A DEVELOPMENT PLAN FOR A LEGAL RESEARCH ORGANISATION: THE INSTITUTE OF LEGAL INFORMATION THEORY AND TECHNIQUES (ITTIG-CNR)

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Executive summary

A development plan for the Institute of Legal Information Theory and Techniques (ITTIG-CNR) is proposed, covering the period 2005-2007. Preliminary remarks regard the context in which ITTIG functions, and the internal, micro and macro environments are examined. As an organization supported by the National Research Council (CNR) and committed to scientific and technological research in the law domain, its priorities regard specialized training to students, scholars and professionals, database and guide creation as well as software tools implementation, publishing and professional exchange.

ITTIG’s internal organization consists in research sections on specific legal themes and service sections. Human resources are analyzed as to their composition, size and roles.

The micro environment is represented by ITTIG’s parent institution: CNR, the major scientific public national organization that has been recently reorganized to foster international cooperation and innovation as to research topics and products.

The macro environment is exemplified through a PEST analysis, showing the factors affecting ITTIG functioning such as government policy on research national relevance, its funding and regulations as well as new patterns of staff recruitment. Other factors are restriction in budget allocation to research, trend towards stability in choosing profession, increased globalization favoring exchange, strong relevance of technology and its impact on training needs, exchange of knowledge, demand for skilled staff.

A SWOT analysis stresses ITTIG’s unique role at national level and links with universities, while poor internal communication between researchers, inadequate staff training, limited budgets and low recruitment represent weaknesses. Opportunities regard the orientation of research activities towards emergent socio-economic issues, strategic alliances with national/international institutions, full exploitation of new technologies, while threats such as inadequate funding, trends towards privatization of research may limit ITTIG’s growth and productivity.

A SWOT matrix, based on the SWOT profile has been prepared illustrating proposed strategies.

The proposed development plan strengthens ITTIG identity as an organization where a wide range of information resources have to be brought together. For this reason the Institute needs to establish an information policy to successfully make contribution to innovation, productivity and competitiveness on behalf of the legal research community and play a leading role in the domain of law and technology.

Specific proposed objectives regard focus on advanced use of technology in law related matters, partnership orientation maintaining a leading role in proposing and conducting research projects, adoption of motivation measures for its specialized staff, efficient use of resources and development of mechanisms to monitor and evaluate their use.

A new structure of the Institute is proposed, where sharing of researchers between projects is emphasized allowing effective exchange of information between divisions and coordination across functions.
Strategic actions and related tasks include strengthening human resource development as well as stronger relations with national and international institutions, development of ITTIG’ expertise through ongoing training on new emerging technologies and project management, fostering of multidisciplinary research, improvement of IT infrastructure, increasing fund raising opportunities, restructuring ITTIG internal organization, increasing consultancy and contract research. For each action resource allocation and time are proposed, specifying where organizational support, external expertise, equipment, publicity, conferences/workshops are needed.

Forward:
The preparation of a development plan of the Institute of Theory and Techniques of Legal Information belonging to the National Research Council, (ITTIG-CNR), must take into account the context in which the Institute functions. Environmental analysis is very important for planning and it should be continuous and cover all aspects of planning. As many other organisations, ITTIG’s environment is made up of:

1. The internal environment
2. The micro-environment
3. The macro-environment

1. Internal environment

1.1. The Institute of Theory and Techniques of Legal Information (ITTIG-CNR)
ITTIG is one of the 103 scientific institutes of the National Research Council. It is a public organisation whose mission is to carry out scientific and technological research on the impact of information and telecommunications technologies on law and law-related activity.
The Institute is located in Florence, Italy.

1.2. History
The Institute came into being as a result of the reorganisation of the Italian National Research Council - CNR set in motion by the Presidential Decree 15998 of 12/10/2001. It is a product of the fusion of the Institute for Legal Documentation - IDG, based in Florence, and the Research Centre for the Study of Roman Law and Legal Systems - CSDRSG, based in Rome.
The Institute for Legal Documentation had been set up in 1968 in order to continue the work of the Italian Legal Vocabulary Opus, one of the first projects promoted by the Committee for legal sciences of CNR with the administrative and technical support of the Accademia della Crusca. From 1980s on, it focused...
on documentation of Italian legal literature but it extended its competencies to cover the automatic documentation of legislation, law, and legal doctrine.

1.3. Objectives
ITTIG researches into and applies information and communication technology to law and legal language, legislative technique, legal decision-making, and training of lawyers. It also researches into law related themes, public information and computing policy. It creates advanced applications in the field of legal computing and computing law. The target of the Institute's activities are legal practitioners in the public and private sector and its natural interlocutors are scholars (from Universities and other research establishments) involved in the disciplines that pertain to the Institute's areas of expertise.

The Institute's priorities are:
- Study and development of technologies for law and public administration
- Consultancy to public administrations as support for e-government policy
- Production and distribution of law databases and of specialised computer software.

In order to meet these objectives the Institute:
- entertains collaborative scholarly relationships with analogous international bodies as well as with single countries, through exchange of experiences;
- offers consultancy in its areas of expertise through conventions with public bodies and research contracts and provision of technical-scholarly services;
- offers training for academic and technical personnel in particular public administration officers and collaborates with Universities in teaching legal information technology.

1.4. Activities
- **Specialized Training**
  The Institute collaborates with Universities in teaching computer and law subject and in Degree and Master courses as well as research doctorates; it also trains young scholars in their disciplinary areas through grants and research contracts. Professional training is also offered to business and civil service employees.

- **Databases and guides**
  This involves the management, updating and distribution of law and law related databases on-line and via CD-ROM. The online version of electronic databases, stored in ITTIG server, is distributed via Internet.

- **Creation and personalization of software products**
  In the last few years ITTIG has been heavily involved in the creation and personalization of software products, aimed at the management of databases created by ITTIG, but also to provide autonomous products offered to legislators, public officers and lawyers.

- **Publishing and technical-scientific services**
  Publishing at the Institute is very active. The journal "Informatica e diritto" maintains, since 1970s, a relevant scholarly value in the fields of Legal Informatics and Computer and Law.
Organization of international conferences
The Institute periodically organizes conferences that have aroused great interest in scholars and practitioners, and more frequently seminars, workshops and other scholarly meetings, where research results are discussed.

1.5. Organisation

1.5.1. Institutional boards
The Director:
The Director, who is nominated by a provision of the President of the CNR on a four year basis, is responsible for the Institute’s research activity as well as its organisation and functioning. In accordance with the administrative-accountancy rule of CNR, the Director has prime responsibility for Institute’s expenditure.

The Institute Committee:
The Institute Committee has deliberative and support functions. It assists the Director in programming and co-ordinating the research activity and approves the Institute budget proposed by the Director. It has also advising functions on specific issues such as:
- Institute's annual and three-year research programmes;
- constitutional acts of the research sections and technical service structures;
- nomination of those in charge of sections and technical service structures.

1.5.2. Internal organisation
The Institute includes four Research sections and two Service structures.

Research Sections
Each Research Section works at specific research projects both internally or externally conceived.

- Section I. Documentation and Law Information Systems
- Section II. Legal Informatics
- Section III. Law and policy of public information and informatics

Service Structures
The Institute has two Service Structures: the Technical Scientific Structure and the Administrative Structure.

1. Technical Scientific Structure

It is divided in:

Service I: Informatics and telematics systems
Service II: Services for knowledge communication

Operational units:
- Library
- Publishing laboratory
- On-line publishing and website
2) Administrative Structure
Office I: General affairs
Office II: Administration and finance
  - Management of external funding
  - Accountancy management
  - Inventory management
Office III: Technical-organisational service
  - Logistics
  - Security
  - Conferences and seminars

1.5.3. Organisational structure
The structure of the Institute is a functional structure whose main characteristic is the division of work. Jobs and activities are grouped together. This is called departmentation. The division is based on research areas.

Functional Structure:

1.6. Human resources
ITTIG’s staff is formed by:
  ➢ research personnel (researcher, technologists);
  ➢ technical-professional personnel, supporting scientific and technical research;
  ➢ administrative personnel, supporting financial, organisational and material services.

All together the Institute’s staff is made up of 23 researchers, 5 technologists, 8 technical and 3 administrative assistants.

<table>
<thead>
<tr>
<th>Role</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Director</td>
<td>1</td>
</tr>
<tr>
<td>Research director</td>
<td>4</td>
</tr>
<tr>
<td>Technological director</td>
<td>1</td>
</tr>
<tr>
<td>Primary researcher</td>
<td>1</td>
</tr>
<tr>
<td>Primary technologist</td>
<td>7</td>
</tr>
<tr>
<td>Researcher</td>
<td>2</td>
</tr>
<tr>
<td>Technologist</td>
<td>3</td>
</tr>
</tbody>
</table>
ITTIG also benefits from the contribution of short and fixed-term research assistants and grant holders, enrolled through the awarding of research and study grants and work contracts. The Institute periodically hosts researchers from other Italian and international research institutions.

Other units for management support are two specialised commissions, one for academic communication and another for information and communication technology. The Commissions are composed by the responsible of the operational units belonging to the Technical-scientific Structure and by a researcher for each research section.

Currently the following delegations are active:
1. **institutional relations**: relations and collaborative ventures with local, regional and national institutions
2. **international relations**: research projects and participation in research committees and meetings at international level
3. **training**: collaboration with Universities for teaching of Law and computing; training courses for public officers
4. **promotional and technological transferral activity**: enhancement of ITTIG image; relations with the local and national press.

2. **THE MICRO-ENVIRONMENT**

2.1. **The National Research Council (CNR)**

The Institute is part of the National Research Council which is the greatest Italian scientific institution carrying out training, development, co-ordination activities in the scientific and technological sectors. In 1999, following the law decree n° 19 of 30/01/1999 called "Riorganizzazione del Consiglio Nazionale delle Ricerche", CNR has become a national research body with a general scientific competence, made up of a series of local scientific institutes carrying out key research activity and aiming at the advancement of science.

In June 2003 a bill on reorganisation of CNR has entered into force, formalizing its activities and mission, aiming at promoting and linking points of excellence in the scientific domain, avoiding duplication of activities and ensuring high flexibility in establishing cooperative program ventures and consortia.

CNR assigns funds to ITTIG for its ordinary functioning (personnel, housing, equipment). Other expenditure is to be covered by project funds to be provided through fund raising initiatives by ITTIG.

3. **THE MACRO-ENVIRONMENT**

3.1. **PEST Analysis**
As in the case of other organisations (Atkinson, 2003; Dorabjee, 2004) political, economic, social, and technological factors (PEST) affect ITTIG’s functioning. The PEST analysis of ITTIG can be summarised as follows:

**Political factors**
- The political situation has a huge influence upon the regulation, structure and management of ITTIG as a public research institution
- Government policy influences laws that regulate research activity and funding
- New patterns of recruitment are in force, but difficulties arise in career development and specialization

**Economic factors**
- Restricted budgets limit the development of research activity and the recruitment of new staff
- Some competition is arising by law library services with low wage costs or more advanced quality systems
- The instability of the economic situation has changed the way how resources are assigned

**Socio-cultural factors**
- An increasing amount of law graduates opt for lawyers/judges profession rather than research activity. This implies no prolificuous selection of people in the research world
- Trends towards globalization foster exchange approaches among research/academic institutions
- Safety and stability are major requirements in choosing profession

**Technological factors**
- IT and communications greatly facilitate a rapid exchange of information and knowledge
- IT rapid change and complexity require continuous training
- Specialized skills for staff in charge of choosing IT tools are demanded
- Technical equipment installed in workplaces is often underutilised and is not delivering all its potential benefits

**4. SWOT Analysis**
A scan of the internal and external environment is an important part of the strategic planning process (McCarthy, 1990; Dorabjee, 2004; O’Sullivan, 2002). Environmental factors internal to the organization usually can be classified as strengths (S) and weaknesses (W), and those external as opportunities (O) and threats (T). Such investigation is referred to as SWOT analysis.
Strengths:
- Uniqueness, at national level, of this type of research institute in the fields of law, language and technology, legal documentation, with growing emphasis on consultancy activities
- Qualified, competent and experienced personnel
- Proximity to Universities and other CNR institutes
- Quality assurance of research, through established link arrangements with foreign public legal institutions leading to international recognition of ITTIG qualifications
- Ability to participate in forums and activities conducted in two major international languages, English and French

Weakness:
- Lack of internal communication among researchers: little effective community development.
- Bureaucracy and long channels of communication.
- Inadequate budgets
- Poor training of staff, promotion prospects and job enrichment
- Weak public perception due to an inappropriate public relations strategy
- Duplication of some research activities internal to projects
- Low recruitment and retention levels of staff due to unattractive terms and conditions of employment
- Operational approach (product delivery) rather than theoretical highly methodological approach
- Inadequate efforts to promote internal cooperation, synergy and wide communication of results.

Opportunities:
- Orientation of research activities to emerging socio-economic issues
- Arrival of new technology
- Active participation in research initiatives at international level
- Strategic alliances with information service providers

Threats:
- Inadequate funding limiting scope of future growth and productivity
- Increasing trends of privatisation in research activities
- Proliferation of new uncontrolled initiatives by law firms, commercial stakeholders...
- Experienced staff leaving for better posts
4.1. The SWOT Matrix
To develop strategies that take into account the SWOT profile, a matrix of these factors can be constructed. The SWOT matrix (also known as a TOWS Matrix) is shown below:
### THE SWOT MATRIX FOR ITTIG

<table>
<thead>
<tr>
<th>STRENGTHS-S</th>
<th>WEAKNESSES-W</th>
</tr>
</thead>
</table>
| 1. Uniqueness, at national level, of this type of research institute in the fields of law, language and technology, with growing emphasis on consultancy activities  
2. Qualified, competent and experienced personnel  
3. Proximity to Universities and other CNR institutes  
4. Quality assurance of research, through established link arrangements with foreign public legal institutions leading to international recognition of ITTIG qualifications  
5. Ability to participate in forums and activities conducted in two major international languages, English and French | 1. Lack of communication among researchers: little effective community development.  
2. Bureaucracy and long channels of communication.  
3. Inadequate budgets  
4. Poor training of staff, promotion prospects and job enrichment  
5. Weak public perception due to an inappropriate public relations strategy  
6. Duplication of some research activities internal to projects  
7. Low recruitment and retention levels of staff due to unattractive terms and conditions of employment  
8. Operational approach (product delivery) rather than theoretical highly methodological approach  
9. Inadequate efforts to promote internal cooperation, synergy and wide communication of results |

<table>
<thead>
<tr>
<th>OPPORTUNITIES-O</th>
<th>SO STRATEGIES</th>
<th>WO STRATEGIES</th>
</tr>
</thead>
</table>
| 1. Orientation of research activities to emerging socio-economic issues  
2. Arrival of new technology  
3. Active participation in research initiatives at international level  
4. Strategic alliances with information service providers | 1. Strategic alliances with national institutions. (S1-S2-O1)  
2. Foster advanced cooperation and international projects (S4,S2, O3, O2)  
3. Provide quality unique information services (S1, S2, S3, O1)  
4. Foster and control private company participation in research activity (S1, S2, O5) | 1. Invest in process reengineering and in skills improvement through NT (e.learning..) (W1,W2,W3,W4, O2,O5)  
2. Training at international level (w8, 04, O3)  
3. Activate an elected Staff Committee whose task is to make proposals for improved communication among researchers |

<table>
<thead>
<tr>
<th>THREATS-T</th>
<th>ST STRATEGIES</th>
<th>WT STRATEGIES</th>
</tr>
</thead>
</table>
| 1. Inadequate funding limiting scope of future growth and productivity  
2. Increasing trends of privatisation in research activities  
3. Proliferation of new uncontrolled initiatives by law firms, commercial stakeholders...  
4. Experienced staff leaving for better posts | 1. Participation in co-funded European projects (S5, S4, T3)  
2. Government lobbying for ITTIG’s role in defining national regulations in law-technology matters (S4, S2, O2, O3) | 1. On-going budget control (w3, T1)  
2. Stronger attention to staff motivation (W7, T2, T3, T4)  
3. High level training on IT use for overall personnel (W1,W2,T3) |
5. Planning for the future

This section gives an outline of the proposed development of the Institute over the period 2005-2007. It should be stressed that this plan is only indicative as the development of ITTIG over the next three years will depend on a number of external factors (national strategies on research development, economic recession, labour regulations, etc.) which are not predictable at this stage.

5.1. The new scenario

As an organisation devoted to research and teaching, ITTIG has the characteristics of a learning organisation and as such has to successfully manage the vast store of human knowledge and ideas which are the object of its activity: information retrieved and processed for its research tasks, about its processes, relations with partners and institutions, transactions with external stakeholders and suppliers, after all about the economic, social and cultural environment in which it operates (Corrall, 2000; Stauffer, 2002).

It is necessary that this institution have a policy for using information to support the achievement of its objectives. Surely the way how ITTIG has used and managed information so far reveals the basic role assigned to it within the Institute, but research evidence shows (Orna, 1999) how organisations where a wide range of information resources have to be brought together, need to establish an information policy as properly managed information makes contribution to innovation, productivity and competitiveness.

5.2. Aim

The goal is to enhance the performance of ITTIG research activity on behalf of the legal research community (scholars, professionals, citizens), playing a leading role in the domain of “law and technology” issues by addressing emerging trends and needs through appropriate studies, standards and teaching initiatives.

5.3. Objectives

In the light of the analysis outlined above, these are the key objectives of ITTIG for the next three years:

- Competitiveness at national and international level in terms of advanced use of technology in law related matters and promotion of applications suitable in a wider social context
- Research rather than mere information delivery, focusing on new requirements and trends
- Ensure a highly effective and motivated body of staff through innovative recruitment, training and recognition of achievement systems.
- Carry out research activities in partnership with, but not under the control or direction of other key actors as law firms, bar associations, public law bodies, commercial publishers and other academic institutions
- Utilise resources more efficiently and effectively and develop mechanisms to monitor and evaluate the effective use of resources
Develop strategic partnerships establishing specialised niche areas in innovative programs and activities.

5.4. New structure
It is proposed that ITTIIG be based on the matrix structure (Johnson, 1990) as such structure combines functional and divisional approaches to form teams of employees. Each of ITTIIG’s employees will be a member of two teams called cross-functional teams that incorporate functional expertise with a divisional concentration. A person working on a project would have two bosses, the boss of the department they work in and the leader or manager of the particular project they are working on at the moment. A project may cover some or all of the organisations departmental areas. The main advantages are that people still have a job once the project is completed, key people can be shared between projects thus lowering costs, and learning is shared between all projects. With this structure it is possible to use the functional skills within the functional divisions and start sharing information between divisions. This eliminates the problem of lack of communication and coordination across functions, although some disadvantages are possible, such as complexity of information flow and conflict within the cross functional teams as individuals due to different behavioural styles and objectives.

5.5. Strategic actions
Below measures to accomplish such objectives are illustrated, with the required tasks. These will be reviewed from time to time in response to evolving needs and emergent circumstances.

1) Strengthen human resource development
- Initiate the setting up of a Human Resource Development Unit
- Develop systematic training courses on project management and new technologies
- Emphasise professional development focusing on quality practice in research and ensuring continuing education and lifelong learning
- Enable individual researcher to enhance self-development

2) Strengthen relations with national and international institutions
- Interact proactively with the business world and the research community to support development initiatives
- Motivate staff to apply their knowledge and expertise to solve relevant problems in collaboration with industry, commerce and the profession
- Collaborate with institutions and groups to undertake applied research and consultancy focused on national and international priorities
- Strengthen the Institute’s leadership role in enhancing social, cultural and economic opportunities
- Develop collaborative research ventures including resource sharing
- Provide for exchange of researchers
- Develop further opportunities to establish a range of formal and informal links with overseas institutions
- Set up an administrative mechanism for co-ordinating international affairs
- Develop the Institute’s Public Relations Office
3) **Develop the Institute's research capacity**
   - Develop indicators to measure the Institute's research performance and reinforce existing mechanisms for monitoring and assessing research performance
   - Provide for a stronger identity of research personnel
   - Facilitate the increased publication of research findings through appropriate media channels

4) **Encourage multi-disciplinary research**
   - Promote multi-disciplinary research in response to economic and social development needs
   - Provide co-ordinating mechanisms for collaborative, inter-disciplinary research.

5) **Improve research management**
   - Develop a range of strategies to increase research funding.
   - Review the existing research management system with a view to improving efficiency and accountability.

6) **Improve Institute's IT infrastructure**
   - Provide access to global information for staff via modern communication technologies.
   - Ensure that technological up-to-date facilities be available to the Institute
   - Extend use of groupware and enhanced communications
   - Shift from creation of databases to document management
   - Integrated use of all kinds of information with a common interface to external information systems

7) **Increase accountability and fund raising**
   - Introduce systematic staff appraisal mechanisms and procedures
   - Further develop mechanisms to monitor, review and evaluate the effectiveness of financial management to demonstrate greater accountability
   - Expand and diversify the Institute's funding base

8) **Restructure Institute organisation**
   - Review and reallocate duties and responsibilities of senior management staff with a view to improving functionality and process efficiency
   - Undertake organisational development as appropriate
   - Enhance decision making and planning support at strategic, tactical and operational levels

9) **Increase consultancy and contract research**
   - Encourage researcher staff to do consultancy work and to bid for contract research
   - Expand the range of customised executive and professional development programmes
- Bid for contract research from EU institutions and international public bodies

10) Anticipate new trends and requirements in legal research
- Establishment of a working group for the study and proposal of key emergent issues to be tackled
- Invest and take risks on a subset of resources in innovative research.

5.6. Performance measurement
The Institute has not a formal performance measurement system to evaluate its activity and its staff. Where a measurement has been used, it is of a quantitative type (number of completed projects, implemented database size, number of given courses...). The criteria for evaluating the outcomes of the proposed plan and the performance of personnel involved should be mainly qualitative and can be based on those commonly adopted in the library and information sector (Rubin, 1991; Steuart and Sullivan, 1991).

For the effective measurement of performance it is essential to identify three main areas: tasks and roles, performance indicators and ranking system (Paton, Fisch, Cotter and Cunnington, 1998).

It is proposed that an ad-hoc Working Group composed by ITTIG's and external researchers define performance indicators for the outcomes and staff involved in the proposed plan (criteria hopefully to be used by other research institutes). Following the above recommendation, tasks and roles in the ITTIG environment mainly include consultancy, teaching, production of innovative research; related performance indicators are based on the measurement of the ability in:

1) project management
2) planning and promotion of change
3) originality of research proposals
4) attracting funds to the Institute
5) relating with colleagues and external working groups
6) making sound strategic and technical decisions
7) budgetary management
8) defending and asserting research methodologies
9) choosing new technologies

Ranking of performance indicators is to be defined and it is likely to differ according to tasks and roles.

Below a schema for the plan is presented, with actions and related allocation of resources:

5.7. Project plan

<table>
<thead>
<tr>
<th>Strategic Actions</th>
<th>Allocation of Resources</th>
<th>Man/Time Allocation</th>
<th>Time Analysis</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strengthen human resource development</td>
<td>Organisational support, external expertise</td>
<td>1 man/year</td>
<td></td>
</tr>
<tr>
<td>Strengthen relations with national and international institutions</td>
<td>Organisational support, conferences, workshop</td>
<td>2 men/year</td>
<td></td>
</tr>
<tr>
<td>Develop the Institute's research capacity</td>
<td>Organisational support, external expertise, staff</td>
<td>3 men/year</td>
<td></td>
</tr>
<tr>
<td>Encourage multi-disciplinary research</td>
<td>Conference, publication activity</td>
<td>1 man/year</td>
<td></td>
</tr>
<tr>
<td>--------------------------------------</td>
<td>---------------------------------</td>
<td>------------</td>
<td></td>
</tr>
<tr>
<td>Improve research management</td>
<td>Organisational support, training, external expertise</td>
<td>2 men/year</td>
<td></td>
</tr>
<tr>
<td>Improve Institute's IT infrastructure</td>
<td>Internal network implementation, Wireless Fidelity technology, firewall</td>
<td>1 man/year</td>
<td></td>
</tr>
<tr>
<td>Increase accountability and fund raising</td>
<td>External expertise, promotion, conference, publicity</td>
<td>1 man/year</td>
<td></td>
</tr>
<tr>
<td>Restructure Institute organisation</td>
<td>Staff, organisational support</td>
<td>½ man/year</td>
<td></td>
</tr>
<tr>
<td>Increase consultancy and contract research</td>
<td>Qualified public relation unit</td>
<td>1 man/year</td>
<td></td>
</tr>
<tr>
<td>Anticipate new trends and requirements in legal research</td>
<td>External expertise, staff</td>
<td>1 man/year</td>
<td></td>
</tr>
</tbody>
</table>

REFERENCES


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