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2000

# Cost Effective Legal Research

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# Cost Effective Legal Research

Lisa Smith-Butler

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**ABSTRACT.** Legal researchers need to be able to efficiently retrieve information in a cost effective manner. To do this, they must be familiar with the various information formats and be able to evaluate these formats. This article reviews the various information formats, discusses the advantages and disadvantages of each format, suggests research strategies, and reviews Internet sites that provide legal information. [Article copies available for a fee from The Haworth Document Delivery Service: 1-800-342-9678. E-mail address: <getinfo@haworthpressinc.com> Website: <<http://www.haworthpressinc.com>>]

## INTRODUCTION

In today's legal market, it is essential that attorneys and legal researchers be able to provide clients with cost effective research.<sup>1</sup> With the various

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tion formats available, researchers face a bewildering array of. Researchers must be aware of and able to evaluate these resources. They must know the type of information needed and the fastest, most reliable source of retrieval. This article will explore the various formats, weighing the advantages and disadvantages of each. Internet legal resources must be reviewed.

### FORMATS

Researchers today are confronted with several different formats: electronic, CD-ROM, print, video, audio, and micro formats.<sup>2</sup> Each format has its own advantages and disadvantages.

One of the newer formats is electronic, and it is the favorite of many researchers. It is fast and usually easy to use. Retrieval is rapid, and updating is often daily. Boolean searching<sup>3</sup> allows the researcher to more fully refine and narrow the research query, providing more accurate retrieval of results. Electronic data can usually be printed or downloaded immediately.<sup>4</sup> One of the oldest and best known electronic legal resources are Westlaw and Lexis.<sup>5</sup> At present, both are available through the Internet<sup>6</sup> and also through proprietary<sup>7</sup> software distributed by the companies. The full text of federal and state primary sources<sup>8</sup> as well as numerous secondary sources including ALR's, restatements, law reviews, company information, and treatises are available on both. Westlaw and Lexis permit researchers to use either Boolean or Natural Language/Freestyle searching.<sup>9</sup> Westlaw provides for the linking of resources with Keycite while Lexis offers Shepard's. Best of all, these services are updated continuously (see Figure 1).

A primary drawback for legal researchers, particularly those in small or solo-sized firms, is the expense. Westlaw and Lexis usually require a subscription to use their service although both now make their services available to anyone for a transactional fee.<sup>10</sup> Even so, it remains difficult for many to either subscribe or use these resources. Printing or downloading documents from these sources is an additional expense; in addition, reading documents online can be tedious.

Two expensive alternatives to Westlaw and Lexis are the Internet based legal resources LOIS Law<sup>11</sup> and Versus Law.<sup>12</sup> Both sources require a subscription and are accessible via the Internet.

LOIS Law provides access to the full text of federal and state regulations, court decisions, and cases. Coverage is not comprehensive. U.S. Supreme Court decisions are available from 1899 onwards while most federal circuit court decisions are available from the 1970's. At present there are no federal district court decisions on LOIS Law. The primary sources of only twenty-four states<sup>13</sup> are available on this resource (see Figure 2).

With LOIS Law, the researcher can use keyword searching with boolean connectors. LOIS Law also provides for field<sup>14</sup> searching of primary federal and state sources. Updating is limited to Loisizing.<sup>15</sup> Printing or downloading is free of charge. An annual subscription, at reasonable rates, must be purchased; however, visitor passes are available for individuals wanting to try this service.<sup>16</sup>

Versus Law contains the full text of cases from the U.S. Supreme Court, all federal circuits, and all state appellate courts. U.S. Supreme Court cases are available in full text from 1900 onwards while most federal circuit court sites contain opinions from the 1930's and 1940's onward. State appellate court decisions include decisions from the 1960's onward. On the whole, federal district court decisions are not available. At present, decisions from the Eastern District of Pennsylvania are the only federal district court decisions available. Versus Law uses keyword searching with boolean connectors or natural language searching. After choosing the appropriate database and drafting the search query, a citations list is then retrieved with hyper-text links to the full text of opinions. Searching is free. A subscription is necessary to obtain the full text of court decisions. Cases cannot be updated with Versus Law; there are neither statutes or regulations, either state or federal, available at this site. Cost is very reasonable: \$6.95 per attorney per month (see Figure 3).<sup>17</sup>

FIGURE 1

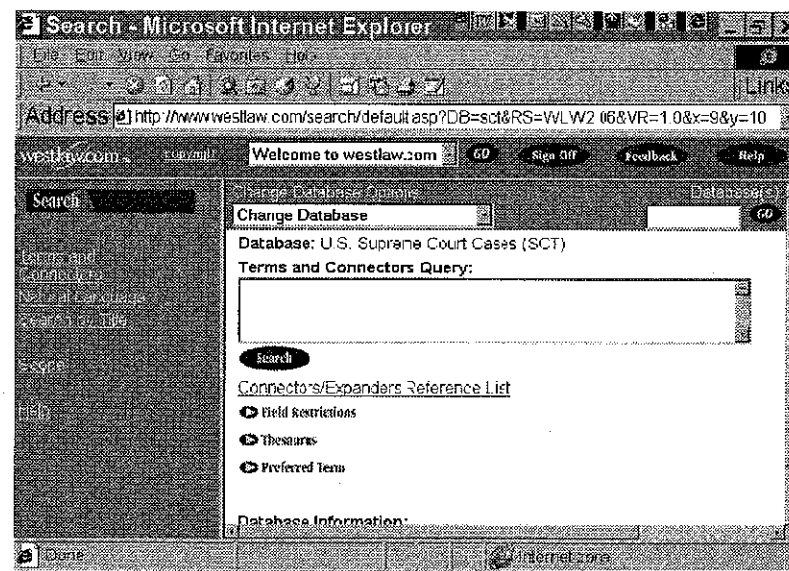
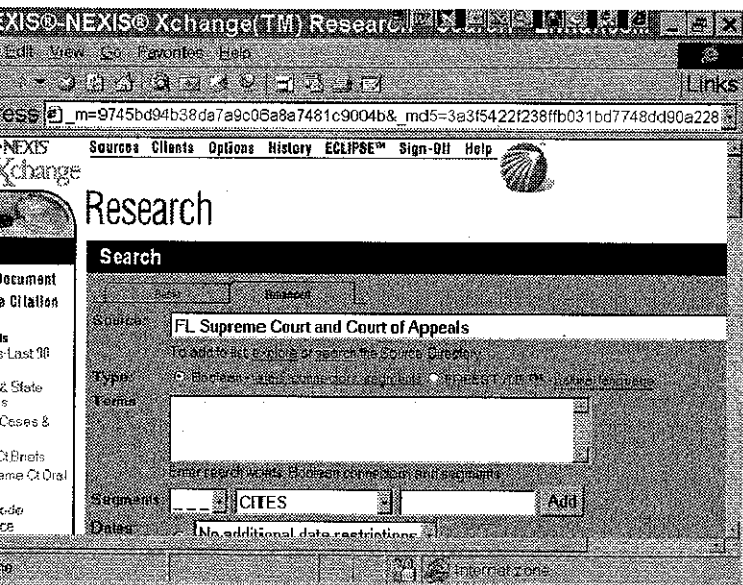


FIGURE 1 (continued)



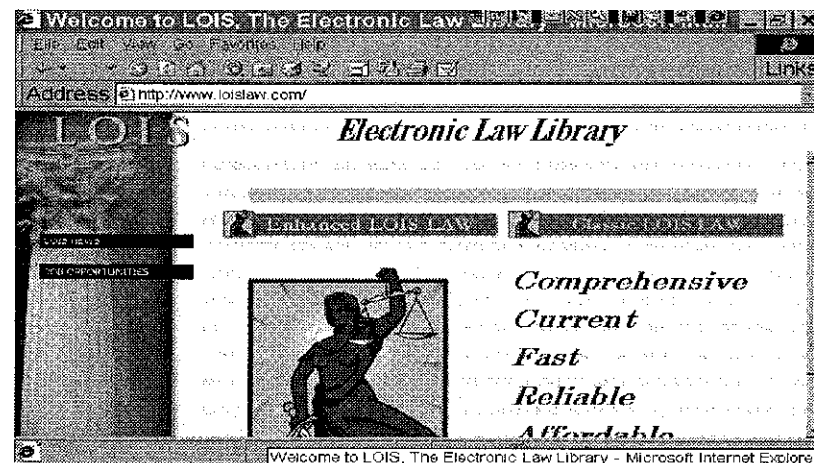
In addition to Westlaw, Lexis, Versus Law and LOIS Law, a number of others are making their information available via Internet subscriptions. Congressional Information Service) provides a wealth of U.S. Congressional information with its Congressional Universe<sup>18</sup> service. Matthew Bender placed 278 of its treatises online with its Authority on Demand<sup>19</sup> while West's is available online as well.<sup>20</sup> BNA<sup>21</sup> and CCH<sup>22</sup> have put many of their products online, and these too can be accessed with a subscription.

In addition to the fee based electronic services, it is also possible to obtain legal information on the Internet at no charge. Primary sources are available for both federal and state materials as well as some secondary sources. The researcher's only cost is the Internet Service Provider (ISP.)

While the many advantages of sources on the Internet, drawbacks do exist. Consistency is a problem as sites appear only to disappear a few days later. URLs change frequently. There is a great deal of recent information on the Internet but it can be difficult to locate older materials. Researchers should also consider reliability and updating. Who puts up the site? When is it updated? Researchers should evaluate Internet sites as they would print products.<sup>23</sup>

CD-ROM's are also available from several legal publishers, including Westlaw, Lexis, LOIS Law and Kluwer.<sup>24</sup> CD-ROM's contain many of the perks

FIGURE 2

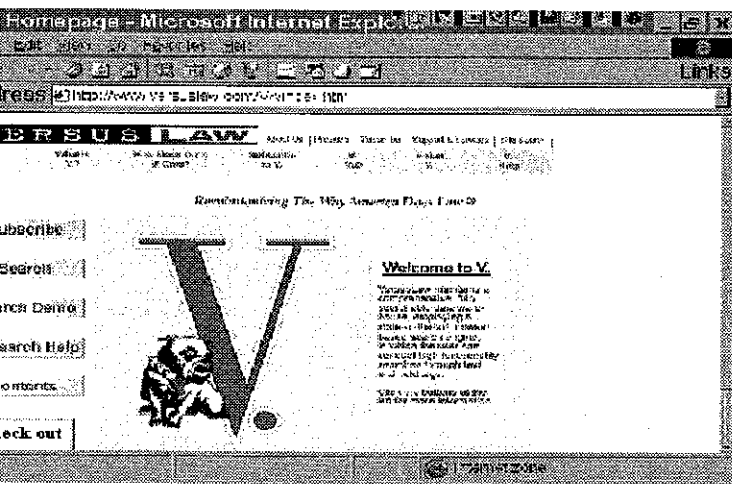


of online subscriptions: they are quick and easy to use, allowing the researcher to be his/her own indexer. Updating is usually monthly so a CD is more current than print sources but not quite as current as online electronic resources. However CD-ROM's do have some disadvantages. Frequently they require the purchase of additional hardware to support a particular CD. They can be expensive to mount on a network if there are many network users. There is little uniformity among CD-ROM publishers so researchers must learn the search strategies and software for each particular CD. Nevertheless for small or medium sized firms that cannot afford Westlaw or Lexis, CD-ROM's can be ideal.<sup>25</sup>

Print is the last format to be discussed, and it is the format that has been available the longest. Despite the profusion of electronic resources, print remains an important aspect of a law library's collection and of value to the legal researcher.<sup>26</sup> Well over a century has gone into the development and organization of American print legal resources.<sup>27</sup> Many researchers are familiar with the structure and organization of print resources and are comfortable using them. Often print remains the only option available for certain research queries, particularly those involving historical legal research. Print resources tend to be more portable than electronic; it is easier to take a book than a laptop to the beach.

Disadvantages to print resources also exist. They require a great deal more space than CD-ROM's or online resources. They can be expensive to maintain (filing and shelving) and they are not updated as rapidly. The researcher is limited to the indexing done by the publisher.

FIGURE 3



Researchers face a quandary. What is the best format? There is no "best" that will work for every research query. Instead, researchers must be of the resources available and decide what resource will provide the and most economical retrieval. Before deciding which format to use r:

Cost of the resource: is it affordable?  
 Comfort: can the researcher comfortably use print indexes and conduct online query?  
 Currency: how often is the resource updated?  
 Support available: is the publisher willing to provide technical support problems with the product are encountered? What type of technical support skills (i.e., loading software and CDs as well as address compatibility issues) does the researcher possess?  
 Reputation: is the producer/publisher of the information known and re- for accuracy, timeliness, and thoroughness?

### CONDUCTING A RESEARCH QUERY

After evaluating and choosing formats, the researcher must next decide to conduct the research query. Consider:

- what final product is necessary: an opinion letter, memo, or brief?
- how much time and money can be spent on the assignment?
- what is the issue in dispute?
- what research terms should be used to begin searching for information?
- whether cases, statutes, regulations, or a combination thereof, are needed?
- whether state or federal law applies?
- whether resources are updated?

Once the format and query have been decided, the researcher can proceed to look for the information, selecting the format that is the fastest and most economical.

### FEDERAL INFORMATION

There are numerous electronic and print resources that provide access to the primary federal legal resources. Electronic resources include the Internet, Westlaw, Lexis, Versus Law and LOIS Law. Since the focus of this article is on cost effective research, Internet legal sites which do not require a subscription will be discussed.

Cornell's Legal Information Institute,<sup>28</sup> <http://www.law.cornell.edu/>, provides access to both federal cases, statutes, and regulations (see Figure 4). The researcher can locate:

- *United States Code (U.S.C.)*
- The researcher can search for code sections via keyword, citation, popular name, or via title through a table of contents. Full text of the code section is provided. It is updated within twenty-four hours of updates being released by the U.S. House of Representatives.
- *U.S. Constitution*
- Searching is via section or amendment. Hyper-text links to the full text are provided.
- *Code of Federal Regulations (C.F.R.)*
- Search for sections via a table of contents, citation, and keyword. Keyword searching is connected to the popular GPO search engine.
- *Federal Rules of Civil Procedure*
- *Federal Rules of Evidence*
- *U.S. Supreme Court Opinions*

The full text of U.S. Supreme Court opinions from 1990 onwards is available at this site, as is the Court's Calendar and its schedule of Oral Arguments. Opinions can be searched via party name, date of decision, and keyword.

University's School of Law provides access to the decisions of the circuit courts with their *Federal Courts Finder*,<sup>29</sup> <http://www.law.edu/FEDCTS/>. Emory maintains some of the sites while providing others (see Figure 5). At sites maintained by Emory, the full text of decisions from 1995 onwards is available. They can be searched by date, name, or keyword. Decisions from the following courts can be accessed:

*U.S. Court of Appeals for Armed Forces Court of Federal Claims  
Federal Circuit  
D.C. Circuit  
1st-11th Circuits*

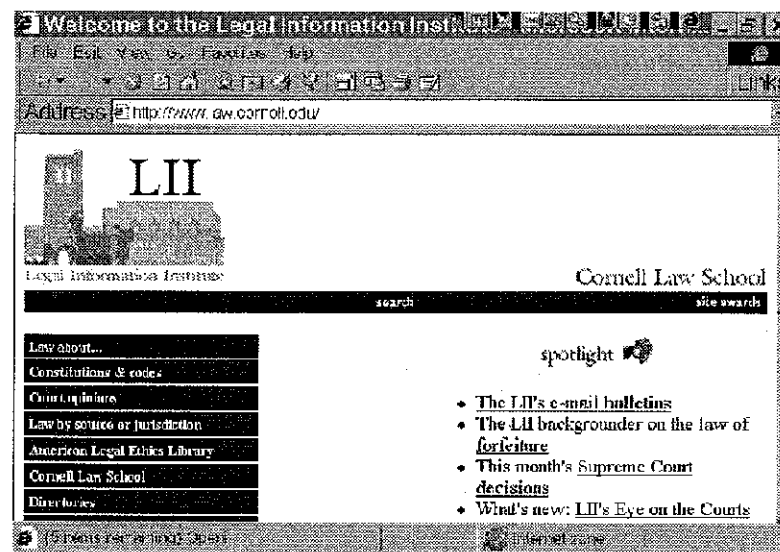
*Federal Local Rules*<sup>30</sup> at the Law Librarians' Resource Exchange site provides links to both federal and state court rules. Designed by Genie Tyler, the *Federal Local Rules* can be found at <http://www.llrx.com/>. Open browser to this address and click on columns. From there, scroll down and click on *Litigator's Internet Resource Guide: Rules of Court*. There are the following court rules:

*U.S. Supreme Court  
Federal Rules of Appellate Procedure  
Federal Rules of Civil Procedure  
Federal Rules of Evidence  
Local Court Rules  
Rules for the 1st-11th Circuits  
Rules for the D.C. and Federal Circuits  
Rules for the U.S. Court of Claims  
Rules for some of the U.S. District Courts  
Rules for some state appellate courts*

These sites provide a list of the court's rules, with hyper-text links to the full text of the court rule. Keyword searching is rarely an option.

*Fedworld*,<sup>31</sup> <http://www.fedworld.gov/>, was developed by the National Information Service in 1992 to "serve as the online locator service for a comprehensive inventory of information disseminated by the Federal Government."<sup>32</sup> At present, it has over 10,000 data files of U.S. government information archived. These files can be searched by keywords with boolean operators. In addition, this site provides links to several other government websites, including the BIA (Bureau of Indian Affairs), the EPA (Environmental Protection Agency), the FAA (Federal Aviation Administration), the IRS (Internal Revenue Service), and the U.S. Department of Customs. *Fedworld* also maintains FLITE, a database with U.S. Supreme Court decisions

FIGURE 4



between 1937-1975. With FLITE, Supreme Court decisions can be searched by party name or keyword (see Figure 6).

Another government organization provides access to federal information. The Government Printing Office's site, *GPO Access*,<sup>33</sup> <http://www.access.gpo.gov/>, provides access to a wealth of government information (see Figure 7). Links to the official websites of all agencies under the Executive Office are provided and include:

- Office of Management & Budget
- Food & Drug Administration
- General Accounting Office
- Merit Systems Protection Board
- National Archives & Records Administration's Office of the Federal Register
- National Labor Relations Board
- Occupational Safety & Health Review
- Office of Government Ethics
- Office of Special Counsel
- U.S. Census Monitoring Board
- U.S. Equal Employment Opportunity Commission

FIGURE 5

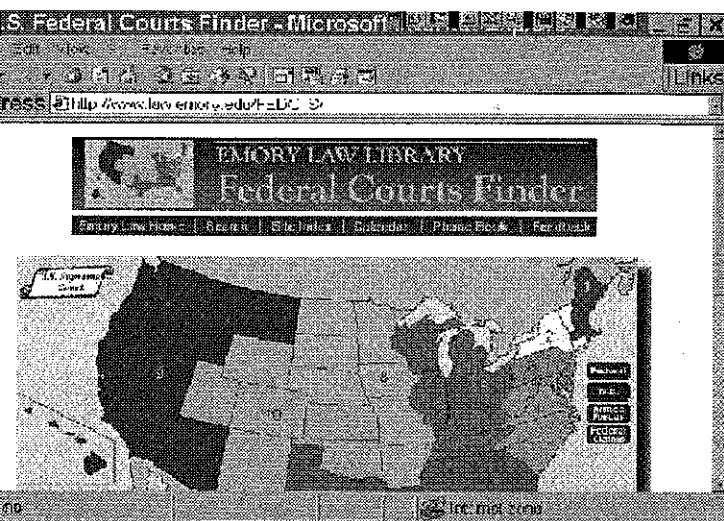


FIGURE 6

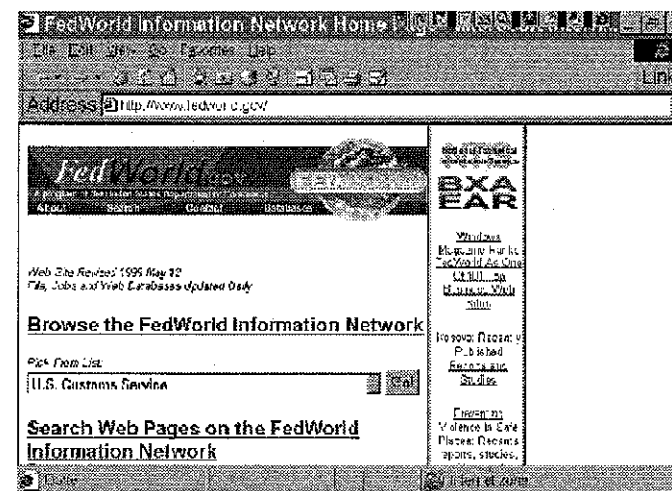
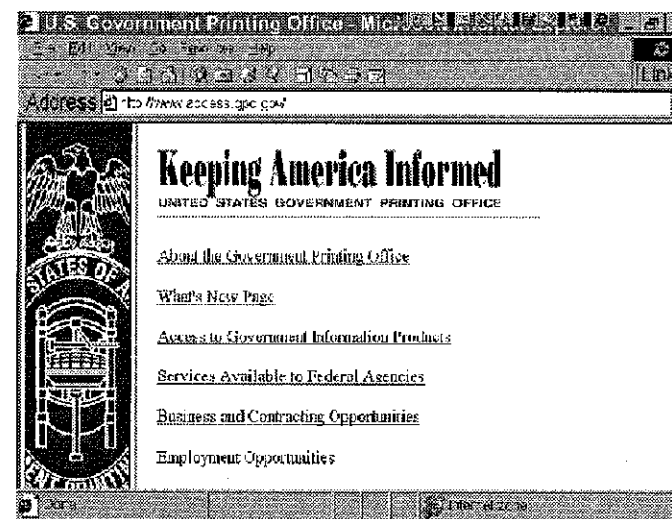


FIGURE 7



tion, other Executive branch resources are available at this site and

udget of the United States Government, (1997 onward)  
 Economic Report of the President, (1995 onward)  
 Foreign Affairs Network  
 AO (General Accounting Office) Reports  
 Statistical Abstract of the United States (1997 version)  
 U.S. Government Manual (1995/96 onward)  
 Weekly Compilation of Presidential Documents (1993 onward)

site also provides extensive regulatory information, including the full  
 the *Federal Register* and the *Code of Federal Regulations (C.F.R.)*  
 Full text of the *Federal Register* from 1995 to the present can be found  
 researcher can search the Table of Contents, Proposed Rules, Final  
 and Meeting Notices using keywords and boolean connectors. Limita-  
 date are also available. Hyper-text links to the full text of the docu-  
 ment. A researcher can also browse the current day's *Table of Contents*.  
 The *Table of Contents* has hyper-text links to the applicable document; how-  
 ever, keyword searching cannot be done with the *Table of Contents*.  
 Full text of the current *C.F.R.* is also available at the GPO Access site.  
 The most recent *C.F.R.* can be searched either by keyword or citation. Histor-

tions of the *C.F.R.* (1996 onwards) are available at this site as well and searched by citation. The *List of Sections Affected (L.S.A.)* is also available at this site from 1996 onwards.

For the audio of U.S. Supreme Court oral arguments, visit *Oyez, Oyez*, <http://oyez.nwu.edu>. Developed and maintained by Northwestern University, this site is intended to provide access to leading constitutional cases in the United States. Consequently, coverage is selective rather than comprehensive. This site is known for its archival of oral arguments made to the Supreme Court. To listen to these arguments, Real Audio<sup>35</sup> is necessary. In addition to U.S. Supreme Court cases, this site also provides access to information about all Justices of the United States Supreme Court as well as a tour of the United States Supreme Court (see Figure 8).

There is *Thomas*,<sup>36</sup> <http://thomas.loc.gov/>, which is maintained by the Library of Congress (see Figure 9). *Thomas* provides a great deal of information about the U.S. House and Senate. It divides its information into three categories: Legislation, *Congressional Record*, and Committee Information. Searching varies in each database. It provides the full text to bill summaries, committee reports, public laws, and the *Congressional Record*. *Thomas* provides access to:

*Bill Summaries* and *Status* are available from 1993 onwards. Searching is via keyword, dates, bill number, sponsor or committee.

*Text of Bills* from 1989 onwards is available with searching via either keyword or bill number.

*Public Laws* from 1973 onwards are also available. Searching is by Public Law Number.

The text of the *Congressional Record* from 1994 onwards is available and searching is via keyword.

*Committee Reports* from 1995 onwards are available and can be searched via keyword, bill number, report number, or committee.

*Roll Calls*

*House Committee & Senate Committee* members.

Finally, there is the *White House*,<sup>37</sup> <http://www.whitehouse.gov/>, site. It is maintained by the Whitehouse Web Team and provides the full text of Pres-

Press Briefings

Radio Addresses

Executive Orders

Searching is via keyword.

FIGURE 8

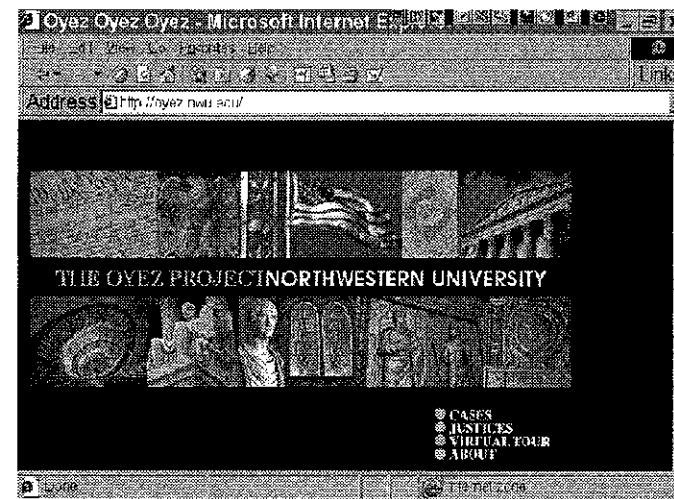
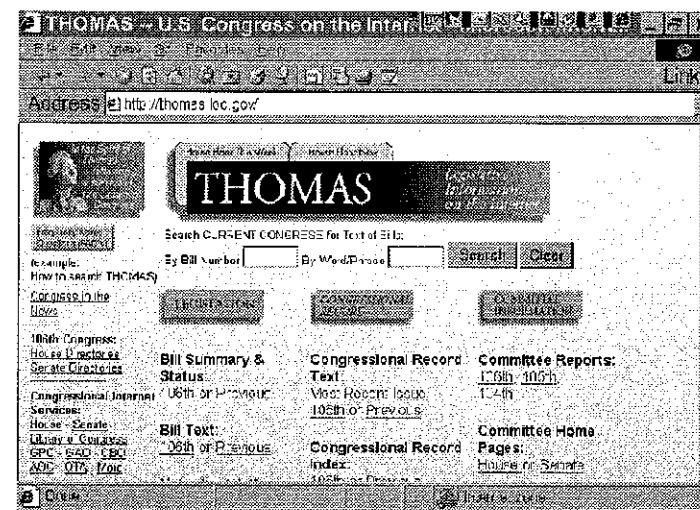


FIGURE 9





## STATE INFORMATION

of the best known sites for locating state information is *FindLaw*,<sup>38</sup> [www.findlaw.com/](http://www.findlaw.com/). Produced and maintained by the Northern California Law Librarians, this site provides extensive links to legal resources available on the Internet (see Figure 10). The full text of documents can be downloaded, and keyword searching with boolean connectors is available. FindLaw utilizes the Law Crawler search engine. At FindLaw's state sites, you will find an alphabetical arrangement of hyper-text links to all 50 states. Each state site has a link for:

- Primary Materials (codes, cases, and regulations)
- Area Law Schools
- State Government Information
- State Bar Associations

Another good source for locating state information is *Washlaw*,<sup>39</sup> [washlaw.edu/](http://washlaw.edu/). Developed and maintained by Washburn University's Law School, this site provides links to legal resources from all 50 states. Searching is via keyword. States are arranged in alphabetical order. There are links to the following information for each state (see Figure 11):

- Legislative
- Court
- Statutes
- Rules of Court
- State Agencies
- Local Government
- Congressional Districts

Full text of statutes, regulations, and cases are available for many states. *Rominger Legal*,<sup>40</sup> <http://www.romingerlegal.com/>, is an excellent source for legal materials as well (see Figure 12). It provides links to a state's court decisions, statutes, court rules, Attorney General opinions, government agencies, and area law schools. It also provides links to legal resources as well as non-legal resources such as the *Blue Book* legal maps, and telephone directories. The site and the Internet can be searched with the Rominger Search Engine. Links to the Alta Vista, Excite, and Yahoo search engines are also available here.

*Municipal Code Corporation*,<sup>41</sup> <http://www.municode.com/>, is a commercial site that requires fees for the retrieval of full text documents (see Figure 13). It does allow free searching and charges only for the retrieval of a full document. States are organized alphabetically and codes/ordinances

FIGURE 10

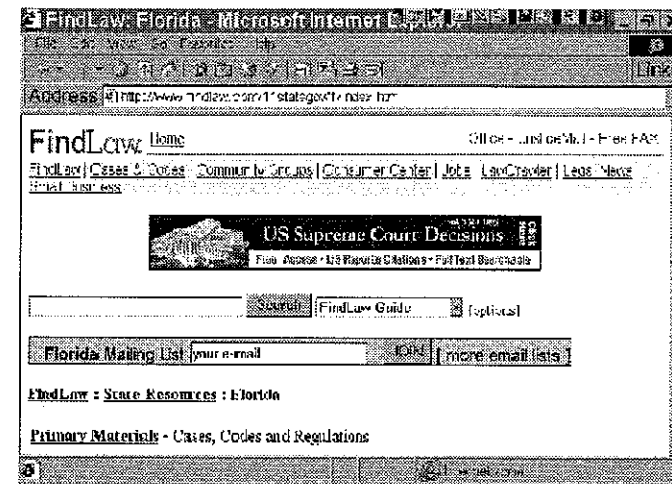


FIGURE 11

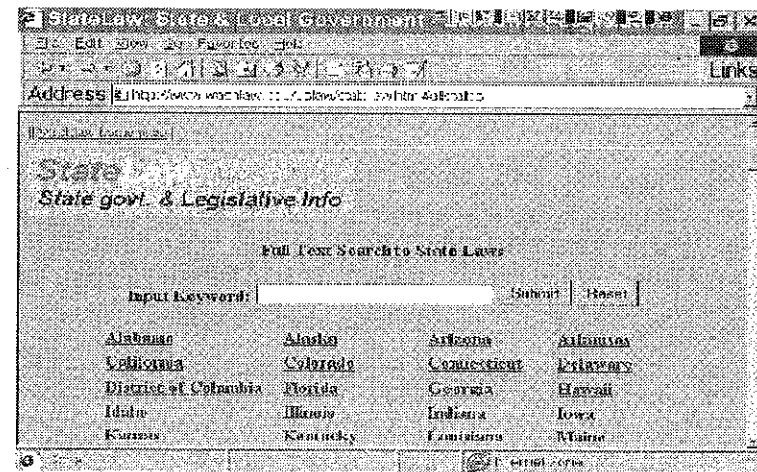
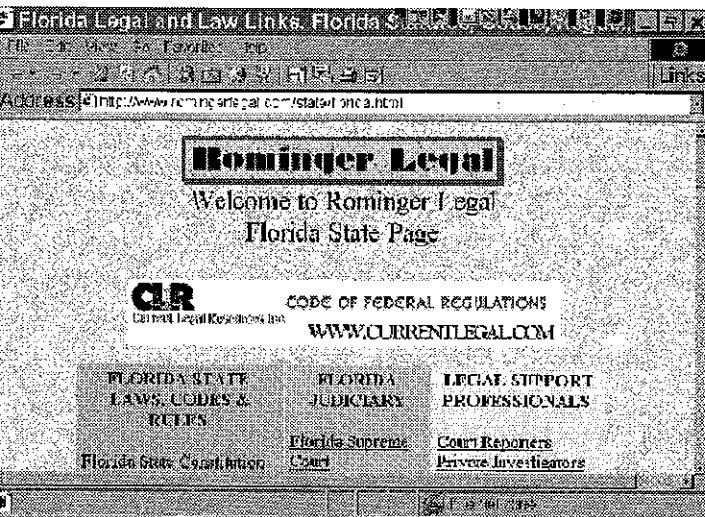


FIGURE 12



n listed under the appropriate state. Using Folios software, the researcher can use keyword and boolean connectors to retrieve a citation and an t to various city and county codes.

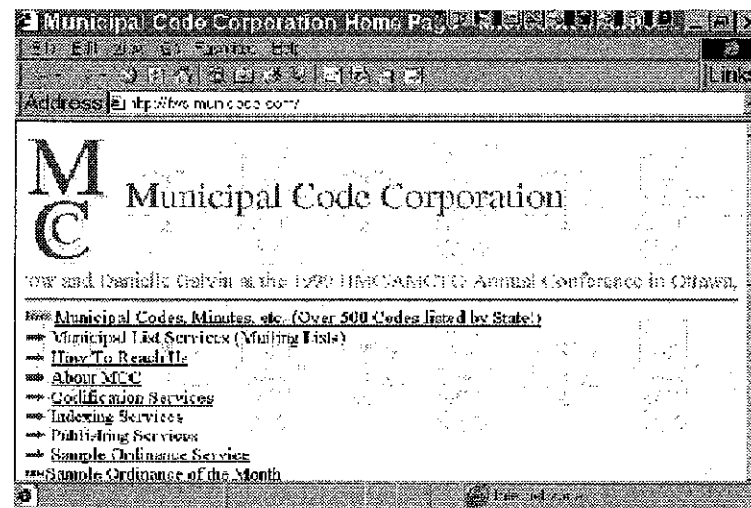
### MISCELLANEOUS SOURCES

There are several sites that may be of use to the legal researcher/practitioner. These include the *Virtual Chase*, *LegalDocs*, *Martindale*, the *Brief Reporter*, *Gamos*, *Legal Online*, and *Northern Light*.

*Virtual Chase*,<sup>42</sup> <http://www.virtualchase.com/>, began in 1996 with Genie Tyburski. It contains legal pathfinders on numerous legal topics. Tyburski not only explains how to do legal research; she then provides the best sites available for the research. Thus if you are looking for regulations, Tyburski will explain how to locate regulations in her *Statutes, Legislation, and Regulations* guide and then provide links to the *EPO Access* site.

*LegalDocs*,<sup>43</sup> <http://www.legaldocs.com/>, is produced by USA Law Publications and provides access to boilerplate legal documents on a variety of topics (see Figure 14). Forms are available for wills, leases, and UCC sales. There are a few forms that are "free" but the majority of forms require payment prior to downloading.

FIGURE 13



*Martindale Hubbell*,<sup>44</sup> <http://www.martindale.com/>, allows the researcher to search for attorneys at its Internet site (see Figure 15). With this resource, researchers can search for attorneys in any state. The researcher can search by attorney name, location, type of practice, firm, government, faculty, or corporation. Search retrieval results in a listing of the attorney's name, address, practice affiliation, law school and bar admissions. There is no charge for this information.

Next is *Heiros Gamos*,<sup>45</sup> <http://www.hg.org/>. Produced by Lex Mundi, it provides links to:

- *Legal Guide for Foreign Countries*, including the *European Union*
- *Law Journals*
- *Global Bar Directories*
- *Directories of Experts*

Keyword searching is possible. Hyper-text links to the full text of documents exist.

The *Brief Reporter*,<sup>46</sup> <http://www.briefreporter.com/>, is a collection of appellate briefs and trial memoranda written by attorneys. Coverage includes cases in federal and state jurisdictions. Briefs are arranged by subject, and there are over fifty subjects, including briefs on ADA, Bankruptcy, Civil

Rights, Criminal Law and Procedure, ERISA, Legal Malpractice, Patents, Securities Fraud, Sexual Discrimination, Trademarks and Workers' Compensation. Searching is by keyword with boolean connectors. There is also a general index with hyper-text links. Both of these sources are free of charge. Once the search is complete, a citations list with a brief abstract is retrieved. If the researcher decides to read the brief, the download fee is \$40.00 for non-members and \$10.00 for members.

The *Best of the Web for Lawyers @ Legal Online*,<sup>47</sup> <http://www.legalonline.com/best.98.html>, has been reviewing and evaluating web sites of use to attorneys. Produced by American Lawyer Media, it provides a listing of the "best of the web" available to lawyers as well as hyper-text links to these sites. Links to the best sites for law firms, law schools, law libraries, and government agencies can be found here.

*Northern Light*,<sup>48</sup> <http://www.northernlight.com/>, is the new Internet search engine that allows a researcher to search the Internet and provides access to the full text of numerous documents. Developed by a group of software engineers in Cambridge in 1995, the site was designed to provide cutting edge technology on the Internet.<sup>49</sup> According to David Suess, Northern Light's CEO, "The Web is the ultimate expression of the problem of too much data and not enough information."<sup>50</sup> *Northern Light* was designed to remedy that problem. The search engine prioritizes your search results by best match and then organizes them into folders to further narrow the search.

FIGURE 14

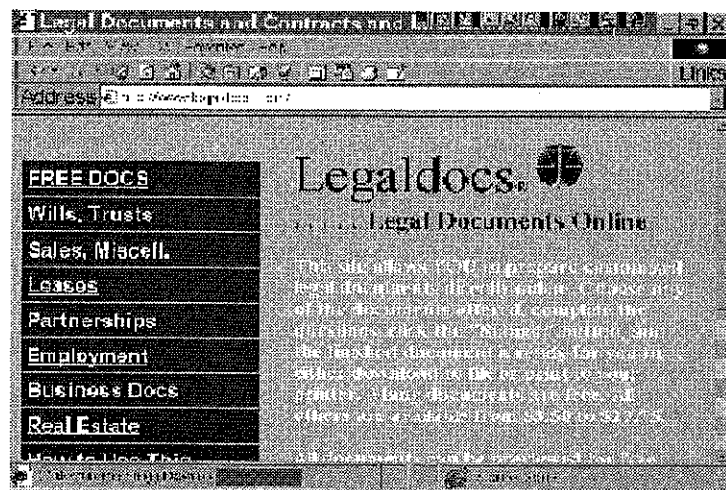
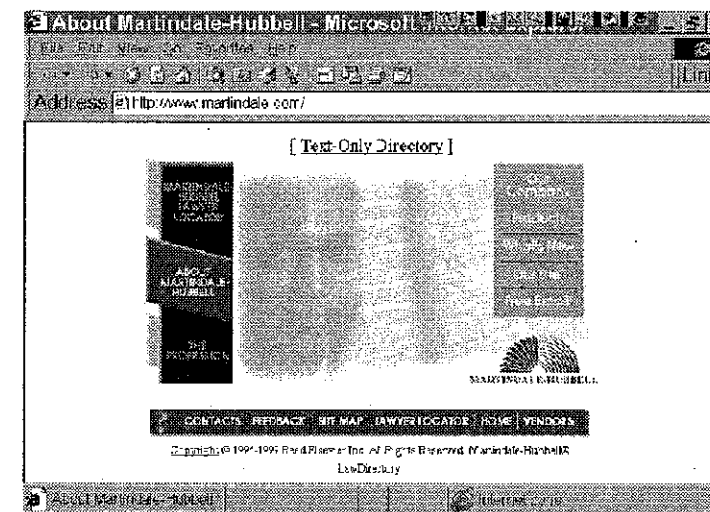


FIGURE 15



The site searches 5,400 "premium sources"<sup>51</sup> and sorts the results. Some materials require a document download fee, usually ranging from \$1.00-\$5.00, in order to obtain the full text of the document. Some of the materials retrieved can be viewed at no charge.

### HANDLING THE RESEARCH QUERY

Now that the researcher knows what information is available and how it can be located, the research process can begin. As an example, suppose a researcher receives a request about a "hostile work environment." The researcher is told to ascertain the meaning of the phrase and that a federal law may be applicable. A memo is due within twenty-four hours, and the client will not pay for electronic research. That is the only information the researcher is given. Where should the researcher begin?

Since the researcher knows nothing about "hostile work environment," a law review article that discusses the topic would be a good starting place. From there, it might be possible to find citations to applicable cases and statutes. Since both time and money are of the essence, the researcher could begin with the Internet. In addition to state resources, the website, *Findlaw*, provides links to electronic law reviews, and this information is available at no charge. Frequently full text documents are available at this site. The

her can begin with the Internet, opening the browser to *Findlaw*. On v's home page, the researcher should select *Law Reviews* under the eading, *Law Schools*. Scroll down to *Full Text Search of Law Journals* nternet and key in the search query, "hostile work environment." This rieve several law review articles on the subject.

first article cited is "*Sexual Harassment in the Workplace: A Prim-* Hyper-text links indicate that the full text of the article is available. As earcher scrolls through the article, an extensive discussion of "hostile nvironment"<sup>53</sup> is available. Citations indicate that a federal law, Title indeed involved. In addition, a citation to the applicable statutory on in the *United States Code* as well as citations to several cases that ertained with the issue are provided.<sup>54</sup>

r reading the article, the researcher now has some understanding of e work environment." Citations to statutory and case authority have en retrieved and can now be obtained. If the researcher has immediate o the print *U.S.C.*, *U.S.* and *F.2d* materials, these can be used to read e and the cases. If not, the researcher can obtain some of this material e Internet at no charge.

ing the Internet, the researcher can use Cornell's Legal Information e to search the *U.S.C.* On the Legal Information Institute's home page, a *Constitutions and Codes*. Then select *U.S.Code* and scroll down the On the right hand side of the screen is a heading, *Ways to Search* ls. Under this head is a sub-heading called *Forms*. Click on *Forms*. rieves a citation format. The title and code section must be completed in 42 and 2000e. Once this is done, click on *Go*. The full text of the ction is then retrieved.<sup>55</sup> The researcher can then highlight the appli- xt, copy it, and paste it into the memorandum.<sup>56</sup>

ead the U.S. Supreme Court's decision, *Meritor*, return to *Findlaw's* age.<sup>57</sup> Under *Laws: Cases and Codes*, select *U.S. Supt. Ct.* and click Once this is done, scroll down the page; at the *Citation Search*, key in 57. This will retrieve the full text of the *Meritor* decision.<sup>58</sup> Hyper- ks to Oyez's home page will retrieve the oral arguments made in this

circuit court decisions cited (*Hacienda Hotel*, *Gus. Construction Co.*, and *Bundy*) are not presently available on the Internet. It is very to find circuit court decisions prior to 1990 available at no cost on rnet. The researcher can either retrieve these cases in print or use v, Lexis, LOIS Law, or Versus Law. Finally the researcher can use rint *Shepard's* or an electronic citator<sup>60</sup> to update the cases and statu-

all of this information, the researcher can now define "hostile work ment." Using a combination of formats, a minimum of time and

money was spent. Copying the various documents from the Internet and pasting them into the memorandum saves further time. This is cost effective research.

## CONCLUSION

Today's market driven economy requires anyone providing legal research to know the most efficient and cost effective method of retrieving the information. This requires that the researcher be familiar with the various formats, i.e., print, electronic, CD-ROM, and aware of the costs of using each format.

At present, there are several electronic subscriptions available on the Internet. They include: BNA, CCH, Congressional Universe, Lexis-Nexis, LOIS Law, Matthew Bender's Authority on Demand, Shepard's, Versus Law, and Westlaw. All of these services require a subscription to use. Many Internet sites provide access to legal information at no charge. Cornell's Legal Information Institute, Emory's Federal Courts Finder, FindLaw, FedWorld, GPO Access, Thomas and Washlaw are just a few examples that provide the full text of various federal and state legal documents.

In addition to knowing the resources available, a researcher should first determine the type of document that must be produced. Is a memo, brief, or opinion letter needed? At this time, the researcher should also ascertain any time and cost constraints. Next determine the issue in dispute and formulate search terms. Decide which resource will quickly and cost effectively retrieve the information. Finally, the researcher should make sure that the research is current. Using this process, the researcher will be conducting cost effective research.

## ENDNOTES

1. Tracey Baetzel and Carl W. Herstein, *Law Practice Technology: Virtual Memory: Looking Back at the Relationship Among Lawyers, Law Firms, and Technology*, 77 Mi. Bar J. 422, 425 (May 1998).

2. Joan L. Aexlroth, *The Paperless Society? Law Libraries Move into the 21st Century*, \$56 Or. State Bar J. 9, 10 (June 1996).

3. Boolean searching allows researchers to connect search terms (i.e., keywords) with connectors such as *and*, *or*, *not*, *within*/. Thus if you want to retrieve cases on the issue of whether weight is a disability protected under the Americans with Disabilities Act and thus precludes termination, you might use the following boolean search query: *termin! w/5 weight and ADA or Americans with Disabilities Act*. Italicized words are the boolean connectors. For more information about boolean connectors,

cy P. Johnson, Robert C. Berring & Thomas A. Woxland, *Winning Research* 135-136 (4th Ed., 1999).

For a discussion of the advantages of the electronic format, see Lawrence, ed., *Books v. Bytes: The Great Debate*, 29 *The Law Librarian* 217, 217-219 (1998).

Mead Data Central introduced the first computer assisted legal research system, the public in 1973. West Publishing Company followed with the introduction of Lexis in 1975. See F. Svengalis, *The Rhode Island State Law Library: Meeting Patron* in a Technological Age, 44 R.I. Bar J. 19, 19 (October 1995).

Lexis-Nexis Xchange (visited May 1, 1999) <<http://www.lexis-nexis.com/>>; Westlaw (visited May 1, 1999) <<http://www.westlaw.com/>>.

Proprietary software is software manufactured and distributed by the company, Westlaw and Lexis in this case. Proprietary software is loaded directly onto individual's hard drive or a network; consequently, the software (i.e., Lexis or Westlaw) can only be accessed with that particular computer or network whereas if an individual uses the Internet to access Westlaw or Lexis, any computer/network connection can be used.

Primary authority is authority which is a statement of the law itself. . . . it is the law. See Robert C. Berring, *Finding the Law* 11 (10th Ed., 1995).

Again, boolean searching allows a researcher to construct a narrow search that retrieves more accurate citations. As an example, see note 3, *supra*. Free-Form (Lexis) and Natural Language (Westlaw) allow the researcher to construct a query in plain English. Thus the same research query about weight, termination of the ADA would be constructed this way in either Freestyle or Natural Language searching: *whether weight is a disability protected by the Americans with Disabilities Act (ADA) and thus precludes termination?* For more information on Lexis' Natural Language and Lexis' Freestyle searching, see Lynn Foster, *Electronical Research, Access to the Law, and Citation Form for Case Law: Comparisons and Suggestions for the Arkansas Practitioners*, 16 U. Ark. Little Rock J. 233, 240-242 (Spring 1994).

Lexis now makes credit card pricing available for non-Lexis customers at its web site. Researchers are charged \$9.00 per document retrieved from their search. Lexis-Nexis (visited May 1, 1999) <<http://www.lexis.com/xchange/Forms/uas/Catalog.asp>>.

Law Office Information Systems, *LOIS Law* (visited May 1, 1999) <<http://www.loislaw.com/>>. LOIS Law also makes its product available in CD-ROM format. Versus Law (visited May 9, 1999) <<http://www.versuslaw.com/>>.

Cases, statutes and regulations from the following states are currently available in LOIS Law: Arkansas, Arizona, California, Colorado, Connecticut, Florida, Illinois, Indiana, Kansas, Louisiana, Massachusetts, Missouri, North Carolina, North Dakota, New Hampshire, New York, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Texas, Washington, and Wisconsin. LOIS Law has loaded some of the remaining states but not all primary sources are available for these states. See note 11, *supra*.

While it varies in each library, most libraries allow searching of the following information, party name, date of opinion, and judges. *Id.*

15. With LOIS Law, you can see what later cases have cited your case by putting the citation in *Search All Fields*. The library will then retrieve all cases that contain your citation. This is Loisizing. Unfortunately you are limited to searching only the libraries in LOIS Law which excludes coverage of federal district court cases, several states, and any secondary sources. *Id.*

16. *Id.*

17. See Note 12, *supra*.

18. You can access Congressional Universe from the home page of Congressional Information Services, CIS (visited May 1, 1999) <<http://www.cispubs.com/>>. It provides access to the full text of pending federal bills, recently enacted federal legislation, the U.S.C., some committee reports and hearings as well as the *Congressional Record*. CIS is also introducing a new product, *State Capitol*, which provides the same type of information for all fifty states.

19. Matthew Bender, (visited May 1, 1999) <<http://www.bender.com/>>.

20. *Id.* Shepard's is also available from the Matthew Bender Website. It can be used with either a subscription or a "pay per citation" charge. Per citation charges are \$4.95. See also Shepard's (visited June 12, 1999) <<http://www.shepards.com/>>.

21. Bureau of National Affairs, *BNA* (visited May 1, 1999) <<http://www.bna.com/>>.

22. Commerce Clearinghouse, *CCH* (visited May 1, 1999) <<http://www.cch.com/>>.

23. WWW Virtual Library: Information Quality, Alastair Smith, *Evaluation of Information Sources* (visited June 12, 1999) <<http://www.vuw.ac.nz/~agsmith/evaln/>>.

24. Lexis Law Publishing (visited May 1, 1999) <<http://www.lexislawpublishing.com/>>; West Group (visited May 1, 1999) <<http://www.westgroup.com/>>; Potomac Publishing Company, (visited May 1, 1999) <<http://www.potomacpub.com/>>; and Kluwer Law International (visited May 1, 1999) <<http://www.kluwerlaw.com/>>. Potomac Law publishes several CD's with U.S. government information, including the *Statutes at Large*. Kluwer Law publishes mostly international CD's, including a Treaty Disk that contains the full text of U.S. Tax Treaties. LOIS Law, note 11, *supra*, also makes it federal and state libraries available via CD-ROM.

25. For a more detailed discussion of CD-ROM's in law libraries, see Barbara A. Bintliff, *Introducing CD-ROM's Into a Law Library: Administrative Issues and Concerns*, 84 *Law Lib. J.* 725 (Fall 1992).

26. Anne Burnett and Cecilia Cleveland, *Danger Will Robinson! Lost in Cyberspace: Legal Resources on the Internet* in *Cost Effective Legal Research* (ICLE 1997).

27. West created the National Reporter System in the 1880's while Frank Shepard developed the Shepard's Citations, a system for updating cases and known by law students as Shepardizing, in 1873. See Berring, *supra* note 8 at 51, 57.

28. Cornell Law School, *Legal Information Institute* (visited May 1, 1999) <<http://www.law.cornell.edu/>>.

29. Emory University School of Law, *Federal Courts Finder* (visited May 1, 1999) <<http://www.law.emory.edu/FEDCTS/>>.

30. Genie Tyburski, Law Librarians' Resource Exchange, *Litigator's Internet Resource Guide: Rules of Court* (visited May 11, 1999) <<http://www.llrx.com/>>.

31. National Technical Information Service, U.S. Department of Commerce, *Fed-World* (visited May 14, 1999) <<http://www.fedworld.gov/>>.

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GPO Access (visited May 1, 1999) <<http://www.access.gpo.gov/>>.  
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Real Audio is a plug in produced by Real Networks. It allows Internet users to listen to archived and live audio at Internet sites. You can download the *RealPlayer* from the Real Audio site at no charge. Real Network, *Real Audio* (visited June 12, 1999) <<http://www.realaudio.com/>>.  
Library of Congress, *Thomas* (visited May 9, 1999) <<http://thomas.loc.gov/>>.  
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Brief Reporter, LCC, *Brief Report-The Source for Legal Briefs* (visited May 9, 1999) <<http://www.briefreporter.com/>>.  
LegalOnline, *Best of the Web for Lawyers* (visited May 9, 1999) <<http://www.legalonline.com/best.98.html>>.  
*Northern Lights* (visited May 18, 1999) <<http://www.northernlight.com/>>.  
The site is named for an 1851 clipper ship in Boston whose radical design resulted in a far greater speed than previously enjoyed by most ships. During its time, the *Northern Light* was hailed as an innovation in technology. *Id.*  
d.  
d.  
Barry S. Roberts & Richard A. Mann, *Sexual Harassment in the Workplace: A Practical Guide*, 29 Akron L. Rev. 269 (1996) (visited May 14, 1999) <<http://www.uakron.edu/lawrev/>>.  
d. at 276-287.  
d. This article provides citations to 42 U.S.C. §2000e (1994) as well as several cases that discuss the topic, including a U.S. Supreme Court decision, *Meritor Sav. Bank v. Vinson*, 477 U.S. 57 (1986). Other cases that further define "hostile work environment" include: *EEOC v. Hacienda Hotel*, 881 F.2d 1504 (9th Cir. 1990); *Tall v. Gus Const. Co.*, 842 F.2d 1010 (8th Cir. 1988); *Henson v. City of Dundee*, 682 F.2d 897 (11th Cir. 1982); and *Bundy V. Jackson*, 641 F.2d 934 (D.C. Cir. 1980). Citations to *EEOC Notices* as well as other law review articles on the subject are contained in this article.  
See note 27, *supra*.

56. As with any document in any format, the researcher should always be concerned with the copyright law. For a more extensive discussion on copyright, visit the Copyright Clearance House. *Copyright Clearance House* (visited May 18, 1999) <<http://www.copyright.com/>>.

57. Since *Meritor* was decided and published in 1986, Cornell's Internet site cannot be used because coverage does not begin until 1990. FedWorld's FLITE provides coverage for cases decided between 1937-1975. Thus Findlaw is the only Internet site that publishes *Meritor* at no charge.

58. See note 36, *supra*.

59. *Id.*

60. Electronic citator sources include KeyCite on Westlaw and Shepard's Online. See Westlaw (visited June 12, 1999) <<http://www.westlaw.com/>> d Shepard's (visited June 12, 1999) <<http://www.shepards.com/>> or a discussion of the differences between KeyCite and Shepard's Online see Fred R. Shapiro, *KeyCite and Shepard's-Coverage and Currency of Citations to Recent Cases: A Comparative Study*, 17 Legal Information Alert 1 (April 1998).

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## Statutes

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## Cases

1. *Meritor Savings Bank, FSB v. Vinson*, 477 U.S. 57 (1986).
2. *EEOC v. Hacienda Hotel*, 881 F.2d 1504 (9th Cir. 1989).
3. *Hall v. Gus Const. Co.*, 842 F.2d 1010 (8th Cir. 1988).
4. *Henson v. City of Dundee*, 682 F.2d 897 (11th Cir. 1982).
5. *Bundy v. Jackson*, 641 F.2d 934 (D.C. Cir. 1981).

## APPENDICES

## Cases

Print	Westlaw Subscription Needed	Lexis Subscription Needed	LOIS Law Subscription Needed	Versus Law Subscription Needed	Internet
<u>S.Ct. Bulletin</u>  <u>S.Ct. Reporter</u>  <u>U.S. Reports, Lawyer's Edition</u>  <u>U.S. Reports</u>  <u>United States Law Week</u>	SCT Database	Genfed Library USLED File	US Supreme Court & Code	US Supreme	<b>Cornell's Legal Information Institute @</b> <a href="http://www.law.cornell.edu/">http://www.law.cornell.edu/</a>  <b>FedWorld's Flite @</b> <a href="http://www.fedworld.gov/">http://www.fedworld.gov/</a>  <b>Findlaw @</b> <a href="http://www.findlaw.com/">http://www.findlaw.com/</a>  <b>Northwestern University's Oyez, Oyez, Oyez@</b> <a href="http://oyez.nwu.edu/">http://oyez.nwu.edu/</a>
E <u>F.2d</u> <u>F.3D</u>	CTA Database	Genfed Library USAPP File	Federal Circuits	Federal Circuits	<b>Emory's Federal Courts Finder @</b> <a href="http://www.law.emory.edu/FEDCTS/">http://www.law.emory.edu/FEDCTS/</a>  <b>Findlaw@</b> <a href="http://www.findlaw.com/">http://www.findlaw.com/</a>
<u>F. Supp.</u> <u>F. Supp. 2d</u>	DCT Database	Genfed Library DIST File		Federal District	

Court	Print	Westlaw Subscription Needed	Lexis Subscription Needed	LOIS Law Subscription Needed	Versus Law Subscription Needed	Internet
State Appellate Courts	Individual State Reporters  Regional Reporters including: <u>A., A.2d</u>  <u>NE</u> <u>N.E.2d</u>  <u>N.W.</u> <u>N.W.2d</u>  <u>P</u> <u>P.2d</u>  <u>SE</u> <u>S.E.2d</u>  <u>SW</u> <u>S.W.2d</u>  <u>So., So.2d</u>	<u>Allstates Database</u>  Databases for Individual States	<u>States Library Courts File</u>  Libraries and files for Individual States	State Libraries	State Appellate	<b>Findlaw @</b> <a href="http://www.findlaw.com/">http://www.findlaw.com/</a>  <b>Rominger Legal @</b> <a href="http://www.romingerlegal.com">http://www.romingerlegal.com</a>  <b>Washburn's Washlaw @</b> <a href="http://washlaw.edu/">http://washlaw.edu/</a>

## Statutory Provisions

Item	Print	Westlaw	Lexis	LOIS Law	Versus Law	Internet
Federal Statutes currently in force	<u>U.S.C.</u>  <u>U.S.C.A.</u>  <u>U.S.C.S</u>	USCA Database	Codes Library USCodes File	U.S. Supreme Court & Code; US Code Library		Cornell's Legal Information Institute @ <a href="http://www.law.cornell.edu/">http://www.law.cornell.edu/</a>  <b>Findlaw @</b> <a href="http://www.findlaw.com">http://www.findlaw.com</a>



## APPENDICES (continued)

## Statutory Provisions (continued)

Item	Print	Westlaw	Lexis	LOIS Law	Versus Law	Internet
Recently Enacted Federal Legislation (Public Laws)	Slip Laws to <u>U.S.C.</u> <u>U.S.C.A.</u> <u>U.S.C.S.</u>	<i>US-PL</i> Database	<i>Legis</i> Library; <i>Publaw</i> file			<b>Congressional Information Service (CIS) @</b> <a href="http://www.cis.pubs.com">http://www.cis.pubs.com</a> (subscription needed)  <b>Thomas @</b> <a href="http://thomas.loc.gov/">http://thomas.loc.gov/</a>
State Codes	Individual State Codes	<i>ST-ANN-ALL</i> Database & Individual state databases	<i>Codes</i> Library; <i>ALLCDE</i> file & individual state files	States Library		<b>Findlaw @</b> <a href="http://www.findlaw.com/">http://www.findlaw.com/</a>  <b>Rominger Legal @</b> <a href="http://www.romingerlegal.com/">http://www.romingerlegal.com/</a>  <b>Washburn's Washlaw @</b> <a href="http://washlaw.edu">http://washlaw.edu</a>

## Regulations

Item	Print	Westlaw	Lexis	LOIS Law	Versus Law	Internet
Proposed & final federal regulations	<u>Code of Federal Regulations</u>  <u>Federal Register</u>	<i>CFR</i> Database  <i>FR</i> Database  <i>FR-TOC</i> Database	<i>Codes</i> Library; <i>CFR</i> file  <i>Codes</i> Library; <i>Fedreg</i> file	<i>CFR</i> Library		<b>Government Printing Office's</b> GPO Access @ <a href="http://www.access.gpo.gov/">http://www.access.gpo.gov/</a>
State Regulations	Individual administrative codes	<i>ADC-ALL</i> Database & individual state databases	<i>Codes</i> Library; <i>ALLRUL</i> file & individual state files	State Library		<b>Findlaw @</b> <a href="http://www.findlaw.com/">http://www.findlaw.com/</a>  <b>Rominger Legal @</b> <a href="http://www.romingerlegal.com/">http://www.romingerlegal.com/</a>  <b>Washburn's Washlaw @</b> <a href="http://washlaw.edu/">http://washlaw.edu/</a>