

TURNER:

Hello, and welcome back to Wisconsin Law in Action, a remotely recorded podcast where we discuss new and forthcoming scholarship with University of Wisconsin Law School professors. I'm your host, Kris Turner, and my guest today is the Associate Dean for Library Information Services and the Director of the UW Law Library, Bonnie Shucha. Dean Shucha is here today to discuss her new paper titled Representing Law Faculty Scholarly Impact: Strategies for Improving Citation Metrics Accuracy and Promoting Scholarly Visibility. The paper focuses on scholarly visibility of legal academia publishing and the role that law libraries play in enhancing visibility, impact and discoverability. Dean Shucha recently presented her paper at the Yale Citation and Law Symposium, and is a leading authority on citation metrics, analysis and promotion of scholarly visibility. Today, we'll dive into how Dean Shucha's paper examines the effects of the upcoming U.S. News & World Report rankings of scholarly visibility on law schools and how the University of Wisconsin Law Library is taking proactive steps to ensure our faculty's work gets the attention and citations that they deserve. Thank you for joining the podcast today, Dean Shucha.

DEAN SHUCHA:

Thank you, Kris. It's a pleasure to be here.

TURNER:

Yeah, I'm looking forward to discussing this topic. It is extremely important and obviously very near and dear to both of our hearts.

DEAN SHUCHA:

Right.

TURNER:

Before we discuss your paper and that topic, let's learn more about you. How did you become interested in law librarianship, and scholarly visibility in particular?

DEAN SHUCHA:

Well, I sort of fell into law librarianship. When I went to grad school, I was actually intending to be an archivist, so I got my double master's in history and library science. Unfortunately for me at the time, but ultimately it turned out to be fortunately, I couldn't find a job as an archivist, but I was hired as a sole law librarian at a firm in Milwaukee with absolutely no legal background whatsoever. So those were a rough couple of years, but I would say I can't adequately express how much I owe my fellow Wisconsin law librarians who took me under their wing those first few years.

DEAN SHUCHA:

So after I had been a while at the law firm, I took a chance on a position at the UW Law Library, where I have been very happy for the last 21 years. Wow, time has sure flown. About 10 years into my time here at UW, I decided to pursue my JD, and I did so while I was continuing to work full time as a law librarian and raising two young kids, a challenge to which I know you can relate, Kris.

DEAN SHUCHA:

Regarding faculty scholarly visibility, the UW Law Library has a long history of promoting faculty scholarship. Starting from managing submissions to SSRN many years ago, to more recently creating an open access digital repository that provides free online access to faculty works whenever we can and copyright allows. So access to faculty scholarship has been a special emphasis here at Wisconsin as part of our broader UW philosophy of the Wisconsin idea, which holds that university research should be applied to solve problems and improve the quality of life for all citizens of the State and beyond. And for that research to be applied, it must first be available and visible, hence our interest in faculty scholarly visibility.

TURNER:

So it seems the announcement from U.S. News & World Report was really a driving factor for law schools and libraries to take a harder look at how these citations and metrics are formed. What is it changing exactly, and how does it affect law schools?

DEAN SHUCHA:

Yeah, I think that's right. In February, 2019, U.S. News announced that it would be releasing a new scholarly impact ranking, and that it would rank law schools based on citations to law journals in HeinOnline. And as I understand it, this ranking was proposed as an alternative to the subjective peer assessment measure that currently makes up 25% of the U.S. News' Best Law Schools rankings. However, U.S. News has said that this new scholarly impact ranking will be a separate ranking, and that there are actually no plans to integrate it into its Best Law School rankings, at least at the present time.

DEAN SHUCHA:

So these kinds of rankings aren't new. There have been numerous law school rankings based on legal citation metrics dating back as early as the mid 1980s, with I'm sure the most well-known and developed by University of Chicago's Brian Leiter and continued by Gregory Sisk and his team at the University of St. Thomas. But where the ranking of law school citation metrics in these, the Leiter and Sisk rankings, have been largely been an academic exercise U.S. News' entrance into the field has raised the interest and stakes of these kinds of metrics substantially.

TURNER:

Yeah, those interests and stakes seem to have also raised a lot of concerns among faculty and librarians. What are those primary concerns with these proposed rankings from U.S. News & World Report?

DEAN SHUCHA:

I think the most commonly stated concern about the U.S. News ranking is that it relies on law journal citations from HeinOnline, and it's not expected to include books and interdisciplinary scholarship. So critics argue that the exclusion of scholarship in other formats and disciplines creates an incomplete and unfair representation of law faculty, total output and impact. However, there are others that say that exclusion of this content doesn't really matter, it's immaterial, because relatively few law faculty that focus in these areas are spread across many different law schools. So in essence, the failure to capture their scholarship essentially washes out over the broad comparison.

TURNER:

That's interesting because in your paper, you closely review interdisciplinary rankings to see if those are not well represented within U.S. News & World Report rankings. What did you find? Were you surprised by that?

DEAN SHUCHA:

Yes, I was actually surprised. So what I wanted to do was to find out if the inclusion of interdisciplinary scholarship in a law faculty citation metrics ranking would affect the conclusions that one could draw about law faculty total scholarly impact, and if so, how it would affect it. And it turns out, as you alluded to that, it can have a very profound effect for some schools. So I reviewed the findings of three different studies. I compared the 2018 Sisk ranking of law journal citations in Westlaw and the 2019 ranking by Heald and Sichelman using law journal citations in HeinOnline. So I compared those two rankings against the third ranking, which was a 2019 study by Ruhl, Vandenberg and Dunaway with ranked the top 25 law schools, according to U.S. News by interdisciplinary scholarship citations using web of science. For those that aren't familiar with web of science, web of science is a multidisciplinary citation analysis database.

DEAN SHUCHA:

So although it does offer some sort of basic coverage of legal citations, it's not very substantial. So they were excluded from the study to get really a sense of the interdisciplinary content. So there were several schools whose law journals citations rankings differed substantially from their interdisciplinary scholarship citation ranking. So for example, University of Minnesota ranked number one in interdisciplinary scholarship, but in the law journal only citations ranked 21 in the Sisk study on Westlaw and 20th in the Heald and Sichelman Hein study. Boston University also ranked much higher in interdisciplinary than in law only citations, ranking number seven in interdisciplinary and 27th and 21st in those two law journal only studies.

DEAN SHUCHA:

Conversely, the University of Chicago and Harvard had a much higher law only citation rank than their interdisciplinary rank. The University of Chicago ranked three and six in those law studies and 19th in interdisciplinary study and Harvard ranked second on both of the law studies, but 15th in interdisciplinary scholarship. Of the top 25 schools in the Ruhl, Vandenberg and Dunaway study, 12 of them, which is almost half of them had a difference of over 10 rank slots between their interdisciplinary citation ranking and one or both of those law journal only citation rankings and five schools had a difference of over 15 rank slots. So knowing all that, I then took a look at the University of Wisconsin's metrics and UWA has a long history of interdisciplinary scholarship, which is why I wanted to specifically find out how they would fare in a comparison ranking like this.

DEAN SHUCHA:

So UW wasn't included in the Sisk law journal study, but on the Heald Sichelman study of law journal citations in HeinOnline, it ranked number 79th, which was substantially below its U.S. News ranking. It also wasn't included in the Ruhl, Vandenberg and Dunaway interdisciplinary study. So I ran those numbers myself using the same methodology that they did and the results were very surprising. I found that UW would have been ranked number one for interdisciplinary scholarships and not by a small margin. As I stated earlier, the highest ranked school that it was included in their study was the University of Minnesota with a weighted citation score of 190 for interdisciplinary scholarship. Wisconsin's weighted score was 802 more than four times higher.

TURNER:

Wow. It seems like some of these rankings focus more on traditional law school writings versus... Maybe ignoring interdisciplinary writings. Do you think there's an opportunity that it kind of show students, if you're interested in different kinds of disciplines, this might be an opportunity to go to Wisconsin and Minnesota or Boston where they do more of these kinds of studies?

DEAN SHUCHA:

Yeah, I think it's important. If you're going to be showing students any kind of scholarly rankings. I think it's important that you be inclusive about all of the kind of information and studies that faculty are producing. So for those who are interested in more interdisciplinary type scholarship themselves, they can compare schools and they can see that, well, one school may again have a lower law only ranking their interdisciplinary scholarship might actually be much more important at that school. So it might be a better match for the students.

TURNER:

So with these disparities, which seem pretty clear following your study of the rankings. Do you see rankings being substantially changed or even done away with?

DEAN SHUCHA:

No. Change maybe, done away with, no. Given these kinds of differences. It certainly would be easy for me to suggest again, that the ideal solution to the representation problem would just be to sort of combine them into one, right? Combined law faculty citations from all disciplines into a single citation metric, if that were even possible. Unfortunately, it's not that simple because the norms of citation differ across academic fields. So for example, a 2016 study found that an average life science scholar had about twice as many citations in Google Scholar as an average social sciences or engineering scholar, and about five times as many citations as the average humanities scholar. And in web of science, those differences were even more pronounced.

DEAN SHUCHA:

So we're sort of left with this, we can't live with them, can't live without them scenario. So again, even in the field of law, there are differing norms of citations. So for example, Constitutional Law and Law and Economics generally generate more citations than other legal sub fields, such as Family Law, Trusts and Estates. So without a way to reconcile these problems, it may be impossible to create a truly representative total scholarly impact ranking of law faculty based on citation metrics. But no, is that going to stop anybody from doing so anyway, I doubt it, right? So for better or worse, Sisk, U.S. News and others are going to continue to rank the scholarly impact of law faculty using citation metrics. But what I hope is that my findings encourage those who do produce those rankings to recognize and be upfront about acknowledging that the choice of data source and methodology that they use can dramatically altered the conclusions that can be drawn from those comparisons and that whatever decisions they make can carry heavy consequences, either positive or negative for some schools.

TURNER:

Everyone loves a good ranking. You see a top 10 list, everyone loves to click on that or read that or see where their school or their team or whoever has been ranked. So I don't think we're going to get rid of human nature.

DEAN SHUCHA:

No, I don't think we are either.

TURNER:

But I like your idea that this is an opportunity to kind of show more inclusivity about what people are writing about whether it's law review journals, which of course are very important or book chapters or books or interdisciplinary articles, all of which is critical output for law schools in many different ways.

DEAN SHUCHA:

Right. I mean, I think for any ranking, you have to be upfront about the data source you are using, what methodology you're using. And again, just to note that the... I guess, I said the conclusions that you draw based on the sources that you're using might be completely different if you had chose to do it in a different way. And I think if U.S. News is going to be getting involved in this it's important, especially important that they be upfront about it. Because as you said, some students may be looking for a particular kind of law school and may get the wrong impression, or may have an incomplete picture. If interdisciplinary scholarship is excluded.

TURNER:

That does seem like another maybe opportunity or silver lining here for schools to take advantage of how they are ranked in different ways to say, "Oh, are you interested in something that's Medical Law, for example. We do really well with that as far as our faculty and our scholarship here, as opposed to more traditional law scholarships." Maybe some education or advocacy by law schools might help draw out some of the more granular aspects here.

DEAN SHUCHA:

Absolutely.

TURNER:

So that's the first half of the paper on the analysis of the rankings conundrum, vis-a-vis scholarly visibility. So let's move on to the second half, which focuses on strategies for law librarians and faculty to enhance their own visibility. So what are some of the practices that you consider most important or even essential to creating a larger impact?

DEAN SHUCHA:

Well, I cover a lot of different strategies in the paper. So I sort of took on everything in the kitchen sink approach and presenting kind of all of the different options available. Some of these strategies require a relatively small amount of time and effort while others are much more time intensive. And there are some that are simply just more effective than others. So I think it's important to note when kind of looking at these strategies is that one best practice does not fit every author and every law school. So I encourage people to sort of look at the full slate of options and then decide what might be right for them. Many of these techniques have been identified and in some case developed by our librarians here at the University of Wisconsin Law Library.

DEAN SHUCHA:

At the UWU, many of our strategies center around mandatory one-on-one librarian meetings with each tenured and tenured track faculty member to employ a lot of the strategies that are described in the paper. We call these meetings, scholarly wellness checks. In these meetings, we focus first on making sure that we've correctly identified the author and all of their name variations, as well as all of their scholarships. So that's sort of the first step. Then we make sure that as much of their work as possible is freely available on SSRN institutional repository, as well as on some more emerging legal resources like ScholarSift. Since U.S. News will be using the Hein data, we pay special attention to curating HeinOnline author profiles, making sure, checking the author list and the excuse me, author names and publication lists, and then checking for errors and making sure that there's nothing missing or incorrect.

DEAN SHUCHA:

And then of course, reporting it to HeinOnline. We also help curate author profiles in other high impact databases, specifically Google Scholar and Orcid. So in 2019, another study of law faculty found that the adoption of both HeinOnline and Google Scholar author profiles offer distinct scholarly visibility benefits for law faculty. In that study, they found that works by law faculty with HeinOnline author profiles were more likely to be cited than works by authors without HeinOnline author profiles. Works by authors with Google Scholar profiles also enjoyed a similar citation advantage as well as increased downloads in SSRN in institutional repositories when compared to scholars without Google Scholar profiles.

DEAN SHUCHA:

So again, those two are particularly important for legal authors. So we spent some time curating those profiles. We also create and curate Orcid Ids for all tenured and tenure track faculty members, which addresses their name ambiguity issues, if there are any. And even better when linked with an authors' HeinOnline profile brings information about their interdisciplinary scholarship and books into HeinOnline. And it does so by putting it into a special tab within their author profile. Some faculty are interested in examining their citation metrics from Hein and some of the other databases so that they can review them and check them for omission and errors. We note that this is actually quite time intensive if you're going to go down the route of checking for miss citation, and frankly, isn't quite as impactful as some of the other strategies that I've discussed in the paper that I've noted earlier.

DEAN SHUCHA:

So our librarians actually don't routinely run these kinds of checks for faculty. We will spot check here and there. And if faculty notify us of errors that they have found. We will absolutely report them to HeinOnline. But it isn't generally a major part of our scholarly wellness checks. One thing that we can also do, if faculty are interested in these meetings, we can offer strategies for creating titles and abstracts that maximize discoverability of an author's works and provide guidance on distributing their scholarship through email and social media, as well as tracking the impact of those efforts through all metrics.

TURNER:

And we also offer our podcast.

DEAN SHUCHA:

Absolutely.

TURNER:

One thing going back to the name disimbiguation. We had professor David Schwartz on here last year. Of course, he shares a name with, I believe it's an econ or scientists, is a scientist-

DEAN SHUCHA:

Uh-huh (affirmative).

TURNER:

And that was just heavily, heavily cited. And so we had to disambiguate the law scholar from the scientific scholar and just makes sure that the cites are going to the correct places there. And that's just I think, a good example of one part of work that we do and they can get pretty intricate, but very important at the same time.

DEAN SHUCHA:

Absolutely. I mean, the very first thing you have to do again is make sure you've got the right author. I mean, anything else you do following that, isn't going to matter if you're looking at the scholarship of the wrong person.

TURNER:

Yeah. And the faculty that have very common names that's just, it's going to be a problem. Or if they've written under multiple different pen names over their career, that's something else to try and pull them back together.

DEAN SHUCHA:

Absolutely.

TURNER:

That can take some time. So you have just, like you mentioned, discussed the kitchen sink and then some there for practices, best practices here. For libraries that have limited staff or limited time, what should be their first focus?

DEAN SHUCHA:

Good question. I actually, I'm going to... You're asking me for one and I'm going to give you two. Because I think that these things work together, right? So the first thing is most important thing for faculty visibility is just to get it out there, make sure that the faculty scholarship is available online. So if copyright allows get that faculty scholarship posted to SSRN in your institutional repository where readers can find it and then hopefully eventually cite it. And then second, what we were just talking about, make sure that it's listed correctly. This is especially important as far as the U.S. News ranking is concerned because it's going to be drawing on the HeinOnline content. So you absolutely want to make sure that the author profile in HeinOnline is correct. So again the first step, make sure that the name is in there properly. That they've got the correct name, they've got all the possible name variations, which can include use of the middle name, middle initial, all of that stuff.

DEAN SHUCHA:

We can make sure that, that's right. And then also check it to make sure that every article, that law journal article that is available in the HeinOnline database for that author is actually included in their

profile. We definitely found instances where one of our law faculty had written the law journal article and HeinOnline even though it was in HeinOnline, it wasn't being attributed to their profile. So make sure that everything in HeinOnline is actually being properly accounted for in the faculty members author profile. I think those are the two most important things that you can do.

TURNER:

Yeah. A little bit of Hein vigilance goes a long way to make sure that even if it has been integrated, that it makes its way to that all important profile, for sure.

DEAN SHUCHA:

Absolutely.

TURNER:

So you mentioned those scholarly wellness checks a little bit ago that we do mandatory checks with tenure and tenure track faculty here at UW. Have you found that faculty are engaged with these scholarly wellness checks and how should librarians advocate for the importance of this work?

DEAN SHUCHA:

Yeah, I think our faculty have... I found them to be pretty engaged and good partners in these efforts, but it certainly helps that we've made those scholarly wellness checks mandatory for tenured and tenure track faculty. And we did so with the support of our Dean and Associate Dean for Faculty Development on this work. So I think that really, that support has been essential into getting buy-in from the faculty. We cultivated that support by first, educating ourselves on the U.S. News ranking. Kind of conducting analysis, as I've mentioned on how it might impact our faculty, sharing that information with the law school leadership and then developing and implementing a plan to work with faculty to improve their scholarly visibility and impact. So again, developing a plan for us for how we were going to manage these scholarly wellness checks. And I think we can continue to receive strong support from both the leadership and the faculty, because we've shown that these strategies work.

DEAN SHUCHA:

So for example, in early 2019, when U.S. News announced its new scholarly impact ranking, our librarians began working with tenured and tenure track faculty to curate their HeinOnline author profiles. Since that time, the number of UW law school faculty citations HeinOnline has increased by 196%. No, certainly some of that is due to just the number of additional citations that have accumulated over that time, as well as a lot of the good work that Hein has been doing to improve their data and indexing processes. But I do think a large portion of that maybe even the majority of that is due to high librarians working with faculty members to curate those HeinOnline profiles. As I mentioned, we found a fair amount of errors, things that were missing and we worked very hard to correct all those things. And I think that it has paid off.

TURNER:

Yeah, as they say, we have the receipts for this work to show that we have done the legwork here to improve citation metrics. And while HeinOnline has definitely been very responsive, I think that without some of the nudging and work from you and the librarians here that may not have happened.

DEAN SHUCHA:

It's definitely been a team effort. I mean, I think we've made a really good team, I think. You and I were involved in a lot of the early work and we are very fortunate to have brought onto our staff, Liz Manriquez as our scholarly communications librarian sort of in this time between when the U.S. News announced their metrics and now Liz has done some really incredible works. So we are very fortunate to have her as an addition to our staff.

TURNER:

Agreed, no question.

DEAN SHUCHA:

Uh-huh (affirmative).

TURNER:

So at the end of your paper, you also include two checklists that provide guideposts for librarians that are beginning the scholarly visibility journey. Of the online tools that you listed, which ones do you consider the most important? Are there any new tools that you'd like to include?

DEAN SHUCHA:

Sure. As far as those that are most important, I would say that SSRN and institutional repositories are definitely one of the most important tools that we have as librarians and as faculty to get faculty scholarship out there. If people are going to be able to cite it, they've got to be able to find it first. So I think that's essential. I think using Twitter to promote faculty scholarship, whether it's through the faculty doing it themselves and coaching them on how to do that, or whether it's librarians promoting it on their own Twitter accounts. We of course, here at UW also have this podcast, as we've mentioned.

DEAN SHUCHA:

And then I think HeinOnline would be the other most important tool, right? So curating those author profiles to make sure that faculty scholarship is being accurately represented. As far as new tools or maybe new to you tools that that people may not know about. I think Orcid Ids for name disambiguation is super important. I think it's going to become more important for law faculty. It's more important than other disciplines than it is for law right now. But I think that may be changing over time. One of the sort of side benefits, and it may turn out to be actually an important side benefit is with Orcid Id. You can also connect up your Orcid Id with your HeinOnline author profile as a way to get your interdisciplinary scholarship and book content information about it, not the full text, but information about interdisciplinary scholarship and books into HeinOnline.

DEAN SHUCHA:

So as far as these rankings go, that actually may become very important. Publish or Perish is actually a nice tool that I didn't actually know about before I started doing this research. But if you are interested in comparing citation metrics from multiple databases, Publish or Perish is a free tool that you can download. And it does a really nice job of comparing side-by-side citation metrics from multiple databases. Unfortunately HeinOnline is not one of them, but with Hein, you can download your own XML files of citation metrics separately that you can then compare against what you find in Publish or

Perish. Another new one, ScholarSift is as soon to be released tool that uses AI to help authors analyze their work for citations that they might have missed.

DEAN SHUCHA:

So it's important that authors and librarians work with scholarship to ensure that their works are available inside of the scholarship database, so that when scholars go in run their AI comparison that a faculty member scholarship comes up in part of those search results so that others can see their works when they're looking for things that they might've missed. And finally, one that I think maybe not a lot of people know about is Altmetric Explorer for trying to track the impact of an author scholarship via social media. And people might know about Altmetrics, but they librarians might not know that they can actually get free access. They can get a free account to Altmetric Explorer for librarians to be able to search the impact metrics of individuals scholars. So I encourage librarians to check that out as well.

TURNER:

That is a cornucopia of different tools that librarians can use to get a full picture of scholarly visibility, and impact. That's really helpful to understand what the full picture looks like beyond just Hein or Google Scholar or SSRN.

DEAN SHUCHA:

Yeah, I mean, as I said, it really took in everything in the kitchen sink approach on this one, because there are just so many good tools out there that I wanted to give people the opportunity to learn about each of them so that they can make the decision for themselves, whether or not they are the right tools for them.

TURNER:

You might've answered this question already, but I'm going to ask it anyway because it's sometimes the hardest question for everybody. What do you most hope readers take away from your paper?

DEAN SHUCHA:

Okay, yeah. Very good question. So I think regarding the first half of the paper. As I said, I hope my findings on the disparities of interdisciplinary scholarship citation metrics, encourage rankings producers to openly acknowledge this representation problem. And to note that the choice of data sources and the methodology that they use can dramatically alter the conclusions that one can draw from these kinds of comparisons and that the decisions that they're making do and can have heavy consequences for some schools. On the second half, as I just said, I hope that readers find this sort of... The approach that I took, this everything in the kitchen sink approach to present sort of just a helpful slate of strategies that they can consider when they're developing their own practices and processes for improving metrics, accuracy and promoting scholarly visibility at their schools.

TURNER:

And I think that they will actually take that away. I think it's a great paper and I encourage everyone to go find it and of course, we'll link to it in the podcast page as well. So everyone can find it because we want your paper to be scholarly visible about scholarly visibility.

DEAN SHUCHA:

Thanks, Kris.

TURNER:

Where can listeners find more of your work?

DEAN SHUCHA:

Well, my scholarship is available on our UW Law School digital repository. It's also up on SSRN and I do, I'm practicing what I preach. I do have an Orcid profile. So all of my work is also available there.

TURNER:

I'll say it again. We're going to link out to all your profiles to make sure everyone can find all your work to make sure they can continue to research and cite your work and your papers that way.

DEAN SHUCHA:

Great, thanks.

TURNER:

And thank you for joining us today, Dean Shucha. I'm excited to continue UW law libraries work on promoting our faculty's great publications, including your own. And as I mentioned, our course will link to Dean Shucha's faculty page paper on SSRN on our podcast page. We've been discussing the rapidly evolving world of scholarly visibility impact and best practices to make faculty work more discoverable. Well, I've been lucky enough to work with Dean Shucha on much of this project. I still learned plenty from her paper and presentation and encourage you to read it and begin to put her strategies into practice. You'll see more faculty buy-in and more citations soon after. Thanks for listening to the University of Wisconsin Law and Action podcast. You can find our complete archives at wilawandaction.law.wioc.edu and learn much more about our faculty work in areas as diverse as tribal law, contracts, bioethics, criminal procedure, public defenders, election law, and much more. You can find it and subscribe to our podcast in the Apple iTunes store or Stitcher, or listen on soundcloud at soundcloud.com/wilawinactionpodcast. Thank you for listening and happy researching.