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doi:10.1017/jli.2025.10078

Core Skills & "Cool Tools" from the Third Generation of FCIL Librarians†

Meredith Capps*, Clement Lin**, Devan Orr***, Alison A. Shea****, Loren Turner*****, and Latia Ward******

Abstract

There have been three generations of foreign, comparative, and international law (FCIL) librarians in the United States (US) in the postwar era. FCIL librarians of the first generation were foreign lawyers who emigrated to the US after World War II. Those of the second generation were American lawyer-librarians who built the infrastructure of FCIL librarianship into what it is today. The third generation of FCIL librarians includes the authors of this article. We perform many of the same research tasks as our predecessors, but we do so primarily online through an ever-evolving array of new and emerging technologies. This article discusses some core skills of FCIL librarianship that have remained constant over three generations and highlights some select "cool tools" that FCIL librarians of each generation have utilized to perform their work.

Keywords: FCIL Librarians, FCIL Librarianship, Law Librarians, Law Librarianship, Foreign, Comparative, and International Law Librarians, Foreign, Comparative, and International Law Librarianship

Introduction

Three generations of foreign, comparative, and international law (FCIL) librarians have shaped the field into what it is today. The postwar 20th century gave rise to the first generation of FCIL librarians (Generation One) in the

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† This article evolved from a program presentation the authors conducted at the American Association of Law Libraries (AALL) Annual Meeting in Chicago, Illinois, on July 21, 2024. Additionally, a draft of this article was presented by Devan Orr and Latia Ward during the 17th Annual Conference on Legal Information, Scholarship & Teaching (aka the Boulder Conference, or CoLIST) in Portland, Oregon, on July 18, 2025. The authors would like to thank the CoLIST participants for their valuable comments, particularly Dennis Kim-Prieto, for his thoughtful and supportive feedback.

https://doi.org/10.1017/jli.2025.10078 Published online by Cambridge University Press

United States (US).[1] The FCIL librarians of this generation were born overseas between 1905 and 1935[2] and were educated as foreign lawyers.[3] Since they were "unable to practice law when they emigrated to the United States, [they] sought employment as law librarians."[4] As refugees from World War II, they had foreign-language skills as native speakers, usually in multiple languages, and often legal training in civil law systems.[5] "They built large collections of foreign law materials, created classification systems to organize these collections, produced important scholarship in FCIL, and participated with energy and imagination in the AALL [American Association of Law Libraries]."[6] Unsurprisingly, given the era in which they served,[7] the first generation of FCIL librarians relied on traditional "cool tools" to find and distribute information: print materials (bibliographies,[8] indexes,[9] scholarly books,[10] and articles[11]) and human networks (colleagues and friends).[12] Prominent members of this first generation of FCIL librarians included Jolande Goldberg,[13] Igor Kavass,[14] Simone Kleckner,[15] Blanka Kudej,[16]

[1] Neel Kant Agrawal, "Training in FCIL Librarianship for Tomorrow's World," *Law Library Journal* 105, no. 2 (Spring 2013): 199–229, 203 (noting that despite "long-standing and deep-rooted traditions," FCIL librarianship commenced after World War II).

[2] See *infra* notes 13–23.

[3] See *infra* notes 13–23. But see "Thomas H. Reynolds, 1933–2021, Hall of Fame Induction: 2010," American Association of Law Libraries (AALL), accessed Sep. 15, 2025, https://www.aallnet.org/inductee/thomasreynolds/ (noting Reynolds received a legal education in the United States); "Oral History: Marta Tarnawsky," American Association of Law Libraries (AALL), accessed Sep. 15, 2025, https://www.aallnet.org/fcilsis/about-us/history/oral-histories/marta-tarnawsky/ (stating that Tarnawsky was recruited by Morris Cohen despite not having a legal background).

[4] Penny A. Hazelton, "The Education and Training of Law Librarians," in *The IALL International Handbook of Legal Information Management*, eds. Richard A. Danner and Jules Winterton (Ashgate Publishing, 2011), 43–64, 52.

[5] See, e.g., "Marta Tarnawsky," AALL ("Now my native language is Ukrainian. I am fluent in Polish because I spent my early years in Poland. I knew German rather well. English was pretty good too. I have a good reading knowledge of French and Russian - without a dictionary. […] I had a good basic knowledge of Latin, […]. And of course I was able to handle all Slavic languages, […]."); "Adolf Sprudzs, 1922–2003, Hall of Fame Induction: 2010," AALL, accessed Sep. 15, 2025, https://www.aallnet.org/inductee/adolfsprudzs/ (noting Sprudzs studied law in West Germany, which followed the civil law legal system).

[6] Hazelton, "Education and Training," 52.

[7] "Oral History: Dan Wade," American Association of Law Libraries (AALL), accessed Sep. 15, 2025, https://www.aallnet.org/fcilsis/about-us/history/oral-histories/dan-wade/ (referring to the first generation of FCIL librarians as "librarians of the 70s").

[8] See, e.g., Igor I. Kavass, *Soviet Law in English: Research Guide and Bibliography, 1970–1987* (W.S. Hein, 1988); Blanka Kudej, *The New Law of the Sea: Collection of Bibliographic and Research Resources* (Oceana Publications, 1984).

[9] See, e.g., Vaclav Mostecky and Francis R. Doyle, eds., *Index to Multilateral treaties: A Chronological List of Multi-party International Agreements from the Sixteenth Century Through 1963, with Citations to Their Text* (Harvard Law School Library, 1965).

[10] See, e.g., Adolf Sprudzs, *Information on Recent Treaties: Some Observations on Tools, Techniques, and Problems: The Conventional and the New* (University of Chicago Law School, 1970).

[11] See, e.g., Florence Ferner Zagayko, "International Documentation and Treaty Problems," *Law Library Journal* 43, no. 3 (Aug. 1950): 85–98.

[12] See, e.g., Loren Turner, "Passion Projects in Law Librarianship: A Belated Tribute to Igor Kavass and His Personal Mission to Acquire and Organize U.S. International Agreements," *Law Library Journal* 114, no. 4 (2022): 431–54, 452 (mentioning one of Kavass's tactics in developing a unique dataset of international agreements: "merely placing a telephone call to the State Department").

[13] "Jolande Goldberg, 1931–, Hall of Fame Induction: 2019," American Association of Law Libraries (AALL), accessed Sep. 15, 2025 (https://www.aallnet.org/inductee/jolandegoldberg/). See also David Clark, "Nation Building and Law Collections: The Remarkable Development of Comparative Law Libraries in the United States," *Law Library Journal* 109, no. 4 (Fall 2017): 499–556, 550 (identifying Goldberg as one of several foreign-born lawyers working at the Law Library of Congress and noting that Goldberg was primarily responsible for creating the class K schedules for foreign law holdings).

[14] Turner, "Passion Projects," 442–46.

[15] Simone M. Kleckner, *The Story of a Life Volume 1: Liberty Lost* (Page Publishing, 2015) (stating that the author was born in Romania and graduated with a Romanian law degree before eventually becoming a librarian for the United Nations).

[16] "Blanka Kudej, 1930–, Hall of Fame Induction: 2010," American Association of Law Libraries (AALL), accessed Sep. 15, 2025, https://www.aallnet.org/inductee/blankakudej/.

https://doi.org/10.1017/jli.2025.10078 Published online by Cambridge University Press

Vaclav Mostecky,[17] Thomas H. Reynolds,[18] Kurt Schwerin,[19] Adolf Sprudz,[20] William B. Stern,[21] Marta Tarnawsky,[22] and Florence Ferner Zagayko.[23]

By the late 1980s, the first generation of FCIL librarians was nearing retirement.[24] A report published in 1989 explained that "[t]he environment in which legal information services are being provided is rapidly changing. […] In areas where law librarians and new users are only now becoming adapted to new technologies, certain barriers need to be overcome. […] Although shortages exist in other areas, the most severe personnel need of the legal information community is for foreign law specialists to replace the postwar émigré lawyer-librarians reaching retirement."[25]

The second generation of FCIL librarians (Generation Two) entered the profession around this time, in the late 1980s and early 1990s, as the first generation of FCIL librarians was retiring.[26] Although a few notable members of the second generation were foreign lawyers who arrived with foreign-language skills as native speakers and formal training in civil law legal systems,[27] most FCIL librarians of the second generation developed foreign-language skills through personal study and graduated from American law schools without much formal education in foreign or international law.[28] A few FCIL librarians of the second generation were lucky enough to receive some training in international and foreign law librarianship early in their careers, briefly serving as apprentices to members of the first generation of FCIL librarians before they retired,[29] but training was not comprehensive or

[17] Mila Rechcigl, "In Memoriam: Václav Mostecký (1919–2004)," https://www.academia.edu/12313577/In_Memoriam_V%C3%A1clav_Mosteck%C3%BD_1919_2004_.

[18] "Thomas H. Reynolds," AALL.

[19] "Kurt Schwerin - 90th Birthday," *International Journal of Legal Information* 20, no. 2 (1992): 116–17, https://doi.org/10.1017/S0731126500007496. See also Daniel L. Wade, "The Education, Training and Experience of Foreign and International Law Librarians Now Working in United States Law Libraries," in *Training the Future Generation of International and Foreign Law Librarians: Issue Papers, Summary, Plan*, ed. Judith Wright (American Association of Law Libraries, 1992): 1–19, 5 (n.3) (detailing Schwerin's contributions).

[20] "Adolf Sprudzs," AALL. See also Judith Wright, "Adolf Sprudzs: In Memoriam," *Law Library Journal* 95 no. 3 (2003): 324–25; Larry Wenger, "Adolf Sprudzs and the International Association of Law Libraries," *Law Library Journal* 95, no. 3 (2003): 326–28; Igor I. Kavass, "Adolf Sprudzs and the UST Index," *Law Library Journal* 95, no. 3 (2003): 329–30; Douglas Baird et al., "Remembrances of Adolf Sprudzs," *Law Library Journal* 95, no. 3 (2003): 331–38.

[21] See "William B. Stern, 1910–1972, Hall of Fame Induction 2010, American Association of Law Libraries (AALL), accessed Sep. 15, 2025, https://www.aallnet.org/inductee/williamstern/. See also Hazelton, "Education and Training," 52 (detailing Stern's contributions to the profession).

[22] "Marta Tarnawsky," AALL. See also "Official Obituary of Marta Tarnawsky," Fletcher Nasevich Funeral Home, accessed Sep. 15, 2025, https://www.fletchernasevich.com/obituary/Marta-Tarnawsky.

[23] Hazelton, "Education and Training," 52 (identifying Zagayko as the first FCIL librarian who was appointed at Columbia Law School in 1930). See also Wade, "Education, Training and Experience," 4 (n.3) (detailing Zagayko's contributions to the profession).

[24] Agrawal, "Training in FCIL Librarianship," 206.

[25] Kathie Price, "Setting the Legal Information Agenda for the Year 2000: Preliminary Report of the National Legal Resources Committee," *Law Library Journal* 81, no. 2 (Spring 1989): 349–75, 352–66.

[26] The FCIL librarians of this second generation were born roughly between 1940 and 1965. See, e.g., Mary Rumsey, Jennifer Allison, and Marylin Raisch, "In Memoriam: Three Tributes to Dan Wade," *International Journal of Legal Information* 48, no. 3 (Winter 2020): 105–09, https://doi.org/10.1017/jli.2020.28. See also Lexis Advance, Public Records Search, "Marci B. Hoffman," search conducted Aug. 23, 2025 (noting Hoffman's birth year as occurring in the early 1960s).

[27] See, e.g., "Claire M. Germain, 1951–, Hall of Fame Induction: 2018," American Association of Law Libraries (AALL), accessed Sep. 15, 2025, https://www.aallnet.org/inductee/claire-germain/ (listing an undergraduate degree and a post-graduate law degree from her native France).

[28] See, e.g., "Dan Wade," AALL (remembering Wade took one international law class in law school and learned several foreign languages through his undergraduate, graduate, and religious studies). See also "Oral History: Lyonette Louis-Jacques," American Association of Law Libraries (AALL), accessed Sep. 15, 2025, https://www.aallnet.org/fcilsis/about-us/history/oral-histories/lyonette-louis-jacques/ (noting that Lyo was born in Haiti and spoke Creole as a native speaker but learned other foreign languages in school). But see Mary Thurston, "Adventures, Achievement, and Altruism: Ellen Schaffer, A Model for Law Librarians" (2015), UW Law Digital Commons, accessed Sep. 15, 2025, https://digitalcommons.law.uw.edu/law-lib_borgeson/107/ (stating that one of the best FCIL librarians of the second generation, Ellen Schaffer, did not attend law school).

[29] "Dan Wade," AALL ("My first position was at Vanderbilt. I worked with Igor Kavass for a year, as the government documents librarian and international law librarian—but much more as a government documents librarian. But in the course of

https://doi.org/10.1017/jli.2025.10078 Published online by Cambridge University Press

systematic.[30] According to one scholar, "there was a palpable concern" amongst the FCIL librarians of the second generation;[31] they did not feel capable of providing the same quality of service previously provided by the FCIL librarians of the first generation because they lacked adequate professional training.[32]

This generational shift in FCIL librarianship coincided with two significant changes in the FCIL information landscape: (1) the rise of globalization, which led the American legal academy to recognize the practical importance of an education that included foreign, comparative, and/or international law;[33] and (2) the digital revolution, which enabled public access to the World Wide Web[34] and publication of FCIL materials in nontraditional formats, those being CD-ROMs and/or online databases.[35]

On the ground in law libraries, these changes within the legal academy and the publishing world meant that FCIL librarians of the second generation received a greater volume of research requests covering a broader breadth of

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the year, I became his research assistant, and he gave me a great deal of training in the course of doing that research and working on his writing. I learned a great deal about foreign and international legal bibliography."). See also "Lyonette Louis-Jacques," AALL (recalling she completed an apprenticeship under Adolf Sprudzs and also participated in a practicum for UN documents that included visiting several European countries); "Oral History: Tim Kearley," American Association of Law Libraries (AALL), accessed Sep. 15, 2025, https://www.aallnet.org/fcilsis/about-us/history/oral-histories/tim-kearley/ (stating he was "lucky to have Dolph Sprudzs" as a mentor); "Introducing … Marci Hoffman as the January 2016 FCIL Librarian of the Month," *DipLawMatic Dialogues* (blog), Jan. 8, 2016, https://fcilsis.wordpress.com/2016/01/08/introducing-marci-hoffman-as-the-january-2016-fcil-librarian-of-the-month/ ("When I started at Berkeley Law (then called Boalt) in 1991, I learned a lot by watching what Tom Reynold[s] did (Tom wasn't big on sharing in those days). I followed him around the stacks, peered over his shoulder and took lots of notes.").

[30] See Claire Germain, "Draft Plan: Training Foreign and International Law Librarians: The Next Generation," in *Training the Future Generation of International and Foreign Law Librarians: Issue Papers, Summary, Plan*, ed. Judith Wright (American Association of Law Libraries, 1992), 1–20, 3 (arguing for a series of training institutes as a "special, coordinated effort" to "provide sound and overall grounding in all facets of foreign and international law" to "replace skills lost because of retirement").

[31] Agrawal, "Training in FCIL Librarianship," 207.

[32] Betty Taylor, "Foreign and International Law Librarians Training the Next Generation: Responses to a Survey Conducted by the AALL National Legal Resources Committee," in *Training the Future Generation of International and Foreign Law Librarians: Issue Papers, Summary, Plan*, ed. Judith Wright (American Association of Law Libraries, 1992), 1–9, 1 ("The shortage of trained and knowledgeable foreign and international law librarians has been a concern for some years. As more and more of the present generation of these specialized law librarians nears retirement, this shortage is becoming more acute."). See also Ellen G. Schaffer, "Issue Paper: The Scope and Focus of International and Foreign Law Collections in United States Law Libraries," in *Training the Future Generation of International and Foreign Law Librarians: Issue Papers, Summary, Plan*, ed. Judith Wright (American Association of Law Libraries, 1992): 1–6, 5–6 (arguing that law libraries should not feel pressured to hire "cookie cutter" versions of FCIL librarians, but that she knew of two recent hires who had little to zero knowledge of international law and required institutional support to pursue formal personalized training); Lyonette Louis-Jacques, "Challenges of the Nineties and Beyond: An Issue Brief," in *Training the Future Generation of International and Foreign Law Librarians: Issue Papers, Summary, Plan*, ed. Judith Wright (American Association of Law Libraries, 1992), 1–19, 1 ("How do we deal with the expectations of clientele used to foreign law librarians who were fluent in 5 or more languages, who were educated in civil law systems, who could solicit gifts and impress foreign visitors because of their knowledge of a language or culture, who performed all functions […] connected with FCIL publications and documents from all non-U.S. jurisdictions, who are faced with newer librarians with fewer such skills or with multiple librarians performing what one used to do?").

[33] Germain, "Draft Plan," 5 (characterizing the "increasing internationalization of U.S. law" as a "revolutionary factor" that required specialized training for a "next generation" of FCIL librarians). See also Abra Chayes, "Luncheon Address," *American Law Institute Proceedings, 66th Annual Meeting*, 173–80, 176 (May 17, 1989) ("We are, I believe, in the midst of a fundamental transformation of the American legal system, from one that is essentially national in character to one with decisive international and transnational components.").

[34] CERN, "A Short History of the Web," accessed Sep. 15, 2025, https://home.cern/science/computing/birth-web/short-history-web#:~:text=On%2030%20April%201993%2C%20CERN,%2Dmail%20and%20file%20transfer (noting Apr. 30, 1993, as the day that CERN released the source code for the World Wide Web).

[35] See, e.g., Timothy Kearley, Lyonette Louis-Jacques, and Bernard Scherr, "The Demands of Foreign, Comparative, and International Law Research on Academic Law Libraries," in *Training the Future Generation of International and Foreign Law Librarians: Issue Papers, Summary, Plan*, ed. Judith Wright (American Association of Law Libraries, 1992): 1–8, 5–7 (noting the increased number of CD-ROMS and databases on foreign and international law, but regretting there wasn't yet a common "search engine" that could search across them).

https://doi.org/10.1017/jli.2025.10078 Published online by Cambridge University Press

topics and jurisdictions than the FCIL librarians of the first generation.[36] Additionally, FCIL librarians of the second generation had to seek information in far more source types and formats than FCIL librarians of the first generation. Some were even expected to teach a course in FCIL research.[37] The overwhelming scope of presumed expertise in FCIL information, coupled with the lack of formal training, eventually led FCIL librarians of the second generation[38] to demand more support from their professional association, the American Association of Law Libraries (AALL).[39] Their efforts were successful, resulting in a formal training program, which consisted of five institutes intended to offer a comprehensive education in FCIL librarianship.[40] Each institute had its own subject focus (foreign legal systems, international organizations, transnational legal transactions, tax and business, and public international law) and a curriculum that included public services and technical services components designed to train the "whole librarian."[41] FCIL librarians of the second generation participated in the institutes as both instructors and students, forming a tight-knit collective of shared knowledge, and they eventually published the training materials as self-instruction manuals on foreign, comparative, and/or international law and legal research.[42]

As FCIL librarians of the second generation developed in their careers, they discovered and embraced the primary "cool tool" of their era as a means to identify and distribute FCIL sources and knowledge: the internet. They became adept at searching the World Wide Web, and they created electronic research guides, hosted freely on institutional websites, to highlight important print and digital sources on a plethora of FCIL topics.[43] Additionally, FCIL librarians of the second generation stayed current with (and sometimes helped create and maintain) an array of FCIL information databases;[44] they listed these databases in their FCIL research course textbooks, along with tips on

[36] Kearley et al., "The Demands," 1–2 (offering statistics to show there were more FCIL courses in law school curricula and more faculty interested in FCIL topics for teaching and research). See also Sally H. Wise, "Issue Paper: The Need for Access to Foreign and International Legal Materials and Expertise by Libraries that Do Not Possess Collections and Expertise in These Subject Areas," in *Training the Future Generation of International and Foreign Law Librarians: Issue Papers, Summary, Plan*, ed. Judith Wright (American Association of Law Libraries, 1992), 1–5, 1–2 (surveying academic law libraries to confirm that more law schools were establishing international law journals, participating in international moot courts, adding international law courses to the curriculum, collaborating with international "centers," and supporting faculty research in foreign and international law, and that academic law libraries were in the "beginning stages of responding to these needs").

[37] See, e.g., "Marta Tarnawsky," AALL (stating that she and her professional assistant, Maria Smolka, who eventually succeeded her, created the first course on foreign and international legal research offered in an American law school).

[38] FCIL librarians of the second generation called themselves "the next generation" and/or "the future generation." See, e.g., Judith Wright, ed., *Training the Future Generation of International and Foreign Law Librarians: Issue Papers, Summary, Plan* (American Association of Law Libraries, 1992). See also Lyonette Louis-Jacques, "So You Want to Be a Foreign Law Librarian," *SLAW* (blog), May 16, 2018, https://www.slaw.ca/2018/05/16/so-you-want-to-be-a-foreign-law-librarian/ (explaining that she was recruited as a "Next Generation Foreign Law Librarian" in 1986).

[39] Germain, "Draft Plan," 5–6 (revealing the plan, developed in sessions between FCIL specialists and members of the AALL's National Legal Resources Committee, for a formal training program).

[40] Germain, "Draft Plan," 7 ("The first and foremost component in the training program for foreign and international law librarians is the sequence of five institutes to be held during the course of three years, presenting a set of topics designed to be comprehensive and to provide a panoramic perspective of all areas of foreign and international law.").

[41] Germain, "Draft Plan," 7–8 (crediting Lyonette Louis-Jacques as coining the term "whole librarian").

[42] See, e.g., Richard A. Danner and Marie-Louise H. Bernal, eds., *Introduction to Foreign Legal Systems* (Oceana Publications, 1994); Marylin J. Raisch and Roberta I. Shaffer, eds., *Introduction to Transnational Legal Transactions* (Oceana Publications, 1995); Gitelle Seer and Maria I. Smolka-Day, eds., *Introduction to International Business Law: Legal Transactions in a Global Economy* (Oceana Publications, 1996); Lyonette Louis-Jacques and Jeanne S. Korman, eds., *Introduction to International Organizations* (Oceana Publications, 1996); Ellen G. Schaffer and Randall J. Snyder, eds., *Contemporary Practice of Public International Law* (Oceana Publications, 1997).

[43] See, e.g., Marylin J. Raisch, "The Wide World of the World-Wide Web: International Law Resources on the Internet: A Description of Web Browsers and Search Engines," *International Journal of Legal Information* 24, no. 1 (Spring 1996): 97–104, https://doi.org/10.1017/S0731126500000111. See also the research guides on the LLRX platform, the guides on the GlobaLex platform, and the foreign and international guides on the Georgetown Law Library's website. See also "Lyonette Louis-Jacques," AALL ("electronic resources have transformed the nature of our scholarship"); "Tim Kearley," AALL ("[I]t's great to be able to have various websites with links to all these different sources; you can get treaty texts, and all sorts of other documents that would've been pretty obscure and difficult to get outside of major research libraries.").

[44] Examples are the *Foreign Law Guide* (FLG) and the *Index to Foreign Legal Periodicals* (IFLP). Both of these sources were originally published in print by FCIL librarians of the first and second generations and eventually evolved into online-only

https://doi.org/10.1017/jli.2025.10078 Published online by Cambridge University Press

how to apply sophisticated search strategies to navigate the databases effectively.[45] Despite increasing reliance on digital sources, though, FCIL librarians of the second generation recognized the threat to information literacy standards online[46] and continued to revere traditional sources, both print materials and human connections.[47] Prominent members of the second generation of FCIL librarians included Francisco Avalos,[48] Victor I. Essien,[49] Claire Germain,[50] Marci Hoffman,[51] Lyonette Louis-Jacques,[52] Radu Popa,[53] Jonathan Pratter,[54] Marylin J. Raisch,[55] Jeanne Rehberg,[56] Mary Rumsey,[57] Ellen G. Schaffer,[58] Maria Smolka-Day,[59] and Daniel Wade.[60]

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sources maintained by FCIL librarians of the second and third generations. For more background on the FLG, see Marcelo Rodriguez, "A Global Legal Research Lifeline: The Evolution and Impact of the Foreign Law Guide (FLG)," *SLAW* (blog), May 30, 2025, https://www.slaw.ca/2025/05/30/a-global-legal-research-lifeline-the-evolution-and-impact-of-the-foreign-law-guide-flg/. For more background on the IFLP, see Aamir Abdullah et al., "The Index to Foreign Legal Periodicals: A Not So Foreign Concept," *AALL Spectrum* 30, no. 1 (Sep./Oct. 2025): 14–18.

[45] See, e.g., Marci Hoffman and Mary Rumsey, *International and Foreign Legal Research: A Coursebook*, 2nd ed. (Martinus Nijhoff, 2012).

[46] See, e.g., "Oral History: Francisco Avalos," American Association of Law Libraries (AALL), accessed Sep. 15, 2025, https://www.aallnet.org/fcilsis/about-us/history/oral-histories/francisco-avalos/ ("We did not have the [Internet] back when we got started. Now it is just a matter of being able to identify quality materials on the Internet. There are materials on the Internet that are not so good but there are also good quality materials too.").

[47] Holger Knudsen, "Collection Building: Foreign, Comparative and International Law in Print," in *The IALL International Handbook of Legal Information Management*, eds. Richard A. Danner and Jules Winterton (Ashgate Publishing, 2011), 247–62, 247 ("While it is true that digital materials gain an ever more important place in the field of information provision, it is also true that printed materials still play an important role."). See also Marylin J. Raisch, "Shaping Electronic Collections in Foreign, Comparative and International Law," in *The IALL International Handbook of Legal Information Management*, eds. Richard A. Danner and Jules Winterton (Ashgate Publishing, 2011), 263–80, 263 ("Researchers in international and foreign law currently rely on both large digital archives and on […] a 'think net' […] [in which] officials in government, intergovernmental organisations, advocates and experts connect virtually, integrating text, images and sound by posting the primary documents of international or local law as well as interpretive, analytical and critical commentary."); "Tim Kearley," AALL (noting that having access to listservs and emails to contact colleagues made "the whole process so much easier" because those communications were free, unlike a long-distance phone call, and less intimidating than cold-calling someone).

[48] "Francisco Avalos," AALL.

[49] See, e.g., Victor I. Essien, "Customary Law and Western Legal Influences in Modern-Day Africa (Case Studies from Ghana and Nigeria," in *Introduction to Foreign Legal Systems*, eds. Richard A. Danner and Marie-Louise H. Bernal (Oceana Publications, 1994): 171–204.

[50] "Claire M. Germain," AALL.

[51] "Marci Hoffman, "Hall of Fame Induction: 2025," American Association of Law Libraries (AALL), accessed Sep. 15, 2025, https://www.aallnet.org/inductee/marci-hoffman/. See also Hoffman and Rumsey, *International and Foreign Legal Research*; Marci Hoffman, *International and Foreign Legal Research in a Nutshell*, 4th ed. (West Academic, 2025).

[52] "Lyonette Louis-Jacques," AALL.

[53] See, e.g., Jeanne Rehberg and Radu Popa, eds., *Accidental Tourist on the New Frontier: An Introductory Guide to Global Legal Research* (F.B. Rothman, 1997).

[54] Jonathan Pratter, "From the Reference Desk: Reflections on 35 Years as an FCIL Librarian," *DipLawMatic Dialogues* (blog), Feb. 22, 2022, https://fcilsis.wordpress.com/2022/02/22/from-the-reference-desk-reflections-on-35-years-as-an-fcil-librarian/.

[55] See, e.g., Raisch and Shaffer, eds., *Introduction to Transnational Legal Transactions.*

[56] Rehberg and Popa, *Accidental Tourist.*

[57] Mary Rumsey, "Foreign and International Law Librarianship," *Legal Reference Services Quarterly* 25, no. 2–3 (2006): 73–88, https://doi.org/10.1300/J113v25n02_03. See also Hoffman and Rumsey, *International and Foreign Legal Research.*

[58] Thurston, "Adventures."

[59] "Marta Tarnawsky," AALL ("Maria Smolka was the professional assistant that I hired. Then she took over my job, which was very good. It's a good thing to hire somebody ahead of time before you retire, so they can take over your job, and it doesn't become a crisis."). See also "Introducing … Gabriela Femenia as the April 2017 FCIL Librarian of the Month," *DipLawMatic Dialogues* (blog), Apr. 3, 2017, https://fcilsis.wordpress.com/2017/04/03/introducing-gabriela-femenia-as-the-april-2017-fcil-librarian-of-the-month/ ("I was fortunate that one of the law librarians I met before library school was an FCIL librarian, Maria Smolka-Day. She convinced me that it would be a great fit for me, assuming there was a job open when I graduated, which she cautioned might not be the case. Ironically enough, it was her job that was open, as she retired that year.").

[60] "Dan Wade," AALL.

https://doi.org/10.1017/jli.2025.10078 Published online by Cambridge University Press

The authors of this article are FCIL librarians of the third generation (Generation Three). We are the FCIL librarians active in the profession now, five years after the COVID-19 pandemic. Most of us were born and educated in the US and developed an interest in foreign and/or international law while in American law schools, but some FCIL librarians of our generation are foreign lawyers who arrived with foreign-language skills as native speakers and formal training in civil law systems. Regardless of our varied paths to the profession, we arrived with the same professional values as FCIL librarians of prior generations[61] and have access to an array of self-instruction materials about FCIL research and librarianship.[62]

Like our predecessors, some of us do not have formal FCIL librarian titles,[63] but we perform core skills of FCIL librarianship as modeled by the first generation of FCIL librarians and as articulated by the second generation of FCIL librarians in their scholarship.[64] We use various "cool tools" to perform our work. Some of these "cool tools" are classic holdovers from the prior generation; others are new resources that integrate an emerging technology that may eventually define us as a generation: artificial intelligence (AI).

This introduction has provided a broad overview of the three generations of FCIL librarians. The pages that follow will examine these three generations in more detail by exploring how their members performed and perform core skills of FCIL librarianship: treaty research, translating foreign-language materials, locating documents from international organizations and specialized areas of public international law, and identifying private international law sources to resolve cross-border disputes.[65] In describing how the generations of FCIL librarians performed and perform their work, this article will highlight select sources, or "cool tools," which they consulted along the way and in some cases still consult today.[66] This article will conclude with a rallying call for continued evaluation of FCIL "cool tools" throughout the profession and increased opportunities for training the FCIL librarians of this generation and beyond.

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[61] See, e.g., Charlotte Daugherty, "Making Foreign, Comparative, and International (FCIL) Materials Accessible Through Collaborative Enterprise," *Legal Reference Services Quarterly* 40, no. 1 (2021): 58–79, https://doi.org/10.1080/0270319X.2021.1914502 (providing multiple examples of collaborative projects amongst FCIL librarians of prior generations and reiterating the importance of collaboration to new librarians interested in FCIL).

[62] See *infra.* See also "Tim Kearley," AALL ("So I think certainly you need continuing education, although as I said, I think it would be a lot easier to self-educate now with the materials that are available on the web than it was back in the 'olden days.'").

[63] Hazelton, "Education and Training," 52 ("The number of foreign law specialists in American law libraries during and after the war years is unknown, but it is clear that they worked in a variety of roles in different types of law libraries."). See also "Francisco Avalos," AALL ("One of the changes that I've seen in my profession, too, is when we first got started, there were people whose titles were foreign and international law librarian, and that is what they did. But now, there has been a change. Now, foreign and international law librarians are asked to do many other things too. I have to teach first year legal research. I do regular reference. More and more has been asked of us […]. I have also seen people who do not have the title of foreign and international law librarian doing this on their own and they do work with foreign and international law.").

[64] See, e.g., Danner and Bernal, eds., *Introduction to Foreign Legal Systems*; Raisch and Shaffer, eds., *Introduction to Transnational Legal Transactions*; Seer and Smolka-Day, eds., *Introduction to International Business Law*; Louis-Jacques and Korman, eds., *Introduction to International Organizations*; Schaffer and Snyder, eds., *Contemporary Practice of Public International Law*; Hoffman and Rumsey, *International and Foreign Legal Research*; Anthony S. Winer, Mary Ann E. Archer, and Lyonette Louis-Jacques, *International Law Legal Research* (Carolina Academic Press, 2013); Hoffman, *International and Foreign Legal Research in a Nutshell*; Rumsey, "Foreign and International Law Librarianship"; Daniel Wade, "Wisdom from Mount Nebo (Hiei): Advice to a Young Person Aspiring to Become a Foreign and International Law Librarian," *Legal Reference Services Quarterly* 25, no. 2–3 (2006): 51–71, https://doi.org/10.1300/J113v25n02_02.

[65] This article evolved from the authors' participation in a conference program called *FCIL Cool Tools: Existing and Emerging Technologies for Around the World*, which was presented at the American Association of Law Libraries Annual Meeting in Chicago, Illinois, on July 21, 2024 [https://perma.cc/SKQ4-U5FU]. The core skills discussed in this article reflect a selection of core skills discussed during the program.

[66] This article evolved from the authors' participation in a conference program called *FCIL Cool Tools: Existing and Emerging Technologies for Around the World*, which was presented at the American Association of Law Libraries Annual Meeting in Chicago, Illinois, on July 21, 2024 [https://perma.cc/SKQ4-U5FU]. The "cool tools" identified and analyzed in this article reflect a selection of "cool tools" discussed during the program.

https://doi.org/10.1017/jli.2025.10078 Published online by Cambridge University Press

CORE SKILL: TREATY RESEARCH

Definition of Treaties

A key skill for FCIL librarians is the research of treaties. Treaties are binding agreements between nations and are known by several names, such as conventions, international agreements, covenants, protocols, etc.[67] Treaties may be bilateral (between two nations) or multilateral (between three or more nations).[68] The Vienna Convention defines a treaty as "an international agreement concluded between States in written form and governed by international law, whether embodied in a single instrument or in two or more related instruments and whatever its particular designation."[69] While there are different names for treaties (such as agreements, conventions, and protocols), these names are often used interchangeably with no impact on the legal significance of the document. However, conventions have broad application and are usually multilateral,[70] and protocols may refer to agreements made after a treaty becomes effective.[71]

Even still, States may have their own definitions of treaties. For example, according to the US Constitution, a treaty is an international agreement that is confirmed by two-thirds of the Senate and signed by the President,[72] which is a narrower definition of treaty than that of the Vienna Convention.[73] However, the US also recognizes international agreements called "executive agreements," which are signed by the President when the President is acting under the authority of a federal statute, "congressional executive agreements,"[74] and "sole executive agreements," which are executive agreements that the President makes and signs without any input from Congress.[75] Per the United Nations (UN) Charter, all treaties of member States should be published and registered.[76] Treaty research strategies have adapted to the addition of electronic resources for legal research, and there are many resources for accessing treaties. What follows is an overview of treaty research and then a discussion of the FLARE Index to Treaties and its place in treaty research.

Overview of Treaty Research

Textbooks, Research Guides, and Other Open-Access Sources

Researching treaties is a critical FCIL skill, and there are many sources and strategies for researching treaties. Law librarians research where and how to find treaties at the request of patrons in a variety of law libraries (academic, firm, and public) and in some cases provide instruction to students on the importance of treaties and where and how to find them. Law students become lawyers who may practice in the area of international law. Lawyers may need to provide legal advice to their clients who may be governments or people whose dealings involve a need to know how agreements among nations affect their lives. For example, a lawyer representing a government trying to prosecute a person accused of a crime may need to know if there are extradition treaties that are applicable

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[67] Hoffman and Rumsey, *International and Foreign Legal Research*, 2nd ed., 81.

[68] Hoffman and Rumsey, *International and Foreign Legal Research*, 2nd ed., 81.

[69] Vienna Convention on the Law of Treaties, May 23, 1969, 1155 UNTS 311, art. 2, sec. 1(a), at 3, https://legal.un.org/ilc/texts/instruments/english/conventions/1_1_1969.pdf.

[70] Winer et al., *International Law Legal Research*, 83.

[71] Winer et al., *International Law Legal Research*, 86 (citing James R. Fox, *Dictionary of International and Comparative Law*, 3rd ed. [Oceana Publications, 2003], 267).

[72] U.S. Const., art. II, § 2.

[73] Hoffman and Rumsey, *International and Foreign Legal Research*, 2nd ed., 84 (citing *Treaties and Other International Agreements: The Role of the United States Senate: A Study, prepared for the Committee on Foreign Relations, United States Senate*, S. Print 106–71 [2001]), https://www.gpo.gov/fdsys/pkg/CPRT-106SPRT66922.pdf (The URL in the original citation no longer works.) [https://www.congress.gov/106/cprt/SPRT66922/CPRT-106SPRT66922.pdf] [archive.is/wip/RryWQ].

[74] Winer et al., *International Law Legal Research*, 85 (citing Louis Henkin, *Foreign Affairs and the US Constitution*, 2nd ed. [Oxford University Press, 1996], 215).

[75] Winer et al., *International Law Legal Research*, 85–86 (citing Louis Henkin, *Foreign Affairs and the US Constitution*, 2nd ed. [Oxford University Press, 1996], 219).

[76] U.N. Charter, art. 102 ¶ 1, ¶ 2, https://www.un.org/en/about-us/un-charter/full-text [https://archive.is/7I3Oh].

https://doi.org/10.1017/jli.2025.10078 Published online by Cambridge University Press

and where to find these treaties. Textbooks dealing with international law research[77] and research guides (many of which are produced by academic law libraries)[78] provide instruction on researching treaties.

In the 21st century, the full texts of many treaties are available online in open-access databases or in subscription databases that have digitized treaties. For example, texts of treaties may be available through open-access governmental websites such as that of the US Department of State's Office of Treaty Affairs, which has the texts of treaties and agreements from 1981 to 2024.[79] Often, other nations maintain the texts of treaties to which they are a party on open-access, government-sponsored websites. For example, treaties from the *Canada Treaty Series* are available on a Government of Canada website.[80] The texts of over 180,000 bilateral and multilateral treaties are available in the subscription database World Treaty Library, which is available in HeinOnline.[81] Other treaties between nations, pertinent to a certain time period or having to do with certain subject matter such as environmental law or arms regulation, are available through open-access sources like the United Nations Treaty Collection,[82] Yale Law School's Avalon Project,[83] the UN's ECOLEX,[84] and the UN Office for Disarmament Affairs Treaty Database.[85]

How Three Generations of Librarians Have Researched Treaties

Reviewing how three generations of FCIL librarians have described researching treaties, we see how the process of researching treaties has evolved over time. Generation One, which conducted research in the 1970s and 1980s, was conducting research in a world where print materials were preferred and predominated (although subscription databases existed). Generation Two, which conducted research from the 1990s to approximately 2010, was still relying primarily on print resources; however, internet-based resources and subscription databases moved from being novelties to being sources for quick access to updated materials. Generation Three, which has conducted research from 2010 to the present, has not discarded official print materials; however, internet resources and subscription databases from reputable sources are *de rigueur.* There is overlap among the generations, as some authors who were actively conducting research during the time of Generation One continued conducting research during the periods of Generations Two and Three.

Generation One. Generation One found treaties almost exclusively by using indexes in print and collections of treaties in print. Writing in 1976, in *How to Find the Law*, Vaclav Mostecky recommended the *United Nations Treaty Series* (UNTS), which he noted was incomplete, which delayed publishing some treaties and did not publish

[77] Hoffman and Rumsey, *International and Foreign Legal Research*, and Winer et al., *International Law Legal Research.*

[78] There are many more research guides. However, here are several: "Treaty Research," Georgetown Law Library, archived Aug. 10, 2017, at https://web.archive.org/web/20170810033102/http://guides.ll.georgetown.edu/TreatyResearch; "International Law: General Sources: United Nations & League of Nations treaties," New York University Law Library, accessed Sep. 15, 2025, https://nyulaw.libguides.com/c.php?g=773832&p=5551918 [https://archive.is/GQHzb]; "European Union Research: Treaties," New York University Law Library, accessed Sep. 15, 2025, https://nyulaw.libguides.com/european_union_updated/treaties [https://archive.is/PY6Zp]; "Historical Treaties," Arthur W. Diamond Law Library, accessed Sep. 15, 2025, https://guides.law.columbia.edu/historicaltreaties; "Treaties," Arthur W. Diamond Law Library, accessed Sep. 15, 2025, https://guides.law.columbia.edu/c.php?g=1221813&p=9282039 [https://archive.is/Cnkr3].

[79] "Treaties and Other International Acts Series (TIAS)," US Department of State, Office of Treaty Affairs, accessed Sep. 15, 2025, https://www.state.gov/tias/ [https://archive.is/FcApM].

[80] "Canada Treaty Series," Government of Canada, accessed Sep. 15, 2025, https://www.treaty-accord.gc.ca/cts-rtc.aspx?lang=eng [https://archive.is/xlGAy].

[81] "World Treaty Library," HeinOnline, accessed Sep. 15, 2025, https://home.heinonline.org/content/World-Treaty-Library/ [https://archive.is/OAxv1].

[82] "United Nations Treaty Collection," United Nations, accessed Sep. 15, 2025, https://treaties.un.org/ [https://archive.is/7FaMR].

[83] "The Avalon Project: Documents in Law, History, and Diplomacy," Yale Law School, Lillian Goldman Law Library, accessed Sep. 15, 2025, https://avalon.law.yale.edu/default.asp [https://archive.is/RpNtK].

[84] "ECOLEX," Food and Agriculture Organization of the United Nations, International Union for Conservation of Nature, and United Nations Environment Programme, accessed Sep. 15, 2025, https://www.ecolex.org/ [https://archive.is/y459f].

[85] "United Nations Office for Disarmament Affairs Treaty Database," United Nations, accessed Sep. 15, 2025, https://treaties.unoda.org/.

https://doi.org/10.1017/jli.2025.10078 Published online by Cambridge University Press

other treaties at all.[86] While noting that indexes are useful because they can be searched chronologically by signature date, chronologically by list of multilateral agreements, and alphabetically by country and subject, Mostecky also observed that publication of the citation to the full text of a treaty in an index is not immediate.[87] Writing five years later, in 1981, in *Fundamentals of Legal Research*, J. Myron Jacobstein and Roy M. Mersky still recommended print indexes and treaty collections—namely, collections of treaties in the *Treaties and Other International Acts Series* (TIAS) and *United States Treaties and Other International Agreements* (UST);[88] indexes of treaties in *Treaties in Force* (TIF), which is published by the US Department of State;[89] and collections of treaties (regardless of whether the US is a party), such as the *Consolidated Treaty Series* (CTS), UNTS, the *League of Nations Treaty Series* (LNTS), which is one of the earliest treaty indexes, and *Major Peace Treaties of Modern History* (among other sources),[90] which all have indexes.[91]

Generation Two. With the second generation of FCIL librarians, print resources still predominated. However, internet-based resources such as web pages and online databases came to be seen as items of value to speed up the research process, with the caveat that these items should come from reputable sources. In the sixth edition of *Fundamentals of Legal Research*, published in 1994, Jacobstein, Mersky, and Donald J. Dunn noted that researchers should still search for treaties to which the US is a party in TIAS and UST.[92] Jacobstein, Mersky, and Dunn mentioned a "recent development" in 1993, a database of US international agreements in Westlaw that was available then and contained treaties dating from 1979 to the present, although "coverage is spotty."[93] Writing for the *Law Library Journal* in 1997, Jonathan Pratter acknowledged the "advent of the digital dispensation"[94] and recommended *Multilateral Treaties Deposited with the Secretary-General* in print, yet noted that constant updates to treaties in the source could be found on the UN's home page.[95] Writing in the seventh edition of *Fundamentals of Legal Research* in 1998, Jacobstein, Mersky, and Dunn still recommended TIAS and UST as sources for treaties to which the US is a party.[96] However, this time they mentioned resources from both leading subscription databases for legal research (Lexis and Westlaw) as a "supplement" and not a "substitute" for print research.[97] The authors continued to recommend UNTS, LNTS, and CTS as some of the other sources of treaties published by non-US publishers.[98]

Generation Three. The third generation of FCIL librarians still references official print sources, yet internet-based sources are more fully integrated into the research process and in some cases are actually a substitute for print research. Writing in 2013, a time when internet searches had become commonplace, Anthony S. Winer,

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[86] Vaclav Mostecky, "International Law," in *How to Find the Law*, 7th ed., ed. Morris L. Cohen (West Publishing, 1976), 419.

[87] Mostecky, "International Law," 419.

[88] J. Myron Jacobstein and Roy M. Mersky, *Fundamentals of Legal Research*, 2nd ed. (Foundation Press, 1981), 373.

[89] Jacobstein and Mersky, *Fundamentals of Legal Research*, 2nd ed., 375.

[90] Jacobstein and Mersky, *Fundamentals of Legal Research*, 2nd ed., 386–87.

[91] Today, the indexes, as well as many of the League of Nations and UN treaties, are available at the official website of the UN. "United Nations Treaty Series Cumulative Index," United Nations Treaty Collection, United Nations, accessed Sep. 15, 2025, https://treaties.un.org/Pages/CumulativeIndexes.aspx?clang=_en [https://archive.is/e68ky] and "UN International Law Documentation," Dag Hammarskjöld Library, United Nations, updated Jan. 22, 2025, https://research.un.org/en/docs/law/treaties [https://archive.is/pXxoe].

[92] J. Myron Jacobstein, Roy M. Mersky, and Donald J. Dunn, *Fundamentals of Legal Research*, 6th ed. (Foundation Press, 1994), 464–65. At the time, TIAS was five years behind, and UST was ten years behind.

[93] Jacobstein et al., *Fundamentals of Legal Research*, 6th ed., 465.

[94] Jonathan Pratter, "Treaty Research Basics," *Law Library Journal* 89, no. 3 (Summer 1997): 407–13, 409. Pratter notes "that the standard mode of treaty publication has, until the advent of the 'digital dispensation,' always been the treaty series, in one or another of its manifestations."

[95] Pratter, "Treaty Research Basics," 411 (citing Martin Cerjan, "How Can I Find the Current Status of a Treaty Called the 'Convention on the Rights of the Child?,'" *Perspectives: Teaching Legal Research and Writing* 5 [1997]: 79, and "United Nations Treaty Collection," United Nations, accessed June 2, 1997, www.un.org/Depts/Treaty/).

[96] J. Myron Jacobstein, Roy M. Mersky, and Donald J. Dunn, *Fundamentals of Legal Research*, 7th ed. (Foundation Press, 1998), 478.

[97] Jacobstein et al., *Fundamentals of Legal Research*, 7th ed., 480.

[98] Jacobstein et al., *Fundamentals of Legal Research*, 7th ed., 486.

https://doi.org/10.1017/jli.2025.10078 Published online by Cambridge University Press

Mary Ann E. Archer, and Lyonette Louis-Jacques described both print-based and internet-based research,[99] yet warned of the disadvantages of what they called "generalized search methods" (e.g., using the Google search engine and Wikipedia to search for treaties).[100] For the text of these treaties, the authors recommended the *United States Statutes at Large*, TIAS (and suggested the US Department of State's website), and UST.[101] For researching treaties regardless of whether the US is a party, the authors recommended the established sources that prior generations of librarians had recommended, although there was a greater emphasis on internet-based resources. For example, the authors recommended navigating to the UNTS website and additional websites, including the FLARE Index to Treaties and *International Legal Materials* (ILM) in Lexis and Westlaw.[102]

In the tenth edition of *Fundamentals of Legal Research*, published in 2015, authors Steven M. Barkan, Barbara A. Bintliff, and Mary Whisner noted that the internet had not changed the sources, but it had changed research by making documents that were once hard to obtain easily accessible.[103] For finding treaties to which the US is a party, they mentioned the same sources as other librarians (TIAS and UST), the US Department of State's website, and subscription databases as resources for finding the texts of treaties.[104]

Writing in 2018, Heidi Frostestad Kuehl and Megan A. O'Brien recommended that researchers first search on the internet for the text of a treaty and then consult an index to find a treaty's official title.[105] This is an example of the generalized search method that Winer, Archer, and Louis-Jacques had described.[106] Kuehl and O'Brien stated that the goal was to find the text of a treaty on the website of a depositary institution.[107] They went on to note that when a generalized search method for finding a treaty does not work, researchers should navigate to a website that has a database that may contain a treaty and then search in that database.[108] The authors also recommended treaty indexes available online, among them the FLARE Index to Treaties.[109]

In the 2020 publication, *Principles of Legal Research*, by Kent C. Olson, Aaron S. Kirschenfeld, and Ingrid Mattson, internet-based resources were presented as sources that researchers would consult as a matter of course. For treaties to which the US is a party, the authors recommended the established sources that other law librarians recommended: *United States Statutes at Large, Treaties and Other International Agreements of the United States of America, 1776–1949* (compiled by Bevans), UST, and TIAS[110] However, they were writing at a time when internet-based legal research was commonplace, and they noted that *Treaties and Other International Agreements of the United States of America, 1776–1949*, could be found in HeinOnline and on the website of the Library of Congress. Moreover, Olson, Kirschenfeld, and Mattson recommended searching in Westlaw, Lexis, and HeinOnline for treaties.[111] For accessing the texts of treaties regardless of whether the US is a party, the authors recommended ILM in Westlaw, Lexis, and HeinOnline, and UNTS, LNTS, and CTS, which are all available in HeinOnline (and note that UNTS is available for free on the website of the United Nations Treaty Collection).[112] In addition, the authors recommended the websites of the African Union, Council of Europe, and Organization of American States,[113] and the FLARE Index to Treaties.[114]

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[99] Winer et al., *International Law Legal Research*, xxiii.
[100] Winer et al., *International Law Legal Research*, xx.
[101] Winer et al., *International Law Legal Research*, 106–07.
[102] Winer et al., *International Law Legal Research*, 110–14.
[103] Steven M. Barkan, Barbara A. Bintliff, and Mary Whisner, *Fundamentals of Legal Research*, 10th ed. (Foundation Press, 2015), 436.
[104] Barkan et al., *Fundamentals of Legal Research*, 10th ed., 438–39.
[105] Heidi Frostestad Kuehl and Megan A. O'Brien, *International Legal Research in a Global Community* (Carolina Academic Press, 2018), 26.
[106] Winer et al., *International Law Legal Research*, xx.
[107] Kuehl and O'Brien, *International Legal Research in a Global Community*, 26.
[108] Kuehl and O'Brien, *International Legal Research in a Global Community*, 26–27.
[109] Kuehl and O'Brien, *International Legal Research in a Global Community*, 29.
[110] Kent C. Olson, Aaron S. Kirschenfeld, and Ingrid Mattson, *Principles of Legal Research*, 3rd ed. (West Academic Publishing, 2020), 447, 449.
[111] Olson et al., *Principles of Legal Research*, 449.
[112] Olson et al., *Principles of Legal Research*, 454–56.
[113] Olson et al., *Principles of Legal Research*, 456.
[114] Olson et al., *Principles of Legal Research*, 457.

https://doi.org/10.1017/jli.2025.10078 Published online by Cambridge University Press

The evolving prominence of internet-based research for treaties has occurred in the context of publishers increasingly making information available electronically and discontinuing or limiting print production. In 1982, the US Department of State stopped publishing the bound volumes of UST (however, these volumes may be found in federal depository libraries).[115] Since 2006, the US Department of State has published TIAS exclusively in a digital format (however, previously published pamphlets are still available at federal depository libraries).[116] As of October 2022, all documents in the League of Nations archives were digitized and made available to the public in open-access form.[117] The UN now publishes *Multilateral Treaties Deposited with the Secretary-General*, the source for determining the status of and parties to major conventions, exclusively online.[118] At its website, the UN notes that it updates *Multilateral Treaties Deposited with the Secretary-General* in real time.[119]

Three Steps of Treaty Research

There are various steps to treaty research, however. While conducting internet-based research, researchers may simplify their steps to selecting a database and then doing keyword searching. Before the advent of internet-based legal research, treaty researchers would begin with an index for the type of treaty sought (e.g., an index for treaties to which the US is a party or an index to bilateral or multilateral treaties between other nations). In these indexes, researchers could search by party to the treaty, subject matter of the treaty, or title.[120] After locating the citation to a treaty in an index, researchers could find the treaty in a treaty series published by a government or private publisher. In a 1983 article, the late Adolf Sprudzs, Foreign Law Librarian and Lecturer in Legal Bibliography Emeritus at the University of Chicago Law School,[121] provided three steps for beginning international law research: 1) use a secondary source such as a treatise or encyclopedia to get an overview;[122] 2) get to know the sources of the law and the finding aids for those sources;[123] and 3) recognize and find the primary and secondary sources needed.[124] As part of step three, Sprudzs recommended writing notes for each source on index cards.[125] Sprudzs also saw "a fully computerized facility" as a solution for the growing body of treaty documentation for multilateral treaties.[126] The "fully computerized facility" has come to fruition on the website of the United Nations Treaty Collection, which is not only computerized but also online, where anyone with internet access can use it.[127]

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[115] "U.S. Government Publications," US Department of State, accessed Sep. 15, 2025, https://www.state.gov/finding-agreements [https://archive.is/1KxVm].

[116] "U.S. Government Publications," US Department of State.

[117] "Researching the League of Nations Archives," United Nations Library & Archives, accessed Sep. 15, 2025, https://libraryresources.unog.ch/leagueofnationsarchives [https://archive.is/AGSzw].

[118] Olson et al., *Principles of Legal Research*, 458.

[119] "Introduction," United Nations Treaty Collection, accessed Sep. 15, 2025, https://treaties.un.org/Pages/DB.aspx?path=DB/MTDSG/page1_en.xml [https://archive.is/yJYhR].

[120] Some indexes that were originally published in print are now also available online or exclusively online. The Office of Treaty Affairs did not publish a print version of TIF in 2020. US Department of State, *Treaties in Force: A List of Treaties and Other International Agreements of the United States in Force on January 1, 2020*, (2020), i, https://www.state.gov/wp-content/uploads/2020/08/TIF-2020-Full-website-view.pdf [https://archive.is/HyR2q]. The content of these indexes varies. For example, one can search by party name (the name of the other nation that is a party) within the bilateral section of TIF and then search by subject matter for multilateral treaties to which the US is a party. US Department of State, *Treaties in Force.* See also Winer et al., *International Law Legal Research*, 105. In Kavass's *Current Treaty Index*, one may search for treaties by number, time (chronological order), country, subject, and geographical location. Igor I. Kavass and Adolf Sprudzs, *Current Treaty Index*, 74th ed. (2024), HeinOnline. Kavass's *Current Treaty Index* is available in print and online. See also Winer et al., *International Law Legal Research*, 105–06. See also Adolf Sprudzs, "International Legal Research: An Infinite Paper Chase," *Vanderbilt Journal of Transnational Law* 16, no. 3 (Summer 1983): 521–36, 532. Writing in 1983, Sprudzs noted that indexes are also useful for researching US treaties.

[121] "Adolf Sprudzs, 1922–2003," D'Angelo Law Library, accessed Sep. 15, 2025, https://www.lib.uchicago.edu/law/about/publications/sprudzs/ [https://archive.is/JCqAI].

[122] Sprudzs, "International Legal Research," 524.

[123] Sprudzs, "International Legal Research," 525.

[124] Sprudzs, "International Legal Research," 526.

[125] Sprudzs, "International Legal Research," 526.

[126] Sprudzs, "International Legal Research," 535.

[127] "United Nations Treaty Collection," United Nations, accessed Sep. 15, 2025, https://treaties.un.org/ [https://archive.is/7FaMR].

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Sprudzs's three steps are still important in the 21st century, although they may be implemented differently (e.g., accessing secondary sources in databases), and new approaches to research (such as keyword searching) have emerged. While researchers should begin with treatises and encyclopedias, they could just as easily derive descriptive keywords, begin searching in databases that yield results, and then glean the sources from the search results. Keyword searching, rather than thinking of a relevant publication such as an index or treaty series, has become more popular as online databases and internet searching have become more ubiquitous. Subscription databases that return a variety of results in response to researchers' inputs of keywords encourage researchers to think first in terms of searching by keywords (such as words that describe the parties or subject matter) rather than publications (such as indexes and treaty collections).[128]

This strategy of keyword searching may persist even when researchers recognize that they should first navigate to the specific database within the database—for example, navigating to the World Treaty Library in HeinOnline or typing "USTRTY" in the global search box in Lexis to navigate to the database that contains treaties to which the US is a party. Knowing the published sources for texts and citations of treaties is important, whether for the purpose of knowing where to look in print for the treaty's text or for a pertinent index, or for the purpose of performing more targeted searching in a database that is drawing from multiple sources.

Sprudzs's step two, which consists of knowing the appropriate finding aids and publications to consult, is still useful, and many of these finding aids are now internet-based. Step three consists of locating primary and secondary sources and taking notes. In the 21st century, these notes are likely to be digital, whether through a web-based system such as an online reference manager,[129] or documented in an application in an electronic tablet or computer. The second step in treaty research, after searching in print using an index (and sometimes also after using internet-based indexes), would be to take the treaty number or name and find the text of the treaty in the collection specified in the index.[130] Generally, researchers will want to find the following: 1) the text of the treaty; 2) the parties to the treaty; 3) ancillary agreements or other documents, such as reservations, understandings, and declarations to the treaty; and 4) modifications that came after the treaty entered into effect.[131] As stated above, there are many internet-based resources for researching treaties. Some of these internet-based resources consist of both an index and the full text of treaties, and others consist of indexes only. The FLARE Index to Treaties (one of many "cool tools") is one such resource that is an index alone; however, it is an open-access index that provides links to open-access, full-text versions of treaties where available.

"Cool Tool": The FLARE Index to Treaties

Origin

The Foreign Law Research Group (FLARE) and the Institute of Advanced Legal Studies (IALS) published the FLARE Index to Treaties in March 2009.[132] The acronym FLARE comes from the initial letters or letter in the name of the Foreign Law Research Group: FLA, which comes from the first letters in the words "foreign" and "law," and RE, which comes from the first letters of the term "research group."[133] FLARE consists of institutions in the

[128] "The potential downside to not having to choose a database or source prior to searching is that a researcher's knowledge of particular sources is not reinforced in the same way. When researchers search an electronic database without first stopping to think about what they want to search or where and how they are intending to search, their knowledge of the structure of law is eroded. Simply put, researchers don't know that they are searching if they do not have to choose a source first, and researchers using WestlawNext don't really need to know what they are searching." Ronald E. Wheeler, "Does WestlawNext Really Change Everything? The Implications of WestlawNext on Legal Research," *Law Library Journal* 103, no. 3 (2011): 359–77, 374.

[129] Zotero, Jurism, Mendeley, and EndNote are examples of reference managers that allow data storage in the cloud (or on remote servers). "Zotero: Your personal research assistant," Digital Scholar, accessed Sep. 15, 2025, https://www.zotero.org/; "The Jurism Project," Frank Bennett, accessed Sep. 15, 2025, https://juris-m.github.io/; and "Mendeley," Elsevier, accessed Sep. 15, 2025, https://www.mendeley.com/.

[130] Winer et al., *International Law Legal Research*, 106–08.

[131] Hoffman and Rumsey, *International and Foreign Legal Research*, 2nd ed., 81–83.

[132] Steven Whittle and Peter Clinch, "FIT for Purpose: The New FLARE Index to Treaties," *LLRX* (blog), Apr. 20, 2009, https://www.llrx.com/2009/04/fit-for-purpose-the-new-flare-index-to-treaties/ [https://archive.is/lLG8o].

[133] See Whittle and Clinch, "FIT for Purpose The New FLARE Index to Treaties."

https://doi.org/10.1017/jli.2025.10078 Published online by Cambridge University Press

United Kingdom (UK) with substantial foreign law collections (IALS, the Bodleian Law Library at Oxford University, the Squire Law Library at Cambridge University, the British Library, and SOAS, University of London), and IALS is the chair of FLARE.[134] Peter Clinch, a former law librarian at Cardiff University, provided the concept for the database and the list of treaties to be included.[135] Steven Whittle, a former digital manager at IALS, created the database and its search engine on IALS's website.[136] Clinch and Whittle designed the database for both scholars and legal practitioners.[137] The University of London's Vice-Chancellor's Development Fund provided the initial funding for FLARE.[138] The information on treaties in the database is from established and respected sources, with *Multilateral Treaties: Index and Current Status* by M.J. Bowman and D.J. Harris and the *World Treaty Index* by Peter H. Rohn being the foundational sources.[139] A host of other treaty indexes and websites listing treaties were also included in the creation of the database.[140]

Coverage

The FLARE Index to Treaties contains over 2,000 multilateral treaties that date from the 1600s to 2010.[141] It also includes selected bilateral treaties dating from 1353 to 1815. Users may search for treaties by keyword[142] (keywords may include the official, popular, and alternative titles of treaties),[143] date concluded, and place concluded. For each treaty, the database provides the title, date concluded, place concluded, citations to the treaty in other indexes, citations to the treaty in print sources, and, if available, a link to the full text of the treaty in an open-access source.[144] The database itself does not contain the full texts of treaties[145] and does not maintain information on whether a treaty is still in force.[146] At the initial launch of the database, the creators expressed a desire to update the index once a year and update listed URLs as needed.[147] If a researcher clicks on "Search" from the homepage without placing information in the search boxes, then the FLARE Index to Treaties will display a listing of every treaty included in the index.[148]

Observations Regarding the Place of the FLARE Index to Treaties in Treaty Research

As far as what researchers will want to find regarding a treaty—that is, 1) the text of the treaty; 2) the parties to the treaty; 3) ancillary agreements or other documents, such as reservations, understandings, and declarations to the treaty; and 4) modifications that came after the treaty entered into effect[149]—the FLARE Index to Treaties is useful for step one of the research, finding the text of a treaty, because the FLARE Index provides the title, date concluded, place concluded, citations to the treaty in other indexes, citations to the treaty in print sources, and, if

[134] "FLARE Foreign Law Research," Institute of Advanced Legal Studies, accessed Sep. 15, 2025, https://ials.sas.ac.uk/leadership-and-collaboration/flare-foreign-law-research [https://archive.is/r1Fcy].
[135] Whittle and Clinch, "FIT for Purpose The New FLARE Index to Treaties."
[136] Whittle and Clinch, "FIT for Purpose The New FLARE Index to Treaties."
[137] Whittle and Clinch, "FIT for Purpose The New FLARE Index to Treaties."
[138] Whittle and Clinch, "FIT for Purpose The New FLARE Index to Treaties."
[139] Whittle and Clinch, "FIT for Purpose The New FLARE Index to Treaties."
[140] A list of these additional sources is available with the blog post "FIT for Purpose The New FLARE Index to Treaties." Whittle and Clinch, "FIT for Purpose The New FLARE Index to Treaties."
[141] "FLARE Index to Treaties (FIT)," Institute of Advanced Legal Studies, accessed Sep. 15, 2025. https://libguides.ials.sas.ac.uk/az/flare-index-to-treaties [https://archive.is/MAal4].
[142] Institute of Advanced Legal Studies, "FLARE Index to Treaties (FIT)."
[143] Whittle and Clinch, "FIT for Purpose The New FLARE Index to Treaties."
[144] Institute of Advanced Legal Studies, "FLARE Index to Treaties (FIT)."
[145] Whittle and Clinch, "FIT for Purpose The New FLARE Index to Treaties."
[146] Whittle and Clinch, "FIT for Purpose The New FLARE Index to Treaties."
[147] Whittle and Clinch, "FIT for Purpose The New FLARE Index to Treaties."
[148] As of Sep. 15, 2025, there are 2,055 treaties. "FLARE Index to Treaties Search," Institute of Advanced Legal Studies, accessed Sep. 15, 2025, https://resources.ials.sas.ac.uk/flare-index-to-treaties/search?search_api_fulltext=&field_concluded_date=&field_concluded_place=.
[149] Hoffman and Rumsey, *International and Foreign Legal Research*, 2nd ed., 81–83.

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available, a link to the full text of the treaty in an open-access source.[150] In essence, the FLARE Index provides a citation that can be used to get the full text of a treaty. For the second half of step one, which consists of actually getting the full text of the treaty, as well as steps two, three, and four, researchers will have to consult another source.

Finding the Text of a Treaty

There are many sources for locating the full texts of treaties. For treaties to which the US is a party, there are UST, TIAS, the US Department of State's website (which has TIF), and a host of other sources.[151] If searching for the texts of treaties for other nations, check the official treaty series of a known party to the treaty for the text of the treaty, international governmental organizations' treaty series, official gazettes, statutes, loose-leaf services, websites, subscription databases, and periodicals such as ILM.[152] *Sources of State Practice in International Law* has a detailed list of sources for treaties for the following nations: Austria, Belgium, Canada, Denmark, Finland, France, Germany, Norway, Romania, Russia, Sweden, Switzerland, the UK, and the US.[153] Also, there is a listing of treaty compilations covering multiple jurisdictions, such as UNTS, LNTS, CTS, ILM, and websites with the texts of treaties, as well as indexes to treaties by subject.[154]

At the time of its publication in 2002, *Sources of State Practice in International Law* included descriptions of many sources that had not been described before,[155] and the editors anticipated that the internet would become a more valuable source for publishing treaties as time progressed.[156] In the second revised edition of *Sources of State Practice* (2014), the editors noted that the Internet was not yet an all-compassing source for treaties, but there were many more treaties available on the Internet than in the past.[157] In the second revised edition, there was also a detailed list of sources for treaties for the following nations: Argentina, Australia, Austria, Belarus, Belgium, Canada, China, the Czech Republic, Denmark, France, Germany, Ghana, India, Ireland, Israel, Italy, Japan, Kenya, the Republic of Korea, Mexico, Nigeria, Norway, Romania, Russia, Singapore, the Republic of South Africa, Spain, Sweden, the Swiss Confederation, the UK, and the US.[158]

Finding the Parties to a Treaty

The FLARE Index to Treaties focuses on world treaties, not just treaties to which the US is a party. Users can search by keyword in the FLARE Index. While there is no search field specifically for parties, users can use the "FREE TEXT search for a treaty" field and type in a party's name. Furthermore, the titles of treaties do not always denote every party to the treaty. A source for searching for the text of treaties to which the US is a party is TIF, which is available at the US Department of State's website.[159] Also, UST and TIAS, which are both available in HeinOnline, are additional sources.[160] However, historical treaties to which the US is a party may be found in other sources.[161] Sources for searching for treaties regardless of whether the US is a party are mentioned above and are available online

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[150] Institute of Advanced Legal Studies, "FLARE Index to Treaties (FIT)."

[151] Hoffman and Rumsey, *International and Foreign Legal Research*, 2nd ed., 91–93.

[152] Hoffman and Rumsey, *International and Foreign Legal Research*, 2nd ed., 99–100.

[153] Ralph Gaebler and Maria Smolka-Day, eds., *Sources of State Practice in International Law* (Transnational Publishers, 2002).

[154] Edward Grosek, "Multi-jurisdictional Sources and Sources for International Organizations Arranged by Topic," in *Sources of State Practice in International Law*, eds. Ralph Gaebler and Maria Smolka-Day (Transnational Publishers, 2002), 1–63.

[155] Gaebler and Smolka-Day, *Sources of State Practice in International Law*, xi.

[156] Gaebler and Smolka-Day, *Sources of State Practice in International Law*, x.

[157] Ralph Gaebler and Alison A. Shea, eds., *Sources of State Practice in International Law*, 2nd revised ed. (Brill Nijhoff, 2014), 1.

[158] Gaebler and Shea, *Sources of State Practice in International Law.*

[159] "Treaties in Force," US Department of State, Office of Treaty Affairs, accessed Sep. 15, 2025, https://www.state.gov/treaties-in-force/ [https://archive.is/7tRUq].

[160] Hoffman and Rumsey, *International and Foreign Legal Research*, 2nd ed., 91. A more extensive list of sources is available on pp. 91–93.

[161] Hoffman and Rumsey, *International and Foreign Legal Research*, 2nd ed., 89–90.

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in subscription and open-access databases. For example, researchers may search by "participant" (party) on the UNTS Online[162] page and by party using the various indexes in HeinOnline.[163]

Finding Ancillary Agreements to a Treaty and Finding Modifications that Came After the Treaty Entered into Effect

For treaties to which the US is a party, TIF will have information on protocols and citations to amendments if there are amendments.[164] For other treaties, researchers should search the websites of treaty secretariats and depositories to find ancillary agreements to treaties.[165] When the UN Secretary-General's office is not a depository for a treaty, UNTS may still provide the text of the reservation in or near the text of the treaty.[166] Nations that have acceded to a treaty after the treaty took effect will have their reservations published separately in UNTS.[167] Again, for treaties to which the US is a party, TIF will have information on protocols and citations to amendments if there are amendments.[168]

CORE SKILL: TRANSLATING FOREIGN-LANGUAGE MATERIALS

FCIL librarians working in US law libraries connect patrons with accurate and authoritative sources of legal information about foreign law (the law of foreign jurisdictions), comparative law (the study of foreign legal systems), and international law (the law that regulates sovereign nations and international organizations). Oftentimes, legal information about foreign, comparative, and/or international law is published in a language other than English. Since it is impossible for any one person to be fluent in every language, FCIL librarians seek out a variety of translation tools to help them navigate foreign-language materials.

Overview of Foreign-Language Translation Tools

In the context of FCIL librarianship, translation tools are sources that help FCIL librarians discover and analyze foreign-language materials. The best translation tools are official (or quasi-official) English-language versions of foreign-language materials published by governmental (or intergovernmental) institutions and/or certified by professional (human) translators. In the absence of authorized translations, FCIL librarians consult classic reference sources for translation assistance, such as friends and colleagues with foreign-language skills, catalog subject headings, bilingual and multilingual dictionaries, thesauri, indexes, and research guides. All these classic reference sources rely on the human expert, who, ideally, is well-versed not only in foreign language(s) and English but is also deeply knowledgeable about the law(s) and legal culture(s) of the foreign jurisdiction(s). In addition to these classic reference sources, FCIL librarians working in US law libraries today consult non-human translation tools that rely on advances in AI. As discussed below, these non-human translation tools are valuable resources, but they do not yet provide high-quality legal translations comparable to those offered by authorized translations or classic reference sources, and their future potential to do so depends very much on expert human intervention.

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[162] "United Nations Treaty Series Online," United Nations Treaty Collection, accessed Sep. 15, 2025, https://treaties.un.org/pages/UNTSOnline.aspx?id=3&clang=_en [https://web.archive.org/web/20250201175732/https://home.heinonline.org/content/World-Treaty-Library/].

[163] "How to Locate a Treaty in HeinOnline," HeinOnline, accessed Sep. 15, 2025, https://help.heinonline.org/kb/how-to-locate-a-treaty-in-heinonline/ [https://web.archive.org/web/20250201174004/https://help.heinonline.org/kb/how-to-locate-a-treaty-in-heinonline/].

[164] Hoffman and Rumsey, *International and Foreign Legal Research*, 2nd ed., 94.

[165] Hoffman and Rumsey, *International and Foreign Legal Research*, 2nd ed., 105.

[166] Winer et al., *International Law Legal Research*, 85 (citing Louis Henkin, *Foreign Affairs and the US Constitution*, 2nd ed. [Oxford University Press, 1996], 116–17).

[167] Winer et al., *International Law Legal Research*, 85 (citing Louis Henkin, *Foreign Affairs and the US Constitution*, 2nd ed. [Oxford University Press, 1996], 117).

[168] Hoffman and Rumsey, *International and Foreign Legal Research*, 2nd ed., 94.

https://doi.org/10.1017/jli.2025.10078 Published online by Cambridge University Press

Foreign-Language Translation by Generation

FCIL librarians of all three generations have preferred and prefer translation tools created by humans with demonstrated expertise in the language, law, and/or legal culture of a foreign jurisdiction. The specific translation tools available to FCIL librarians in each generation have differed, of course, depending on technological capabilities and source quality. However, FCIL librarians of all generations have believed that human experts are best able to understand and convey the meanings and contexts of words that appear in foreign-language materials, particularly in foreign-language *legal* materials, given the importance of precise terminology in the study and practice of law.

Generation One

As mentioned in the introduction of this article, most FCIL librarians of the first generation arrived in the US as refugees from World War II. They were native speakers of at least one (and oftentimes several) foreign language(s). Additionally, as noted above, most FCIL librarians of the first generation received their legal education overseas, usually in a civil law jurisdiction.

Prior to the arrival of the first-generation FCIL librarians, most professional literature about foreign and international law and legal research centered on English-language materials and English-speaking jurisdictions.[169] Once the first generation of FCIL librarians entered the profession, however, they brought their existing expertise with them. Their language fluency allowed them to expertly search and work with literature across borders, and they eventually began producing their own scholarship—dictionaries,[170] bibliographies,[171] indexes,[172] and articles[173]—about law and legal culture beyond the English-speaking world. These sources served as translation tools that FCIL librarians of the first generation shared with each other and the wider network of scholars working in the American legal academy at the time. These sources did not, however, prescribe a step-by-step process for identifying, translating, and analyzing foreign legal materials for an audience that lacked the relevant foreign-language skills and/or existing knowledge of civil legal systems. This was why FCIL librarians of the second generation did not feel as prepared to succeed FCIL librarians of the first generation; many second-generation FCIL librarians lacked not only native foreign-language fluency but also a structured approach to FCIL research and librarianship.[174]

Generation Two

FCIL librarians of the second generation, to overcome their professional insecurities, embarked on a collective effort to create a formal and comprehensive training program for FCIL research and librarianship.[175] As mentioned in the introduction, the training program (under the auspices of AALL) was composed of five institutes, each with its own subject focus.

The Institute on Foreign Legal Systems was one of the five institutes developed as part of the training program. Its curriculum (and resulting textbook) provided a basic framework of how to research the law of selected

[169] For example, the *How to Find the Law* series of legal research textbooks, which began in 1931, did not include a chapter on researching international law or the law of foreign jurisdictions (other than England and/or Canada) until 1976. Similarly, the *Fundamentals of Legal Research* series of legal research textbooks, which began in 1956, included a chapter about international law in its 1973 edition, but its most recent 2015 edition still lacks a chapter about researching the law beyond the UK.

[170] E.g., *World Dictionary of Legal Abbreviations*, eds. Igor I. Kavass and Mary Miles Prince (W.S. Hein, 1991–).

[171] E.g., John N. Hazard and William B. Stern, *Bibliography of the Principal Materials on Soviet Law* (American Foreign Law Association, May 1945) (providing a bibliographic survey of materials about Soviet law published in English, French, German, or Russian); Kurt Schwerin, *Bibliographie rechtswissenschaftlicher Schriftenreihen: a bibliography of German language legal monograph series* (Verlag Dokumentation, 1978).

[172] E.g., *Index to Foreign Legal Periodicals*, vols. 1–3 (1960–62).

[173] E.g., Simone Marie Kleckner, "Foreign Trade Arbitration in Romania," *New York University Journal of International Law and Politics* 5, no. 2 (Summer 1972): 233–49.

[174] Richard A. Danner, "Introduction: Researching Foreign Law," in *Introduction to Foreign Legal Systems*, eds. Richard A. Danner and Marie-Louise H. Bernal (Oceana Publications, 1994): xxiii–xxvi (describing a need for "practical advice on the problems involved in researching the law of jurisdictions outside the United States").

[175] See *infra*.

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foreign jurisdictions[176] and addressed various concerns about overcoming language barriers. On the topic of foreign law in translation, one participant noted the following:[177]

> All translation involves choosing synonyms that most nearly reflect the meaning of the original words. Because few languages are absolutely equivalent, some alteration in the meaning of the translated document is inevitable. To one who merely seeks a general idea of what the law says, this alteration may not be important. But, when you consider the number of lawsuits that turn on the meaning of words in a statute written in a language common to all of the parties, you quickly realize that, under some circumstances, any alteration of the meaning of the statute may be critical.[178]

Despite the inherently limited nature of foreign law in translation, FCIL librarians attending the Institute on Foreign Legal Systems sought "*Tools for overcoming language obstacles*."[179] In response, the Institute on Foreign Legal Systems recommended that FCIL librarians consult three types of translation tools: (1) English-language secondary sources about the laws and legal systems of foreign jurisdictions;[180] (2) foreign-language and foreign legal dictionaries; and (3) people "familiar with both the languages and the legal systems involved."[181] The textbook published by the Institute on Foreign Legal Systems provided articles, bibliographies, and even a directory of FCIL librarians around the world to help FCIL librarians locate all three types of translation tools. The directory included the names of FCIL librarians with jurisdictional, subject database, and/or language expertise, as well as FCIL librarians with an interest in a particular subject or jurisdiction but without demonstrated expertise.[182] More than anything else, though, during the Institute of Foreign Legal Systems' comprehensive training program, FCIL librarians of the second generation learned one key message: seek information from multiple sources, especially when navigating foreign-language materials, and recognize that "perfect" translations may not be available or even necessary for all purposes.[183]

A couple of second-generation FCIL librarians with foreign-language fluency led discussions about the challenges of foreign-language translations. Francisco Avalos, who compiled a dictionary of Spanish and Portuguese legal abbreviations,[184] delivered a lecture at the National Language Resource Center about the sanctity of accurate legal translations.[185] In his lecture, Avalos explained, "Legal translating demands a precision that may not

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[176] *Introduction to Foreign Legal Systems*, eds. Richard A. Danner and Marie-Louise H. Bernal (Oceana Publications, 1994) (featuring chapters specific to research in France, Mexico, Japan, China, Ghana, and Nigeria, as well as chapters dedicated to collection development and classification systems related to other jurisdictions).

[177] Amber Lee Smith, "Foreign Law in Translation: Problems and Sources," in *Introduction to Foreign Legal Systems*, eds. Richard A. Danner and Marie-Louise H. Bernal (Oceana Publications, 1994): 267–326, 267 (identifying three limitations to translations of foreign legal material: (1) they are rarely authoritative; (2) they are often inaccurate; and (3) they are usually out of date).

[178] Smith, "Foreign Law in Translation," 267–68.

[179] Lyonette Louis-Jacques, "Challenges of the Nineties and Beyond: An Issue Brief," in *Training the Future Generation of International and Foreign Law Librarians: Issue Papers, Summary, Plan*, ed. Judith Wright (American Association of Law Libraries, 1992): 1–19, 11 (arguing for a training program to discuss "tools for overcoming language obstacles").

[180] Smith, "Foreign Law in Translation," 269 (identifying the first source to consult for background information was the first volume of Reynolds and Flores's *Foreign Law: Current Sources of Codes and Legislation in Jurisdictions of the World*, published in 1989).

[181] Smith, "Foreign Law in Translation," 268.

[182] "Sources of Assistance," in *Introduction to Foreign Legal Systems*, eds. Richard A. Danner and Marie-Louise H. Bernal (Oceana Publications, 1994): 379–406. This directory has since been periodically updated and is now referred to as the "Jumpstart" guide, available on the FCIL-SIS pages of the AALL platform. See "Jumpstart Your Foreign, Comparative, and International Law Research," American Association of Law Libraries, accessed Sep. 15, 2025, https://www.aallnet.org/fcilsis/resources-publications/research-resources/jumpstart/.

[183] Smith, "Foreign Law in Translation," 269–71.

[184] Francisco Avalos, *Latin American Legal Abbreviations: A Comprehensive Spanish/Portuguese Dictionary with English Translations* (Greenwood Press, 1989). See also Dennis C. Kim-Prieto, "*En la tierra del ciego, el tuerco es rey:* Problems with Current English-Spanish Legal Dictionaries, and Notes toward a Critical Comparative Legal Lexicography," *Law Library Journal* 100, no. 2 (2008): 251–78, 270 (claiming Avalos's dictionary provided "invaluable utility" because of its focused scope).

[185] Francisco Avalos, "Legal Translations: Some Tips," Lecture at the National Language Resource Center, San Diego State University, July 24, 1998, archived Aug. 18, 2012, at https://web.archive.org/web/20120818012436/http://www.law.arizona.edu/Library/Research/Guides/legal_translations.cfm?page=research.

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be required in other types of translations. The legal translator has to comply not only with the rules of a foreign language but also with the rules of a foreign legal system. […] Precision in legal translations requires fidelity to the text and to the context."[186]

Similarly, Claire Germain, in *Germain's Transnational Law Research*, warned that word translations could not fully convey foreign legal concepts because they lacked the requisite cultural context.[187] For example, she wrote:

> To translate *Conseil d'Etat* simply as the Council of State is not very meaningful if one ignores the fact that the Conseil d'Etat serves both as a counseling body to the government and as the highest administrative court in France, and that, more importantly, in France and several other civil law countries, the government and its employees (at the national, regional, and local levels in a unitary state) cannot be sued in ordinary courts (at least for most purposes) but only in administrative courts.[188]

Additionally, Germain warned against the danger of "*faux amis*," or words that look or sound similar in different languages but carry very different meanings.[189] As an example, "[T]he concept of 'notary' is a good illustration of misleading synonyms. In civil law countries, the 'notaire' is a highly trained legal professional with a law degree and a specialized training similar to the one required of judges or attorneys."[190]

Nonetheless, despite the inherent limitations of legal translations, both Avalos and Germain acknowledged the need for tools to translate foreign legal materials. According to Avalos, "The primary tools of the legal translator are going to be dictionaries. […] A translator will need several bilingual legal dictionaries to perform his/her work."[191] In addition to legal dictionaries, Germain recommended, as the "best place to start,"[192] a source that remains current today—the *Foreign Law Guide*, which provides background information on foreign jurisdictions, as well as citations to foreign-law translations if they exist.[193]

By the early to mid-2000s, FCIL librarians were adapting their research to the online environment. As one librarian noted, "The trend towards online access over print, which was still developing in 2001 is now unquestionable and the amount of law-related material on the Web has expanded exponentially."[194] In the context of foreign-language translations, FCIL librarians began consulting "Web-based translators" like BabelFish as supplements to traditional translation tools.[195] These free services relied on machine translation, a type of AI, and were valuable for getting a general idea of the content of a foreign-language document, but did not provide quality legal translations.[196] As one librarian who taught a legal research class explained, "Language is very important to lawyers, and I want to get the point across to my students that you cannot rely on these programs for a translation that you plan

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[186] Avalos, "Legal Translations." See also Oral History: Francisco Avalos, AALL ("I have always been interested in this and I have written a little bit about legal translation, how misunderstood it is, and how you often hear as foreign and international law librarian dealing with a lawyer – like me dealing with Mexico – hearing the lawyer say, 'well, I don't speak Spanish, but I have a secretary who is Mexican and I'm sure she can translate for me.' You want to say 'How can you say something like that? Don't you understand that you are working with two legal systems with two specialized vocabularies that people do not know?' It is like telling an English speaker to translate this legal document for me to read your English. It is very difficult and that is one of the areas that I think we need a little bit more education, […].")

[187] Claire M. Germain, *Germain's Transnational Law Research: A Guide for Attorneys* (Transnational Publishers 1991–): §§ 2.08–2.08.3 (citing several examples in which English translations of French legal concepts did not accurately convey the meanings).

[188] Germain, *Transnational Law Research*, § 2.08.1.

[189] Germain, *Transnational Law Research*, § 2.08.2.

[190] Germain, *Transnational Law Research*, § 2.08.2.

[191] Avalos, "Legal Translations."

[192] Germain, *Transnational Law Research*, § 3.01.1.

[193] *Foreign Law Guide*, ed. Marci Hoffman (Brill, 2012–).

[194] Nicholas Pengelley, "Reaping the Digital Dividend: Is It Time to Take the Great Leap," *International Journal of Legal Information* 34, no. 3 (2006): 513–25, 513, https://doi.org/10.1017/S0731126500001724.

[195] See, e.g., Sarah Yates, "I Need This in English," *AALL Spectrum*, no. 6 (Apr. 2005): 8–10 (surveying FCIL librarians on their use of machine translation services). See also Sarah Yates, "Scaling the Tower of Babel Fish: An Analysis of the Machine Translation of Legal Information," *Law Library Journal* 98, no. 3 (Summer 2006): 481–500 (evaluating the quality of machine translation tools for use in libraries).

[196] Yates, "I Need This in English," 9.

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to use in the actual practice of law."[197] After all, these web-based translators were not *legal* dictionaries; they did not always understand when words had legal connotations. For example, the tools would not necessarily provide a useful translation of the word "antitrust" because they understood the word as the literal words "anti" "trust" together, rather than the representation of the concept of what is more commonly referred to around the world as "competition law" or "antimonopoly law."

In *International and Foreign Legal Research: A Coursebook*, Marci Hoffman and Mary Rumsey, two prominent FCIL librarians of the second generation, explained the price researchers pay when seeking English-language translations of foreign legal materials—that is, the loss of authority.[198] Also, they admitted the unfortunate reality that "[w]ithout knowing the language in question, you can't evaluate the quality [of the translation] yourself."[199] With respect to machine translation systems like BabelFish and Google Translate, Hoffman and Rumsey simply stated that "[n]o matter how much you want an English translation of a law, relying on online translators will at best embarrass or confuse you. At worst, it might lead you to provide inaccurate legal advice."[200] Instead of online translation tools, Hoffman and Rumsey recommended conducting research in the *Foreign Law Guide*, subject collections of translations in print and online, legal research guides on foreign jurisdictions, government websites, journal articles, catalog records, and human experts.[201]

Generation Three

FCIL librarians of the third generation entered the profession with access to a wealth of scholarship about FCIL research and librarianship, as cited throughout this article. This foundation of professional knowledge included recommendations and analyses of foreign-language translation tools. Third-generation FCIL librarians still consult many of the high-quality translation tools valued by FCIL librarians of prior generations (e.g., legal dictionaries,[202] institutional thesauri,[203] catalog subject headings,[204] and research guides),[205] particularly when these tools are updated and/or available online.[206] This article will highlight one of these time-tested authoritative tools (EuroVoc), below.

In addition to these classic reference translation tools, FCIL librarians of the third generation also still consult free online translation tools that leverage innovations in AI. These translation tools are great in a pinch, but they do not provide consistent, high-quality legal translations unless they offer customizable expert human intervention. This article will highlight one of these AI-powered translation tools (DeepL), below.

Foreign-Language Translation "Cool Tools"

"Cool Tool": EuroVoc

Although many of the tools discussed in this article have been created by librarians or legal information vendors, some—like TIF—are crucial resources developed by governments for official purposes but also serve to

[197] Yates, "I Need This in English," 10.
[198] Marci Hoffman and Mary Rumsey, *International and Foreign Legal Research: A Coursebook* (Martinus Nijhoff, 2007), 17.
[199] Hoffman and Rumsey, *International and Foreign Legal Research*, 18.
[200] Hoffman and Rumsey, *International and Foreign Legal Research*, 19.
[201] Hoffman and Rumsey, *International and Foreign Legal Research*, 20–26.
[202] Kim-Prieto, "*En la tierra del ciego, el tuerco es rey*," 270 (highlighting the dictionaries written by Jorge Vargas and by Henry Dahl as being the best examples of bilingual English-Spanish legal dictionaries).
[203] See *infra.*
[204] "Oral History: Lyonette Louis-Jacques," AALL (wondering whether foreign-language skills are overrated in the profession since there are a bunch of translation tools to help researchers find foreign-language materials without fluency, including catalog subject headings).
[205] *Foreign Law Guide*, ed. Marci Hoffman (Brill, 2012–).
[206] Third-generation FCIL librarians were employed during the COVID pandemic, and when their law libraries pivoted to remote-only services, these FCIL librarians lost access to many classic translation tools that had not yet migrated online or to electronic format. Arguably, FCIL librarians of the third generation prefer online translation tools after their experience during the COVID pandemic.

https://doi.org/10.1017/jli.2025.10078 Published online by Cambridge University Press

benefit the public. For jurisdictions with two or more official languages, the necessity to ensure parity between official documents in each official language has required the creation of specialized legal thesauri. Nowhere is that more evident than in the European Union (EU), which currently has twenty-four official languages,[207] and which must produce legally binding documents in each of them. To do this, the EU has undertaken work over the past forty years to not only create but also widely share a number of large-scale, multilingual, parallel language resources.[208] Of greatest interest to legal researchers is EuroVoc,[209] which was created in 1984 to serve as a "multilingual thesaurus to facilitate the indexing and retrieval of documents across the diverse linguistic landscape of European institutions."[210]

Although EuroVoc is referred to as a multilingual thesaurus, for the purposes of an FCIL "cool tool," it might better be envisioned as an ontology.[211] The value of an ontology is that it provides a "formal representation of what, to a human, is common sense."[212] To take the example used earlier in this section, an antitrust legal scholar in the US would know to look for articles on "competition law" or "antimonopoly law" when looking for comparative treatments of cartels, as it would reflect their expert knowledge that "antitrust law" is synonymous with "competition law." Conversely, the FCIL librarian may not commonly be aware of the jurisdictional variance in describing the same area of law when being asked to generate a comparative literature review. Because print legal dictionaries and thesauri are not always readily available, the FCIL librarian will want to look for an authoritative, specialized electronic resource like EuroVoc to assist in generating search terms for foreign databases.

Using EuroVoc purely as a thesaurus, the FCIL librarian will quickly learn from the scope note for "anti-trust legislation" that this is "to be used for national laws, primarily American and British," and should not be used in the context of EU competition policy.[213] The librarian will now realize, if they weren't already familiar with the topic, that the preferred English-language term for searching material on international antitrust issues is "competition law."[214] By then selecting the preferred term of "competition law," the user can utilize EuroVoc in a more ontological way; the "Language Equivalents" list on the page for this English-language term will provide the equivalent term in all twenty-four official languages.[215] What does this allow the FCIL librarian with no foreign-language skills to accomplish? By utilizing EuroVoc's language equivalents, the librarian is able to search catalogs and indexes for the contextually correct term as opposed to the sometimes-incorrect translation that a basic tool like Google Translate provides. Further, in utilizing another second-generation highlight—the electronic research guide—an FCIL librarian can successfully identify primary-source legal databases in which to run the correct search term to mine for hits. Although dictionaries and thesauri like EuroVoc cannot themselves provide full-text translations, they facilitate searches to obtain the full-text documents that can then be fed into translation tools like DeepL, as described below.

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[207] "Languages," European Union, accessed Sep. 15, 2025, https://european-union.europa.eu/principles-countries-history/languages_en. Note that in EuroVoc, in addition to the official twenty-four languages, "Language Equivalents" are available in Serbian, Macedonian, and Albanian.

[208] Ralf Steinberger et al., "An Overview of the European Union's Highly Multilingual Parallel Corpora," *Language Resources and Evaluation* 48 (2014): 679–707, 680, https://doi.org/10.1007/s10579-014-9277-0.

[209] "EuroVoc," EU Vocabularies, Publications Office of the European Union, last updated July 5, 2025, https://op.europa.eu/en/web/eu-vocabularies/concept-scheme/-/resource?uri=http://eurovoc.europa.eu/100141.

[210] Lucy Walhain et al., "The EuroVoc Thesaurus: Management, Applications, and Future Directions," *Conference Paper, LDK 2025: Fifth Conference on Language, Data and Knowledge* (Sep. 2025): 1.1, accessed Sep. 15, 2025, https://www.researchgate.net/profile/Cosimo-Palma-2/publication/395194196_The_EuroVoc_Thesaurus_Management_Applications_and_Future_Directions/links/68b70b56d9261f6f51b0e78f/The-EuroVoc-Thesaurus-Management-Applications-and-Future-Directions.pdf.

[211] For more discussion on thesauri—including EuroVoc—and the cultural value placed on terminology in a multicultural environment, consult Francesca Severino, "The Term *Development* in the Thesauri of International Organisations," *European Journal of Development Research* 19, no. 2 (2007): 327–51, https://doi:10.1080/09578810701289261.

[212] Arlene G. Taylor and Daniel N. Joudrey, "Ontology," Glossary, in *The Organization of Information*, 3rd ed. (Libraries Unlimited, 2009), 466.

[213] "Anti-trust Legislation," *EuroVoc*, Publications Office of the European Union, last updated July 5, 2025, https://op.europa.eu/en/web/eu-vocabularies/concept/-/resource?uri=http://eurovoc.europa.eu/1592. Note here the differentiation even between the common US spelling of "antitrust" and the way it is represented in EuroVoc's concept list.

[214] "Anti-trust Legislation," *EuroVoc.*

[215] Step-by-step guidance on how to use EuroVoc, with screenshots, can be found in Alison Shea, "AALL Recap—FCIL Cool Tools—EuroVoc," *DipLawMatic Dialogues* (blog), May 9, 2025, https://fcilsis.wordpress.com/2025/05/09/fcil-cool-tools-eurovoc/.

https://doi.org/10.1017/jli.2025.10078 Published online by Cambridge University Press

Much focus is being placed on AI's ability to provide real-time, high-level translations of legal proceedings and documents; however, the translations are still not considered perfect enough to meet legal standards.[216] The need to guarantee exact translations of legal documents is of critical importance to any transnational practitioner, but even for the research librarian, there is a need to ensure they are searching for the correct term in another language.[217] With large language models (LLMs) being trained on open-access tools such as EuroVoc, and other semantic web initiatives being applied to domestic legislation in Europe,[218] it is likely that there will be more reliable AI-powered translation products moving forward. But if tools such as EuroVoc are not continually updated and supported by experts and institutions, they will surely lose their "coolness" factor for FCIL librarians and LLMs alike.

"Cool Tool": DeepL Translator

DeepL Translator is an example of a machine translation tool that leverages recent advancements in AI.[219] Its system uses artificial neural networks trained on vast amounts of data from a proprietary dataset.[220] The proprietary dataset includes all the data that DeepL gathered from its original translation product, Linguee.[221]

Linguee provides a free online dictionary and translation database that DeepL publicly launched back in 2009.[222] To build Linguee, DeepL utilized web crawlers to extract translations from multilingual websites (usually governmental and intergovernmental websites that provided official or authoritative translations).[223] Once extracted, DeepL further refined translations by employing algorithms and integrating a user input system to capture natural language patterns.[224] According to DeepL, this process created higher-quality translations than the translations provided by competitors, which relied on data indiscriminately gathered from across the internet.[225]

In 2017, DeepL launched DeepL Translator as a separate product and offered it at various price points, marketing it primarily as a translation tool for sophisticated corporate clients.[226] DeepL Translator offers two features across all product price points—a general, multilingual language dictionary and a glossary.[227] The dictionary provides translations of, synonyms for, and grammatical information about foreign words and phrases (replicating information from the Linguee dataset). With a subscription, the glossary provides opportunities to personalize and refine translations in the context of a task or particular industry. For example, a business that wants to

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[216] A recap of a recent webinar with researcher Cristina Llop nicely distills common observations in this area gained after reviewing live translations between legal providers' staff and users: "AI, Machine Translation, and Access to Justice," *Justice Innovation* (blog), Stanford Legal Design Lab, Feb. 25, 2025, https://justiceinnovation.law.stanford.edu/ai-machine-translation-and-access-to-justice/.

[217] Gerard-René De Groot and Conrad J.P. van Laer, "The Dubious Quality of Legal Dictionaries," *International Journal of Legal Information* 34, no. 1 (2006): 65–86, 66, https://doi.org/10.1017/S0731126500001219.

[218] For example, Lorenzo Bocchi and Alessio Palmero Aprosio, "Title is (Not) All You Need for EuroVoc Multi-Label Classification of European Laws," *Proceedings of the 10th Italian Conference on Computational Linguistics (CLiC-it 2024)*: 74–80, https://ceur-ws.org/Vol-3878/10_main_long.pdf; Danielle Caled et al., "Multi-label Classification of Legislative Contents with Hierarchical Label Attention Networks," *International Journal of Digital Libraries* 23 (Mar. 2022): 77–90, 77, https://doi.org/10.1007/s00799-021-00307-w.

[219] DeepL Translator is one product within the suite of services offered by DeepL, a company headquartered in Cologne, Germany, which offers, in addition to its translation services, an AI writing companion and a recently released AI agent to automate business tasks.

[220] "How Does DeepL Work?," *DeepL*, accessed Sep. 15, 2025, https://www.deepl.com/en/blog/how-does-deepl-work.

[221] Anna Wyndham, "Inside DeepL: The World's Fastest-Growing, Most Secretive Machine Translation Company," *Slator*, Sep. 15, 2021, https://slator.com/inside-deepl-the-worlds-fastest-growing-most-secretive-machine-translation-company/.

[222] Wyndham, "Inside DeepL."

[223] Wyndham, "Inside DeepL."

[224] Wyndham, "Inside DeepL." See also Loren Turner, "AALL Recap—FCIL Cool Tools Pt. 4(1)—DeepL," *DipLawMatic Dialogues* (blog), Dec. 19, 2024, https://fcilsis.wordpress.com/2024/12/19/aall-recap-fcil-cool-tools-pt-41-deepl/ [https://web.archive.org/web/20241219233532/https://fcilsis.wordpress.com/2024/12/19/aall-recap-fcil-cool-tools-pt-41-deepl/].

[225] "How Does DeepL Work?," *DeepL*.

[226] "Discover DeepL Translator," *DeepL*, accessed Sep. 15, 2025, https://www.deepl.com/en/products/translator (claiming DeepL Translator is "[t]he ultimate AI-powered translation solution for businesses").

[227] Turner, "FCIL Cool Tools Pt. 4(1)—DeepL" (providing more details and screenshots of DeepL Translator's dictionary and glossary features).

https://doi.org/10.1017/jli.2025.10078 Published online by Cambridge University Press

upgrade its DeepL Translator subscription can hire people with foreign-language fluency and industry expertise to customize its glossaries, thereby automating future translations of foreign-language materials in the specific context of its company and the wider industry.[228] To become a reality, however, the aforementioned scenario requires a human expert to personalize the translated output. Absent such an expert, DeepL Translator performs similarly to or arguably slightly better than other machine translation services like Google Translate.[229]

Regardless of performance amongst other machine translation tools, DeepL Translator cannot replace and is not equivalent to a classic print translation tool like a bilingual legal dictionary edited and curated by a scholar,[230] or an ontology developed by an intergovernmental organization with a controlled vocabulary approved by professional translators.[231] The latter tools provide a level of quality that machine translation tools, absent expert human intervention, have yet to (and may never) achieve. Yet, DeepL Translator and other contemporary machine translation tools still provide value. Unlike bilingual legal dictionaries and EuroVoc, which require users to search for individual words or legal concepts, DeepL Translator allows users to paste many textual characters into the system at once and receive a translation in context.[232] Users can also upload documents into the system, which yields translations in the context of an entire document and not just within a certain number of characters. DeepL Translator's output in response to these user engagements may not be a perfect translation, but it may be enough to satisfy the immediate needs of an FCIL librarian before they supplement their research with more authoritative sources.

Observations Regarding Foreign-Language Translation "Cool Tools"

FCIL librarians have always recognized the inherent limitations of foreign-language translations, especially in the legal context, and yet, despite these limitations, FCIL librarians have always valued translation tools that help them overcome language barriers enough to get a general idea (the "gist") of the content of foreign legal materials. That said, although there are many translation tools on the market today, the translation quality can vary dramatically, and legal researchers around the world would benefit from a collective effort to articulate standards for quality assessment.[233] Further concern comes from the still-developing field of generative AI tools and how they will continue to evolve. A potential future research agenda would address this underdeveloped topic in the professional literature and create a framework for evaluating the foreign-language translation tools of yesterday, today, and tomorrow.

CORE SKILL: LOCATING DOCUMENTS FROM INTERNATIONAL ORGANIZATIONS (IOS) AND SPECIALIZED FIELDS OF STUDY—PUBLIC INTERNATIONAL LAW

Overview of IOs and Specialized Fields of Study in International Law

Legal documents and materials produced by international organizations (IOs), such as the treaties discussed above, serve as sources of international law. They are thus indispensable to international legal research. As jurisprudence and literature emanate from these institutions, specialized fields of international law emerge over

[228] Turner, "FCIL Cool Tools Pt. 4(1)—DeepL." See also Loren Turner, "AALL Recap—FCIL Cool Tools Pt. 4(2)—DeepL," *DipLawMatic Dialogues* (blog), Dec. 20, 2024, https://fcilsis.wordpress.com/2024/12/20/aall-recap-fcil-cool-tools-pt-42-deepl/ [https://web.archive.org/web/20241221220525/https://fcilsis.wordpress.com/2024/12/20/aall-recap-fcil-cool-tools-pt-42-deepl/] (analyzing DeepL Translator's various pricing and plan options to distinguish use and output).

[229] Turner, "FCIL Cool Tools Pt. 4(2)—DeepL." But see Victor Mair, "DeepL Translator," *Language Log* (blog), Feb. 16, 2023, https://languagelog.ldc.upenn.edu/nll/?p=57986 (claiming that the author's students from East Asia had been using DeepL Translator for years and found it superior to Google Translate).

[230] Kim-Prieto, "*En la tierra del ciego, el tuerco es rey*" (creating a framework for assessing the quality of English-Spanish bilingual legal dictionaries and identifying two superior specimens of the genre).

[231] See *infra*.

[232] This may suggest DeepL Translator would meet the utility prong of the evaluation framework Dennis Kim-Prieto created in his article "*En la tierra del ciego, el tuerco es rey*." A future research agenda on assessment standards for FCIL "cool tools" should consider applying (or adapting) Kim-Prieto's evaluation framework to contemporary machine translation tools.

[233] Kim-Prieto, "*En la tierra del ciego, el tuerco es rey*," 251–78 (proposing a framework to assess the quality of English-Spanish legal dictionaries).

https://doi.org/10.1017/jli.2025.10078 Published online by Cambridge University Press

time in tandem. Naturally, FCIL librarians have been paying close attention to these developments over the years, leading the charge in forming best practices and learning the tools of the trade for research as part of their core skill sets.[234]

This portion of the article will trace the development of IOs and specialty international law research in the public international law context. Given the limited scope and space constraints, the historical developments of IOs and international criminal law (ICL) research (an example of a specialized area) will be explored summarily across the three generations of FCIL librarians. This will be followed by a deeper dive into the "cool tool" implications for the ICL field and what specialized research entails. Two key "cool tools" have been selected for illustrative focus—Lexsitus,[235] for ICL, and the now-defunct International Foundation for Art Research (IFAR) Art Law & Cultural Property Database[236] (IFAR Database) for specialized research. The latter "cool tool" also brings up the important issue of database preservation and longevity, which will also be addressed here.

To begin understanding how researching IOs and international law specializations has evolved over time, it is necessary to articulate a definition of IOs, how they contribute to sources of international law, and the relationship between IOs and specialized fields of international law. Broadly, the UN has defined an IO as "an organization established by a treaty or other instrument governed by international law and possessing its own international legal personality."[237] A distinction exists between intergovernmental organizations (IGOs) and non-governmental organizations (NGOs), with the former created by international agreements between States and the latter established by private parties.[238] The UN definition is limited to the former, and so is the scope of our discussion of IOs in this article.

IOs are important producers of sources of public international law. These sources, under Article 38(1) of the Statute of the International Court of Justice (ICJ Statute), include international conventions, custom, and general principles of law as formal sources of international law, while judicial decisions and the teachings of the most highly qualified publicists are subsidiary means for determining the law.[239] Various IOs, such as UN bodies, actively contribute to these sources by issuing conventions, facilitating treaty-making, and codifying custom.[240] They may also produce UN resolutions and other non-binding recommendations or juridical acts, which are not themselves formal sources of law within the remit of the ICJ Statute, but they may create soft law or serve as evidence of the formal sources.[241] IO materials are therefore essential to research.

To research international law effectively, particularly specialized international law topics, one must appreciate the significance of the relationship between IOs and the specialized domains of international law. Historically, IOs arose out of States trying to meet the needs of their people through "productive interactions […] transnationally across borders."[242] Early IOs, such as the International Telegraphic Union in 1865 and the Universal Postal Union in 1874, are examples.[243] These IOs, along with their promulgated norms and principles, grew to shape

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[234] See *infra.*

[235] "LEXSITUS," Centre for International Law Research and Policy (CILRAP), accessed Sep.15, 2025, https://cilrap-lexsitus.org/ [https://archive.is/36zvM].

[236] "Art Law & Cultural Property," International Foundation for Art Research, archived Feb. 7, 2025, at https://web.archive.org/web/20250207121847/https://www.ifar.org/art_law.php. This database has been sunset since the middle of 2025—see *infra*.

[237] UN General Assembly, Resolution 66/100, Responsibility of International Organizations, U.N. Doc. A/RES/66/100 (Dec. 9, 2011), art 2(a), at 5, https://documents.un.org/api/symbol/access?j=N1146482&t=pdf&i=A/RES/66/100_8181197.

[238] Kirsten Schmalenbach, "International Organizations or Institutions, General Aspects," in *Max Planck Encyclopedia of Public International Law* (Oct. 2020) ¶ 10, http://opil.ouplaw.com.

[239] Statute of the International Court of Justice art. 38, ¶ 1, https://doi.org/10.18356/9789210023924c003.

[240] Jeroen Vervliet, "International Organisations and Legal Information," in *The IALL International Handbook of Legal Information Management*, eds. Richard A. Danner and Jules Winterton (Ashgate Publishing, 2011), 281–96, 283–86.

[241] Heidi Frostestad Kuehl and Megan A. O'Brien, "Public International Legal Research," in *International Legal Research in a Global Community* (Carolina Academic Press, 2018), 3–14, 13; Vervliet, "International Organisations and Legal Information," 285–86; International Law Commission, Report of the International Law Commission, Sixty-eighth Session (2 May–10 June and 4 July–12 Aug. 2016), U.N. Doc. A/71/10, 106–9 (2016), https://documents.un.org/api/symbol/access?j=G1618425&t=pdf&i=A/71/10_5375976.

[242] Paul F. Diehl and Charlotte Ku, "Specialized Topics in International Law," in *Teaching International Law* (Edward Elgar Publishing, 2024), 132–67, 136, https://doi.org/10.4337/9781802204117.00011.

[243] Diehl and Ku, "Specialized Topics," 137.

https://doi.org/10.1017/jli.2025.10078 Published online by Cambridge University Press

the course of international activity. Targeted activities of IOs meeting specific needs eventually formed specialized substantive fields of international law. As suggested by the UN's International Law Commission,

> New types of specialized law do not emerge accidentally but seek to respond to new technical and functional requirements. The emergence of "environmental law" is a response to growing concern over the state of the international environment. "Trade law" develops as an instrument to regulate international economic relations.[244]

Therefore, the establishment of the first IOs helped set the foundation for the emergence of a new academic discipline of international law[245] and specialized topics in international law by extension. Any attempt to research these specialized fields is inextricably intertwined with IO research.

In examining specialized areas of public international law research, it also helps to examine what specialized legal research entails conceptually. To that end, specialized legal research can be many things, but at its core, it often means a subset of legal study that requires specialized vocabulary and background knowledge that may not always be covered in one of the main doctrinal or bar classes. Most novice researchers, such as students, would likely not have received much, if any, specialized legal research training. Hence, it is even more important for the newest generation of FCIL librarians to offer those opportunities when available.[246] Foreign and international legal research itself may be too big a topic to be seen as specialized (this is subject to debate), but what happens when an FCIL librarian needs to tackle an even more specialized area of international law? This is where the librarian may see additional databases and tools on those specialized topics become more valuable.[247] How lawyers organize themselves, or how concentrated and significant the resources devoted to that area are, the more likely that area of specialized legal research merits adding a specialty database to a collection[248] or providing additional guidance and training on that database.

An article in the *ABA Journal* in 2018 compared the algorithms of six general legal research databases, comparing them to each other and seeing which cases were commonly found across the databases and which were not.[249] The article's author considered such factors as the additional resources databases pulled from to refine their search algorithms, proximity limits, grammar, prioritization, and the amount of machine learning incorporated into the backend.[250] Ultimately, what all researchers want is relevant results, and yet the relevant results as presented in the article were between 40% and 70%, depending on the database.[251] One of the article's main takeaways was that every algorithm is different, and every database has a point of view; using a specialized database for a specialized area of legal research can hopefully help increase the relevancy of results.[252]

Having carved an understanding of IOs and specialized FCIL research, the development of how research has been conducted in these areas will now be traced across the three generations of FCIL librarians.

IO and ICL Research Under Three Generations of FCIL Librarianship

Similar to the sections above that analyzed developments across generations, we have observed how facets of international legal research of IOs and specialized domains of international law have evolved over time, while noting that certain norms and practices have endured the times.

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[244] Int'l Law Com., "Fragmentation of International Law: Difficulties arising from the Diversification and Expansion of International Law: Report of the Study Group of the International Law Commission," U.N. Doc. A/CN.4/L.702, ¶ 10 (July 18, 2006), https://documents.un.org/api/symbol/access?j=G0662863&t=pdf&i=A/CN.4/L.702_2183671.

[245] Ingo J. Hueck, "The Discipline of the History of International Law—New Trends and Methods on the History of International Law," *Journal of the History of International Law* 3, no. 2 (2001): 194–217, 203, https://doi.org/10.1163/15718050120956956.

[246] Mary Whisner, "Practicing Reference…On Specialized Legal Research," *Law Library Journal* 108, no. 3 (Summer 2016): 483–88, 484.

[247] Whisner, "On Specialized Legal Research," 485.

[248] Whisner, "On Specialized Legal Research," 486.

[249] Susan Nevelow Mart, "Results May Vary: Which Database a Researcher Uses Makes a Difference," *ABA Journal* 104, no. 3 (Mar. 2018): 48–53.

[250] Mart, "Results May Vary," 49.

[251] Mart, "Results May Vary," 51.

[252] Mart, "Results May Vary," 53.

https://doi.org/10.1017/jli.2025.10078 Published online by Cambridge University Press

As a general starting point, the contemporary sources for how FCIL librarians in the current generation may learn about conducting research in these areas include both traditional publications and newer media. These are sources used across generations. The traditional publications usually comprise reference works, such as a chapter found in a textbook, manual, or handbook, or a stand-alone journal article. A classic example of a nontraditional medium is the online research guide, frequently relied on by librarians. Several are known as "LibGuides," based on the hosting platform Springshare,[253] though some may be independently hosted. Naturally, the current generation makes use of both traditional and nontraditional works, while Generations One and Two primarily tapped into traditional publications.

Examples based on the above archetypes include the following:

- Books and book chapters:
  - Book: Mumm, James A. *International Military Tribunal for the Far East: A Legal Research Guide.* Legal Research Guides Series, vol. 97. William S. Hein, 2023.
  - Chapter/Part: Hoffman, Marci, and Mary Rumsey. "Part Five: International Organizations." In *International and Foreign Legal Research: A Coursebook*, 2nd ed. Martinus Nijhoff, 2012, pp. 167–222.
- Articles:
  - Kearley, Timothy. "American Researcher's Guide to European Communities Law and Legal Literature." *Law Library Journal* 75, no. 1 (Winter 1982): 52–97.
  - Miller, Steven Robert. "United Nations Databases and Websites for Legal Research and Education." *Res Gestae* 54, no. 3 (October 2010): 12–20.
  - Bestafka-Cruz, Anthony. "Searching Through Systems: Research Guide for UN Criminal Tribunals." *International Journal of Legal Information* 40, no. 3 (2012): 516–82.
- Research guides:
  - Partin, Gail. "e-RG Electronic Resource Guide: International Criminal Law." American Society of International Law. April 1, 2015. https://www.asil.org/sites/default/files/ERG_CRIM.pdf [https://perma.cc/KY63-ZTY3].
  - Jacob Burns Law Library. "Art, Cultural Heritage, and the Law." George Washington University. Updated October 18, 2024. https://law.gwu.libguides.com/artculture [https://perma.cc/3LKR-AJUT].

In the FCIL profession, librarians have suggested various canonical texts for teaching and learning purposes.[254] The recommended literature on international legal research will typically dedicate chapters to IOs in general, major IOs in the landscape, and major topics in international law.[255] With an understanding of how these different sources are situated currently, their historical trajectories can be analyzed.

IO Research

IOs have proliferated under the international legal landscape over the course of the three generations. According to the 2024/2025 edition of the *Yearbook of International Organizations* published by Brill, there are more than 77,000 international organizations, including IGOs, NGOs, and other bodies.[256] When the *Yearbook* was first published in 1909, there were only 213.[257] With the growing abundance of IOs and documents they generate, it

[253] "LibGuides & LibGuides CMS," Springshare, accessed Sep. 15, 2025, https://www.springshare.com/libguides/.

[254] Janet Kearney and Michelle Penn, "Teaching FCIL as a Non-FCIL Librarian: Go-To Resources," *DipLawMatic Dialogues* (blog), May 7, 2019, https://fcilsis.wordpress.com/2019/05/07/teaching-fcil-as-a-non-fcil-librarian-go-to-resources/.

[255] Hoffman, *International and Foreign Legal Research in a Nutshell*, 113–83; Hoffman and Rumsey, "Part Five: International Organizations," in *International and Foreign Legal Research*, 2nd ed., 167–222; Winer et al., *International Law Legal Research*, 151–73, 211–38.

[256] "Figure 2.1: Number of International Organizations by Type, Edition 61, 2024/2025 (Data Collected in 2023)," Statistics, Visualizations and Patterns, Yearbook of International Organizations Online, Union of International Associations and Koninklijke Brill BV, https://ybio.brillonline.com/system/files/pdf/v5/2024/2_1.pdf [https://perma.cc/4X8T-UKUG].

[257] "Figure 2.9: Historical Overview of Number of International Organizations by Type, 1909–2024," Statistics, Visualizations and Patterns, *Yearbook of International Organizations Online*, Union of International Associations and Koninklijke Brill BV, https://ybio.brillonline.com/system/files/pdf/v5/2024/2_9.pdf [https://perma.cc/5QAW-WLBU].

https://doi.org/10.1017/jli.2025.10078 Published online by Cambridge University Press

is no wonder that there are observable changes in the resources and strategies used by librarians in their research. Yet, certain aspects remain the same.

Generation One. A full historical analysis of the evolution of IO legal research remains outside the scope of this article, but snapshots of past and current practices are still insightful. The work of Robert Schaaf is illustrative. Schaaf worked as the Senior Specialist in UN and International Documents at the Library of Congress (LOC) throughout his career. In one article, he elucidated how the LOC approached IGO documents and publications back in the 1980s.[258] At that time, IGO publications were available from the library catalog, "first in card and book form and more recently in machine-readable form."[259] These have morphed into our modern library catalogs of the day. For IGO documents, researchers had to rely on "appropriate indexes, such as UNDOC: Current Index."[260] Physical indexes still exist today, but full-text database searches, such as the UN Official Document System website,[261] tend to be the preferred ports of call. Other scholars discussed the nature, use, availability, and accessibility of IGO documents back then.[262]

Generations Two and Three. As new reputable sources have emerged, scholars such as Marci Hoffman have shared their recommendations for modern IO research.[263] Many of these resources are direct successors to the traditional publications used during the time periods of Generations One and Two. The Oxford International Organizations (OXIO) online platform is one example, being an authoritative, annotated repository of international institutional documents that is part of Oxford University Press's Public International Law suite.[264] Internet searches outside publisher platforms are also prevalent today, unsurprisingly. Hoffman suggests performing an advanced Google search with site or domain filters applied as a way to optimize the retrieval of IO documents publicly available online.[265] Jeroen Vervliet considers this increasing availability of IO documents online to be a point of celebration, as their dissemination is becoming more democratized compared to the past when IOs were limited to publishing their documents in print with a commercial publisher.[266] Nevertheless, print retains an advantage in some situations, as Hoffman acknowledges that it may sometimes be the only option for historical materials.[267] Print indexes in particular can also be valuable for providing a normative framework for understanding how the materials are organized. Therefore, although a significant number of research tools have had their media changed, and new tools of this nature constantly emerge, the current generation of FCIL librarians still acknowledges that some traditional tools and resources maintain their relevancy.

Cross-Generational Similarities. When it comes to practices and principles as opposed to tools, these tend to be more technology agnostic, and most remain relevant as they withstand the currents of time. Some are common sense in our profession, as Hoffman exhorts: "Follow the oldest research advice in the world and know the territory before you enter it" by starting with a research guide or an article about the subject matter at hand.[268] Others may require more advocacy and initiative. For instance, Schaaf noted that the training of new librarians in IO research was an important priority and remains so to date. Earlier, in the 1970s, librarians realized that "the lack of training" contributed to the underutilization of international documents.[269] Back then, the "average documents course in a

[258] Robert W. Schaaf, "International Organizations Documentation: Serving Research Needs of the Legal Community," *Government Publications Review* 13, no. 1 (1986): 123–33, https://doi.org/10.1016/0277-9390(86)90033-6.

[259] Schaaf, "Serving Research Needs," 126.

[260] Schaaf, "Serving Research Needs," 126.

[261] "Official Document System," United Nations, accessed Sep. 15, 2025, https://documents.un.org/.

[262] Michael Hopkins, "The Documentation of Intergovernmental Organizations," *International Social Science Journal* 32, no. 2 (May 1980): 371–82.

[263] Hoffman, *International and Foreign Legal Research in a Nutshell*, 175–77.

[264] "About," Oxford International Organizations, Oxford University Press, accessed Sep. 15, 2025, https://opil.ouplaw.com/page/oxio-about/about.

[265] Hoffman, *International and Foreign Legal Research in a Nutshell*, 182.

[266] Vervliet, "International Organizations and Legal Information," 286.

[267] Hoffman, *International and Foreign Legal Research in a Nutshell*, 183.

[268] Hoffman, *International and Foreign Legal Research in a Nutshell*, 175.

[269] Robert W. Schaaf, "International Organizations Documentation and International Law Collections," *Law Library Journal* 76, no. 3 (Summer 1983): 484–95, 484.

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library school" was mainly limited to US and UN documents.[270] It was only through early initiatives that training opportunities expanded. For instance, the American Library Association's Government Documents Round Table and International Documents Taskforce have crucially held "more conferences and training courses on international documents since the early seventies."[271] Training remains an ongoing priority in the current landscape. We see it exemplified by the premise of this article itself, along with the good work of professional bodies such as the International Association of Law Libraries (IALL) Education Committee.[272] This theme of building our human and social capital in our profession continues to prevail across generations.

Relatedly, it is significant that Schaaf emphasized the need to tap into the "reference librarians in the various reading rooms" as a resource and, in particular, their expertise in "keep[ing] on top of their fields […] new LC acquisitions […] and exploit[ing] a network of contacts."[273] To date, this is still important and has not changed—that is, the notion of FCIL librarians being wellsprings of expertise and the importance of maintaining a robust professional support network. Although it was harder to obtain specific documents then, Schaaf and his colleagues at the LOC were able to overcome these hurdles with their valuable networks and resourcefulness.[274] While some of the tools that FCIL librarians use for IO research have changed, human expertise and collaboration remain paramount throughout the generations, and this is also true for other areas outside IO research.[275]

ICL Research

Introduction. Developments in the field of ICL and ICL research are spread unevenly across the generations of FCIL librarians. This is directly tied to the ongoing movements (or lack thereof) throughout the time periods. These developments can be broken down across the three generations into roughly three time periods based on different key founding events:[276] (1) Generation One—Post-World War II (WWII) Nuremberg/Tokyo Trials (1945–1990); (2) Generation Two—Post-Cold War influx of international criminal courts and tribunals (1990–2010); and (3) Generation Three—2010 to the present.

Before examining each generation in the following analyses, there are three preliminary points. First, although the focus of this subsection is on FCIL librarianship and ICL research movements, these are still closely dependent on the substantive developments in ICL itself. The latter will naturally feature heavily in the analyses, and some conflation may be inevitable. Second, as caveated from the outset, the historical analysis does not purport to be comprehensive.[277] The limitations of space here will not do justice to the rich tapestry of ICL history, though an effort will be made to offer a window into the past. Third, a sense of the timeline may still help situate the various developments in the broader longitudinal context. To facilitate this understanding, Table 1 comprises a list of criminal courts, tribunals, and adjudicatory bodies with an international character[278] established over time, as outlined by the UN[279] and the Hybrid Justice project.[280]

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[270] Schaaf, "International Law Collections," 484–85.

[271] Schaaf, "International Law Collections," 485.

[272] "Education Committee," International Association of Law Libraries, accessed Sep. 15, 2025, https://iall.org/board-and-comittees/committees/education-committee/.

[273] Schaaf, "Serving Research Needs," 126.

[274] Schaaf, "Serving Research Needs," 127–33.

[275] See *infra.*

[276] Vervliet, "International Organisations and Legal Information," 292.

[277] Cenap Çakmak, *A Brief History of International Criminal Law and International Criminal Court* (Palgrave Macmillan New York, 2017), https://doi.org/10.1057/978-1-137-56736-9; Beth Van Schaack and Ron Slye, "A Concise History of International Criminal Law," in *International Criminal Law: Intersections & Contradictions* (Foundation Press, 2020), 5–42. A fuller account of the substantive history can be gleaned from these texts.

[278] This includes hybrid, mixed, or internationalized criminal tribunals; see Cesare R. Romano, "Mixed Criminal Tribunals," in *Max Planck Encyclopedia of Public International Law* (Apr. 2010), ¶¶ 5–6, http://opil.ouplaw.com. The international character of some courts listed in Table 1 may be a subject of debate.

[279] "Global Spread of International Criminal Justice," United Nations International Criminal Tribunal for the Former Yugoslavia, updated Apr. 2012, https://www.icty.org/en/content/global-spread-international-criminal-justice.

[280] "The Hybrids," Hybrid Justice project, accessed Sep. 15, 2025, https://hybridjustice.com/hybrid-and-internationalised-mechanisms/.

https://doi.org/10.1017/jli.2025.10078 Published online by Cambridge University Press

TABLE 1:
Chronological Overview of Major International/Hybrid Criminal Courts, Tribunals, and Adjudicatory Bodies Established over Time:

Year	Court / Tribunal / Adjudicatory Body Established
1945	International Military Tribunal (Nuremberg Trials)
1946	International Military Tribunal for the Far East (IMTFE) (Tokyo War Crimes Trials)
1993	International Criminal Tribunal for the former Yugoslavia (ICTY)
1994	International Criminal Tribunal for Rwanda (ICTR)
1999	International Judges and Prosecutors Program in Kosovo (IJPP)/Regulation 64 Panels in the Courts of Kosovo
2000	Special Panels for Serious Crimes of Timor-Leste (East Timor Tribunal)
2002	Special Court for Sierra Leone (SCSL)
2002	International Criminal Court (ICC)
2005	Bosnian War Crimes Chambers, Court of Bosnia and Herzegovina (BWCC)
2005	Iraqi High Tribunal (IHT)[281]
2006	Extraordinary Chambers in the Courts of Cambodia (ECCC)
2007	Special Tribunal for Lebanon (STL)
2010	International Residual Mechanism for Criminal Tribunals (IRMCT)
2013	Extraordinary African Chambers (EAC)
2015	Special Criminal Court in the Central African Republic (SCC)
2017	Kosovo Specialist Chambers (KSC)[282]

Generation One and Prior. A common refrain is that ICL faced a lull period up until the end of the Cold War,[283] hence the earlier characterization of these developments as "uneven." An almost five-decade gap is observable from Table 1. There are multiple theories for why ICL arguably stagnated in this period,[284] though this remains outside the scope of this article. The main takeaway is that it was a time for incremental growth, with the gradual emergence of figures, institutions, and literature in ICL being established over time. FCIL librarianship unsurprisingly mirrored these movements.

Pre-WWII: Before the rise of Generation One, ICL was in its formative stages. International criminal trials were sparse but did arguably exist, and a number of well-known international treaties on the subject, such as the First and Second Geneva Conventions and the Hague Conventions of 1899 and 1907, were created.[285] From an institutional angle, the oldest ICL organization was the International Union of Penal Law, founded in 1889, which was succeeded by the International Association of Penal Law (IAPL), established in France in 1924.[286] Early literature on the subject included a major five-volume treatise by French jurist Maurice Travers.[287] The IAPL also spearheaded various intellectual endeavors, including the publication of one of the earliest ICL journals—the *Revue Internationale de Droit Pénal* (International Review of Penal Law).[288] This time period saw some scholars debating the evolving positionality of criminal law within the public international law landscape.[289]

From an FCIL librarianship standpoint, the tools of the trade were not any different than those of other fields at that time—that is, the use of traditional reference works such as bibliographies and indexes still applied.

[281] Michael P. Scharf, "The Iraqi High Tribunal: A Viable Experiment in International Justice?," *Journal of International Criminal Justice* 5, no. 2 (May 2007): 258–63, 259, https://doi.org/10.1093/jicj/mqm011. The IHT has been argued to fall between a hybrid tribunal and a domestic court.

[282] Sara L. Ochs and Kirbi Walters, "Forced Justice: The Kosovo Specialist Chambers," *Duke Journal of Comparative and International Law* 32, no. 2 (Spring 2022): 239–85, 242–43, https://scholarship.law.duke.edu/djcil/vol32/iss2/1. The KSC's hybrid nature has been a subject of debate.

[283] M. Cherif Bassiouni, "Introduction," in *International Criminal Law, Volume 1: Sources, Subjects and Contents*, 3rd ed. (Brill Nijhoff, 2008), xi–xiv, xi.

[284] Çakmak, *A Brief History*, 125–29.

[285] Çakmak, *A Brief History*, 10–11, 13, 16, 45.

[286] "History of the International Association of Penal Law," International Association of Penal Law, accessed Sep. 15, 2025, https://www.penal.org/en/node/168.

[287] Maurice Travers, *Le droit pénal international: Et sa mise en œuvre en temps de paix et en temps de guerre* (L. Tenin, 1920–1922).

[288] Travers, *Le droit pénal international.*

[289] Alexander G. Glover, "International Criminal Law," *Journal of Comparative Legislation and International Law* 3, no. 4 (1921): 237–44, 237–38.

https://doi.org/10.1017/jli.2025.10078 Published online by Cambridge University Press

Frederick Charles Hicks, a known giant in the field, reviewed one of the international law bibliographies of that time and identified a sample typology of available bibliographies: "(1) bibliographies in the form of independent books, (2) treatises in which bibliography is a prominent feature, (3) bibliographic information to be found in periodicals, (4) catalogues of law libraries, jurists or publishers having bibliographic value, and (5) bibliographies on special subjects."[290] Some examples were materials like the "Bibliography on Jurisdiction with Respect to Crime," published in the *American Journal of International Law*.[291]

Post-WWII: World War II was an inflexion point with the formation of the first modern international criminal courts in Nuremberg and Tokyo.[292] A key figure driving the developments from this point onwards was M. Cherif Bassiouni, fondly referred to as the "father" of modern ICL.[293] He had undertaken a more "systematic examination of the discipline,"[294] resulting in the publication of a two-volume treatise in 1973, *A Treatise on International Criminal Law*,[295] co-authored with Ved Nanda. This, alongside *International Criminal Law* by Mueller and Wise (1965),[296] were then the "only books published in the United States on the subject."[297] This suggests that there was a postwar shift towards increasing consolidation and synthesis to address a perceived dearth in the literature (at least from an Anglo-American-centric perspective).

Several emerging works were useful for Generation One librarians, some falling squarely in Hicks's typology.[298] Bibliographies in treatises have always been useful, serving as finding aids; Mueller and Wise's book was lauded in a book review for its "yeoman services" in its "pioneer[ing] effort" in "providing a detailed bibliography" and being a useful "source book."[299] Another category, the stand-alone specialist bibliography, is exemplified by the useful landmark reference text, *Bibliography on International Criminal Law*, by de Schutter and Eliaerts (1972).[300] This work was included in the *Recommended Publications for Legal Research*,[301] a tool that allowed the bibliography to be more discoverable by librarians at the time. The *Bibliography on International Criminal Law* continued to be cited and recommended by librarians on the cusp of Generation One and into Generation Two.[302] And with the introduction of new international criminal courts, finding aids for their materials naturally emerged as well, like one index created for the Tokyo Trials.[303] Interestingly, bibliographical tools were not confined to just traditional publications; some of these were compiled as part of formal IO documentation too,[304] which was simultaneously taking root.

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[290] Frederick C. Hicks, review of *The Bibliography of International and Continental Law*, by Edwin M. Borchard, *American Journal of International Law* 9, no. 2 (Apr. 1915): 572–73, 573, https://doi.org/10.2307/2187197.

[291] "Bibliography on Jurisdiction with Respect to Crime," *American Journal of International Law* 29, no. S1 (1935): 447–65, https://doi.org/10.2307/2213636.

[292] See Table 1 *infra*, and Vervliet, "International Organizations and Legal Information," 292.

[293] Leila Nadya Sadat, "In Memoriam: M. Cherif Bassiouni, 1937–2017," *Journal of International Criminal Justice* 15, no. 5 (Dec. 2017): 863–71, 863, https://doi.org/10.1093/jicj/mqx053.

[294] Ilias Bantekas, "International Criminal Law," Oxford Bibliographies, Oxford University Press, updated Mar. 23, 2012, https://doi.org/10.1093/obo/9780199796953-0001.

[295] M. Cherif Bassiouni and Ved P. Nanda, eds., *A Treatise on International Criminal Law*, 2 vols. (Charles C. Thomas, 1973).

[296] Gerhard O.W. Mueller and Edward. M. Wise, *International Criminal Law* (Fred B. Rothman, 1965).

[297] Bassiouni, "Introduction," xiii–xiv.

[298] Hicks, "Review," 573.

[299] L.C. Green, review of *International Criminal Law*, by Gerhard O.W. Mueller and Edward M. Wise, *Malaya Law Review* 7, no. 2 (Dec. 1965): 412–13, 413.

[300] B. de Schutter and Chr. Eliaerts, *Bibliography on International Criminal Law* (Brill Nijhoff, 1972), https://doi.org/10.1163/9789004632455.

[301] "Bibliography," in *Recommended Publications for Legal Research*, eds. Oscar J. Miller and Mortimer D. Schwartz (Fred B. Rothman, 1972), 7.

[302] Joachim Schwietzke, "Availability of Research Tools in Public International Law, Especially for Documents and Publications of Intergovernmental Organizations," *International Journal of Legal Information* 13, no. 5–6 (Dec. 1985): 1–48, 6, https://doi.org/10.1017/S0731126500019016.

[303] See *The Tokyo Trials: A Functional Index to the Proceedings of the International Military Tribunal for the Far East* (UM Press, 1957), http://hdl.handle.net/2027/spo.bbw2335.0001.001.

[304] Int'l Law Comm., Bibliography on International Criminal Law and International Criminal Court, Second Session (6 June 1950), U.N. Doc. A/CN.4/28, https://documents.un.org/api/symbol/access?s=A/CN.4/28&l=en&i=A/CN.4/28_4234372.

https://doi.org/10.1017/jli.2025.10078 Published online by Cambridge University Press

Lawyers recognized the need and critical role of librarians in helping to systematize the sources of international law (and ICL by extension) at this crucial stage. At the Annual Meeting of the American Society of International Law (ASIL) in 1948, the "highly unscientific character of the development of international law" was lamented, which had to be remediated comprehensively by addressing the "problem of indexing" to create an "international law library […] for the use of lawyers and scholars."[305] Fortunately, early international law libraries like that of the Max Planck Institute for Foreign and International Criminal Law were a part of this effort despite disruptions caused by the war.[306] And tools catering to the international lawyer and law librarian were created, such as the *Index to Foreign Legal Periodicals* (IFLP), with the first volume already including International Criminal Law as a subject heading when the IFLP was first launched in 1960.[307] ICL in the post-WWII decades was growing to be more entrenched alongside general public international law and IO movements, albeit at a slow trickle.

Generation Two. The 1990s, after the Cold War, proved to be a founding moment for ICL. Professor Bassiouni was instrumental as a key catalyst for the movement, bringing about much-needed expertise and resources for setting up the first ad hoc international criminal tribunal and "institutional embryo," the ICTY.[308] After numerous setbacks,[309] it was his dogged perseverance that finally led to a "breakthrough," allowing the ICL movement to gain sufficient "momentum."[310] As the hard work of Bassiouni and countless others finally came to fruition, a precipitated paradigm shift in ICL ensued, with a rapid influx of new judicial institutions,[311] jurisprudence, and literature, ushering in a new era for the field.

The amount of ICL literature increased exponentially during the two decades from 1990 to 2010.[312] Based on an n-gram survey in Google conducted by Mikkel Christensen, there was a 600% increase in the number of scholarly publications referencing "international criminal law" from the 1990s to 2008.[313] According to Christensen, this rise in academic scholarship played an important role in developing and legitimizing the jurisprudence of the newer ICL courts as they sought to experiment with novel innovations in the field.[314] There was also a new wave of ICL periodical literature, with the addition of the *International Criminal Law Review* (2001–),[315] the *Journal of International Criminal Justice* (2003–),[316] and the *International Journal of Transnational Justice* (2007–),[317] amongst others. The case can be made that FCIL librarianship was even more impactful during this critical period. The contributions of Generation Two librarians, via tasks such as reference and indexing, were particularly helpful in bringing clarity to ICL scholars as they engaged in a sense-making exercise to gather their intellectual bearings during a period of relative flux and information overload.[318]

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[305] George A. Finch and Kenneth S. Carlston, "Second Session [The Development of International Law]," *Proceedings of the American Society of International Law at Its Annual Meeting* 42 (Apr. 22–24, 1948): 16–34, 21–23.

[306] H.P. des Coudres, "The Juridical Institutes of the Max-Planck-Society for the Promotion of Learning and Their Libraries," *International Association of Law Libraries Bulletin* 17, no. XVII (July 1966): 6–9, 7–9.

[307] *Index to Foreign Legal Periodicals*, vols. 1–3 (1960–1962), under "International Criminal Law," 264–65.

[308] Mikkel Jarle Christensen, "Preaching, Practicing and Publishing International Criminal Justice: Academic Expertise and the Development of an International Field of Law," *International Criminal Law Review* 17, no. 2 (Feb. 2017): 239–58, 246, https://doi.org/10.1163/15718123-01702006.

[309] Çakmak, *A Brief History*, 94–95.

[310] Bassiouni, "Introduction," xi.

[311] As illustrated by Table 1, at least ten institutions were created in Generation Two, with a couple more trailing in Generation Three, in comparison with a mere two military tribunals in the aftermath of World War II.

[312] Bassiouni, "Introduction," xiv.

[313] Christensen, "Preaching, Practicing and Publishing International Criminal Justice," 252–53 (citing https://books.google.com/ngrams/interactive_chart?content=international+criminal+law%2Cinternational+criminal+justice&year_start=1920&year_end=2008&corpus=15&smoothing=2&share=&direct_url=t1%3B%2Cinternational%20criminal%20law%3B%2Cc0%3B.t1%3B%2Cinternational%20criminal%20justice%3B%2Cc0 [https://perma.cc/BVY7-RGWY]).

[314] Christensen, "Preaching, Practicing and Publishing International Criminal Justice," 249.

[315] "International Criminal Law Review," Brill Nijhoff, accessed Sep. 15, 2025, https://brill.com/view/journals/icla/icla-overview.xml.

[316] "Journal of International Criminal Justice," Oxford University Press, accessed Sep. 15, 2025, https://academic.oup.com/jicj.

[317] "The International Journal of Transnational Justice," Oxford University Press, accessed Sep. 15, 2025, https://academic.oup.com/ijtj.

[318] Finch and Carlston, "Second Session [The Development of International Law]," 21–23.

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And indeed, the information needs of scholars and practitioners were pressing. Recall that it was at this time that the first permanent international criminal court, the ICC, was created in 2002 after significant effort.[319] With the rise of several international and hybrid criminal judicial institutions, ICL libraries had to be rapidly created to meet their corresponding needs. Seasoned library leaders with great expertise and thought leadership were brought in to lead the charge. Elizabeth Naumcyzk was the Foundation Librarian for the ICC Library, and when she was brought in, "she *was* the library."[320] ICL libraries of this time faced unique challenges—many of the institutions were new and in the process of being established themselves—and yet they had time-sensitive requirements since the legal work had already commenced. The libraries had to adapt to IOs' typical financial and procurement frameworks and gather international legal materials, making those libraries' formations very different than those of standard domestic law libraries.[321] Librarians were also brought in to improve ICL libraries, post-establishment. Trinie Thai-Parker participated in the revamp and enhancement of the ECCC Library in Cambodia, playing a crucial role in training personnel, consolidating library projects, and sharing best practices.[322] Law libraries under hybrid criminal courts, like the ECCC's, also had transitional considerations, such as potentially moving the materials to a permanent institution in the long term after the work of the tribunal concluded.[323] Despite these challenges, Naumcyzk and Thai-Parker were able to rise above them with resounding success, serving as models for Generation Three librarians to emulate.

As the number of courts expanded, so too did the amount of jurisprudence. Several useful collections of case law and digests began to emerge. Starting in 1999, the *Annotated Leading Cases of International Criminal Tribunals* was published and is now the largest international criminal case law series.[324] As the transition to electronic media took place, databases containing ICL case law, such as the Oxford Reports on International Law (ORIL), were launched, with the Oxford Reports on International Criminal Law being of specific interest.[325] ORIL, launched in 2008, was valuable at that time as a one-stop search for major ICL jurisprudence, and it contained value-added features such as expert commentary and citator functions (the latter being of significant interest for librarians).[326] Open-access databases like the ICC Legal Tools Database (LTD)[327] have also been key in democratizing the practice of ICL worldwide. Databases like ORIL and the LTD are continuously updated and remain relevant and useful to date, according to thoughtful evaluations by Generation Three librarians.[328] Other online tools for case law are helpful as well: Lexsitus, which is the key ICL tool discussed below (and a sister tool to the LTD), also has a robust online digest function.[329]

In terms of reference tools, traditional publications like bibliographies continued to be relevant in Generation Two and continue their relevancy in Generation Three. In the early 1990s, print bibliographies were still referred to and recommended as a resource.[330] Some of these later evolved into online bibliographies and are still as useful as ever. The annotated bibliography on ICL in Oxford Bibliographies is one example, as it provides an analysis

[319] Harris Institute, "In Memoriam: Professor M. Cherif Bassiouni (1937–2017)," Crimes Against Humanity Initiative, Washington University in St. Louis, Sep. 29, 2017, https://sites.wustl.edu/crimesagainsthumanity/in-memoriam-professor-m-cherif-bassiouni-1937-2017/.

[320] Elizabeth Naumczyk and Andrea Schrijvers, "Beyond the Courtroom: Accommodating International Justice," *Australian Law Librarian* 15, no. 1 (2007): 7–16, 7.

[321] Naumczyk and Schrijvers, "Beyond the Courtroom," 7–10.

[322] Trinie Thai-Parker, "ECCC Library in Cambodia," *FCIL Newsletter* 23 (2009): 1, 3–4.

[323] Thai-Parker, "ECCC Library," 4.

[324] "About ALC," *Annotated Leading Cases of International Criminal Tribunals*, Larcier-Intersentia, accessed Sep. 15, 2025, https://www.annotatedleadingcases.com/about-alc.

[325] "Oxford Reports on International Law," Oxford Publication International Law, Oxford University Press, accessed Sep. 15, 2025, https://opil.ouplaw.com/page/ICL/oxford-reports-on-international-criminal-law.

[326] Marci Hoffman and Teresa Stanton, review of Oxford Reports on International Law (ORIL), Oxford University Press (2008–), http://www.oxfordlawreports.com/, *International Journal of Legal Information* 36, no. 3 (2008): 512–20, 513–15, https://doi.org/10.1017/S0731126500003309.

[327] "ICC Legal Tools Database," CILRAP, accessed Sep. 15, 2025, https://www.legal-tools.org/ [https://perma.cc/XJ8Y-6T2S].

[328] Meredith Capps, "Resource Reviews: Legal Tools Database," *FCIL Newsletter* 38, no. 1 (Oct. 2023): 4–6.

[329] See *infra.*

[330] Edgardo Rotman, "International Criminal Law Research," *International Enforcement Law Reporter* 9, no. 6 (June 1993): 243–249, 249.

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of major ICL works and their impact on the field.[331] The ushering of the digital age also brought about new innovations in the types of reference materials available. Gradually, more ICL bibliographical guides and finding aids were published online, such as through LLRX.com[332] and ASIL.[333] The analysis below traces the evolution of some of these nontraditional media.[334] Online research guides now feature prominently in a common FCIL librarian's tool set. Many authoritative tools are freely available, including comprehensive sites like GlobaLex that cover specific criminal tribunals[335] or tribunals in general,[336] as well as research guides from leading international law libraries like the Peace Palace Library.[337]

Generation Three. Finally, as the developments in ICL cooled down at the cusp of Generation Two, it was up to Generation Three scholars and librarians to synthesize and perform a round of reconsolidation after the wave of rapid development over the past two decades. Crossing over from Generation Two to Three, there was an observable attitude among both ICL scholars and FCIL librarians who applied a more critical lens and sought avenues of reform. Scholars identified a phenomenon of "tribunal fatigue" after the wave of new tribunals created from the 1990s to early 2000s, when the ad hoc nature and sustainability of several tribunals began to be questioned, with some skepticism emerging as early as the late 1990s.[338] After momentum petered out from the late 2000s to early 2010s, there was another "resurgence" of ad hoc and hybrid tribunals, which one author deemed a "positive indication of [ICL's] development and maturity."[339] One FCIL librarian, Lyonette Louis-Jacques, also identified emerging gaps in the legal literature as it approached saturation, arguing that "[w]hile much is written on international criminal law, the literature largely lacks representation of the viewpoints of the countries accused of violating international law."[340]

Further into the library world, there were similar signs that ICL was approaching a certain threshold of substantive development as a scholarly field. The 2011 revision of the LOC classification schedule for ICL was such a milestone.[341] Discussions on a potential revamp surfaced in 2009, with the eventual update from LOC led by Dr. Jolande Goldberg.[342] Ranges under Class KZ, International criminal courts and procedure (KZ6304–KZ6332) and other associated classes, were revamped into International criminal law under KZ7000–KZ7500.[343] New subject

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[331] Ilias Bantekas, "International Criminal Law," Oxford Bibliographies, Oxford University Press, updated Mar. 23, 2012, https://doi.org/10.1093/obo/9780199796953-0001.

[332] David Gee and June Tomlinson, "Current Awareness," *Legal Information Management* 1, no. 4 (Winter 2001): 56–64, 56, https://doi.org/10.1017/S1472669600000888.

[333] Gary Hill, "Candidate for Secretary/Treasurer/Newsletter Editor: Gail Partin," *RIPS Law Librarian* 20, no. 3 (Spring 1998): 13.

[334] See *infra.*

[335] Andrew Dorchak, "International Criminal Courts for the Former Yugoslavia, Rwanda, and Sierra Leone—Online and Print Resources," GlobaLex, New York University School of Law, updated July/Aug. 2021, https://www.nyulawglobal.org/globalex/international_criminal_courts1.html.

[336] Devan Orr, "Searching Through Systems of the UN Criminal Tribunals," GlobaLex, New York University School of Law, updated Mar./Apr. 2024, https://www.nyulawglobal.org/globalex/UN_Criminal_Tribunals_Research_Guide1.html.

[337] "International Criminal Law," Peace Palace Library, accessed Sep. 15, 2025, https://peacepalacelibrary.nl/research-guide/international-criminal-law.

[338] John P. Cerone, "Dynamic Equilibrium: The Evolution of US Attitudes toward International Criminal Courts and Tribunals," *European Journal of International Law* 18, no. 2 (Apr. 2007): 277–315, 290, https://doi.org/10.1093/ejil/chm017.

[339] Mark Kersten, "As the Pendulum Swings—the Revival of the Hybrid Tribunal," in *International Practices of Criminal Justice: Social and Legal Perspectives*, eds. Mikkel Christensen and Ron Levi (Taylor & Francis, 2017), 251–73, 273, https://doi.org/10.4324/9781315144788.

[340] Lyonette Louis-Jacques, "What's Wrong with International Law Scholarship: Gaps in International Legal Literature," *Syracuse Journal of International Law and Commerce* 35, no. 2 (Spring 2008): 165–74, 172.

[341] "Weekly List 08," Library of Congress Classification, Classification Web – Library of Congress, Feb. 23, 2011, https://classweb.org/approved/1108.html [https://archive.is/p433V].

[342] Marie Whited and Monica Kauppi, "Classification," *Technical Services Law Librarian* 34, no. 3 (Mar. 2009): 10–11; Marie Whited and Monica Kauppi, "Classification," *Technical Services Law Librarian* 34, no. 4 (June 2009): 7–9.

[343] Aaron Kuperman, "Recent Changes in International Law Subject Headings," *Technical Services Law Librarian* 36, no. 3 (Mar. 2011): 21–22, 21; Yael Mandelstam, "Report of the AALL Representative to the ALA Subject Analysis Committee," *Technical Services Law Librarian* 37, no. 1 (Sep. 2011): 20–23, 21.

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headings reflecting Generation Two developments, such as "hybrid international criminal courts" and "complementarity (international law)," were also introduced.[344]

Taken together, all these ebbs and flows, debates, and efforts at reform can arguably be taken to mean that the field had reached a substantial and healthy stage of development by the arrival of Generation Three librarians. With an appreciation of this development stage, readers of this article will now hopefully have more context for the discussions that follow. Namely, we will examine the evolution of some sample IO and ICL tools over time before diving into a significant Generation Three ICL "cool tool" of choice—Lexsitus.

Tracing Trajectories

To identify discernible historical trends in how international legal research evolved over time across the generations, it is useful to look at different established works for longitudinal developments.

Traditional Media. One example of a traditional published work with a longer run is *The Guide to International Legal Research* (*GWILR Guide*), a book series published by the *George Washington International Law Review* since 1989,[345] with two earlier editions published in the journal itself, in 1981 and 1986. This is a serial reference work that publishes a bibliographic compilation of foreign and international law sources on a regular basis.

TABLE 2:
Changes in the GWILR Guide's Publishing Patterns in the Areas of IO and ICL Research over Time

Year / Edition	International Organizations	International Criminal Law
1990 / 1st	"United Nations" and "European Communities" are mentioned as a section of the "Reference Sources – Document Systems" subchapter.[346]	Absent. The contents were not organized by subject.
1993 / 2nd	Status quo, but geographical regions were introduced.[347]	Status quo.
1996 / 2nd ed. Supplement	"International Organizations" was formally introduced as a chapter, with the UN being the sole subchapter.[348]	Specialized areas of international law were formally introduced under "Computer Databases and the Internet." However, ICL did not form part of the eight identified areas of law.[349]
2003 / 5th	International organizations, including the UN and EU, became a subchapter under "Geopolitical Regions."[350]	ICL was formally included as an area of law under the label "Criminal Law" for the first time, along with "Immigration and Asylum Law."[351]
2006 ed.	Status quo.	"International Criminal Law" was included for the first time under the subchapter "Subject-Specific Texts."[352]
2010	The guide was restructured to its modern organizational format, where each region and area of law is assigned a discrete, stand-alone chapter. The UN was a subchapter under "General International Law," while the EU was a subchapter under "Europe."[353]	ICL was its own stand-alone chapter.[354]
2023	Status quo.	Status quo.

[344] Lia Contursi and Kate Wilko, "Classification," *Technical Services Law Librarian* 36, no. 3 (Mar. 2011): 1, 27–28, 28; George A. Prager, "Time Well Spent: Working with Jolande at the Library of Congress," *Technical Services Law Librarian* 37, no. 4 (June 2012): 10–11, 11.

[345] George Washington International Law Review, *The Guide to International Legal Research*, 26 vols. (Matthew Bender, 1989–).

[346] GWILR, *Guide* (Butterworth Legal Publishers, 1989), 307–40.

[347] GWILR, *Guide*, 2nd ed. (Butterworth Legal Publishers, 1993), vi.

[348] GWILR, *Guide*, 2nd ed.; 1996 supp. (Butterworth Legal Publishers, 1996), 100–17.

[349] GWILR, *Guide*, 1996 supp., v.

[350] GWILR, *Guide*, 5th ed. (Matthew Bender, 2003), xvi–xviii.

[351] GWILR, *Guide*, 5th ed., xii.

[352] GWILR, *Guide*, 2006 ed. (Matthew Bender, 2006), x.

[353] GWILR, *Guide*, 2010 ed. (Matthew Bender, 2010), xiv, liii–liv.

[354] GWILR, *Guide*, 2010 ed., lxix.

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The *GWILR Guide* can thus be examined as a sample of publishing patterns in international legal research topics over time, using the different volumes as historical snapshots.

Table 2 is illustrative of the transition over time, starting from the cusp of Generation One (keeping in mind that the *GWILR Guide* started in the journal in the 1980s). Significant strides were made throughout the time of Generation Two, culminating in the current version available in the time of Generation Three.

Using ICL as a frame of reference in this analysis, it is noteworthy that ICL first formed its own discrete subchapter in 2003. One conjecture is that in the period prior to 2002, new ICL courts were still in their formative periods and were not "ripe" for inclusion. The timing, in 2003, also coincided with the establishment of the ICC in 2002, alongside the fact that the ICTY and ICTR trials were in full motion and had been since they were set up in the 1990s. At this juncture, the aforementioned suggests that the *GWILR Guide* editors finally recognized a critical mass of ICL jurisprudence and legal publications, and ICL as an area of law was given time to develop from the 1990s to the early 2000s. In 2010, ICL became its own full-fledged chapter in the book, which was also when the International Residual Mechanism for Criminal Tribunals (IRMCT) was established. As highlighted previously, Generation Two librarians and scholars played a critical role in this transitional period.[355]

Although correlation does not imply causation, and the scope of this analysis is limited to this one example, it does lend evidence to the observation that the rise of the significance of ICL in the legal research literature tracks the trajectory of ICL developments in the legal landscape. This conjecture, however, would require more rigorous external validation from the literature.

Nontraditional Media. Another useful example for illustrative purposes is the International Criminal Law Electronic Resource Guide (ICL ERG),[356] a nontraditional publication in the form of an online research guide. The ICL ERG, authored by Gail Partin, served as an annotated directory of web resources relating to relevant judicial bodies in the area, law enforcement resources, and other specialized categories of international crimes. This resource is part of a set of online Electronic Resource Guides (ERGs) published by ASIL since 1997 that contain key online resources in important areas of international law research.[357]

Tracing the evolution of the ASIL ERGs (and the ICL ERG) sheds some light on the trajectory of IO and ICL research across Generations Two and Three. When the ERGs were first created in 1997, there were only sections on the "United Nations."[358] According to a capture on the Internet Archive's Wayback Machine, the ICL ERG was later added as of March 22, 1998,[359] with the last update being April 1, 2015. Although it has been a while since the last update, the ICL ERG remains a valuable frame of reference for how ICL research resources may evolve over time, especially those in the online realm. For example, in the 1998 guide, sources for the then-proposed ICC spanned five paragraphs,[360] and by 2015, it had expanded into a six-page list of resources on the ICC—its formation and related issues.[361] Contemporary issues have also been added, such as a new subsection on "Cyber Crime."[362] Our distinguished colleague Gail Partin, who started work on this back in Generation Two, was ahead of her time. She had the foresight to anticipate these important developments in the field, which remain significant to Generation

[355] See *supra*.

[356] Gail Partin, "International Criminal Law, e-RG Electronic Resource Guide," American Society of International Law, updated Apr. 1, 2015, https://www.asil.org/sites/default/files/ERG_CRIM.pdf [https://perma.cc/KY63-ZTY3].

[357] Kelly Vinopal, "Introduction, e-RG Electronic Resource Guide," American Society of International Law, updated Jan. 11, 2013, https://www.asil.org/sites/default/files/ERG_INTRO.pdf. The ERG home page has been placed behind a paywall since July 2022. "Electronic Resource Guide (ERG)," American Society of International Law, https://www.asil.org/resources/electronic-resource-guide-erg (site paywalled). Pre-2022 archives are available via the Internet Archive: https://web.archive.org/web/20221115000000*/https://www.asil.org/resources/electronic-resource-guide-erg.

[358] "ASIL Guide to Electronic Resources for International Law," American Society of International Law, archived Dec. 11, 1997, at https://web.archive.org/web/19971211201747/http:/www.asil.org/resource/home.htm.

[359] Gail Partin, "International Criminal Law," ASIL Guide to Electronic Resources for International Law, American Society of International Law, updated Mar. 22, 1998, archived May 04, 1998, at https://web.archive.org/web/19980504090819/http:/asil.org/resource/crim1.htm.

[360] Gail Partin, "International Criminal Law," Mar. 22, 1998.

[361] Partin, "International Criminal Law, e-RG," 9–14.

[362] Partin, "International Criminal Law, e-RG," 28–29.

https://doi.org/10.1017/jli.2025.10078 Published online by Cambridge University Press

Three librarians. Her work is emblematic of the era when ICL jurisprudence and developments had gradually culminated into an international criminal law "moment."

These exercises have traced the treatment of IOs and specialized areas of international law with these two examples of traditional and nontraditional legal research reference sources used in FCIL librarianship. Perceptions as to their significance as fields of study have evolved over the three generations, corresponding to their depth of treatment. These exercises arguably evince that, as the number of documents and publications grows exponentially, both IOs and ICL (and other specialized fields that may emerge) will stake their own substantive territory in the research literature over the years.

International Criminal Law and Its "Cool Tool": Lexsitus

This subsection features the "cool tool" in the field of ICL research: Lexsitus. The analysis includes the tool's strengths and weaknesses, as well as its broader significance within the ICL research landscape. We also examine the implications this tool may have on the FCIL profession, especially Generation Three librarians.

In summary, Lexsitus is an open-access, e-learning platform with a particular focus on ICC practice and ICL. Different modules in Lexsitus enable a researcher to achieve the following goals: (1) learn about the foundations of ICL in the context of ICC practice; (2) retrieve relevant sources of ICL; and (3) analyze and interpret these legal sources with a systematic compilation of the ICL jurisprudence.[363] Because the contents in Lexsitus have been structured according to the provisions of core ICC statutes, like the Rome Statute[364] and the Rules of Procedure and Evidence (RPE),[365] it is intuitive and easy to use for a wide range of demographics.

Preliminary Background

Before diving into the core features of Lexsitus, it is helpful to understand its origin and how to situate it within the ICL research ecosystem. Lexsitus was developed by the Centre for International Law Research and Policy

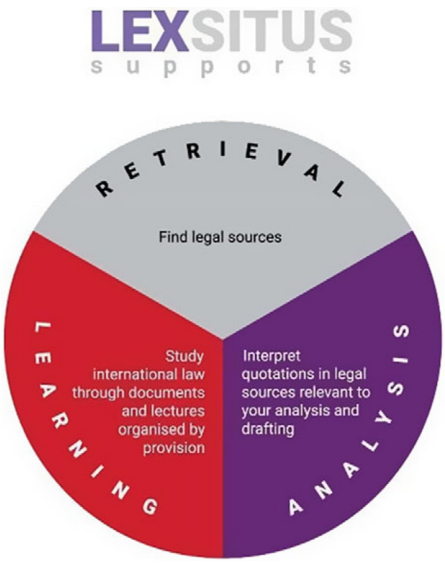


Diagram Illustrating Lexsitus's Framework, © CILRAP. Reproduced with permission.

[363] CILRAP, *Lexsitus Supports*, graphic, Scalable Vector Graphics (SVG) format, accessed Sep. 15, 2025, https://cilrap-lexsitus.org/img/home-infographic/infographic-en.svg.

[364] "Rome Statute of the International Criminal Court," entered into force July 1, 2002, *United Nations Treaty Series* 2187, no. 38544 (July 17, 1998): 90–158, https://www.icc-cpi.int/sites/default/files/2024-05/Rome-Statute-eng.pdf.

[365] "Rules of Procedure and Evidence," entered into force Sep. 9, 2002, *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, First session, New York, 3–10 September 2002* (ICC-ASP/1/3 and Corr.1), part II.A., https://www.icc-cpi.int/sites/default/files/Publications/Rules-of-Procedure-and-Evidence.pdf.

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(CILRAP), an international nonprofit organization devoted to international law research and capacity building.[366] Its members include distinguished academics, professionals, and students from around the world.[367] Much of the work is performed by its Case Matrix Network (CMN) department, which focuses on ICL knowledge transfer and capacity-building projects by providing access to legal information, legal expertise, and open-access tools through its CMN Knowledge Hub.[368] CILRAP is also the administrator for the leading ICL database, the ICC Legal Tools Database, pursuant to a ten-year agreement between the ICC and CILRAP.[369]

Lexsitus has built on the work of the LTD and should be understood to be part of the same family of platforms under the auspices of CILRAP-CMN.[370]

Because CILRAP has worked on the LTD since 2003,[371] much of the thinking behind the development of the LTD's core features also extends to Lexsitus. Lexsitus itself is co-dependent on several features of the LTD, such as permalinks.[372] The literature surrounding the development of the LTD is thus highly relevant to our discussion of Lexsitus as well, as evidenced by the discussion below.

Analysis of Core Features

Lexsitus is a combination of the Latin words *lex* and *situs*, meaning the place of the law, and its name was meant to convey its purpose as a place to learn ICL.[373] CILRAP first launched this tool on January 30, 2018,[374] and its second version was released in 2023, following the addition of several new translations.[375]

Contents. There are seven content modules available on the platform. All content is organized according to the provisions found in ICC statutory instruments, enabling a systematic article-by-article analysis. The list below provides a description of the database's contents and their significance:

1. **Lectures**:[376] Lectures are the primary means through which Lexsitus plays its e-learning role. There are currently more than 230 subtitled lectures[377] recorded by fifty-five leading Lexsitus faculty[378] from around the world. The currency of each lecture can be found by looking at the date of recording in its metadata record. Lectures are pitched at different levels, with the majority classified as "Introductory" lectures and a selected number of "Advanced" lectures that go deeper into the statutory provision. The lectures are subtitled in five languages: English, Arabic, French, Persian, and Russian. All lectures have transcripts with persistent links.

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[366] "Knowledge-transfer, Legal Empowerment and Capacity Development," Case Matrix Network, CILRAP, accessed Sep. 15, 2025, https://www.casematrixnetwork.org/activities.

[367] "People," CILRAP, accessed Sep. 15, 2025, https://www.cilrap.org/people.

[368] "The CMN Knowledge Hub," Case Matrix Network, CILRAP, accessed Sep. 15, 2025, https://www.casematrixnetwork.org/cmn-knowledge-hub.

[369] Co-ordination, CMN Fellows, and Institutional Partners," ICC Legal Tools Database, CILRAP, archived May 10, 2024, at https://web.archive.org/web/20240510062910/https://legal-tools.org/coordination.

[370] "The CMN Knowledge Hub," Case Matrix Network, CILRAP.

[371] "Project Background," ICC Legal Tools Database, CILRAP, accessed Sep. 15, 2025, https://www.legal-tools.org/background.

[372] See *infra*.

[373] Marc Perrin de Brichambaut, "Lexsitus Introductions," accessed Sep. 15, 2025, https://lexsitus.cmn-kh.org/icc_statute/lexsituswelcome_marcperrindebrichambaut_english.mp4.

[374] "Lexsitus is Now Available; CILRAP Film and CILRAP Podcast are Also Ready; New Policy Briefs on the ICC, Iran, India and More," CILRAP, published Jan. 30, 2018, https://mailchi.mp/fichl/lexsitus-a-new-way-to-learn-and-work-with-law-cilrap-film-and-podcast?e=6b80868b28 [https://archive.is/IdKEB].

[375] "Lexsitus 2.0. released," CILRAP, Feb. 14, 2023, https://mailchi.mp/cilrap/ps-9298146?e=eace4a0eba [https://archive.is/3wbKs].

[376] "Lexsitus Lectures," Lexsitus, CILRAP, accessed Sep. 15, 2025, https://cilrap-lexsitus.org/en/lectures [https://perma.cc/A66U-QHDU].

[377] "Lexsitus 2.0 released," CILRAP.

[378] "Lecturers," Lexsitus, CILRAP, accessed Sep. 15, 2025, https://cilrap-lexsitus.org/en/faculty [https://perma.cc/U223-CH55].

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2. **Commentary on the Law of the International Criminal Court (CLICC)**:[379] CLICC functions as an encyclopedic commentary of all provisions in the ICC Statute and the RPE. It is an online compilation of three separate volumes of ICC- and RPE-related commentaries totaling more than three thousand pages, now published as a second edition.[380] A highly authoritative work with a robust editorial team[381] and fifty-six contributors who are leading academics,[382] practitioners, and jurists, this commentary has been adopted into the formal curriculum of ICL courses at several reputable law schools.[383] As an online commentary, it is continually updated per the dates of each entry and has functionality that is not possible in print, with legal sources hyperlinked and accessible via its integration with Lexsitus and the LTD. CLICC has been translated into Arabic and French as well.
3. **Primary Documents—Preparatory Works,**[384] **Case Law,**[385] **and Elements of Crime**:[386] The following three modules comprise the full texts of the Rome Statute's *travaux préparatoires*, judicial decisions organized according to the relevant ICC statutory provision, and the full text of the ICC *Elements of Crime*. Like most documents on this platform, the preparatory works and case law are hosted on the LTD with persistent links. The collection of preparatory works is based on a past CILRAP project, the ICC Preparatory Works and Statute Amendments Collection, which was compiled by a team at the ICC and was touted as the "largest collection of these preparatory works available online."[387] For case law, new additions are continually added in regular updates by the Lexsitus team.[388] The *Elements of Crime* is available in HTML format. Relatedly, the texts of the Rome Statute and RPE can be viewed from the left pane in HTML format.
4. **Elements Digest**[389] **and Means of Proof Digest**:[390] The final two modules consist of digests of extracts from case law that correspond to the ICC *Elements of Crime*, spanning more than 1,050 pages.[391] The digests are continually updated by the ICC team, like other modules.[392] They are available in six languages: English, Arabic, French, Persian, Russian, and Spanish.

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[379] "CLICC Commentary," Lexsitus, CILRAP, accessed Sep. 15, 2025, https://cilrap-lexsitus.org/en/clicc [https://perma.cc/8NZ2-DN7X].

[380] Mark Klamberg, Jonas Nilsson, and Antonio Angotti, eds., *Commentary on the Law of the International Criminal Court: The Rules of Procedure and Evidence* (Torkel Opsahl Academic EPublisher, 2023), https://www.legal-tools.org/doc/8hsugz/; Mark Klamberg, Jonas Nilsson, and Antonio Angotti, eds., *Commentary on the Law of the International Criminal Court: The Statute*, 2nd ed., 2 vols. (Torkel Opsahl Academic EPublisher, 2023), https://www.legal-tools.org/doc/qygkvu/ (vol. 1); https://www.legal-tools.org/doc/eil964/ (vol. 2).

[381] "Co-ordination, CMN Fellows, and Institutional Partners," ICC Legal Tools Database.

[382] "Commentary on the Law of the International Criminal Court' (3,196 pp.); ICC State-Party governance should become more incisive," CILRAP, Dec. 7, 2023, https://mailchi.mp/cilrap/146-clicc2?e=eace4a0eba [https://archive.is/sfkWK].

[383] "Commentary on the Law of the ICC," Research Project, Stockholm University, accessed Sep. 15, 2025, https://www.su.se/english/research/research-projects/commentary-on-the-law-of-the-icc.

[384] "Preparatory Works," Lexsitus, CILRAP, accessed Sep. 15, 2025, https://cilrap-lexsitus.org/en/preparatory-works [https://perma.cc/E9CD-RYMQ].

[385] "Case Law," Lexsitus, CILRAP, accessed Sep. 15, 2025, https://cilrap-lexsitus.org/en/case-law [https://perma.cc/JFG3-U36Q].

[386] "ICC Elements of Crime," Lexsitus, CILRAP, accessed Sep. 15, 2025, https://cilrap-lexsitus.org/en/elements-of-crime [https://perma.cc/Z8D4-TTFS].

[387] "ICCPWS: Search the ICC 'Preparatory Works'," Case Matrix Network, CILRAP, accessed Sep. 15, 2025, https://www.casematrixnetwork.org/cmn-knowledge-hub/icc-preparatory-works-search [https://perma.cc/9WMY-8KPY].

[388] Morten Bergsmo, email message to author, May 15, 2024. Per communications on file with the author, the last major update was in June 2024 at the time communicated, and the resource will still be continually updated.

[389] "Elements Digest," Lexsitus, CILRAP, accessed Sep. 15, 2025, https://cilrap-lexsitus.org/en/elements-digest [https://perma.cc/E4E4-GF8R].

[390] "Means of Proof Digest," Lexsitus, CILRAP, accessed Sep. 15, 2025, https://cilrap-lexsitus.org/en/means-proof-digest [https://perma.cc/ME27-9HE7].

[391] "Lexsitus 2.0 released," CILRAP.

[392] Bergsmo, email message to author.

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The Elements Digest helps to identify legal elements of substantive core crimes, while the Means of Proof Digest focuses on factual elements required for practitioners to prove their case for each crime. The digests have been organized into colored hierarchies corresponding to these legal and factual requirements. Effectively, the organizational style of the digests is intended to allow practitioners to swiftly identify the evidential strengths and gaps of their case, thereby "achiev[ing] judicial economy" by "directing limited resources to the weak areas of their case."[393]

Features.

1. **Languages**: Most modules on Lexsitus have multilingual offerings as a result of a concerted effort by different international contributors. This is in line with CILRAP's director, Dr. Morten Bergsmo, whose aim is to "broad[en] the discourse community beyond mainly Western institutions and constituencies,"[394] thus contributing to an authentically "international" criminal law landscape.
2. **Personalization**: By creating a free account,[395] users can gain access to additional features to facilitate their personal projects. For example, they are able to create notes and build a reading list of sources.
3. **Metadata**: There is a very deliberate effort to maintain high-quality metadata, especially via integration with the LTD. Stakeholders from the ICC and CILRAP have expended considerable effort to create a taxonomy[396] and an appropriate metadata schema[397] for the LTD,[398] which translates to benefits for Lexsitus as well. As a result, persistent links are usually available,[399] which can ameliorate the issue of link rot.

Further details can be found in the FAQ section of the resource.[400]

Strengths and Perceived Limitations.

Strengths

1. **Authoritative**: The project is led by leading experts on ICL. CILRAP's director, Dr Morten Bergsmo, has had a long, illustrious career at the ICC and ICTY and has held several academic and governmental appointments.[401] The core editorial team, along with the faculty contributors, includes distinguished practitioners, academics, and jurists like Professor William Schabas.[402] The Chief Editor of Lexsitus's commentary is Stockholm University's Professor Mark Klamberg, who is the course director for the university's public international law and ICL courses.[403]

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[393] Sangkul Kim, "The Anatomy of the Means of Proof Digest," in *Active Complementarity: Legal Information Transfer*, ed. Morten Bergsmo (Torkel Opsahl Academic EPublisher, 2011), 197–221, 197, https://www.legal-tools.org/doc/2cc0e3/.

[394] "Introducing Lexsitus: An International Criminal Legal Ecosystem," Coalition for the International Criminal Court, Jan. 31, 2018, https://www.coalitionfortheicc.org/news/20180131/introducing-lexsitus-international-criminal-legal-ecosystem.

[395] "Registration," Lexsitus, CILRAP, accessed Sep. 15, 2025, https://cilrap-lexsitus.org/en/register [https://perma.cc/US3H-D3YX].

[396] Franziska C. Eckelmans, "Taxonomy by Consensus: The ICC Keywords of the Legal Tools," in *Active Complementarity: Legal Information Transfer*, ed. Morten Bergsmo (2011).

[397] Volker Nerlich, "The Metadata Scheme of the Legal Tools Project," in *Active Complementarity: Legal Information Transfer*, ed. Morten Bergsmo (2011).

[398] "Metadata Manual," Legal Tools Project, adopted Oct. 17, 2008, https://ltd-docs.s3.eu-central-1.amazonaws.com/media/Legal_Tools_Metadata_Manual_version_1-1.pdf [https://web.archive.org/web/20240218140648/https://ltd-docs.s3.eu-central-1.amazonaws.com/media/Legal_Tools_Metadata_Manual_version_1-1.pdf].

[399] "Persistent URLs (PURLs)," ICC Legal Tools Database, CILRAP, accessed Sep. 15, 2025, https://www.legal-tools.org/purl.

[400] "Lexsitus Tutorials," Lexsitus, CILRAP, accessed Sep. 15, 2025, https://cilrap-lexsitus.org/en/help [https://perma.cc/L6XG-UR4T].

[401] "Morten Bergsmo," CILRAP, accessed Sep. 15, 2025, https://www.cilrap.org/bergsmo.

[402] "Core Team," Lexsitus, CILRAP, accessed Sep. 15, 2025, https://cilrap-lexsitus.org/en/coordination [https://perma.cc/CZ22-B8ZD]; "Lecturers," Lexsitus, CILRAP, accessed Sep. 15, 2025, https://cilrap-lexsitus.org/en/faculty [https://perma.cc/U223-CH55]; "CLICC Authors," Lexsitus, CILRAP, accessed Sep. 15, 2025, https://cilrap-lexsitus.org/en/authors [https://perma.cc/UWP7-8964]; "Digest Editors," Lexsitus, CILRAP, accessed Sep. 15, 2025, https://cilrap-lexsitus.org/en/digest-editors [https://perma.cc/MZ9S-LL7Q].

[403] "Mark Klamberg," CILRAP, accessed Sep. 15, 2025, https://www.cilrap.org/klamberg.

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2. **Longevity**: The project appears to be sustainable and has robust financial backing. Lexsitus is funded by a strong network of governments and institutional donors.[404] The work of CILRAP-CMN has received funding from various governments,[405] while CILRAP itself is supported by an endowment.[406] The work of CILRAP originates from Dr Bergsmo's pre-CILRAP days in the ICC in 2003,[407] which attests to its longevity. The resource is continually updated[408] and is not portrayed as a one-off project. Having safeguards for longevity is essential to address the issue of long-term continuity in information resources, as discussed below in the case of the cessation of the IFAR database.[409]
3. **Open Access**: The resources are provided free of charge under the CC-BY-NC-SA license.[410] CILRAP-CMN has maintained a steadfast commitment to the open-access movement.[411] Lexsitus itself has been certified by the Digital Public Goods Alliance (DPGA, a UN-endorsed, multi-stakeholder initiative) as a digital public good.[412] Certification requires Lexsitus to be vetted under a rigorous review process for addition to the DPGA Registry[413] in accordance with the DPGA Standard.[414] As an open-access resource, it has received more than one million annual hits.[415] Overall, these milestones underscore Lexsitus's impact in the open-access landscape for legal materials and access to justice.
4. **Integration**: Lexsitus belongs to a family of tools within CILRAP-CMN's ecosystem known as the CMN Knowledge Hub.[416] This means that it is designed with both substantive and technical integration in mind. Substantive integration here refers to Lexsitus's content being logically structured around the theory and practice of ICL under the ICC regime, as evinced by the article-by-article arrangement of most of its resources. Technical integration refers to its interoperability with other CILRAP-CMN tools, such as the LTD, allowing Lexsitus to leverage strengths and best practices, such as rich metadata.[417] Together, these allow an ICL researcher's experience to be fairly seamless.

Perceived Limitations

1. **Scope**: The scope of Lexsitus's content can be limited because it is mostly ICC-centric, and ICL researchers may have to go beyond it depending on the nature of their research. It can be argued that the substantive integration of Lexsitus with ICC materials can be a double-edged sword to the extent that the contents and structures of the resources are solely ICC-centric. However, this critique can be ameliorated because (1) Lexsitus is not ICC-exclusive—some content and commentary will reference and discuss sources beyond the ICC, and ICC practice is premised on and can be extrapolated from general ICL; and

[404] "Lexsitus E-learning," Case Matrix Network, CILRAP, accessed Sep. 15, 2025, https://www.casematrixnetwork.org/cmn-knowledge-hub/lexsitus-e-learning.

[405] "Donors," Case Matrix Network, CILRAP, accessed Sep. 15, 2025, https://www.casematrixnetwork.org/about-us/donors.

[406] "CILRAP Endowment," CILRAP, accessed Sep. 15, 2025, https://www.cilrap.org/endowment.

[407] "Project Background," ICC Legal Tools Database.

[408] Bergsmo, email message to author.

[409] See *infra.*

[410] "Copyright," Lexsitus, CILRAP, accessed Sep. 15, 2025, https://cilrap-lexsitus.org/en/copyright [https://perma.cc/8W43-E4ME].

[411] "Open Access to More than 155,000 International Law Sources, Publications, Films and Podcasts," CILRAP, Apr. 3, 2020, https://mailchi.mp/fichl/open-access-to-more-than-155000-legal-sources-publications-films-and-podcasts?e=c418a06e66 [https://archive.is/HI0Qq].

[412] "Lexsitus," DPG Registry, Digital Public Goods Alliance, last evaluated May 12, 2025, https://www.digitalpublicgoods.net/r/lexsitus [https://archive.is/qqmaN].

[413] "Lexsitus," DPG Registry Application, Digital Public Goods Alliance, expired Jan. 21, 2025, https://app.digitalpublicgoods.net/a/10057 [https://archive.is/8OrFm]. The DPG application status is reflected as expired, as the solution is now classified as a DPG.

[414] "Digital Public Goods Standard," Digital Public Goods Alliance, accessed Sep. 15, 2025, https://www.digitalpublicgoods.net/standard.

[415] "Launch of Lexsitus 2.0. Offering New Features Including French Version," International Nuremberg Principles Academy, Feb. 14, 2023, https://www.nurembergacademy.org/about-us/news-dates/detail/609-launch-of-lexsitus-20-offering-new-features-including-french-version.

[416] "The CMN Knowledge Hub," Case Matrix Network, CILRAP.

[417] "Metadata Access," Lexsitus, CILRAP, accessed Sep. 15, 2025, https://lexsitus.cmn-kh.org/lex_web/metadata.mp4.

https://doi.org/10.1017/jli.2025.10078 Published online by Cambridge University Press

(2) it is logical for a significant number of resources to be devoted to ICC-centric practice, as the ICC is arguably the only permanent international criminal court in existence, at least for the foreseeable future.[418]

In terms of the nature of its offered content, commentaries like CLICC are mainly intended to explain what the law is, rather than delve too much into normative debates or cutting-edge research. In a sense, it is akin to an ICL equivalent of a *Restatement* in the US, which focuses on distilling the law. The digests by their very nature also focus mainly on positive law. Hence, Lexsitus serves as an excellent starting point but should not be the only source consulted for late-stage or novel ICL research. Such research would be better supplemented by groundbreaking academic discourse in scholarship. To address these problems on scope, Lexsitus need not and should not be the be-all and end-all of ICL research. Quality research often requires examining and corroborating multiple sources. As a matter of best practice, FCIL librarians will typically advise researchers to cast a net that is appropriately wide and deep enough to cover their research topic, including sources beyond Lexsitus.

2. **User Experience**: There is room for improvement in the user experience. Overall, the platform might seem more dated compared to commercial equivalents. To some extent, this is understandable. Some may even argue that a no-frills approach is preferable in light of sustainability considerations. What follows are some examples of potential points of improvement.

   Firstly, the search functionality is somewhat limiting, and it is not clear whether the results are ordered based on relevance, chronology, or other sorting criteria. In contrast, the search function on the sister platform, LTD, is more robust. Secondly, there are certain features that could be enhanced to improve user experience, such as the ability to share reading lists or notes with other users, to add multiple selections of case law or *travaux* into notes, and to download those selections all at once. Occasional errors have also been observed to arise while navigating the platform and pulling up materials.

All that being said, there is still a "Report an Issue" button to address errors and provide suggestions. Lexsitus itself is an ongoing project with continuous upgrades and improvements, and CILRAP is receptive to accepting feedback and implementing enhancements as seen from some of its newsletter updates.[419]

Observations Regarding the Place of Lexsitus Within the ICL Research Landscape

Why has Lexsitus been highlighted in particular as a "cool tool," and what larger role does it play in the ICL research landscape? Going beyond just the analysis of the core features discussed above, what makes Lexsitus unique overall is its unifying purpose. It serves as a research tool that coherently brings together different primary and secondary ICL materials for all researchers. It also lowers the barriers of entry for novice researchers in this field, with its logical and substantive structure, e-learning orientation, and open-access approach. It therefore complements the plethora of ICL research sources in the landscape by serving as a springboard and unifying solution, making it stand out from the rest.

The unifying purpose stems from the philosophy behind the creation of Lexsitus and other tools in the same family of CILRAP-CMN's ecosystem. Here, the legal principle of complementarity is the key driver of this philosophy. The principle of complementarity refers to the ICC's jurisdiction being "complementary to national criminal jurisdictions" under the Preamble and Article 1 of the Rome Statute,[420] where the ICC may exercise jurisdiction only if the national legal system "is unwilling or unable genuinely to carry out the investigation or prosecution" under Article 17.[421] Effectively, this means it is the States and not the ICC that have primacy of jurisdiction and the responsibility to prosecute core international crimes and serious violations. The ICC's remit is complementary to these national jurisdictions. The rationale behind this is based on respect for sovereignty and

[418] Eckelmans, "Taxonomy by Consensus," 142.

[419] "Previous Announcements to the CILRAP Circulation List," CILRAP, accessed Sep. 15, 2025, https://www.cilrap.org/news.

[420] "Rome Statute of the International Criminal Court," July 1, 2002, Preamble, art. 1.

[421] "Rome Statute of the International Criminal Court," July 1, 2002, art. 17(1).

https://doi.org/10.1017/jli.2025.10078 Published online by Cambridge University Press

"practical considerations of effectiveness," given the ICC's resource constraints and limitations of its geographical proximity to potential mass atrocities.[422]

One dominant angle to approach complementarity is the notion of "positive complementarity." This has been defined as

> activities and actions of cooperation aimed at promoting national proceedings, with specific reference to the prosecutorial policy of an international criminal court, whereby the International Prosecutor encourages *genuine national proceedings* when possible, by way of relying on *national and international networks*, and invites relevant States to participate in a system of *international cooperation.* The positive approach to complementarity implies that an international criminal tribunal and the State have agreed upon a *consensual division of labour.*[423] (emphasis added).

To achieve positive complementarity, nations must be sufficiently empowered with a strong national framework and capacity to investigate and prosecute core international crimes. Three ingredients have been identified—namely, legislative assistance, technical assistance, and capacity building.[424] Specifically, Lexsitus and other CILRAP-CMN tools all contribute to these elements and thus were built with "positive complementarity" in mind from their inception.[425]

Lexsitus is able to achieve the mission of increasing national capacity in two ways. First, given that it is an open-access tool, it provides tangible access to legal information, which is a bread-and-butter requirement. In ICL, open access performs a bridging function for international criminal justice to be effected in countries that have fewer resources.[426] Furthermore, the democratization of resources also extends to ideas; ICL as a field is also enriched by broadening discourse and participation beyond the common Anglo-European-centric refrain. Its nature as an open-access resource is therefore critical to positive complementarity and contributes to its overall unifying character.

Second, Lexsitus facilitates knowledge transfer. With its logical format and the practice-oriented approach of content modules like the digests, the tool is intentionally designed to impart experienced ICC practitioners' existing expertise and knowledge to national regimes that may be less familiar with that information.[427] This is particularly important in leveling the playing field for States that have suffered the commission of mass atrocities, as they may have access to fewer resources.

All in all, Lexsitus unifies in several senses. On a surface level, there is a coherently assembled set of substantive ICL content for research. Going deeper, the practice of international criminal justice is harmonized, as the materials are modeled from the work of experienced practitioners. At the pinnacle is the commitment to open access that democratizes information and ideas, bringing together diverse international and national regimes under the umbrella of positive complementarity. Lexsitus is therefore unique because of its higher meaning within the ICL landscape, which is what distinguishes it from other platforms or products. CILRAP is not trying to sell the user a tool. Instead, it offers an entirely profound way to approach international criminal legal practice!

For the third generation of FCIL librarians, it is essential to keep these high-level objectives at the back of one's mind when using, teaching, or assisting with this tool. Using this tool may help ground a researcher's use in the guiding philosophy of positive complementarity, which will then impact their potential approach to international criminal justice down the line. For that reason, Lexsitus and its associated sister tools will continue being landmark resources in the ICL research landscape for a long time.

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[422] Philippa Webb and Morten Bergsmo, "International Criminal Courts and Tribunals, Complementarity and Jurisdiction," in *Max Planck Encyclopedia of Public International Law* (Nov. 2010), ¶ 11, http://opil.ouplaw.com.

[423] Hitomi Takemura, "Positive Complementarity," in *Max Planck Encyclopedia of International Procedural Law* (Oct. 2018), ¶ 1, http://opil.ouplaw.com.

[424] "Review Conference," adopted Mar. 25, 2010, Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Tenth plenary meeting (ICC-ASP/8/Res.9), Appendix, at ¶ 17, https://asp.icc-cpi.int/sites/asp/files/asp_docs/Resolutions/ICC-ASP-8-Res.9-ENG.pdf.

[425] Morten Bergsmo, Olympia Bekou, and Annika Jones, "Complementarity after Kampala: Capacity Building and the ICC's Legal Tools," *Goettingen Journal of International Law* 2, no. 2 (2010): 791–811, 794–96, https://doi.org/10.3249/1868-1581-2-2-Bergsmo.

[426] Conrad J.P. van Laer, "Open Access for International Criminal Lawyers," *International Criminal Law Review* 16, no. 6 (Nov. 2016): 1117–36, 1119, https://doi.org/10.1163/15718123-01606004.

[427] Van Laer, "Open Access for International Criminal Lawyers," 806–09.

https://doi.org/10.1017/jli.2025.10078 Published online by Cambridge University Press

Specialized Research

Specialized and Interdisciplinary Research

While most non-FCIL librarians would consider FCIL research highly specialized, FCIL generations of the past have separately considered interdisciplinary and subject-specific research beyond private versus public international law, or criminal versus civil law. As previously mentioned, IOs can be formal organizations or semi-governmental bodies like the UN, or they can be any organization stretching across national borders that focuses on a single area or topic, like international charity organizations or other NGOs. Specialized research often relies on the latter to aggregate sources and make information available in a particular area of law. Later, we will examine the IFAR database as an example of this aggregation.

Generation One. Generation One primarily observed that law librarianship itself encompassed specialized research. In the early 1960s, the prediction that law schools would increase in number and that student bodies would multiply led to the prediction of a need for more and more law librarians.[428] Because there would be fewer law librarians in comparison to the number of positions, Marke predicted that librarians would be in high demand because of the need to be "educated and trained in greater depth than ever before."[429] He knew special collections would grow and need to be highly organized because of the incoming breadth of materials on all of the subtopics and specialized fields of law, not to mention the interdisciplinary work that lawyers, and thus law librarians, would be required to take on.[430] In addition, Generation One was already aware that "specialized training would become dated so quickly that the law librarian will have to update [their] background periodically to keep pace."[431] That training would include AALL conferences and institutes, specialized library school training, and workshops to develop courses and programs for training law students and professors in using the new tools.[432] Once law librarianship became an established profession, specialization began to focus on specific practice areas where additional resources and expertise might be needed.

Generation Two. In the shift to online materials that happened throughout the time of Generation Two, specialized legal research grew to encompass the use of non-legal databases to a greater extent. In 1989, Pat Ensor wrote an entire article to educate law librarians on non-legal databases. Ensor's advice was to subscribe to specialized vendors' products that mirrored the librarian's field of law but were not legal-specific resources.[433] Ensor felt those resources were easier to use and created an in-depth focus that would ultimately save the researcher time, even if they were more expensive.[434] These resources had specialized search capabilities that were not available in broader databases like LexisNexis or Westlaw at the time.[435] Areas of specialized interdisciplinary research that were brought up most frequently were business, intellectual property (IP), health and medicine, and social and behavioral sciences.[436]

Legal research skills were still broadly applicable even with these non-legal databases. The focus just became compiling resources across types of databases, then pulling and using what was needed from multiple sources, rather than waiting on Westlaw or a similar legal database to aggregate all of the information as seen more commonly in Generation Three.

There was also specialization still occurring within print collections. Mary Whisner discussed an interaction with a public patron looking for forms related to buy-sell agreements, an area she knew little about.[437] She was left to decide between a general set of forms that had breadth but not depth, or a specialized resource that would offer depth

[428] Julius J. Marke, "The Glorious Uncertainty of Law Librarianship," *Law Library Journal* 57, no. 1 (Feb. 1964): 2–7.
[429] Marke, "The Glorious Uncertainty," 4.
[430] Marke, "The Glorious Uncertainty," 4.
[431] Marke, "The Glorious Uncertainty," 6.
[432] Marke, "The Glorious Uncertainty," 6.
[433] Pat Ensor, "Nonlegal Databases for the Law Librarian: An Update," *Law Library Journal* 81, no. 4 (Fall 1989): 813–22.
[434] Ensor, "Nonlegal Databases for the Law Librarian," 813–22.
[435] Ensor, "Nonlegal Databases for the Law Librarian," 813–22.
[436] Ensor, "Nonlegal Databases for the Law Librarian," 813–22.
[437] Mary Whisner, "Learning from Reference Experience," *Law Library Journal* 102, no. 2 (Spring 2010): 309–14, 310.

https://doi.org/10.1017/jli.2025.10078 Published online by Cambridge University Press

but only if it had what the patron actually needed.[438] She opted for the general resource that served the patron well, but she later discovered on the shelves a loose-leaf volume specifically focused on structuring buy-sell agreements, the very specialized topic the patron was researching.[439] Whisner would have needed to rely on a catalog search that captured buy-sell rather than corporations, or more involved shelf reading and scanning to find the print materials. Without previous specialization in the area, locating specialized print materials on point could be difficult. Generation Two's hybrid world factored into how those law librarians used their versions of "cool tools"—either online or in print—and what expertise could be amassed in any one specialization in an already specialized world like FCIL research.

Generation Three. Generation Three relies on a much larger proportion of digital tools and databases to conduct research, which is helpful and allows for more specialized research. What used to possibly require trips to specialty libraries and discussions with other experts can now be compiled by the researcher on their own through LibGuides, as mentioned above.[440] Current advice includes skimming substantive legal materials before embarking on the research if the researcher is not a subject-matter expert already.[441] While FCIL librarians do have subject-matter expertise in international and foreign law, they may not be intimately familiar with the finer points of IP, art, or environmental law and issues. Looking for commonalities among types of research like the authors have demonstrated in this article can help, as well as networking with other librarians and learning from each other—another cross-generational tip.[442]

"Cool Tool": The IFAR Database

The IFAR database was run by the International Foundation for Art Research (IFAR), an organization founded in 1969 to increase education and cultural awareness around art and art objects.[443] While the organization itself is much older, IFAR launched its Art Law and Cultural Property database in 2008, making this a specialized tool relied on by Generations Two and Three.[444] The database was split into two sets of resources depending on the specific legal research needs. One was the International Cultural Property/Ownership & Export Legislation database (ICPOEL), and the other was Case Law & Statutes. These two parts of the database were paid subscription resources. There were other educational resources available in addition to these two databases, as well as a set of publications, news, programs, and events that IFAR promoted. This database was a great example of the interdisciplinary and hybrid nature of specialized legal research previously discussed.

ICPOEL organized information by region, then country. Each country's summary included a list of relevant legislation with hyperlinks to a PDF or website that contained the law. Often, the legislation was offered with a translation. There were also various definitions of terms of art for that country, names of agencies, and related issues. On the right side of the country, entries were national contacts for cultural property, separated by subject matter if applicable.

The case law and statutes part of the database was divided by subject matter, including World War II-Era/Holocaust-Related Art Loss, non-US versus US cultural property, more general art theft, and more. There were even subsections for copyright, moral rights, and additional issues that were outside the traditional scope of art law. After choosing a subject, the relevant statutes were highlighted at the top with hyperlinks, then case summaries for decided civil cases, out-of-court settlements, decided criminal cases, and pending cases. These results were also available in a matrix view that provided additional information, such as opinion date, jurisdiction, the disputed object, and which claims were covered. In addition to the databases, IFAR had fewer legal portions of the database, making it a good interdisciplinary tool for art lawyers to understand more about the background of the artwork at issue.

Catalogues raisonnés are individual bibliographies for artists, ranging from the famous to the obscure. These are used to help authenticate works in combination with a provenance guide, an art research tool turned legal

[438] Whisner, "Learning from Reference Experience," 310.
[439] Whisner, "Learning from Reference Experience," 310.
[440] See *infra.*
[441] Whisner, "Learning from Reference Experience," 310.
[442] Whisner, "Learning from Reference Experience," 314; Schaaf, "Serving Research Needs," 127–33.
[443] International Foundation for Art Research, IRS Form 990 (2015), https://990s.foundationcenter.org/990_pdf_archive/132/132623376/132623376_201512_990.pdf.
[444] "IFAR's Online Database now provides digital links to additional resources for over 3,800 published catalogues raisonnés," *LootedArt* (Nov. 28, 2016), https://www.lootedart.com/SER9M4547301.

https://doi.org/10.1017/jli.2025.10078 Published online by Cambridge University Press

research guide on the specifics of art origination. As a bibliography with annotations, the provenance guide highlights both print and digital sources that can help with authentication research. The IFAR database also included a "Users' Guide" and a subscription to the *IFAR Journal*, a specialized journal for art law and art origination issues, news, and programs.[445] If someone was trying to conduct art law research or had an interdisciplinary issue in a case having to do with art, the IFAR database was singularly useful.

Observations Regarding Database and Collection Maintenance Issues

Background on Databases and Collection Maintenance

On September 27, 2024, IFAR announced it was going to sunset operations sometime in mid-2025.[446] A change in leadership at the beginning of 2024 took a "[t]horough and analytical look at IFAR's ongoing operational and fiscal capacity" and, after six months, determined its only option was to close. IFAR had been the backbone of the art law and art provenance industry for fifty-five years.[447] Effective immediately, the organization was no longer publishing its journal or hosting any events.[448] In June 2025, the website was still live and was continuing to take donations,[449] and the organization actively advertised an in-person Introduction to Provenance Research Course running in May that was searching for students.[450] As of August 2025, the IFAR website and database were shut down and are no longer accessible. While there are other research options, those are not identical to the IFAR database, and they do not offer the same breadth of information in the legal context. The main replacement, the Getty Provenance Index, is larger than the IFAR database but separated from any legal or policy information like that featured in the IFAR source.[451]

Small specialized databases beyond IFAR have also experienced this issue. In 2016, ASIL published an update regarding its Electronic Information System for International Law (EISIL), a "collaborative, web-based, searchable database of international legal resources" that emerged in 2004.[452] In that article, the authors began by pointing out the database's degradation that arose slowly from years of maintenance difficulties. Librarians lacked the time and availability to continue the upkeep of this small database, especially because they were unpaid volunteer coordinators and editors. What little paid staff existed evolved over the years, and then in 2014, the responsible librarian left her position, and no replacement was hired. When the pages on the database became out of date, both the database and the association began to lose credibility. Other electronic resources are also susceptible to this kind of attrition.[453] As technology evolves, new platforms and ways of presenting and maintaining information and resources need to exist, which all take additional time, money, and expertise.

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[445] "About IFAR Journal," International Foundation for Art Research, archived Nov. 24, 2024, at https://web.archive.org/web/20241125053531/https://ifar.org/IFAR%20Journal%20CFP.pdf. (Note: As of Aug. 2025, this website was permanently shut down and can only be accessed via the Web Archive.).

[446] "IFAR to Sunset Operations," International Foundation for Art Research, Sep. 27, 2024, https://ifar.org/news_article.php?docid=1727459034, archived May 22, 2025, at https://perma.cc/R33Y-K7TH.

[447] Harrison Jacobs, "Longtime Art Authentication Nonprofit IFAR to Shut Down After 55 Years," *ARTnews*, Sep. 27, 2024, https://www.artnews.com/art-news/news/art-authentication-nonprofit-ifar-to-shut-down-1234718928/.

[448] Jacobs, "Longtime Art Authentication Nonprofit IFAR to Shut Down."

[449] "Support IFAR," International Foundation for Art Research, archived May 5, 2025, at https://web.archive.org/web/20250505061714/https://www.ifar.org/support_ifar.php (Note: As of Aug. 2025, this website was permanently shut down and can only be accessed via the Web Archive.).

[450] "Programs and Events," International Foundation for Art Research, archived May 5, 2025, at https://web.archive.org/web/20250505224325/https://www.ifar.org/programs_events.php (Note: As of Aug. 2025, this website was permanently shut down and can only be accessed via the Web Archive.).

[451] "Getty Provenance Index," J. Paul Getty Trust, accessed Sep. 15, 2025, https://www.getty.edu/databases-tools-and-technologies/provenance/.

[452] Barbara Bean and Dean Ford, "Update on ASIL's Electronic Information System for International Law," *International Legal Research Informer* (Fall 2016): 2–6, 3, https://www.asil.org/sites/default/files/documents/The%20Informer%20Fall%202016_1.pdf.

[453] See Glenda Browne, "Indexing of Free, Web-based Electronic Resources," *Legal Information Management* 10, no. 1 (2010): 28–33, https://doi.org/10.1017/S1472669610000277, where Browne discusses why many indexes to web-based resources are lost despite their usefulness and then offers examples of ways to create indexes for foreign and international legal materials, as well as current indexes that may be of use to researchers.

https://doi.org/10.1017/jli.2025.10078 Published online by Cambridge University Press

According to Michelle M. Wu, "the library must have an enduring collection of resources that is accessible and meaningful to both current and future scholars," with the default for that kind of security being physical collections.[454] This is particularly true when dealing with smaller specific topics and electronic resources for those topics. In 2005, at the time of Wu's article, only 30% of periodicals were available in e-formats. In 2014, a study estimated that at least 114 million English-language scholarly documents were accessible on the web through either Google Scholar or Microsoft Academic Search.[455] Almost 90% of those documents were discoverable through Google Scholar, and approximately 27 million, or 24%, were freely available.[456] The study's authors focused on humanities, math, and science; law wasn't one of the considered subjects.

Generations One and Two's Collection Maintenance and Preservation

Generations One and Two focused on preservation in a physical sense—how books and stacks can be kept in working order so that materials are discoverable to patrons.[457] The education of professionals and paraprofessionals was key to maintaining the stacks.[458] Patricia Denham suggested there were two reasons for this: first, to ensure patrons had the benefit of seeing a tidy library, which led to them wanting to continue their research; and second, to ensure that books and other materials were kept safe and preserved for generations to come. Shifting was also a key part of this strategy; the librarian in charge of stacks maintenance would need to ensure there was room for all of the materials and that materials were dusted and vacuumed as needed (no less than every two to three years), and the librarian would also need to be in charge of creating a plan and then sticking to it.[459] Preservation was part of a workshop of learning, reflecting years of training in examining a work's physical characteristics and training others to do the same.[460] For Generation Three librarians, this evaluation has shifted to a cost and data analysis rather than a physical analysis of a work. For librarians who can potentially keep everything in robust cloud storage networks, or in hard drives on shelves if wholly owned by the library, why discard anything for reasons other than cost or the elimination of a library's option to retain that work?

In addition, Generation Two librarians across disciplines particularly weighed the pros and cons of electronic versus print resources. Public library patrons in the 1990s and early 2000s could not be assumed to be computer literate.[461] Simultaneously, law professors and law students were beginning to expect, if not demand, electronic access to legal information.[462] No one thought that electronic collection development and maintenance could be avoided, but those necessities had to be balanced against the reference and preservation needs in libraries serving a variety of patron types. Reference services also grappled with the shift from print to electronic resources, especially when determining how to offer online reference services and what kinds of questions and answers could be crafted.[463] It is noteworthy that, in 2016, approximately 15% of the population did not have access to a computer at home—that is, 15% of people who might find themselves in a law library were at an extreme disadvantage when doing research.[464] In a 2002 study conducted through the University of Washington's Information School, 80% of users felt digital reference services would serve the community well, but librarians believed the opposite.[465]

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[454] Michelle M. Wu, "Why Print and Electronic Resources Are Essential to the Academic Law Library," *Law Library Journal* 97, no. 2 (Spring 2005): 233–56, 235.

[455] Maidan Khabsa and C. Lee Giles, "The Number of Scholarly Documents on the Public Web," *PLOS One* 9, no. 5 (May 9, 2014): e93949, https://doi.org/10.1371/journal.pone.0093949.

[456] Khabsa and Giles, "The Number of Scholarly Documents on the Public Web."

[457] Patricia Denham, "Preservation," *Technical Services Law Librarian* 18, no. 3 (Mar. 1993): 8–9.

[458] Denham, "Preservation."

[459] Denham, "Preservation."

[460] Denham, "Preservation."

[461] Stewart Caton, "Perspectives: Changes in Reference Assistance and Collection Development in the Digital Age," *Legal Reference Services Quarterly* 35, no. 2 (2016): 77–100, https://doi.org/10.1080/0270319X.2016.1121078.

[462] Caton, "Perspectives."

[463] Caton, "Perspectives."

[464] Caton, "Perspectives," 79.

[465] Caton, "Perspectives," 81 (citing Joseph Janes, "Digital Reference: Reference Librarians' Experiences and Attitudes," *Journal of the American Society for Information Science & Technology* 53, no. 7 (2002): 549–66.

https://doi.org/10.1017/jli.2025.10078 Published online by Cambridge University Press

As experience with digital reference services increased for librarians in Generation Two, those preferences for digital reference services, one-on-one assistance available virtually, and dependence on electronic materials just seemed to grow.[466] This rapid shift towards digital in reference interactions highlighted the need for electronic and digital resources to go with them; indeed, it would be difficult to have a virtual reference experience without the availability of virtual reference materials.

Generation Two also faced the challenge of preserving electronic resources that were never available in print. Electronic resources can be broadly defined as digitally created resources that are only accessible through a computer, whether in a web-based format, on a CD, or on other physical media inserted into a CD.[467] At the time, the recommendation was still to evaluate these resources in the same way as a law library's more traditional resources, including considering the need for historical or archived versions.[468] When thinking about specialized electronic resources, that need may increase—an issue we see reflected in the specialized database struggles that Generation Three librarians have faced more often.

Generation Three's Collection Maintenance and Preservation

The transition to Generation Three seems to be marked by the turn of the 21st century and an explosion of electronic resources with more and more specialization. In a March 10, 2016, column, Lyonette Louis-Jacques highlighted the drastic increase in the number of free and commercial FCIL databases, all made available within the previous year.[469] In the same column, where Louis-Jacques lauded the availability of seemingly everything online, she also pointed out that several databases became extinct. Most of those databases were highly specialized, noting that the World Health Organization's International Digest of Health Legislation had an error message stating that the service was down, which hadn't been changed in years.[470] Another specialized resource, the Refugee Case-Law database, hosted at the University of Michigan, also disappeared. And while Louis-Jacques highlighted other more general sources of knowledge and information, these database disappearances seemed to create a real lack of immediate information in those specialized areas. As electronic resources continue to dominate FCIL and all areas of legal research, so too do the worry and reality that these resources might disappear. The preservation of digital collections also has a financial burden.[471]

The discussion of the usefulness of print versus electronic resources persists into Generation Three as well. Lindsey Carpino pointed out in "Strategies for Building a Relevant, Balanced & Budget-Friendly Collection" that management and end users are both invested in the collection as a whole.[472] A main constraint of libraries everywhere is that budgets favor print collections since they are perpetual, owned outright, and generally less expensive. For Generation Three librarians, a tension arises between the consumer's wants and the library's needs, and while this generation has been anticipating a shift to wholly digital research and collections for some time, it appears to still be a way off.[473] There is also the added consideration of publishing companies and how they may change the focus on and access to electronic resources.

Finally, this section has avoided the AI question for now, but another consideration for Generation Three is to address how AI-generated content, which changes every time it's accessed, will shift what is considered important for collection development, maintenance, and preservation purposes. And yet, print sources still matter. As FCIL

[466] Caton, "Perspectives," 81.

[467] Barbara Bintliff, "Collection Development Policies for Electronic Resources," *Trends in Law Library Management and Technology* 14, no. 2 (2003): 1–3.

[468] Bintliff, "Collection Development Policies for Electronic Resources."

[469] Lyonette Louis-Jacques, "New, Changed, Dead, and Dying FCIL Resources," *SLAW* (blog), Mar. 10, 2016, https://www.slaw.ca/2016/03/10/new-changed-dead-and-dying-fcil-e-resources/.

[470] Louis-Jacques, "New, Changed, Dead, and Dying FCIL Resources."

[471] Wilhelmina Randtke, "Long Term Financial Costs of Maintaining a Digital Collection," *Technical Services Law Librarian* 43, no. 3 (Mar. 2018): 11–14.

[472] Lindsey Carpino, Ryan Metheny, and Scott Vanderlin, "Strategies for Building a Relevant, Balanced & Budget-Friendly Collection," *AALL Spectrum* 29, no. 4 (Mar./Apr. 2025): 36–39.

[473] Wilhelmina Randtke and Stacy Fowler, "The Current State of E-Books in U.S. Law Libraries: A Survey," *Law Library Journal* 108, no. 3 (Summer 2016): 361–82.

https://doi.org/10.1017/jli.2025.10078 Published online by Cambridge University Press

librarians of Generation Three and beyond, our focus will have to be on collection maintenance and preservation for both print and electronic resources in an increasingly digital era.

CORE SKILL: PRIVATE INTERNATIONAL LAW

Overview of Research in International Arbitration

Today's FCIL researcher will encounter not just public international law questions but also private, often in connection with issues surrounding cross-border disputes. Though some such matters are resolved via litigation, arbitration is a popular means of resolving cross-border disputes, particularly business disagreements, given its reputation as a "fair, neutral, expert and efficient means of resolving difficult and contentious transnational problems."[474] Whereas research in litigation might involve the substantive law of relevant jurisdictions and the procedural rules of the relevant court, international arbitral proceedings may be governed by a variety of authorities —some familiar to experienced legal researchers—but some unique, including international conventions, domestic laws, agreements between the parties, arbitral rules, and prior arbitral awards or decisions.[475] As such, researchers may need to consult a variety of sources simply to identify the authorities governing the dispute, often starting with secondary sources, then moving (potentially) to treaties, foreign legal materials, and arbitral institution materials. Practical tasks requiring research in the arbitral context might include identifying common language in arbitration agreements, understanding arbitral procedures, preparing challenges to a chosen arbitrator, or preparing arguments defending or challenging recognition or enforcement of an award.[476]

International Arbitration Research by Generation

Generation One

Reflecting their reliance on print materials, Generation One was concerned not just with accessing arbitral materials but also with classification. In 1963, Ludwick A. Teclaff, in *Classification of Arbitration Materials—From a Law Librarian's Viewpoint*, discussed an existing 1952 subject classification scheme for arbitration, covering labor, compulsory, commercial, political, and a catch-all "general" category, and he advocated adding a new scheme for international arbitration, distinct from both the existing domestic scheme and the classification scheme for international law.[477] "[A]rbitration is, in a way, more comprehensive than international law because it includes both national and international aspects and because the geographical and comparative elements are more prominent."[478] Teclaff proposed a primarily jurisdictional classification scheme for international arbitration, with an exception for international commercial arbitration. In Teclaff's proposed scheme, Schedule A included "general comparative" materials, Schedule AB, "international arbitration," and Schedules AC–AH were assigned to particular jurisdictions or regions.[479] Though today's researcher would add a number of institutions and topics to the subdivisions Teclaff offered, most of the subdivisions that he proposed, including conventions, procedures, cases, awards, statutes, yearbooks, practitioners, and far more, fairly classify these legal sources in the same area today.

Generation One further identified challenges and trends that persist today in researching international arbitration. In *International Business Transactions: A Guide to Research Sources*, Igor Kavass introduced a section highlighting important secondary sources covering international arbitration, noting that "[r]esearch literature on this highly practical subject is good and plentiful. […] There is only one flaw in this otherwise perfect state of research capability: texts of awards do not get published, and it is very hard to get hold of them for use in academic

[474] Gary B. Born, "Introduction," in *International Commercial Arbitration*, 3rd ed. (Kluwer Law International, 2021), 1–6.
[475] S.I. Strong, *Research and Practice in International Commercial Arbitration: Sources and Strategies* (Oxford University Press, 2009), 40.
[476] Strong, *Research and Practice*, 39.
[477] Ludwik A. Teclaff, "Classification of Arbitration Materials–From a Law Librarian's Viewpoint," *Law Library Journal* 56, no. 2 (May 1963): 133–41.
[478] Teclaff, "Classification of Arbitration Materials," 133.
[479] Teclaff, "Classification of Arbitration Materials," 134–39.

https://doi.org/10.1017/jli.2025.10078 Published online by Cambridge University Press

research or practical arbitration work."[480] Though the general works cited by Kavass are now out of print, Kavass characterized the International Council for Commercial Arbitration (ICCA) yearbook as being "extremely valuable,"[481] particularly its national reports, and it remains an important source for relevant legislation, case law, published awards, and more, and is accessible to modern researchers in the "cool tool" featured in this section—Kluwer Arbitration—which not only publishes the yearbook in electronic format but also leverages its contents in a jurisdictional comparison tool.

Generation Two

Generation Two's bibliographies and commentary reflect the growing literature and resources available to researchers of international arbitration. In 1996, Victor Essien, in the *Bibliographic Guide to Doing Business in Foreign Countries*, cited fifty-seven non-jurisdiction-specific resources discussing cross-border dispute resolution, and in his section concerning dispute resolution, nearly all of those resources focused on arbitration.[482] He stated that with respect to investment disputes specifically, arbitration was by then "overwhelmingly" the preferred mode of dispute resolution.[483] His bibliography previewed sources still valuable in the time of Generation Three. Essien cited Gary B. Born's *International Commercial Arbitration in the United States: Commentary and Materials*,[484] and Born subsequently authored several authoritative treatises offering coverage beyond North America. Though in its second edition when Essien cited it,[485] Alan Redfern and Martin Hunter's international commercial arbitration treatise is now in its seventh edition. Source materials cited from such arbitral institutions as the International Centre for Settlement of Investment Disputes (ICSID), then compiled in print publications,[486] are now freely available on that institution's website.[487]

In the first edition of Marci Hoffman and Mary Rumsey's coursebook on international and foreign legal research, published in 2007, Hoffman and Rumsey devoted just a handful of pages to arbitration in a subsection of a survey chapter concerning "international topics."[488] With respect to electronic resources, they stated that, at the time, the commercial database Kluwer Arbitration was one of the best available databases for researchers interested in international arbitration—but that few institutions subscribed.[489] In the coursebook's second edition, published just five years later in 2012,[490] Hoffman and Rumsey noted greater adoption[491] and expanded their discussion of international arbitration to a full chapter.[492] Their discussion reinforced the concerns expressed earlier by Generation One:

> For researchers, the most frustrating aspect of arbitration is that awards and proceedings are usually confidential. In contrast to the transparency of litigation, documents relating to arbitration are not routinely published electronically or in paper. Because some arbitration awards do get published, however, you can't assume these decisions are always unavailable. Unfortunately, researching this area of law can also be

[480] Igor I. Kavass, "International Business Transactions: A Guide to Research Sources," *Law Library Journal* 76, no. 3 (Summer 1983): 503–64, 545.

[481] Kavass, "International Business Transactions," 547.

[482] Victor Essien, "Bibliographic Guide to Doing Business in Foreign Countries," in *Introduction to International Business Law: Legal Transactions in a Global Economy*, eds. Gitelle Seer and Maria Smolka-Day (Oceana Publications, 1996): 27–66, 51–57.

[483] Essien, "Bibliographic Guide to Doing Business," 51.

[484] Essien, "Bibliographic Guide to Doing Business," 57.

[485] Essien, "Bibliographic Guide to Doing Business," 54.

[486] Essien, "Bibliographic Guide to Doing Business," 53 (e.g., *ICSID Basic Documents*, *ICSID Cases 1972–1984*, *ICSID Reports of Cases Decided Under the Convention on the Settlement of Investment Disputes Between States and Nationals of Other States*).

[487] See, e.g., "Cases," International Centre for Settlement of Investment Disputes, accessed Sep. 15, 2025, https://icsid.worldbank.org/cases.

[488] Hoffman and Rumsey, *International and Foreign Legal Research*, 283–87.

[489] Hoffman and Rumsey, *International and Foreign Legal Research*, 284.

[490] Hoffman and Rumsey, *International and Foreign Legal Research*, 2nd ed.

[491] Hoffman and Rumsey, *International and Foreign Legal Research*, 2nd ed., 324 ("Many libraries and law firms subscribe to the Kluwer Arbitration database.").

[492] Hoffman and Rumsey, *International and Foreign Legal Research*, 2nd ed., 315–28.

https://doi.org/10.1017/jli.2025.10078 Published online by Cambridge University Press

time-consuming and frustrating because there is no centralized source for obtaining all of the legal authorities needed.[493]

Hoffman and Rumsey covered major arbitral institutions and types of legal authorities,[494] key print publications and free web-content collections,[495] and several online research guides available at the time (online research guides being Generation Two's innovation).[496] The authors' awards and decisions subsection discussed many electronic resources, with about one-third of the discussed resources now defunct, but a majority still accessible and updated.[497] In this expanded chapter, Hoffman and Rumsey provided more detail concerning coverage and features of Kluwer Arbitration, including available publications, database content filters, and the embedded New York Convention Decisions tool.[498]

Generation Three

Although Generation Three can conduct international arbitration research using solely electronic resources, the challenge for this generation, as conveyed in this article, lies in identifying the best "cool tools" for research, including identifying and determining relevant costs and the value of available content and features.

Arbitration "Cool Tools"

While other sections of this article largely explored resources maintained by nonprofit entities, such as governmental, intergovernmental, and non-governmental agencies and organizations, or other academic or non-profit initiatives, many of the tools available for arbitral researchers are commercial. Some publishers of today's international arbitration resources offer subscriptions to a single publication or a relatively small bundle of specialty content. For example, the *Global Arbitration Review*, which launched in 2006,[499] provides access to news, surveys, rankings, an arbitrator directory, and a selection of primary-source documents discussed in its news content (all via subscriptions to its site), without licensing content to larger vendors.

Another targeted, stand-alone resource covering international arbitration today is the *IAReporter* (*Investment Arbitration Reporter*). Founded in 2008,[500] the *IAReporter* provides news and analysis from a team of editors and reporters and data pertaining specifically to investor-State claims and dispute resolution.[501] Through its core product content, the *IAReporter* platform offers certain features prevalent in larger research databases and common to Generation Three tools as well. For example, the *IAReporter*'s "Topic Tool" indexes many reports by legal topic in a manner that is both searchable and browsable in a topic tree.

Another notable bespoke resource focuses not on law but statistics—Dispute Resolution Data. Dispute Resolution Data sources data from a number of major international and regional arbitral institutions, including the International Chamber of Commerce (ICC) and the International Centre for Dispute Resolution (ICDR).[502] Just as litigation analytics are a valuable "cool tool" for Generation Three law librarians, with all major legal research vendors offering a tool that analyzes data from US court dockets, orders, and opinions, so might demand increase for a tool offering similar capabilities for international arbitral proceedings despite their often-confidential nature.[503]

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[493] Hoffman and Rumsey, *International and Foreign Legal Research*, 2nd ed., 316.
[494] Hoffman and Rumsey, *International and Foreign Legal Research*, 2nd ed., 316–17.
[495] Hoffman and Rumsey, *International and Foreign Legal Research*, 2nd ed., 319.
[496] Hoffman and Rumsey, *International and Foreign Legal Research*, 2nd ed., 317.
[497] Hoffman and Rumsey, *International and Foreign Legal Research*, 2nd ed., 321–25.
[498] Hoffman and Rumsey, *International and Foreign Legal Research*, 2nd ed., 324; also discussed *infra*.
[499] "About Global Arbitration Review," *Global Arbitration Review*, accessed Sep. 15, 2025, https://globalarbitrationreview.com/info/about-us.
[500] "IA Reporter," LinkedIn, accessed Sep. 15, 2025, https://www.linkedin.com/company/iareporter.
[501] "About Us," *IA Reporter*, accessed Sep. 15, 2025, https://www.iareporter.com/about-us/.
[502] "Learn more about Dispute Resolution Data," Dispute Resolution Data, accessed Sep. 15, 2025, https://disputeresolutiondata.com/about/. Contributors listed on the archived version of the website; see "About Data Contributors," Dispute Resolution Data, archived Mar. 2, 2025, at https://web.archive.org/web/20241203110823/https://www.disputeresolutiondata.com/about_dc#expand.
[503] DRD emphasizes that the data it receives from institutions is anonymized; see "Learn more about Dispute Resolution Data," Dispute Resolution Data, accessed Sep. 15, 2025, https://disputeresolutiondata.com/about/#section3 ("Importantly,

https://doi.org/10.1017/jli.2025.10078 Published online by Cambridge University Press

Several major publishers and US legal researchers also offer some coverage of international arbitration in their broader databases or product offerings. Oxford University Press (OUP) offers subscribers access to certain Oxford titles pertinent to international arbitration in its Investment Claims service.[504] Westlaw[505] and Lexis[506] both offer a selection of awards published by major institutions, rules, and a few relevant secondary sources. However, for users seeking deeper coverage of international arbitration, Kluwer Arbitration, introduced in 2001[507] and familiar to Generation Two librarians, is a leading resource, offering both primary and secondary materials and newer features as discussed in greater depth below. Jus Mundi, launched during the time of Generation Three in 2019, is currently emerging as a Kluwer Arbitration competitor.[508]

5.3.1 *Kluwer Arbitration*

As is true of other Wolters Kluwer electronic databases such as VitalLaw (previously known as Cheetah), Kluwer Arbitration is the digital source, sometimes the sole digital source, of titles in Wolters Kluwer's extensive international arbitration collection. The platform offers nearly 500 treatises, guides, handbooks, yearbooks, and journals, including an electronic version of Gary Born's 4,000-page treatise, *International Commercial Arbitration.*[509] Though known for these secondary materials, Kluwer Arbitration includes many primary resources as well, offering more than 7,500 awards and decisions, bilateral investment treaties organized by jurisdiction, multilateral treaties, procedural rules, and domestic laws sourced from the *ICCA International Handbook on Commercial Arbitration.* Some of this content is available from other free sources online, but some available awards are not readily available online or are only published in secondary sources (e.g., award decisions published in yearbooks). The database offers keyword search functionality, which supports a handful of Boolean operators and a variety of search filters. Users can download or print individual documents or chapters, but not full works.

For some potential subscribers, the platform's breadth of content may offer adequate justification to adopt the core version of the platform—"Kluwer Arbitration–Classic." In recent years, Wolters Kluwer has leveraged this content to develop and market enhanced features akin to those offered in large legal research platforms. In 2022, the publisher announced its "Practice Plus" platform extension, which allows users to identify arbitrators based on various criteria and identify relationships among various arbitral participants.[510] In 2024, the content added to the "Practice Plus" extension remained available to users of "Kluwer Arbitration–Enhanced."[511]

Some features of Kluwer's enhanced platform provide users with the ability to readily compare laws and rules governing arbitration across multiple jurisdictions or institutions. The "Quick Answers" tool offers answers to

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approximately 80% of our data comes from private sources, offering insights you won't find elsewhere. All private case data is anonymized to protect the confidentiality of the parties involved, ensuring you gain valuable intelligence without compromising privacy.").

[504] "Investment Claims," Oxford University Press, accessed Sep. 15, 2025, https://oxia.ouplaw.com/home/ic.

[505] "International Arbitration Materials," Westlaw, accessed Sep. 15, 2025, https://www.westlaw.com/Browse/Home/ArbitrationMaterials/InternationalArbitrationMaterials?transitionType=Default&contextData=(sc.Default)&VR=3.0&RS=cblt1.0.

[506] "Arbitration Materials," Lexis, accessed Sep. 15, 2025, https://plus.lexis.com/api/permalink/eee1b590-bfc4-4560-ad4f-877ca1bf1708/?context=1530671.

[507] Gwen de Vries, Roger Alford, and Crina Baltag, "Kluwer Arbitration Blog: Celebrating 15 Years!," *Kluwer Arbitration Blog*, Jan. 28, 2024, https://arbitrationblog.kluwerarbitration.com/2024/01/28/kluwer-arbitration-blog-celebrating-15-years/.

[508] "About Us," Jus Mundi, accessed Sep. 15, 2025, https://jusmundi.com/en/about.

[509] "Kluwer Arbitration," Wolters Kluwer, accessed Sep. 15, 2025, https://www.kluwerarbitration.com/; see https://www.kluwerarbitration.com/document/TOC-Born-2021. Interestingly, although Wolters Kluwer has removed page references from that title, with the electronic version reflecting some updates not yet included in the print version, users requiring pagination for citation (or who simply prefer to read the print format) can access it in PDF format with digitized chapters from the most recent edition.

[510] "Wolters Kluwer Announces a Suite of Enhancements for Kluwer Arbitration Practice Plus," *Kluwer Arbitration Blog*, June 26, 2022, https://arbitrationblog.kluwerarbitration.com/2022/06/26/wolters-kluwer-announces-a-suite-of-enhancements-for-kluwer-arbitration-practice-plus/#:~:text=New%20features%20for%20the%20Profile%20Navigator%2C%20Relationship,Awards%20search%20capabilities%20will%20equip%20arbitration%20practitioners.

[511] Jean Davis, "What is Kluwer Arbitration—Enhanced?," *CRIV Connection* (blog), Sep. 18, 2024, https://crivblog.com/2024/09/18/what-is-kluwer-arbitration-enhanced/.

https://doi.org/10.1017/jli.2025.10078 Published online by Cambridge University Press

dozens of topics in several categories, allowing users to select their jurisdiction(s) of interest and reference content provided by experts on the laws of those jurisdictions. The "ICCA Compare Jurisdictions Tool" functions similarly, leveraging the content published in the national reports in the *ICCA International Handbook* and allowing users to locate relevant information more expeditiously than would be possible if utilizing the publication's multivolume print version. Another enhancement is the "New York Convention Tool,"[512] which applies filters to court decisions included on the platform, allowing users to quickly identify case law applying the Convention on the Recognition and Enforcement of Foreign Arbitral Awards.[513] The tool's directory of arbitrators, practitioners, and experts currently hosts nearly 19,000 profiles, and users can filter profiles by an individual's role, nationality, language, sector, institutional affiliations, and more. The tool adds a "Relationship Indicator," allowing users to quickly determine, for example, whether a particular attorney or law firm has represented (or been adverse to) a particular party or entity, reflecting some of the functionality available in today's litigation analytics tools.[514]

The market will dictate whether these features add sufficient value to justify an added subscription cost tier. Topical and jurisdictional filters, for example, function in the manner of a print index or digest. Arbitral relationships can be ascertained by simple word searches, as can decisions citing particular convention articles or language.

Jus Mundi

Like Kluwer Arbitration, Jus Mundi offers both primary and secondary materials pertinent to international arbitration. The platform currently provides the texts of tens of thousands of treaties, awards, decisions, and arbitral rules, with a keyword search feature supporting some Boolean operators. Users can narrow results using a variety of filters, and the tool allows users to configure alerts and organize research into folders. Jus Mundi's "Wiki Notes" feature provides practice notes from a team of editors, with hyperlinked citations to platform and external content and options to create conceptual searches from those notes. The secondary source library initially appears extensive, with content from many notable titles appearing in search results, though users with a standard subscription will quickly notice that content from several major publishers, including Brill and OUP, is excluded from that subscription, requiring users to purchase "add-ons" to access those titles in full (excerpts are available to all users in the search results).

Jus Mundi's "Jus Connect" tool provides profiler and analytics services, which offer profiles of individual arbitral actors as well as institutions. Its conflict checker identifies relationships between profiled individuals and other individuals, law firms, and/or States. AI Premium subscribers can access the vendor's "Jus AI Assistant," which purports to provide document analysis, drafting, and translation capabilities. At present, competitor Kluwer Arbitration does not offer an AI assistant or enhancement, though its current "AI Hub" offers content relevant to the use of AI in arbitral work, such as rules and opinions concerning AI use.

Observations Regarding Arbitration "Cool Tools"

In reviewing the tools available to international arbitration researchers in Generation Three, we noted several patterns and challenges. The confidential nature of many arbitral proceedings is a cross-generational difficulty, and to the extent that arbitral awards are made public by institutions or in the context of litigation, they are often available for free online or in other legal documents. As of this writing, Kluwer Arbitration and Jus Mundi appear to offer approximately the same number of awards and decisions on their platforms. Although Jus Mundi markets an exclusive partnership with the ICC, Kluwer also publishes thousands of ICC awards, while Jus Mundi's distinction is publishing those awards on the web for free to non-subscribers, at least for the time being.[515] Given that non-confidential content is often published by associated arbitral institutions online, commercial publishers and vendors

[512] Mentioned *supra*.

[513] Researchers seeking a free resource for New York Convention case law may consult the New York Convention Guide, which allows users to filter by provision, though not by topic: "Case Law," New York Convention Guides, accessed Sep. 15, 2025, https://newyorkconvention1958.org/?opac_view=2&menu=491. The court decisions section of the site currently provides nearly 4,000 published opinions, with an Advanced Search form offering options to search a variety of document fields.

[514] "Relationship Indicator," Kluwer Arbitration, accessed Sep. 15, 2025, https://www.kluwerarbitration.com/relationship-indicator.

[515] "Latest ICC Arbitral Awards," Jus Mundi, accessed Sep. 15, 2025, https://jusmundi.com/en/partnership/icc/awards.

https://doi.org/10.1017/jli.2025.10078 Published online by Cambridge University Press

offering arbitral publications and products must identify ways in which to add value. Offering quality secondary sources, as Wolters Kluwer does, is one approach, and that content has likely provided Kluwer with an advantage over potential competitors in this content area. Users relying on that electronic library, however, face the concerns inherent in relying on any online library, such as platform reliability and offline access. Kluwer, for example, allows users to download individual documents or sections of a secondary source but not the work in full.

Wolters Kluwer's addition of further-enhanced platform features suggests a desire to further differentiate its product from competitors (or the alternatives of relying on print materials or the web) and attract and retain subscribers. This enhanced subscription tier, however, demonstrates that just as major legal research vendors increasingly segment content, requiring users to subscribe to a secondary product or tier to access all of that vendor's material, so too are vendors of FCIL "cool tools" adopting this approach. Users of Jus Mundi will likewise note that the tool offers an "essentials" subscription, subscriptions adding AI enhancements, and not one but *four* add-on content libraries. Users of the "essentials" subscription will frequently encounter content in their search results that is housed in those libraries and, as such, is out of plan.[516]

Despite this segmentation of content, there is, just as with US legal research content, also overlap amongst vendor offerings, rendering resource evaluation a challenge for potential subscribers. Some OUP titles, for example, are available in Oxford's own platforms but also in Jus Mundi (via the OUP Library add-on) and Kluwer Arbitration. *Redfern and Hunter on International Arbitration*, published by OUP, is unsurprisingly available to Oxford content subscribers but is also available in Kluwer and Jus Mundi to users who subscribe to the Oxford add-on, and it is also available in Westlaw. However, another Oxford title, the *Oxford Handbook of International Trade Law*, is available in Jus Mundi's OUP library and Oxford Investment Claims but not in Kluwer Arbitration.

As "cool tools" for international arbitral research proliferate in number and scope, the above-noted challenges will no doubt persist. Generation Three's FCIL librarians are, fortunately, deeply familiar with these challenges, as they routinely evaluate resources to identify their scope of coverage and assess the value of sometimes-costly enhancements.

CONCLUSION

Throughout this article, we have shown that many of the "cool tools" utilized today by the third generation of FCIL librarians are indeed similar to those used in the prior two, building on the wealth of knowledge those librarians contributed to the field. Not only do some tools share similarities, but also the process by which these tools are consulted and utilized, which remains a key component of any FCIL librarian's training.

Other tools, however, are new resources that integrate AI. While we see a trend towards the commercialization of tools and a greater emphasis placed on their generative AI aspects, we remain concerned about the quality of these tools and the overall ability to preserve born-digital information. Although AI offers an opportunity to increase access to justice for all, it cannot be relied upon entirely as a replacement for the specialized knowledge of trained FCIL librarians or the traditional tools that maintain their unique value in the field.

This third generation of FCIL librarians will continue to utilize "cool tools" from all generations to ensure the highest quality of research outcomes for our users, but acknowledgment of the expertise demonstrated in the selection and curation of these tools must be made by our employers, professional associations, and vendors. More work must be done to highlight and evaluate tools such as those discussed in this article and, alongside that, the ideal process for using them. More advocacy is necessary to help ensure tomorrow's tools are productive for our needs and to respect the knowledge generated across three generations of FCIL librarians. And more training is necessary to help ensure that this third generation of FCIL librarians can continue to educate our colleagues, some of whom will be the first members of Generation Four.

[516] "AI-Powered Global Legal Intelligence," Jus Mundi, archived July 20, 2025, at https://web.archive.org/web/20250726095352/https://jusmundi.com/en/pricing.

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