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# Iuridicum Database — Evaluations by Users of the Web Version of *Juridica*. On Publishing Legal Literature in Estonia (1992–2004)

A couple of years ago, we published an overview<sup>1</sup> of the Iuridicum database<sup>2</sup> to provide information about the database and its components: the *Juridica*, English summaries of the articles — *Juridica Abstract*, and the *Juridica International*, CVs of authors and the publications issued by the Iuridicum Foundation.<sup>3</sup>

The *Juridica* journal of the Faculty of Law of the University of Tartu<sup>4</sup> was started as a result of international scientific cooperation with the Faculty of Law and Financial Studies of Glasgow University in 1993. For Estonian jurists, the past decade has meant a reunion with the European legal area. The preparation of laws has extended from the translation of foreign provisions and their adaptation for Estonia to the creation, enactment and implementation of original solutions springing only from the specific situation in Estonia. Ideally, the adoption of a new Act should be followed by detailed comments in a publication. Such an undertaking, however, is limited by time and the large workload of the potential comment writers. *Juridica* has tried to fill this gap by addressing current problems in legal drafting, and it has provided the first theoretical and practical comments on issues arising in the implementation of many adopted Acts.

Issues discussed in *Juridica* are either entirely dedicated to a specific topic or cover different areas of law. Besides original articles, columns include information on events for Estonian lawyers, information on the activities of training centres and options for complementary training, information on professional associations, societies and institutions, and introduction of the most recent scientific and professional literature.

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<sup>1</sup> P. Pruks. On the Iuridicum Database. – *Juridica International*, Vol. 7, 2002, pp. 176–180.

<sup>2</sup> The birthday of the Iuridicum database available on the Internet is 1 November 2001 when the demoverion of the database was first introduced to the public for examination and testing. See also P. Pruks. The Iuridicum Database: For Whom and Why? – *Juridica*, 2002, No. 4, pp. 268–274.

<sup>3</sup> Besides were explained the principles and objectives of the database, and outlined the vision of the database makers. In addition, readers were provided with tips for better use of the database and first evaluations by users.

<sup>4</sup> Available at: <http://www.iuridicum.ee/index.php?page=85>.

Through the years, *Juridica* has published articles introducing various aspects of the Tartu Law Faculty – scientific conferences, seminars, complementary training, competitions organised by funds, defending of Masters' and Doctors' theses, etc.

From the point of the temporal dimension of Estonian law culture, it must be admitted that *Juridica* has passed through only a brief section of time. At the same time, twelve years of the journal have brought us quite far: we have been able to build up a modern journal of legal science and reached a stable audience. At the first readers' conference of *Juridica*<sup>5</sup>, professor emeritus John P. Grant<sup>6</sup> recollected in his Opening Address for Academic Legal Education in Estonia:

I remember vividly the heady, exciting post-communist days in Estonia. In all, I made 12 visits to Estonia between 1991 and 1994. ... The link was initially established with financial support from the British Council. That support was intended to foster academic links, involving such things as curriculum reform and teaching skills. Dean Erik Kergandberg, and later Dean Peep Pruks, and I set up a programme of exchanges of staff and teaching materials; the curriculum was reformed. Incidentally, I might say that I was summoned in 1992 to the British Council's headquarters in Manchester to be congratulated as the most successful academic link of the 24 the British Council then sponsored. I was immensely flattered until I was told that a not inconsiderable number of the links had achieved nothing at all. Some British universities had not even been able to make contact with their Eastern European partner.

The genesis of the *Juridica* represented a further development, in many senses the culmination, of the link between the law faculties. It is important for any legal profession to have a journal outlining legal developments and commenting on aspects of the law. Normally, the legal profession undertakes this task for itself, but that was not possible in 1992. To the great credit of the Tartu law faculty, it took the lead in establishing a law journal which, over the years, has done such outstanding service to all those in practice and in the academy. With the financial support of the Law Society of Scotland and the expertise of a renowned Scottish law publisher, David Fletcher, we published, ten years ago, a journal modelled roughly on the Law Society's own journal.

*Juridica International*, the English-language special edition of *Juridica* has been published once a year from 1996. Throughout the years, articles of *Juridica International* have provided an introduction of the Estonian legal system and its changes to the countries of the European Union, to which Estonia has acceded by now. More important topics have included the Constitution and European integration, fundamental personal rights and freedoms, the Civil Code and the Penal Code, and other key issues of the legal reform. *Juridica International* has established grounds for contacts with internationally acclaimed journals.<sup>7</sup>

Since 2001 special issues of *Juridica* in Estonian — Fundamental Rights in the Estonian Constitution (*Põhiõigused Eestis põhiseaduses*) by R. Alexy; 2002 Social Welfare as a Fundamental Right: Duties of the State, Local Governments, Family and Other Persons in Guaranteeing Constitutional Rights in the Sphere of Social Welfare (*Sotsiaalhoolekanne kui põhiõigus: Riigi, kohalike omavalitsuste, perekonna ja muude isikute kohustused põhiseaduslike õiguste tagamisel sotsiaalhoolekande valdkonnas*) by T. Annus and B. Aaviksoo, and 2003 *Erakonnaõigus*, are available.

In summary, the journal and its special editions have played an important role in the development of legal education and science in Estonia, offering the authors a good opportunity for discussion. Today's competitive legal education is based on science and can be established only on scientific research by lecturers. And *Juridica* has contributed much to that end. The journal has also been an important source of legal analyses and comments for Estonian jurists.

As from January 2002, the readers have had the opportunity to access the **Juridicum database**<sup>8</sup>, which by today includes more than 2900 legal analyses, comments on adopted legislation and other pieces of legal information.

The database has been used more and more intensively.<sup>9</sup> As of May 2002, there were 320 users of the network edition, a year later their number was 605 and **by May 2004, there were 786 registered users** (a growth of 2.45 times). Together with the paper edition, the number of registered users is presently around 1700. In fact, there are even more readers since presumably, editions subscribed to state institutions, libraries or law bureaus are read mostly by several persons.

<sup>5</sup> On 7 June 2002 *Juridica* celebrated its tenth anniversary and the 90th issue of the journal appeared. *Juridica* has by now developed into a law journal for the entire Estonian community of lawyers and jurists.

<sup>6</sup> Former Dean of Law, University of Glasgow, now professor of Lewis & Clark School of Law, Portland, Oregon, USA.

<sup>7</sup> For instance, *Rechtstheorie* published an Estonian special edition *Gesetzgebung und Rechtspolitik* (available at: <http://www.duncker-humboldt.de/default.php?mnu=700&cmd=703&did=31348&clb=31348&ses=0&ses=0>) that was presented on 25 March 2002 in Tallinn. The special edition featured articles published in the framework of the international symposium Legislation and Legal Policy (Tartu, 2000).

<sup>8</sup> Available at: <http://www.juridica.ee>.

<sup>9</sup> In order to provide some background for the usage statistics, it must be pointed out that the number of active law experts in Estonia is supposedly 3500–4000.

A comparison of usage statistics over the last three years demonstrates that while the average number of accesses to the database was 3226 times daily in May 2002 and 6358 times daily in May 2003, the number had grown 2.35 times by May 2004, reaching 7567 daily accesses. The average number of database visitors was 106 persons daily in 2002; 192 persons daily in 2003 and 334 persons daily in May 2004 (a growth of 3.15 times).

Accesses to the database were made, on average per month, from 1300 computers in 2002, from 2300 computers in 2003 and 4100 computers in 2004 (a growth of 3.15 times). The volume of downloaded data per month has also grown more than three times during the previous period.

In summary, more than 2.14 million accesses to the database were made during the previous year.

Users of the Internet version certainly include our colleagues from foreign countries who can acquaint themselves with Estonian legal issues through the digital *Juridica International* and *Juridica Abstract*. There are also links to the database from the webpages of the following universities:

Helsinki (<http://www.helsinki.fi/oik/kirjasto/oikeuslahteet.shtml>);

Uppsala (<http://www.uu.se/>), click *Tidskrifter* (Journals);

Oslo (<http://wgate.bibsys.no/search/pub?lang=NAt>).

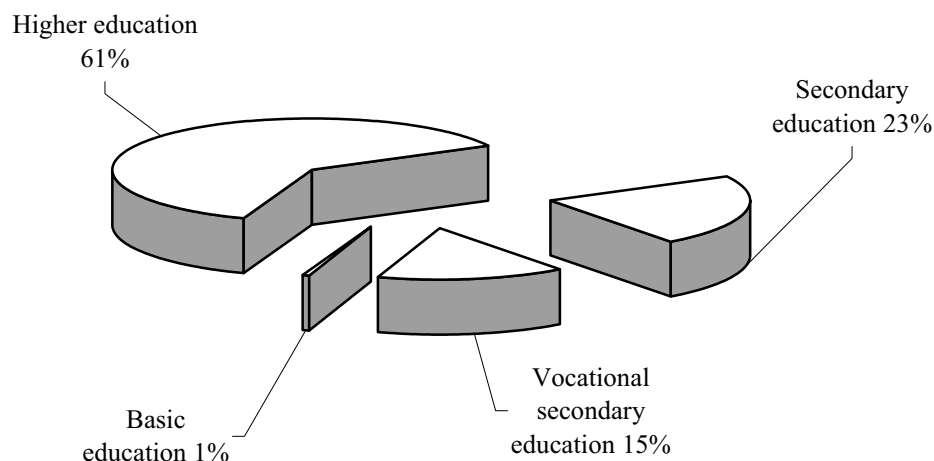
The editors of the journal have regularly analysed the readers' opinions and feedback concerning the published articles.<sup>\*10</sup> The information so collected is an appropriate source material for planning the future of the journal. For this overview, we were able to generalise the data of the last two years (May 2002 – May 2004). At this point, without any further focus on the numbers, let me give you a general picture of what the users of the web edition think about the journal in the year 2004.

## 1. Users

First, it would be interesting to provide some general information about the users of the web edition. Their education and the nature and field of their activity as well as position are some of the more important indicators pointed out here.

### 1.1. Education

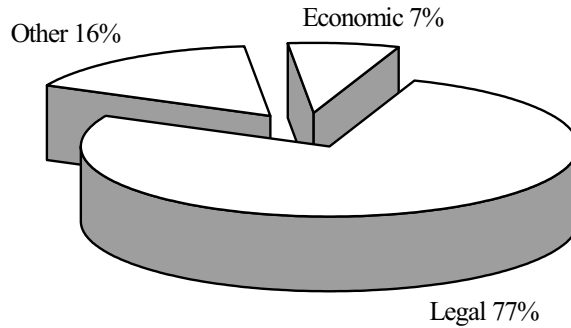
Out of the people who replied, 61 percent had a higher education, 38 percent had a secondary or secondary vocational education. The number of persons with only basic education remained marginal (1 percent). From year to year, those proportions have been more or less the same.



<sup>10</sup> P. Pruks. Upcoming 100th Issue of *Juridica*: Evaluations by Users of the Web Version. – *Juridica*, 2003/4, pp. 281–287. The article outlined the user of the web version of *Juridica* and his or her opinions on the journal and its web version. The overview relied was compared with the results of a similar survey conducted last year.

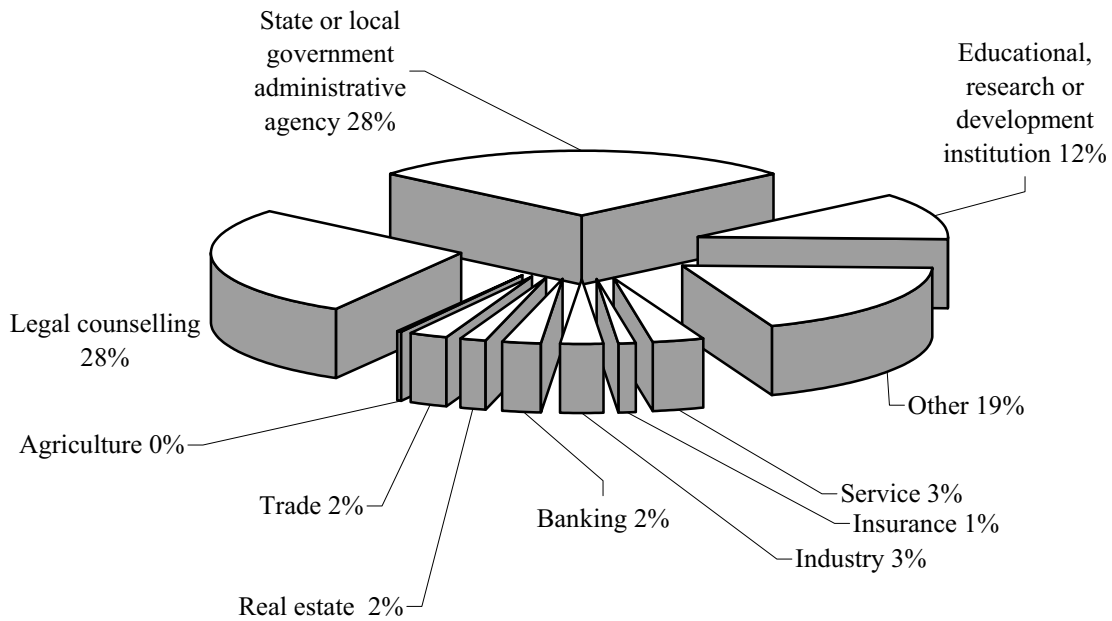
## 1.2. Nature of activity

In comparison with the year 2002, the number of readers whose activity was of economic character decreased two times (from 15 percent to 7 percent), and the number of readers who described their activity as ‘other’ increased by almost a similar amount. The number of people in the legal sphere has remained almost the same (75 percent in 2002).



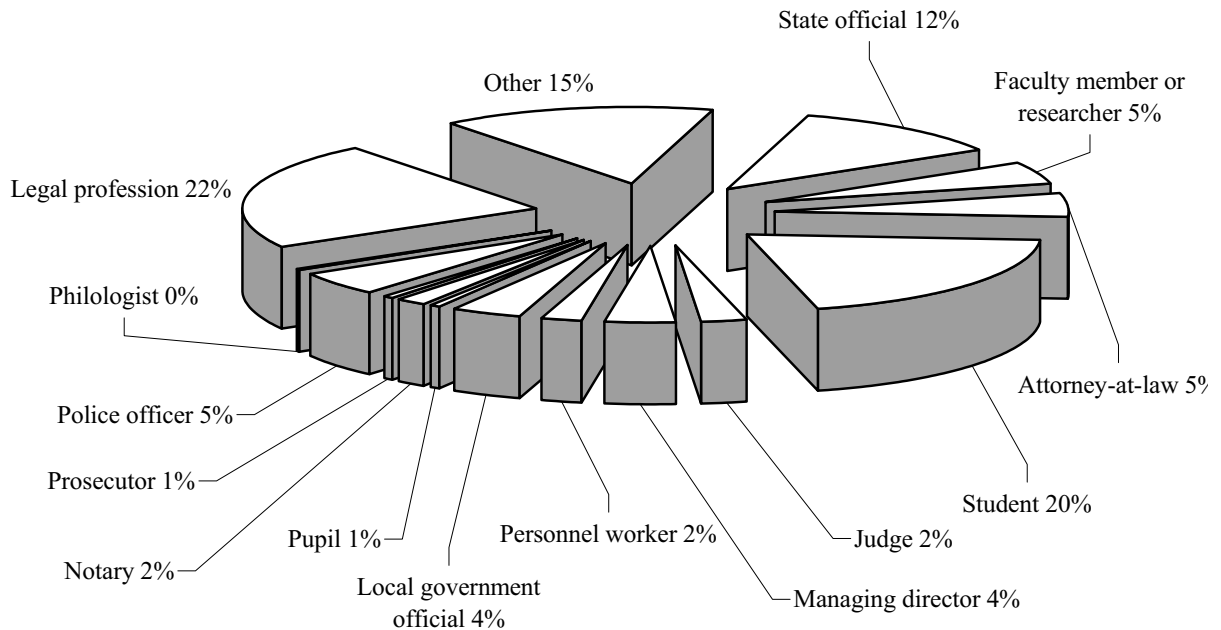
## 1.3. Field of activity

In comparison with other periods, the number of persons employed by state or local government institutions has increased remarkably (from 21 percent to 28 percent). The proportions of other users has remained the same since 2002. Here, an important role is played by legal advisers, who account for 28 percent of the users.



## 1.4. Occupation

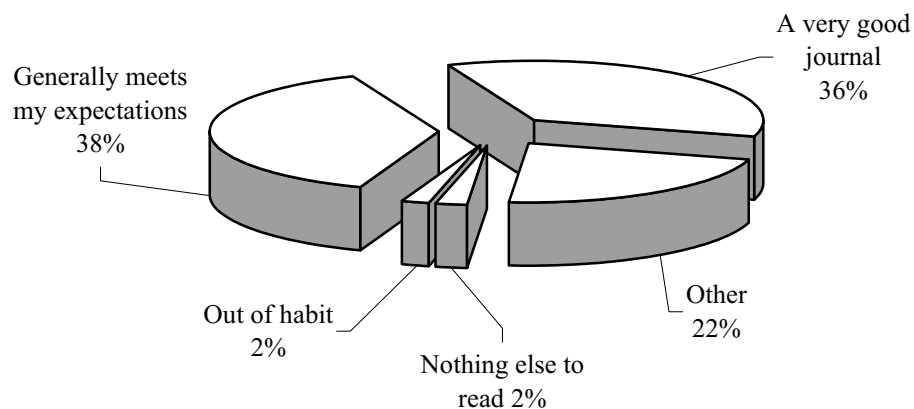
The proportion of students has increased remarkably, having grown 2.5 times since 2002 (from 8 percent to 20 percent).



## 2. Assessment of the *Juridica*

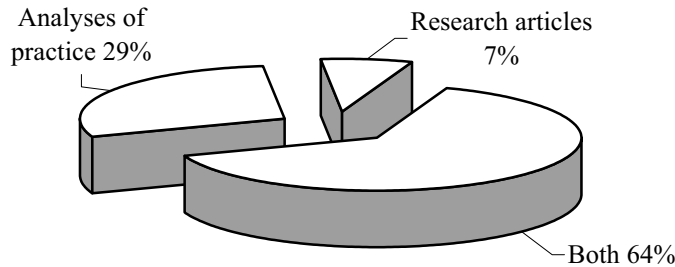
### 2.1. Why do I read *Juridica*?

The proportion of those readers who describe their preference of reading *Juridica* as ‘other’. The proportion of all other reasons has decreased by one or two percent. Still,  $\frac{3}{4}$  of the questionees are of the opinion that *Juridica* is a very good journal or at least a journal meeting their expectations.



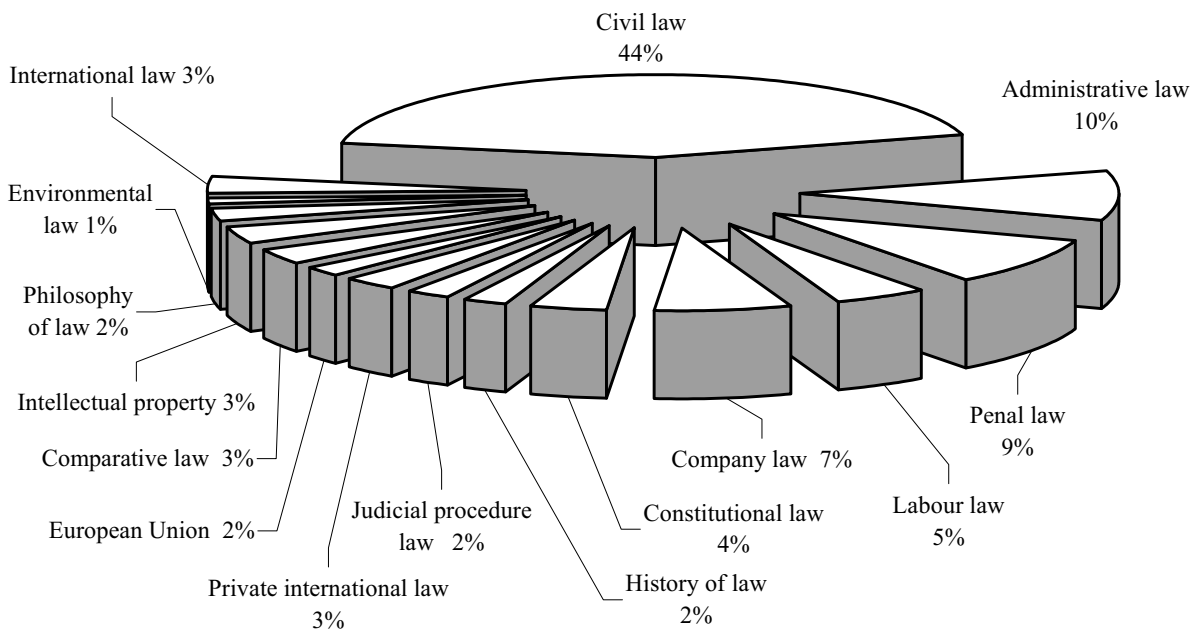
## 2.2. I would like to read more....

In comparison with the year 2002, the proportion of those users of the web edition who would like to read more analyses of legal practice has grown by 9 percent (from 20 percent to 29 percent). That position definitely deserves the attention of the board of editors in planning the future strategy of the journal.



## 2.3. Choose three main areas of law that you would like to read about in *Juridica*!

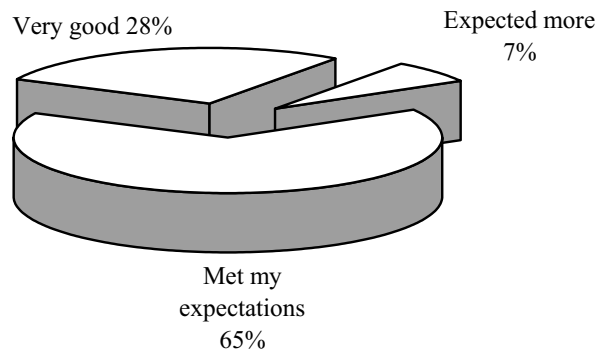
Since 2002, civil law has been by far the most preferred sector of law: such preference prevailed among 44 percent of the repliers. In 2002, civil law was also the first priority with 41-percent preference. Throughout the years, readers have also been given more preference to penal law, company law, procedure law, EU law and international law.



### 3. Assessment of *Juridica* electronic edition

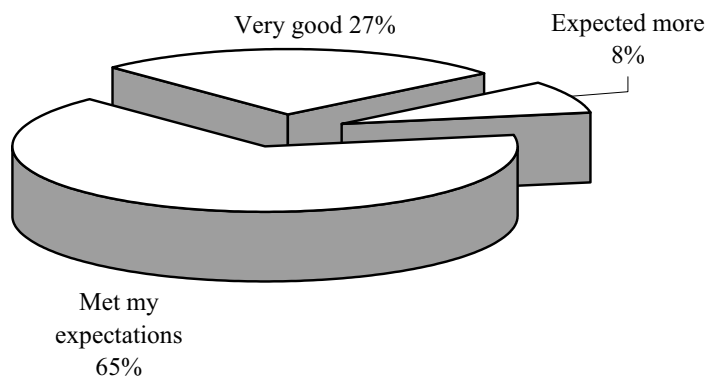
#### 3.1. Search facility

By today, 28 percent of the repliers are of the opinion that the database search facility is very good. In that aspect, a substantial change has taken place during the past period (in 2002, only 18 percent considered the search facility to be very good). The proportion of scepticists has remained the same.



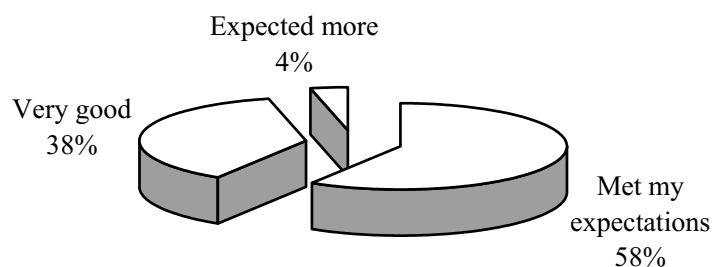
#### 3.2. Keyword index

The proportion of those users who regard the keyword index as very good has grown by almost ten percent (in 2002, the percentage of those users was 19). At the same time, the percentage of those users who would expect more from the keyword index has decreased (that percentage was 12 in the year 2002).



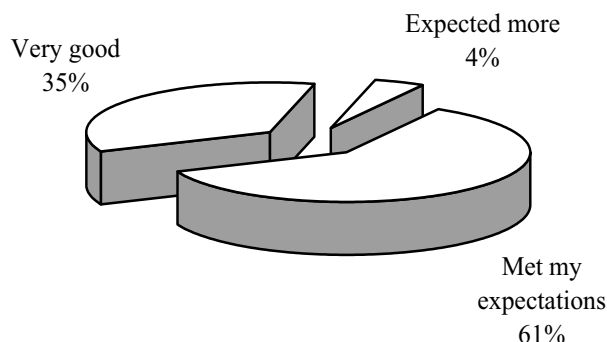
#### 3.3. Ease of use

The number of those repliers who regarded the ease of use as very good has increased significantly (in 2002, the proportion of those users was 30 percent, thus there has been an 8-percent growth).



### 3.4. Overall assessment

Out of the repliers, 35 percent considered the network edition to be very good (32 percent in 2002), whereas the majority found that the database meets their expectations and only 4 percent of the repliers would expect more.



**Subscriptions.** Subscriptions to the paper and network editions of *Juridica* can be taken out throughout the year. The most preferred subscription option has been the paper edition with one username for the network edition, i.e. an annual subscription (10 issues) and free access to the full text of all annual volumes of *Juridica* for one calendar year. The full-text database is provided in the Estonian language<sup>\*11</sup>, majority of the texts are password-protected and accessible to the registered users only.<sup>\*12</sup> The subscription price is 1092 Estonian kroons (€ 70). In Estonia, the journal can also be subscribed via bank links (Hansapank, Eesti Ühispank). It is probably easiest to send a subscription notice to iurfond@online.ee or to

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All articles published in *Juridica International* are provided free of charge in the full-text database of the network edition.

## Publishing Legal Literature

The re-established union between Estonian and European edifice of law has meant re-build-up (creation) of the legal system, considerable re-qualification of practicing lawyers and re-organization of legal education.

Professor John P. Grant recollects:

It became clear that academic links, excellent as they were, were not all that was needed for the Tartu Faculty of Law and for the development of Estonian law. What was needed was a law publishing programme, and British Council support was not available for publishing ventures. So, we sought, and received, financial support from other organisations: the Open Estonia Foundation, the Open University in Budapest and the Law Society of Scotland. All gave generously to initiate a publishing programme.

We began by translating standard law books into Estonian. In the early days, we translated books on business law and European Community law. A further development, in which I was personally involved, resulted in the publication of an *English/Estonian Law Glossary* and an English-Estonian student text on *English for Lawyers*. Then we realised that we would get nowhere without locally-produced law books and we encouraged law teachers and practitioners to produce books on Estonian law. The success of that is clear from the large and impressive catalogue of Estonian law books published in the last ten years.

<sup>11</sup> As from the publication of the first edition of the journal, English abstracts have been provided for all articles. Those abstracts are available in the Iuridicum database under *Juridica Abstract*.

<sup>12</sup> At the same time, a discount for students is available and it has been used extensively: presently, more than 300 students have been registered as users of the database.



Thus in publishing programme the Open Estonia Foundation (OEF)<sup>\*13</sup> has been a principal partner to the Law Faculty of the University of Tartu. To overcome the shortage of study aids for law students there have been four competitions in the framework of the OEF publication programme for getting textbooks and other educational materials. From 1994—1997 the number of projects presented to the competition was 79 all in all. The exact figures were the following: in 1994 — 26 projects; in 1995 — 19; in 1996 — 17; in 1997 — 17 projects respectively. During this period the committee has recommended to publish 44 textbooks or study aids. By the year 2000 the number of publications, most of them being the result of cooperation with the Faculty of Law, was 61, including textbooks, study aids, publications with comments, collections of articles and monographs. Some of the books have already been reprinted. The authors have also been from the Supreme Court, Ministry of Justice, Circuit Court of Tartu, other universities and higher educational institutions. The published books have mostly been meant for the students of the Faculty of Law. At the same time a considerable number of them has filled in the gap in the existing legal literature and these published materials have also been successfully used for the up-dating or supplementary courses taken by civil servants, advocates, judges, prosecutors, notaries public and other practicing lawyers.

From 1998 to 2003, the Iuridicum Foundation<sup>\*14</sup> published 19 items of printed material in cooperation with the Faculty of Law of the University of Tartu and with the Open Estonia Foundation.<sup>\*15</sup>

All the published materials have created an encouraging environment for the development of the legal thought and have established the basis for the contemporary study and scientific literature in Estonian.

## Juura Publishing House<sup>\*16</sup>

Juura<sup>\*17</sup> is the best known and most recognised trademark among Estonian publishers of legal literature. The publishing house started its activities in 1992, publishing the law journal entitled *Eesti Jurist*.<sup>\*18</sup> In 1993, the first book — the collection entitled *Eesti Seadus* (Estonian Law) was published. Since then, the company has published almost 300 different items, including several new or revised editions.

The **mission** of the publishing house is to provide quality legal literature on the basis of Estonian market demand. Differently from other publishing houses<sup>\*19</sup>, which publish legal literature either randomly or in a limited range of topics or in limited form and nature, Juura is oriented only towards legal literature. The list of items is extensive: laws and codes, commented editions thereof, collections of judgments, educational literature, items on legal language (dictionaries, handbooks), the journal *Õiguskeel* ('Legal Language') and language textbooks for lawyers.

In the year 2002, the publishing house went through important changes: a new management was formed, the editorial board was created to advise the publishing house, and a new publishing programme was drawn up. A toll to the too large printing numbers during the previous years had to be paid. Extensive commented editions of the Estonian Constitution and the Penal Code were published. At the same time, the number of published items increased thanks to the re-launched programme of educational literature (50 percent of the annual published items). The sale of selected and timely published laws and codes was successful both in 2002 and 2003. The publishing of commented codes, educational literature, judgments of the Supreme Court as well as laws and codes will continue in the future.

Separate reference should be made to the publisher's long-standing cooperation with the Ministry of Justice as regards the series of translated textbooks, which have included textbooks on several private-law disciplines like the general part of civil law, the general and specific parts of the law of obligations, also property law, law of succession, civil procedure and civil enforcement proceedings. By today, translations of the following original textbooks have been published:

- Schwab, K. H., Prütting, H. Sachenrecht. Ein Studienbuch, 1995, (Verlag Beck, 1991)
- Köhler, H. BGB. Ein Studienbuch, 1998, (Verlag Beck, 1996)

<sup>13</sup> OEF, founded in April 1990 with the support of Mr. George Soros, a well-known US billionaire and philanthropist, works to foster the development of an open society in Estonia. OEF helps to build the infrastructure and institutions necessary for an open society by supporting a broad array of programs in the fields of education, civil society, human rights and ethnic minorities, law, not-for-profit sector, arts and culture. As of today, the total amount of grants awarded by OEF exceeds more than 200 million Estonian kroons. See [http://www.oef.org.ee/index\\_en.php?lang=en](http://www.oef.org.ee/index_en.php?lang=en).

<sup>14</sup> See a detailed information on Iuridicum at [http://www.juridica.ee/introduction\\_en.php?intro=overview](http://www.juridica.ee/introduction_en.php?intro=overview).

<sup>15</sup> Available at: [http://www.juridica.ee/introduction\\_en.php?intro=overview](http://www.juridica.ee/introduction_en.php?intro=overview).

<sup>16</sup> The following data originates from Lea Lumi, Director of the Juura publishing house, and the author is sincerely thankful for that information.

<sup>17</sup> Available at: <http://www.juura.com>.

<sup>18</sup> In 1995, the *Eesti Jurist* journal was merged with *Juridica*.

<sup>19</sup> Of the better known names on the market of Estonian legal literature, reference should be made to Ilo and Käsiraamatute Kirjastus, whose publications are episodically complemented by those published by various private higher educational establishments.

- Schlechtriem, P. Schuldrecht. Allgemeiner Teil, 1999 (Verlag Mohr Siebeck, 1994)
- Schlechtriem, P. Schuldrecht. Besonderer Teil, 2000 (Verlag Mohr Siebeck, 1995)
- Lüderitz, Familienrecht (Beck, 1999)
- Paulus, G. Zivilprozessrecht: Erkenntnisverfahren und Zwangsvollstreckung, 2002 (Springer Verlag, 1996)
- Kühl, K. Strafrecht – Allgemeiner Teil, 2002 (Verlag Franz Vahlen – Beck, 1994)
- Oppermann, Th. Europarecht. Ein Studienbuch, 2002 (Verlag Beck, 1999)
- Brox, H. Erbrecht, 2003 (Carl Heymanns Verlag, 2001).

In the sector of public law, Hartmut Maurer's *Allgemeines Verwaltungsrecht* (Beck, 2002) will soon be published.

In 2003, the first original items in the English language were published both for the Estonian as well as foreign market: T. Kivi-Koskinen's *Industrial Property Rights as a Competitive Tool for Small and Medium-sized Enterprises. The Finnish Experience* (Tallinn, 2002) and J. Sanden's *Introduction to International Environmental Law* (Tallinn, 2003).

The printed material is distributed through a retail and wholesale network including 20–25 sale outlets and dealers all over Estonia, of which 3–5 outlets account for the major part. The wholesale network is well developed, cooperation with the dealers and sellers is smooth and operation is flexible: the shops and dealers are immediately notified of new publications, and evaluation copies are provided upon request. If sales have been below the desired volumes, the publications will not be left in the shops. An overview of the location of copies and the situation at the shops is ensured. The webpage, opened in 2002, provides information regarding the items on presale, new items and all other items.

Market demand has been as follows, listed according to priority: commented editions of legislation, textbooks, codes, judgments of the Supreme Court. Since Juura is a sector-specific publishing house, the clientele has been rather well-defined and homogeneous. A more detailed breakdown of preferences among various target groups would be as follows:

- State institutions: commented editions of legislation, textbooks, judgments of the Supreme Court, codes;
- County governments: commented editions of legislation, textbooks, codes, judgments of the Supreme Court;
- Cities and rural municipalities: commented editions of legislation, textbooks, codes;
- Courts: judgments of the Supreme Court, commented editions of legislation, textbooks;
- Higher educational establishments: textbooks, commented editions of legislation, codes;
- Libraries: commented editions of legislation, textbooks, codes, judgments of the Supreme Court
- Law bureaus: judgments of the Supreme Court, commented editions of legislation, codes, textbooks;
- Companies: commented editions of legislation, codes, textbooks, judgments of the Supreme Court;
- Bookshops: textbooks, commented editions of legislation, codes, judgments of the Supreme Court;
- Individuals: textbooks, codes, commented editions of legislation.

The proportion of non-educational libraries (the National Library of Estonia, county and city libraries) in the distribution is relatively low. Unfortunately, the same trend can be noticed even among the libraries of higher educational establishments. This is mainly due to the poor financial means of state institutions and, as regards private educational establishments, to the lecturer's passive interest in the book selection policies of the libraries, which is why collections of professional literature may be completed quite randomly, paying little regard to the actual need. Governments of rural municipalities, cities and counties keep a stable (although low) profile in purchases of legal literature.

The most diverse part is the business sector, which can be divided on the basis of purchases as follows: consultation companies 18 percent; manufacturing companies 30 percent; others 52 percent (including transport, real estate, banks, insurance companies). The sector itself is growing stably and its interests are focused on legal literature of practical value: comments as well as legislation.

Among the law sector, advocates' law offices account for 65 percent, law bureaus account for 25 percent, notaries for 8 percent and bailiffs for 2 percent of the purchases.

Students (both law students and students of other disciplines) account for 80 percent in the individuals sector. The growth among this group is apparent because of the webpage, where the number of subscriptions has increased well. For example, in the year 2002, the number of individual clients (mainly students) grew by approximately 50 percent.

All in all, the interest of all target groups in literature has increased, while the sale volumes depend largely on the price of the items published. Presales are a relatively good indicator for the publishing house, allowing the clients to acquire various items as economically as possible and allowing the publisher to have a better view of the market — to define the need as regards a specific publication.

Orientation towards specific target groups and the introduction of the system of pre-reviews (from 2003) can be regarded as values of the publishing house. The board of editors has established very high requirements on the publications in order to ensure the quality of the contents of publications.

In the coming years, the activities and market position of the publishing house will be affected by the growth of competition, a possible increase in prices of services and the need for higher royalties and salaries. Financial sources needed for investments may become scarce. It is inevitable to find various sources of support for the translation of legal literature, to develop the network of cooperation and feedback and to introduce an efficient client administration system and a new webpage.

Delays in preparing the authors' material are a serious risk factor (most of the work is left to one certain period of time, which is mostly summer). In order to reduce the risks, more attention must be paid to forming a team of appropriate competence, projects with different risk levels should be launched simultaneously, project resources should be planned with some reserve, new products, i.e. mainly legal literature intended for a wide audience, should be introduced to the market.<sup>20</sup> Whatever is done well by a publisher of quality literature will not damage but, rather, increase its reputation in the eyes of the reader.

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<sup>20</sup> A good example would be U. Wesel's *Alles was Recht ist (Jura für Nicht-Juristen)*. Besides experts and students, the target group would include a wider audience, who are interested in law and who would be offered a publication presented in a manner which is well understandable to them.