer	
Print Format	11 47.8%	7 31.8%	18 40.0%
Digital format	7 30.4%	10 45.5%	17 37.8%
Both formats	5 22.7%	5 21.7%	10 22.2%
Total	22 100.0%	23 100.0%	45 100.0%

The researcher further conducted a Chi square test to establish whether there was any association between information formats and the professional status of respondents at significance level of 0.05. The results were not significant ($\chi^2 = 1.397$; $df= 2$; $P =0.497$). This implied that there was no association between information formats and the professional status of respondents. The results revealed that 7 of the judges preferred print format while 11 of the Lawyers preferred print formats. 7 of the judges preferred digital formats whereas 10 preferred digital formats and 5 of the judges preferred both formats whereas 22 of the lawyers preferred both formats.

4.4 INFORMATION SEEKING BEHAVIOUR OF JUDGES AND LAWYERS

Table 7: Showing how respondents sought for information

How respondents sought for information they needed	Judges		Lawyers	
	Frequency	Percent	Frequency	Percent
Consulting previous judgments and rulings	22	100	23	100
Consulting the library staff	15	68	16	70
Consulting colleagues in the profession	16	72	19	83

As one of the attributes of information seeking behaviour is how the information is sought, the researcher asked the respondents to state how they sought for information and the findings revealed that all the respondents looked for information by consulting previous judgments and rulings representing a hundred percent response rate, 15 judges and 16 lawyers looked for information by consulting library staff whilst 16 judges and 19 lawyers looked for information by consulting colleagues in the legal profession.

Table 8: Showing what respondents depended on when looking for information

What respondents depended on when looking for information	Frequency	Percent
Personal knowledge	23	54
Personal experience	36	84
Personal perception	22	51

Furthermore, the respondents were asked to state what they depend on when looking for information. The study revealed that 54% (23) of the respondents depended on personal knowledge when looking for information, 84% (36) depended on personal experience when

looking for information and 51% (22) depended on personal perception when looking for information.

Table 9: Showing respondent’s responses on what they did if information needed was not readily available at the libraries.

What respondents did when the information needed was not readily available.	Frequency	Percent
Consulted colleagues	18	40
Outsource from elsewhere	7	16
Look for what is related	11	24
Check online(Internet)	9	20

However, when the respondents were asked on what they did if the required information was not readily available at the libraries, the findings revealed that 40% (18) of the respondents consulted colleagues in the legal fraternity, if the information needed was not readily available, 16% (7) outsourced from elsewhere, 24% (11) were of the view that they looked for what was related to the information needed and 20% (9) felt that they consulted online databases (Internet).

Table 10: Showing respondent’s responses on the sources of their information

Sources of information	Frequency	Percent
Court libraries	44	98
Personal library housed in homes and offices/chambers	35	79
Decided cases from judicial records at the library and judge’s chambers	44	98
Online databases from www.zamlil.zm	34	76

Other legal libraries eg ZIALE, Zambia Law Development commission, Ministry of Justice	3	7
Colleagues in the law profession	33	73
Offline data bases (KAS Legal) installed on the library computers and personal computers	34	76

The source of information is very important aspect in understanding information needs and seeking behaviour of respondents and in respect to that the respondents were asked to state their source of information. The results of the study showed that in relation to their varied information needs, respondents used different sources of information as shown in Table 9 above. Particularly, they consulted court libraries (98%), personal libraries (79%), online databases (76%), offline databases (76%), decided cases (98%), other legal libraries (7%) and colleagues in the profession (73%) in order to make sound decisions. However, when the respondents were asked how often they used the sources of information, all of them responded that they used the sources very often representing a 100% response rate. This could be due to the fact that every decision that legal practitioner has to make depends on the availability of timely and accurate information.

Table 11: Showing respondents responses on the extent to which their information needs were met through the court libraries

Extent to which respondents information needs were met from the court libraries	Frequency	Percent
To a larger extent	37	82
Moderately	5	11
To a less extent	3	7
Total	45	100

The majority of the respondent's information needs were met to a larger extent (Table 10) as indicated by the findings 82% (37) of the respondents felt that their information needs were met,

to a larger extent, 11% (5) were of the view that their information needs were met moderately and 7% (3) indicated that their information needs were met to a less extent

Table 12: Showing respondents responses to the reasons given in table 10 above

Respondents responses to the reasons given in table 10	Frequency	Percent
Always satisfied with information	37	82
Information is not adequately updated	5	11
Information is not easily located	3	7
Total	45	100

Furthermore when the respondents were asked to give their reasons to the answers given in Table 10, the findings revealed that 7% (3) of the respondents who felt that their information was met to a less extent were of the view that information was not easily located. Further, 11% (5) of the respondents who indicated that their information needs were met moderately felt that information was not adequately updated and 73% (33) of the respondents representing those who indicated that their information needs were met to a larger extent indicated that they were always satisfied with information from the library.

4.5 CHALLENGES FACED BY JUDGES AND LAWYERS IN ACCESSING INFORMATION

Table 13: Showing respondents' views on challenges faced by judges and lawyers

Challenges faced in accessing information	Frequency	Percent
Information in the library not adequately updated because amendments of the laws of Zambia are not done timely.	37	82
Information not easily accessible because the location of the information is not easy to find	28	62
Information not readily available because some information resources are not enough to accommodate all the users at once	31	69
Lack diversity in terms of information formats	30	67
Poor internet connectivity because internet was slow to access online information resources.	27	60

Respondents reported that they encounter a number of problems in their quest for information (Table 13) which included difficult to find latest information (82%), information not readily available (69%), lack of information diversity (67%), information not easily accessible (62%) and poor internet connectivity (60%).

Table 14: showing respondent’s responses on opinions on what should be done to mitigate the challenges faced

Suggestions on the solutions to the challenges faced in accessing information	Frequency	Percent
Updating of information resources in the libraries should be done adequately	39	87
Information should be easily accessible by arranging it in a logical manner	32	71
Information should be readily available in the library by stocking multiple copies of information resources.	31	69
Information should be stored in both print and non print media(digital)	30	67
Improve internet connectivity by increasing the bandwidth	21	46

Furthermore, the respondents felt the challenges encountered above could be mitigated by the following suggestions (Table 14); (39) of the respondents were of the view that updating of information resources in the libraries should be done adequately, 71% (32) felt that information should be easily accessible, 69% (31) indicated that information should be readily available. Furthermore, 67% (30) were of the view that information should be stored in both print and non-print media (digital) and 46% (21) indicated that internet connectivity should be improved by increasing the internet bandwidth.

4.6 Summary of chapter four

This chapter has presented the findings of the study in line with the objectives. The study established that there were more undergraduate degree holders that participated in this study. The study results further revealed that among those that participated in the study, the majority had worked for less than five years. The results of the study showed that the respondents had a

variety of information needs. And the majority needed information on how to keep up to date with modern trends in law.

Furthermore, the study revealed that all the respondents looked for information by consulting previous judgments and rulings and the majority depended on personal knowledge when looking for information. The findings also revealed that the respondents had a variety of information source of which the main sources were the court libraries.

However, the study also revealed that the respondents encountered a number of problems in their quest for information of which the main one was difficult to locate latest information in the court libraries. Consequently, the respondents suggested a number of mitigation measures of which the majority felt that information should be easily accessible in the court libraries.

CHAPTER FIVE: INTERPRETATION AND DISCUSSION OF THE RESEARCH FINDINGS

5.1 Overview

This chapter discusses the findings of the study on the information needs and information seeking behaviour of judges and lawyers of superior courts of the judiciary in Lusaka, Zambia.

The chapter is divided into the following sections namely: information needs of judges and lawyers, information seeking behaviour of judges and lawyers, the challenges faced by judges and lawyers in accessing information and suggestions to mitigate these challenges. In discussing the findings, the chapter draws upon other studies and what was observed to inform the discourse.

5.2 Information needs of judges and lawyers

The first research question was to establish the information needs of judges and lawyers according to study findings in chapter four. The study revealed that the majority of the respondents needed information on how to keep up to date with modern trends in law. The other information needed included information on case preparations, information on how justice is administered, information on statutes, information on general knowledge and information on information which would be of help to be consistence in the job presentation. The findings are congruent with the study by Khan, Bhatt and Khan (2011) where it was discovered that that majority of judges and lawyer's information needs included those for case preparation, for improving their personal competencies, general knowledge or current awareness and such information which would help them be consistent in their job presentation. However, the findings slightly differ from a study by Tuhumwire and Okello-Obura (2010) who examined the legal information needs and access problems of lawyers in Uganda. Law reference, laws of other countries, law reports, update of court rules and judge cases were found to be the most needed information resources by advocates.

Therefore, overall it can be deduced that judges and lawyers have similar needs of information and mostly it is about that information which help them be consistence with job presentation. Thus, judges and lawyers worldwide have similar needs of information.

5.3 Information seeking behavior of judges and lawyers

Information seeking behavior is a process in which information needs are pursued. The findings from the study revealed that all the respondents sought information by consulting previous judgments and rulings. However, in addition to consulting previous judgments and rulings, some of the respondents looked for information needs by consulting library staff while others by consulting colleagues in the profession. The findings are in line with a study by Thanuskodi (2009) on information seeking behavior of judges and lawyers where it was revealed that legal professionals have different ways when seeking information. They engaged different tactics such as consulting previous court judgments and rulings, consulting colleagues in the professions, consulting library staff to retrieve the information they had cited.

From the aforementioned, it is also imperative to state that the judges and lawyers' information seeking process was prompted by the occurrences such as the nature of work at hand as revealed by responses from all the respondents. In addition to that some respondents included experience as influencer when seeking information. This is in consonant with a study by Thanuskodi (2009) where it was discovered that the seeking process of judges and lawyer's information was triggered by the incidences such the cases at hand.

This eventually triggered information seeking behaviour, followed by the information needs then the sources of information consulted. The study also highlighted that the outcome of the information seeking rely on the sources of information available as well as the awareness of those sources. Therefore, legal professionals should be fully aware of information resources available to them and how best to use such resources. Furthermore, their information seeking process is driven by the nature of work at hand, experience as well as awareness of sources.

5.4 Sources of information used by judges and lawyers

The study revealed that the majority of the respondents felt that their sources of information were the institution libraries, personal collection, decided cases, online databases, colleagues and offline databases (KAS Legal). These findings are congruent with the study by Kuhlthau and Tama (2001) where it was discovered that lawyers rarely require sources outside legal literature to support their work of constructing a complex case. However, in addition to the sources of information mentioned, only a very small number of respondents accessed information from outside institution's sources as the alternative source of information. The findings are similar to the study conducted by Clinch (2000) on legal information where it was discovered that there are

distinct information sources available in the legal discipline, which differs from those available in others discipline. These include both primary and secondary legal sources. The primary sources of law are divided in two categories such as legislation (statutes and regulation) and case law (court decisions and administrative tribunals) primary legal resources are the products of the legislative such as the official bodies within the authority that make laws. Secondary legal sources are the sources cited in court for its informative values and it provides relevant references to primary sources of law. Secondary legal resources include law textbooks, legal journals, legal encyclopedias, case law digests, and electronic database resources. Furthermore, a similar study conducted by Makri (2008) on information seeking behavior of academic lawyers, revealed that personal libraries of judges where the major sources of information for meeting day-to-day legal information needs.

It can be observed that judges and lawyers had a variety of sources of information. This is an indication that one source cannot contain all the information required in their job execution. In other words, the judges and lawyers were expected to have an updated source of information hence a lot of sources in case one source failed to meet their information needs.

5.4.1 Personal libraries

A minimal number of all those respondents who had had worked in the judiciary institution between five and ten years, all those who had worked between eleven and fifteen years and all who had worked between sixteen and twenty years used personal collection as their source of information. This could have attributed to the fact that after such a vast experience in the profession who managed to have collection of their own and be able to refer to at any time. The results are congruent to a study conducted by Makri (2008) on information seeking behavior of academic lawyers where it was revealed that personal libraries of judges where the major sources of information for meeting day-to-day legal information needs. In addition

5.4.2 Decided cases from judicial records

On the other hand, the majority of all those who worked for less than five years, all respondents who had worked between five and ten years, all respondents who had worked between eleven and fifteen years and all respondents who had worked between fifteen and twenty years used decided cases from judicial records. The results indicate that no matter what experience one need to refer to decided cases. This is because this kind of information contains ideas of how to go about on cases at hand.

5.4.3 Online databases as the source of information

Furthermore, the findings revealed that the majority of all the respondents who had worked for less than five years, all the respondents who had worked between five years and ten years, majority of all the respondents who had worked between eleven and fifteen years and half the number of those who had worked between fifteen and twenty years used online databases as the source of information. Online databases act as a quick reference on legal information. In a modern society judgments and rulings are posted on websites. And where a hard copy cannot be found online data provides a quick reference for legal professionals regardless of their work experience. The findings are in consonant with a study by Wilkinson (2001) who conducted a study on information sources used by judges and lawyers in problem solving where it was revealed that almost all the respondents indicated that the internet was useful as a communication tool, as well as a very important source for getting latest information. Furthermore, the findings are congruent with a study by Hinson et. al. (2007) on the internet and lawyers in Ghana who pointed out that seventy-eight percent of the lawyers agreed that the internet improves their productivity. Eighty-eight per cent of respondents indicated that the internet is useful as a communication tool, whilst 76 percent of the respondents considered the internet to be very important for getting information.

5.4.4 Other libraries

It was revealed that a very small number of the respondents who had worked between five and ten years used other libraries as their other source of information. The fact that only a minimal number of respondents consulted other libraries outside their institution could be attributed to the fact that most of the information sought for by the judges and lawyers was found within the institution. These results are not similar to a study by Wilkinson (2001) who conducted a study on information sources used by judges and lawyers in problem solving and the study found that judges and lawyers preferred sources of information internal to their organizations rather than external sources.

5.4.5 Other colleagues in the legal profession

However, a good number of the respondents who had worked for less than five years, almost all the respondents of those who had worked between five and ten years, almost all those who had worked eleven and fifteen years and almost all those who had worked between fifteen and twenty years consulted colleagues for their source of information. The lower number of those

who consulted other colleagues could be interpreted that it was not common to consult other colleagues. And this could be attributed to the fact that either the respondents did not want to disclose their assignments to their colleagues or maybe their knowledge of understanding was almost at the same level.

5.4.6 Offline database

On the other hand, almost all the respondents who had worked for less than five years, more than half the number of those who had worked between five and ten years, more than half the number of those who had worked between eleven and fifteen years and all the respondents who had worked between fifteen and twenty years used offline database as their source of information.

The fact that almost all the respondents used the offline database is an indication that the source was reliable and easily accessible by all.

5.5 Challenges faced by judges and lawyers in accessing information

Judges and lawyers of the superior courts in Lusaka, Zambia faced various challenges when seeking information. The study revealed some of the major challenges which they faced.

5.5.1 Library information not adequately updated

Library information not adequately updated was ranked first as being the biggest challenge to judges and lawyers. Judges and lawyers prefer latest information in the execution of duties. This information includes statutes and statutory instruments (SI). In the absence of the updated information should lead to a wrong judgment and hence justice denied. It appropriate that the library has updated information always to ensure an efficient and effective library operation. Therefore, library staff should be on the lookout for the latest information to be included in their collection. The findings in agreement with a study by Otike (2000) on information seeking behavior and needs of judges and lawyers where it was revealed that judges and lawyers, just like any other user, experience considerable problems in satisfying their information needs. Among them is the currency of information. Legal practitioners, work in an information-rich environment which is in constant flux, with ongoing additions to statutes and other sources for legal. The rate at which the information is updated by law making bodies, many legal institutions fail to cope hence using unrevised information and this has a negative impact on the provision of justice. The findings are also in agreement with a study by Thanuskodi (2009) where it was revealed that there was a challenge in accessing amended latest information. Therefore, dealing

with outdated information sources was a concern for the judges and lawyers as it delayed the passing of judgments in the courts of law. Judges would spend considerable time looking for updated information.

In the inadequacy of the update in the information in the library could be attributed to a number factors such as lack of adequate funds to purchase the latest information or the competency of the library staff in updating information in the library.

Kumar (2004) carried out a research whose purpose was to study the problems faced by judges and lawyers in accessing information in the judiciary of India. The study established that the major problems faced by judges and lawyers were the lack of appropriate information resources especially to those located outside the main cities. It further established that some courts had a challenge in purchasing current and updated law books because of inadequate funding.

5.5.2 Information not readily available

Information not being readily available was ranked as the second biggest challenge faced by the respondents. According to Noruzi (2004), the fourth law of Ranganathan is very vital in saving the time of the user in the library. The user must always be given first priority as such it is important to save the time of the reader by making all the information in the library within reach and readily available. The findings are similar to a study by Otiye (2000) where it was revealed that in most cases a judge or lawyer spends considerable amount of time looking for information due to lack of search skills to access legal information. Sometimes the problems are with the information providers. Some law libraries do not provide adequate information service because of knowledge levels of library staff. The study observed that libraries provide services at three levels: passive, reactive and assertive (proactive). A passive collection lies in wait for the chance user; a reactive library is happy to answer requests. A proactive library is one that takes time to know its primary clientele, anticipates the needs of the users and consults with them regarding the information material they need. Unfortunately, the majority of information providers are passive or reactive. The study concluded by suggesting that legal information providers need to be both reactive and proactive in information provision if information needs of judges and lawyers are to be met at the point of need. Information must be available whenever and wherever it is needed.

5.5.3 Lack of diversity in terms of information formats.

Lack of diversity in terms of information was ranked as the third biggest challenge faced by judges and lawyers. In a modern society information must be stored in print and non – print media. Information on non – print media or digital format can usually be accessed by many people at the same time as long as the gadgets to access information are available.

The findings are similar to a study by Devadason and Lingman (1997) who conducted a study on information needs of legal professionals and the findings revealed that the information work carried out by Judges and lawyers can be complex, often involving finding and working with a wealth of a diversity of information. This wealth of legal information comprises different types of documents for instance, law reports/legal cases, legislation, commentary articles, forms and precedents etc and these must be in both hard and soft copies. Unfortunately, most court libraries do not have a comprehensive law collection in various formats. The study recommended that some materials had considerable gaps which needed to be addressed.

However, in this study the impact of the lack of diversity of information was not strongly felt by the respondents. This entails that respondents mainly preferred hard copies. This could be attributed to the less appreciation of information communication technology (ICT) and a concern for authenticity.

5.5.4 Poor internet connectivity

Poor internet connectivity was ranked as the fourth challenge encountered by the judges and lawyers in their pursuit for information. Internet enables one to access a lot of information within a shortest period of time using various search engines. Poor internet connectivity is most attributed to the speed of the internet and speed of the internet depends on the internet service provider and the bandwidth. Therefore, poor internet connectivity can be attributed to either the kind of internet service provider used or congestion in the bandwidth. From the studies consulted in the literature review nothing has been brought forward on internet connectivity as a challenge. This could be attributed to maybe internet connectivity in the areas discussed had no problems.

5.5.5 Information not easily accessible

Information not easily accessible was ranked least by the respondents. This mainly has to do with the classification and cataloguing of information. Basically, a good catalogue enables one to access and retrieve information within the quickest possible timeframe. But where these systems

are not well organized, there will always be a delay in accessing information. The way the materials are shelved also determines how fast an information resource will be accessed. This entails that a good shelving system enables quick access to the information resources. Contrary to studies in the reviewed literature such as Kumar (2004) and Thanuskodi (2009), information accessibility was not the challenge hence adding more knowledge the body of knowledge.

5.6 Suggestions to the mitigations of challenges

Respondents were asked to make suggestions as to what they thought would help overcome the challenges they experienced in seeking information. The following were the suggestions brought forward as indicated earlier, library information not adequately updated was ranked first as being the biggest challenge to judges and lawyers. Consequently, the majority of the respondents suggested updating of information resources in the libraries should be done adequately, that information for use should be easily accessible, that information should be readily available and that there should be a diversity of information to suit one's needs. Lastly, less than half of the respondents suggested that the internet connectivity should be improved.

The findings are comparable to a study by Devadason and Lingman (1997) on information needs of legal professionals where it was revealed that most court libraries do not have a comprehensive law collection in various formats and often updated on time. The report recommended that some other materials have considerable gaps and all these need to be addressed.

5.7 Chapter summary

This chapter discussed the findings of the study that were presented in chapter five. The findings were discussed in relation to other studies that were reviewed. Information is a very important component for the judges and lawyers. The study revealed that the majority of the respondents needed information on how to keep up to date with modern trends in law. The other information needed included information on case preparations, information on how justice is administered, information on statutes, information on general knowledge and information on information which would provide consistence in the job presentation. The information needs of judges and lawyers are similar regardless of whatever locality of the world they are based.

The study also revealed that judges and lawyers sought information by consulting previous judgments and rulings. Furthermore, judges and lawyers looked for information needs by

consulting library staff and also consulting colleagues in the profession. It has also been noted that the judges and lawyers' information seeking process was prompted by the occurrences such as the nature of work at hand when seeking information. It was further highlighted that the outcome of the information seeking rely on the sources of information available as well as the awareness of those sources.

Furthermore, on the sources of information for the judges and lawyers the highlighted that the majority of the respondents felt that their sources of information were the institution libraries, personal collection, decided cases, online databases, colleagues and offline databases (KAS Legal). However, in addition to the sources of information mentioned, only a very small number of judges and lawyers accessed information from outside institution's sources as the alternative source of information needs.

It was further revealed that judges and lawyers had a variety of sources of information. This is an indication that one source cannot contain all the information required in their job execution. In other words, the judges and lawyers were expected to have an updated source of information hence a lot of sources in case one source failed to meet their information needs.

The study highlighted the challenges which judges and lawyers experienced in their pursuit for information needs. These challenges included such things as library information not adequately updated was ranked first as being the biggest challenge to judges and lawyers, information not readily available, lack of information diversity, information not easily accessible and poor internet connectivity.

Furthermore, suggestions on how the aforementioned challenges could be mitigated were presented and these included updating of information resources in the libraries, information for use should be easily accessible by arranging it in a logical manner, information should be readily available by stocking more copies of information needs to accommodate all users, that there should be a diversity of information in both print and non-print media to suit one's need and that the internet connectivity should be improved by increasing the bandwidth.

CHAPTER SIX: CONCLUSION AND RECOMMENDATIONS

6.1 Overview

The purpose of this study was to investigate the information needs and information seeking behaviour of judges and lawyers at superior courts of Judiciary, Zambia. The study therefore, intended to fill the gap by finding out the information needs of judges and lawyers; establish their information seeking behaviour and ascertain challenges faced by Judges and lawyers in accessing information. Therefore, it is from this background that this chapter intends to make the conclusion and recommendations of the said study.

6.2 Conclusions

A total of sixty (60) respondents participated in the study. This comprised thirty (30) judges and thirty (30) lawyers. The first part of the questionnaire consisted of information on background of the respondents. It collected information on gender, professional status, qualification and professional experience and the court where they operated from.

The findings of this study revealed that respondents aged 41 and years were the majority that participated in the study. Slightly more males than females participated in the study. There were more undergraduate degree holders that participated in this study and the less experienced were more available for the study than those with many years of experience in the job. Varied information needs of the respondents that included information on case preparation, administration of justice, modern trends in law, statutes, current awareness, general knowledge and job presentation were revealed by the study. Respondents, according to the results of the study looked up to court libraries, personal libraries, online databases, offline databases, decided cases, other legal libraries and colleagues in the profession to fulfill their information needs. However, it was reported by the respondents that they encountered a number of problems in their quest for information including difficult in finding latest information, information not readily available, lack of information diversity, information not easily accessible and poor internet connectivity. The study also revealed that the majority of the respondents' information needs were met to a large extent though a few felt that their information needs were not met adequately. The discrepancy could be attributed to the kind of information sought by the users mostly and how many copies of such a particular resource were available.

The study further observed that the majority of the respondents felt that their sources of information were the institution libraries, personal collection, decided cases, online databases, colleagues and offline databases (KAS Legal). However, in addition to the sources of information mentioned, only a very small number of respondents accessed information from outside institution's sources as the alternative source of information

Furthermore, the study revealed that judges and lawyers experienced challenges in their quest for information which included such things as library information not adequately updated was ranked first as being the biggest challenge to judges and lawyers, information not being readily available was ranked as the second biggest challenge faced by the respondents and lack of diversity in terms of information was ranked as the third biggest challenge faced by judges and lawyers, poor internet connectivity was ranked as the fourth challenge encountered by the judges and lawyers in their pursuit for information and information not being easily accessible was ranked least by the respondents.

The study observed that information is a very important resource for the judges and lawyers and in the event of it not adequately provided, the judges and lawyers work will be affected negatively. Furthermore, it is fundamental that the needs of judges and lawyers are provided efficiently and adequately. Furthermore, the information seeking behavior of judges and lawyers indicated that library staff play a very important role in their quest to access information. The data collected in this study suggested suitable ways of improving the approaches that the law library staff can apply in providing legal reference services, particularly as related to the demand for electronic resources.

6.3 Recommendations

For any institution to be efficiently and effectively managed, it depends on the availability of timely, reliable and relevant information. Superior courts of Zambian judiciary cannot be left out to timely, reliable and relevant information so that informed decisions can be made. The availability of timely, reliable and relevant information needs to the judges and lawyers promotes justice and the rule of law in the land.

These recommendations are based on the findings and analysis of the study:

1. The judiciary management should provide a mechanism that will facilitate the adequate updating of all the information needs of judges and lawyers from time to time so that judges and lawyers can make informed decisions and pass impartial judgments.
2. The library staff should make sure that the classification and cataloguing of information is done adequately so as to facilitate quick access and retrieval of information within the quickest possible time. Information should be accessed in real time. Delay in the accessibility of information needs has a negative effect on the timely and provision of justice.
3. The judiciary institution should facilitate a collection of adversity of information needs available to users. In a modern society where information communication technology has taken the centre place, it is very important that information is stored in various media in addition to the print media. Therefore, information in digital format must be stored so that one single document can be shared by many people at the same time.
4. The Judiciary management should promote improvement on the internet connectivity. An effective and efficient internet service enable the user access information within the possible shortest time and therefore save the time of the user.
5. The judiciary management ought to implement a system that guarantees information needs of the users readily available. Furthermore, the custodians of information must be proactive. They should have an insight of what their users need and make the necessary steps to put that information required in place.

6.4 Suggestions for further research

1. Investigate the work experience needed for some one to work in any of the superior courts of Judiciary, Zambia.
2. Investigate if the number of years worked by judges and lawyers influenced their sources of information.

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APPENDICES
QUESTIONNAIRE



THE UNIVERSITY OF ZAMBIA

DIRECTORATE OF RESEARCH AND GRADUATE STUDIES

Dear respondent,

I am a post – graduate student at the University of Zambia (UNZA) pursuing Master’s Degree in Library and Information Science. I am currently conducting a study on “*Information Needs and Information Seeking Behaviour of Judges and Lawyers: A Study of the Judiciary Superior Courts in Lusaka, Zambia*”.

You have been randomly selected to participate in this research. Be assured that the responses you give will be treated with the utmost confidentiality and only for the purposes of this research.

Thank you for accepting to be a respondent.

Researcher

INSTRUCTIONS

Kindly answer by ticking or writing in the spaces provided.

BACKGROUND INFORMATION

Q1. Gender

a) Male

b) Female

Q2. Number of years worked in the Judiciary

a) Less than five years

b) five to ten years

c) Eleven to Fifteen years

d) Sixteen to twenty years

e) Twenty-one years or more

Q3. What is the highest level of education attained?

a) Bachelor's Degree

b) Master's Degree

c) PhD

d) Other (please specify)

Q4. Which of the following court do you operate from?

a) Supreme Court

b) Constitutional court

c) Court of Appeal

d) High court

Q5. What is your professional status?

a) Judge

b) Lawyers (Research advocate)

INFORMATION NEEDS OF JUDGES AND LAWYERS

(Tick as many as applicable)

Q6. What kind of information do you need?

- a) Case preparation []
- b) How justice is administered []
- c) Information to keep up to date with modern trends in law []
- d) Statutes []
- (e) Current awareness []
- f) General knowledge []
- h) Information which would help to be consistence in the job presentation. []
- i) Other (please specify)

.....

Q7. What kind of information formats do you prefer?

- a) Print Format []
- b) Digital Format []
- c) Both formats []

Q8. How often do you make use of the information resources?

- a) Very often []
- b) Often []
- c) Sometimes []

INFORMATION SEEKING BEHAVIOUR OF JUDGES AND LAWYERS

Q 9. How do you look for information you need?

- a) Consulting previous judgments and rulings []
- b) Consulting the library staff []
- c) Consulting colleagues in the profession []

d) Other (please specify)
.....

Q10. What do you depend on when looking for information?

- a) Personal knowledge
- b) Personal experience
- c) Personal perceptions
- d) Other (please specify)
.....
.....

Q11. What influences your seeking for information needs?

- a) The nature of the work at hand
- b) Experience
- c) Other (specify).....
.....
.....

Q12. What do you do if you don't locate the information needed?

.....
.....

Q 13. To what extent do you think your information needs are met from the court libraries?

- a) To a larger extent
- b) To a large extent
- c) To a lesser extent
- d) To a less extent

Q14. Kindly give a reason to the answer above.

.....
.....

Q15. How can you rate the stock of the libraries in your institution?

- a) Well stocked
- b) Not well stocked
- c) Fairly stocked

Q 16. What are the sources of information you use in your achievement of work?

(Tick as many as applicable)

- a) Library
- b) Personal collection
- c) Decided cases from judicial records
- d) Online data bases
- e) Other libraries
- f) From Colleagues
- g) Offline data bases (KAS Legal)

Q 17. How frequently do you make use of the sources of information needs mentioned in question 13?

- a) Very often
- b) Not often
- c) Other (specify).....

Q 18. Why do you prefer the sources mentioned in question 16?

(You may tick as many as appropriate)

- a) Easily available
- b) Easily accessible
- c) Format applicable to my needs
- d) Provides current information

**CHALLENGES FACED BY JUDGES AND RESEARCH ADVOCATES IN ACCESSING
INFORMATION**

Q20. What kind of challenges do you face in accessing information?

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.....

Q 21. In your opinion, what do you think should be done to mitigate the challenges faced?

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.....
.....

End

Thank you for your time!