

JURIST: Legal history in action

By George H. Pike*

“The fun never stops!” So says University of Pittsburgh law professor Bernard Hibbitts, founder, editor, and publisher of JURIST: Legal News and Research, (<http://jurist.law.pitt.edu>). JURIST is the 2006 winner of the People’s Choice Webby Award for the best law Website. Prof Hibbitts has found a few minutes to talk about JURIST and his vision of what the Web can do. The rest of his day is being spent in the “fun” of managing a complex Website, run primarily by a staff of students, academic volunteers, and “commentators” from around the world.

On this day, those commentators include bloggers, academics, and lawyers from both sides of the conflict between Israel and Hizbollah. The ability to get content and comment from both sides of a conflict or issue, enhance that content, and publish it without bias is the hallmark of what makes JURIST one of the most unique and respected legal content providers on the Web.

Not too bad for a Website that was created on one cold, Pittsburgh morning in February 1996, by a man known primarily as a law professor and legal historian. Prof. Hibbitts, a native of Nova Scotia, Canada, was educated at Dalhousie Law School, the University of Toronto and Harvard Law School, and Oxford University. Prof. Hibbitts’ pre-JURIST work was focused primarily on legal history, with a particular interest in exploring law and communication.

A broad, empty canvas

Hibbitts’ work led him to look at how different forms of communications media influenced the ideas and practice of law. In the early 1990’s, Hibbitts became aware of this new thing called the World Wide Web, a “huge, broad, empty canvas” with enormous potential for instant, international, multi-media communication. Hibbitts’ research had shown him the frustrations of print, particularly for communicating oral, gesture, ritual, art, and other non-written forms of communication. “It’s like walking into an art museum and trying to write a masterpiece by DaVinci. You can’t do it.”

In response, Hibbitts did two things: The first was to write a provocative article entitled, “Last Writes: Reassessing the Law Review in the age of Cyberspace”, published in February 1996 in the New York University Law Review. The article predicted that the traditional printed law review would no longer be a viable communications tool in the Internet world. The article was met with concern by legal scholars, but great interest by librarians and information professionals.

A “Sandbox exercise”

The second thing that Hibbitts did was create JURIST. JURIST started out as nothing more than a simple web page with links to about 10 to 15 other law professors’ Websites. It was finished in one morning. Hibbitts describes it as a “sandbox exercise” to learn

HTML and play in this new media, but recalls that his research assistant told him that he had “created a monster.”

The “monster” analogy proved close to the truth. JURIST grew rapidly as the strengths that Hibbitts saw in the Internet took hold. Almost immediately JURIST began to evolve, taking advantage of what Hibbitts calls the “fungible” nature of the Internet, readily interchangeable, free-ranging, and bound only by the law of unintended consequences.

Clinton’s impeachment

The Clinton impeachment proceedings of 1998 provided the turning point. Initially JURIST just posted a page of links to legal and policy resources. But it soon was more than mere links. Hibbitts and a small crew of students were evaluating, vetting, restructuring, and enhancing those resources. Hibbitts was also able to recruit experts in constitutional law to create additional content by posting commentary on the proceedings and issues, while maintaining an authoritative and non-biased posture. JURIST’s coverage of the impeachment attracted attention from major media outlets including the Wall Street Journal, New York Times and CNN, which put JURIST on the World Wide Web cybermap.

Through the next few years, JURIST continued in this vein with similar efforts in response to the war in Kosovo, the 2000 Presidential election, and in the aftermath of 9/11. However, these efforts also highlighted the limits of JURIST, in that they could only engage in one of these efforts at a time. Limitations of staff and technology prevented Hibbitts from achieving the communications possibilities that he believed JURIST and the Internet could achieve.

In 2003, however, Hibbitts vision of JURIST came closer to reality. JURIST became an early user of news streams, the precursor to RSS feeds. This allowed JURIST to seek out and provide a wider variety of legal news and information from multiple sources. At the same time, blogging technology became available, which allowed Hibbitts, his student volunteers, and other correspondents to develop and power the legal news service without the constraints of knowing HTML, JAVA and other traditional Web development tools.

Refocus

JURIST was re-conceptualized and rebuilt to focus less on law professors and more on using the legal academy to address the legal news and information needs of the world outside. “We turned the telescope around”, Hibbitts says, to use legal scholarship and knowledge as a base for providing enhanced legal information.

The legal news format uses a staff of law student volunteers to “cover an unlimited number of topics” at the same time. Information comes in for an initial showing on JURIST’s front page, then is aggregated by the student editors to one or more internal topical pages to create an ongoing, extensive resource base. The students also “deepen” the news by annotating the articles with source documents such as cases, statutes, policy

statements, video and audio streams, and other raw material which, in Hibbitt's view, is necessary to "document the law to empower people" and help them understand the issues of the day.

The enhanced, topical reporting and extensive resource base have also attracted commentators, policy makers and experts from around the world. These experts are able to provide "op-eds" and other original content in nearly real-time lock-step with the underlying news.

Mideast conflict coverage

This vision is laid out in JURIST's coverage of the conflict between Israel and Hizbollah, currently raging in Lebanon. The JURIST topical page features several news and wire services articles, enhanced by the UN cease-fire resolution and other documents, with a video stream of the UN vote. The UN resolution is analyzed by Northwestern University Professor Anthony D'Amato. Also offering their unique perspectives are faculty members from Hebrew University in Jerusalem and members of the Beirut Bar Association in Beirut, Lebanon.

Running JURIST makes for a long day. Prof. Hibbitts' day starts about 6:30am with a first spin through the news, making assessments about topics and assigning coverage to student reporters and editors. During the work day and even into the evening, Hibbitts and his staff continue to evaluate news, assign projects, and review the student work product that begins to come in.

Hibbitts is also in communication with commentators and policy makers from around the work who are being recruited for, working on, or offering to publish op-eds, forum articles and other original material. Increasingly, Hibbitts and JURIST are being sought for their knowledge and perspective, having recently received questions from Congressionals staffers and others.

And, oh by the way, Prof. Hibbitts also has a "day job" as a law professor at the University of Pittsburgh, teaching Estates and Trusts, Legal History, and a course on "Neteracy for Lawyers."

Voice in your community

Still, he describes the job as fascinating. In his view JURIST leverages its academic roots to provide a public education service, and to be a good ambassador for legal education and the law. Hibbitts likens JURIST as a law classroom that has been taken out of the building, with the Website saying "This is what you should learn today. If you understand this now, you will be better able to realize what's going on and be a better voice in your community."

Hibbitts does not lack for ideas for where to take JURIST. The Internet world that it was born on, grew up on and shaped by requires it to be adaptable. The challenge is time and

money. For the most part, JURIST has been supported as an educational outreach service of the University of Pittsburgh, and through the use of students and volunteers. Some grant and foundation funding is emerging that has allowed the hiring of some staff. Still, Hibbitts describes a “to do” list of 65 very good ideas, only a few of which have been accomplished.

A legal historian

Hibbitts remains a legal historian, however. While he works on JURIST, he still thinks about the historical perspective. JURIST and the Internet are “undiscovered history”, history without a compass capable of sending him in various directions. He doesn’t really know where JURIST will go other than knowing it is what is because of the Internet and will evolve because of the Internet. Hibbitts has a mission to accomplish with JURIST but reflects that JURIST and its mission will need to evolve and change. But that is where the excitement is.

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This text is the author’s final manuscript as submitted for publication. The completed article was published in Volume 23, Issue 9, *Information Today*, at 1, October 2006, and is available online from www.infotoday.com. This article is posted with permission of the author and *Information Today*.