August 18, 2010

How to Drink From a Firehose Without Drowning, or Online Current Awareness Made Less Difficult

Edward M McClure, *Phoenix School of Law*
Abstract
Once upon a time, the law changed gently; actively keeping ahead of your students was unnecessary. Now you can have up to the minute information on your desktop. In fact, now you must have up to the minute information on your desktop, because your students are following “blawgs” and subscribing to “feeds” and reading “tweets”. While you are asking that elegant Socratic question, they are reading an appellate opinion that had not been published when class began. Some of your peers – and rivals – are doing the same. No matter how unnatural they seem, we must force ourselves to learn how to use the Internet tools that have accelerated current awareness to the point of seeming madness. It is difficult, confusing, frustrating – and so, so important. This paper attempts to smooth your path towards online awareness sanity in the Twenty-First Century.

Contents
Some heuristics ......................................................................................................................................... 3
Electronic mailing lists ................................................................................................................................ 4
Monitoring print legal periodicals ................................................................................................................ 4
Online repositories ...................................................................................................................................... 5
Monitoring blogs ...................................................................................................................................... 6
  RSS ........................................................................................................................................................ 7
  Feedreaders .......................................................................................................................................... 7
What blogs should you monitor? ................................................................................................................ 8
  Legal news ........................................................................................................................................... 8
  Teaching law ......................................................................................................................................... 8
  Broad appellate coverage ...................................................................................................................... 8
  Legal theory ......................................................................................................................................... 9
  Finding subject matter specific sources .............................................................................................. 9
  Three more blogs you should watch ................................................................................................. 10
Other alert systems .................................................................................................................................... 10
Saving and organizing your electronic notes ........................................................................................... 12
An obligation to your colleagues ............................................................................................................ 13
Concluding guidance ................................................................................................................................. 14
In prehistoric times\(^1\), keeping up with the law was a chore – boring but not difficult: Sifting through piles of newsletters, law reviews, advance sheets, and loose-leaf updates. As a law professor, you would read about the latest theories in law reviews published many months after the articles were written. Scholarly debates took years, although you might see some sparks fly at a conference or symposium. Occasionally punctuated by a dramatic Supreme Court decision or a new statute, the law changed gently. Actively keeping ahead of your students was unnecessary.

Now you can have up to the minute information on your desktop. In fact, now you must have up to the minute information on your desktop, because your students are following “blawgs” and subscribing to “feeds” and reading “tweets” and searching Lexis\(^2\) and Westlaw\(^3\). And even Google\(^4\) and Wikipedia\(^5\) can answer legal questions for them, albeit with less than perfect reliability. While you are asking that elegant Socratic question, they are reading an appellate opinion that had not been published when class began. Some of your peers – and rivals – are doing the same. You have to run as fast as you can just to stay in place.\(^6\)

[Professor John Duffy] has moved the law, in profoundly important ways, by resorting directly to electronic media and without waiting for the conventional distribution networks for legal scholarship to complete their important but often excruciatingly slow work. Are Administrative Patent Judges Unconstitutional? originally appeared on a patent law blog. The SSRN [Social Science Research Network\(^7\)] version of this paper is so fresh that as of this writing, it has yet to clear SSRN’s internal review process and thereby to appear on Professor Duffy’s SSRN author page. Even in this raw form, it has already caught the eye of the New York Times and undoubtedly will draw more attention as the controversy deepens. This paper epitomizes the legal academy at its best: making sound, persuasive arguments on issues that matter and thereby changing the world through law.\(^8\)

---


\(^3\) WESTLAW, http://www.westlaw.com (last visited July 2, 2010).


\(^6\) “Now, here, you see, it takes all the running you can do, to keep in the same place. If you want to get somewhere else, you must run at least twice as fast as that!” LEWIS CARROLL, THROUGH THE LOOKING-GLASS, AND WHAT ALICE FOUND THERE 39 (Rand, McNally & Company 1917) (1872), http://books.google.com/books?id=50oCAAAAYAAJ.

\(^7\) For a description of the online academic text repository SSRN, see “Online Repositories”, infra.

\(^8\) Jim Chen, Are administrative patent judges unconstitutional?, JURISDYNAMICS (May 6, 2008, 12:01 AM), http://jurisdynamics.blogspot.com/2008/05/are-administrative-patent-judges.html.
You do **not** want to be the scholar in “the old joke about the scholar who finished his definitive, multi-volume treatise on federal common law the year *Erie* was decided.”

You may be too old to find the Internet natural. Perhaps you did not grow up with the World Wide Web (hereinafter “Web”), Twitter®, or YouTube®. Confronting Westlaw® and Lexis® terminals and rolling through spools of microfilm were revolutionary enough when I was in law school. Now we must force ourselves to learn how to use the Internet tools that have accelerated current awareness to the point of seeming madness. It is difficult, confusing, frustrating – and so, so important.

This paper attempts to smooth your path towards online awareness sanity in the Twenty-First Century. It assumes that you have some facility at using basic Internet programs, including a web browser and email. It describes some of the new tools, shows you how to use them, and recommends some specific online resources. Unless otherwise specified, each link is to the source for an online resource or the “download” page for a program. Lists are in alphabetical order, not in any order of preference.

**Some heuristics**

I suggest six rules of thumb for maintaining some semblance of control over the flow of information that can inundate your computer desktop and your brain:

First, **use the tools** that are available to you. The programs I discuss below, together with email programs and web browsers, have features that allow you to select, sort, file, and find items of information. You **cannot** do this using only your “wetware” (brain). Furthermore, in choosing which tools to use you need to examine whether they are easy for you to use and if they do all the things you need them to do.

Second, **rely on the expertise of others** to reduce the chaff. There are smart people out there dedicated to sifting through many sources to select information relevant to you. Their interests will never align perfectly with yours, but they will winnow out much that is off topic and find useful nuggets of information from sources that are a poor use of your time to monitor yourself. They will also miss some things you would like to see. The risks of false negatives (missing something useful) and false positives (receiving useless junk) are more than outweighed by the benefits of others’ editorial intelligence.

Third, **organize your resources** in a way that makes them convenient to you. For example, organize your streams of information by subject, frequency, or even length. In my RSS feedreader, my feeds are in folders by subject or some other common facet, with the most important in order at the top of the list. When I review them, I start at the top and work my way down.

Fourth, **prune sources ruthlessly**. Only you can decide if you are getting something valuable from an online resource. If you are a lawyer, you tend to be a packrat. Saving every source will swamp you. If

---

10 TWITTER, [http://twitter.com](http://twitter.com) (last visited July 2, 2010).
11 YOUTUBE, [http://www.youtube.com](http://www.youtube.com) (last visited July 2, 2010).
12 I was introduced to Westlaw® as a first year law student in the spring of 1980. We used a teletypewriter, a leased telephone line to Minnesota, and a 300 baud modem.
13 Class of 1982.
14 See “RSS” et seq., infra, for explanations of “RSS” and “feedreader”.

you find something new and are unsure as to its value, place it in a folder or tag it as “audition” or “evaluate” until you are sure. **If you are not getting useful information from a source, delete it.**

Fifth, **review your incoming information every work day.** If you fall behind, you will be intimidated. If you get too far behind, declare “bankruptcy” and mark everything as read even if you haven’t read them. Anything really important will appear again or you will receive it from another source\(^\text{15}\). It is important that you not feel overwhelmed.

Sixth and perhaps most important, **use the delete button.** Use it early and use it often. If an item is not important to you, get rid of it. If it might be useful in the future, use a program that stores and organizes your notes\(^\text{16}\).

**Electronic mailing lists**

An electronic mailing list is an email system that sends the same information to multiple Internet users.\(^\text{17}\) It is analogous to a physical mailing list – a list of names and addresses – that might be used by an organization to send common correspondence to its members or customers. The real time saver at the sending end is the name you can attach to a list, called a “reflector”, a single email address that causes the sender’s computer to send a copy of a message to all of the people on the list (“subscribers”). You may also see an electronic mailing list called a “dlist” (short for “distribution list”), an “electronic newsletter”, or a “listserv”\(^\text{18}\). For more information on electronic mailing lists, see the Wikipedia article.\(^\text{19}\) Electronic mailing lists predate the Web, and many long-standing lists have been converted to blogs\(^\text{20}\) or other Web formats.

**Monitoring print legal periodicals**

There are hundreds of law reviews and law related journals out there\(^\text{21}\). There is no way to keep up in print, even if your library sends you a copy of the table of contents of each issue of each journal as it arrives. The Internet to the rescue! The Marion Gould Gallagher Law Library of the University of Washington School of Law has a service called “eCILP” – the *electronic Current Index to Legal Periodicals*\(^\text{22}\). Once each week, it posts the contents of almost every law journal issue published in the preceding week. Article entries are posted in two files, one by publication showing the issue’s table of contents, the other sorted by subject. The entry for each article has links to the article on HeinOnline, Lexis, and Westlaw.


\(^\text{16}\) See “Saving and organizing your electronic notes”, infra.


\(^\text{19}\) Note 17, supra.

\(^\text{20}\) See “Monitoring blogs”, infra.

\(^\text{21}\) As of March 11, 2010, the Washington and Lee University School of Law, *LAW JOURNALS: SUBMISSIONS AND RANKING* site, [http://lawlib.wlu.edu/LJ/](http://lawlib.wlu.edu/LJ/), lists 1,613 law related journals.

\(^\text{22}\) Weekly files are available as HTML (web) pages, Portable Document Format (PDF) files, ASCII text files, and Microsoft Word 97-2003 documents. For more information, including subscription prices and ordering, see *Current Index to Legal Periodicals (CILP)*, MARIAN GOULD GALLAGHER LAW LIBRARY (June 23, 2010), [http://lib.law.washington.edu/cilp/cilp.html](http://lib.law.washington.edu/cilp/cilp.html). At the Phoenix School of Law, we have found it convenient to mirror the site locally with the Gallagher Library’s permission.
For these links to work (when they work – sometimes one service or the other does not in fact have the article), you need to have already logged on to the services.

An even more useful part of the CILP services is “SmartCILP”. Each user can set up a personal weekly email of new CILP entries selected by subject and publication.

**Online repositories**

In the last decade scholars have begun placing articles in electronic repositories, often before the articles appear in print. As seen in the quotation at note 8 above, such articles may be the leading edge of a new perspective. For legal writing, the two major electronic repositories are bepress [sic] Legal Repository and the Social Science Research Network (“SSRN”) Legal Scholarship Network.

bepress maintains abstracts of articles that can be searched without cost, but it charges for some access to full text. There are institutional and individual subscriptions with unlimited access or you may buy individual papers. Many articles are available without cost. You can have a personal “account” on the site without cost, and set up email alerts of new articles based on your choice of subject areas or your own search terms.

SSRN has a mixture of fee-based and free “journals.” Some are centered on particular subjects (e.g., Administrative Law), while some are from individual institutions (e.g., Arizona James E. Rogers College of Law Legal Studies Research Paper Series). You can subscribe to a journal and receive abstracts by email. Each abstract has a link to the download page for the article. Two free SSRN journals I recommend to all law professors are LSN Professional Announcements and Job Postings, which has conference announcements and calls for papers, and LSN Educator: Courses, Materials, & Teaching, which links to articles on teaching law. SSRN offers both institutional and individual subscriptions for unlimited access to the fee-based journals. On the titles of SSRN journals: You will see an abbreviation at the end of each title. “APS” means “Accepted Paper Series” – included articles have been accepted for publication in other scholarly journals. “WPS” means “Working Paper Series” – included articles have not yet been accepted for publication elsewhere. “CMBO” means “Combination”, and includes both.

You access these repositories using your web browser. Articles in both repositories are in Portable Document Format (.pdf), and require reading software such as Adobe Reader, Foxit Reader, or any of several other choices. The file names assigned by the repositories are cryptic. If you are going to save an article from one of these repositories, I suggest that you rename the file to something recognizable (I use the last names of the authors), preserving the .pdf extension.

---

23 See SmartCILP User Profile page, UW DEPARTMENTS WEB SERVER, http://depts.washington.edu/scilp/scilp3.cgi (last visited July 2, 2010), to see the subjects and journals available.


26 Available for download without cost at Adobe - Adobe Reader download, ADOBE (July 02, 2010 1:01:45 PM), http://get.adobe.com/reader/.

27 Available for download without cost at Foxit Reader 4.0 for Windows, FOXIT SOFTWARE (July 02, 2010 1:03:07 PM), http://www.foxitsoftware.com/pdf/reader/addons.php [sic]. It is also available for Linux and several mobile devices.

28 Foxit and several alternatives are discussed in Madhur Kapoor, 5 Free Alternatives to Adobe Reader, WHOISMADHUR.COM (Apr. 3, 2009), http://www.whoismadhur.com/2009/04/03/5-free-alternatives-to-adobe-reader/.
A different sort of online repository can be found at Lexology, from the Association of Corporate Counsel. Lexology takes newsletters from several hundred law firms, breaks down the content into separate articles, tags the articles by subject matter, and provides them as a daily email message or as an RSS feed. You chose the subjects about which you want to be informed; the subjects are limited to business-related issues. Each item links back to the original newsletter from which it came. It’s not the most current information, but it often gives you analyses of unreported trial court and administrative decisions at the leading edge of change.

Monitoring blogs

A “blog” (short for “web log”) is a sort of online diary, where authorized people publish (“post”) entries (“posts”) on a web page. A blog’s latest post is at the top of the column of posts, or each post may appear on a separate web page, or both. Blogs may or may not authorize others to comment on posts, and posts may or may not be labeled (“tagged”) with one or more subject descriptions to make searching for them easier. If posts are tagged, they can be found by searching on subject word even if that word does not appear in the post itself. For a visual and aural description of blogs, see the three minute movie “Blogs in Plain English” online.

Why are blogs important to law professors? Blogs have become the leading medium for disseminating information from many contributors to many information consumers because they are fast, cheap, easy, and selective. A blog may have a single author or a large stable of writers. It may appeal to a very few specialists or a large general audience. Remember the quip that “Freedom of the press is guaranteed only to those who own one”? Now everyone with a computer and online access owns a “press.” With the existence of online services that offer free or nearly free blog hosting, everyone can be a publisher. Publishing is now creativity- and labor-intensive rather than capital-intensive. Even law professors can afford it. Publishing a blog is easy – the computer and software do most of the formatting and presentation work. Once it is set up, the author just types in a box on an online form and clicks a button to post. Comments – responses to a post or to other comments – are just as easy, making for near-real-time online debates. Authors can choose to write about specific subjects, about the universe in general, or about anything in between.

The prime motivators for the popularity of blogs are speed and specialization. Readers can find out about events as they happen, and authors can comment on those events almost as quickly. With their selectiv-

---

30 See “RSS”, infra.
32 E.g., Lawrence Friedman, CUSTOMS LAW, http://customslaw.blogspot.com/ (last visited July 2, 2010).
34 See note 32, supra.
38 See “Finding subject matter specific sources”, infra.
ity, specialized blogs can be found by specifically interested readers\(^{39}\). Authors can identify events of interest to their specialized readership that those readers may not detect on their own.

**RSS**

In that subset of the universe called the law, there are hundreds of “blawgs”. Publishers include law schools, law reviews, law professors, interest organizations, law firm consortia, law firms, individual attorneys, and traditional print publishers. It would be impossible to surf from blog to blog and try to keep up. The Internet has a solution for managing this flow of information: “RSS” (originally meaning “RDF Site Summary” but now it doesn’t matter).\(^{40}\) Current blogging software can take posts and make them available automatically to people online who wish to receive them. The stream of posts from a particular source is called a “feed,” analogous to a news feed in journalism. The recipient’s software is called a “feedreader.” One “subscribes” to a feed using a feedreader. The recipient sees posts from selected feeds within moments of posting. For a visual and aural description of RSS, see the four minute movie “RSS in Plain English” online.\(^{41}\)

**Feedreaders**

As indicated in the movie cited above, you use a feedreader to monitor your RSS feeds. Microsoft (“MS”) *Outlook* (2007 and later)\(^{42}\), Mozilla *Thunderbird*, and several other stand-alone email programs incorporate basic feedreaders. These programs create an email folder in which your RSS feed items appear like email messages. They have limited sorting, tagging, and formatting capabilities.

More advanced feedreaders allow you to group feeds, sort items, tag and save items with labels of your choice, and view items in a variety of formats (e.g., caption only, first few lines, entire item). They are either based on specialized web sites or are stand-alone programs:

- *Bloglines*\(^{43}\), web based,
- *FeedDemon*\(^{44}\), which requires downloading and installing a free program,
- *Google Reader*\(^{45}\), also web based, or
- *NetNewsWire*\(^{46}\), for Mac, iPad, or iPhone – advertising-supported or small one-time fee.

---

\(^{39}\) As of 2009, 26.8% of the world’s population were Internet users. *Key Global Telecom Indicators for the World Telecommunications Service Sector*, INTERNATIONAL TELECOMMUNICATIONS UNION (18 June 2010), [http://www.itu.int/ITU-D/ict/statistics/at_glance/KeyTelecom.html](http://www.itu.int/ITU-D/ict/statistics/at_glance/KeyTelecom.html). With the ubiquity of the Internet, there are enough readers interested in even the most obscure subject to make blogging worth the effort of an enthusiast. This effect of the Web is called the “long tail,” referring to the extension of the curve of readership plotted against subject popularity. Before the Web one needed many readers to justify the cost of print publication, so people wrote about popular subjects. Now by far the largest cost of publication is the author’s time. *Long Tail*, WIKIPEDIA (Mar. 6, 2010, 0431), [http://en.wikipedia.org/wiki/Long_Tail](http://en.wikipedia.org/wiki/Long_Tail). Tools for finding subject-relevant blogs are discussed *infra* in “Finding subject matter specific sources”.


An advantage of web-based feedreaders is that your list of feeds follows you from computer to computer.

What blogs should you monitor?
Below are some recommended blogs. Remember that these are tools for you to use, and not to use you. Only you can decide if you are getting something valuable from an online resource. **If you are not getting useful information from a source, delete it.**

**Legal news**
A law professor should subscribe to a general legal news blog, such as:

- **BLT**: The Blog of *Legal Times*[^47],
- Jurist US Legal News[^48],
- Law.com *Newswire[^49]*,
- ABC News’ Legalities[^50], or
- WSJ.com *Law Blog[^51]*.

You probably don’t need more than one or two of these, because they cover much the same stories. Each has its advantages and disadvantages – and its own attitude. I suggest subscribing to all of them for a few weeks and then choosing those most useful to you.

**Teaching law**
Several online resources discuss the teaching of law. I recommend that each person who teaches law or supervises the teaching of law subscribe to the following for a few weeks:

- Best Practices for Legal Education[^52],
- Center for Engaged Learning in the Law (CELL[^53]),
- The Faculty Lounge[^54],
- Law School Innovation[^55], and
- PrawfsBlawg[^56].

After a few weeks, evaluate each blog. If you get nothing useful or interesting from a resource, delete it.

**Broad appellate coverage**
There are several blogs that identify important appellate decisions from across the legal subject matter spectrum, including:

[^52]: BEST PRACTICES FOR LEGAL EDUCATION, [http://bestpracticeslegaled.albanylawblogs.org](http://bestpracticeslegaled.albanylawblogs.org) (last visited July 2, 2010).
• Appellate Law & Practice\textsuperscript{57},
• Findlaw’s Writ\textsuperscript{58},
• How Appealing\textsuperscript{59}, which includes many links to news reports and commentary on important decisions, and
• SCOTUSblog\textsuperscript{60}, which covers U.S. Supreme Court activity. It has been described as the “cleanup hitter in any murderer’s row of legal blogs.”\textsuperscript{61}

Often you will get links to briefs and even recordings or transcripts of oral arguments.

Legal theory
There are several very erudite blogs written by some of the leading lights in legal theory, including:

- Balkinization\textsuperscript{62}, led by Jack Balkin (Yale Univ.) and including Brian Tamanaha (Washington Univ.) and Mark Tushnet (Harvard Univ.), among others,
- Brian Leiter’s Legal Philosophy Blog\textsuperscript{63}, all Brian Leiter (Univ. of Chicago),
- Jurisdynamics\textsuperscript{64}, led by Jim Chen (Univ. of Louisville),
- Legal Theory Blog\textsuperscript{65}, Lawrence Solum (Univ. of Illinois) – good introductory material and vocabulary for jurisprudence,
- Ratio Juris\textsuperscript{66}, also led by Jim Chen but more political, and
- The Volokh Conspiracy\textsuperscript{67}, Eugene Volokh (U.C.L.A.) and (mostly libertarian) friends including Orin Kerr (George Washington Univ.) and Randy Barnett (Georgetown Univ.), \textit{inter alia}. Each has its own attitude and political slant. This is cutting edge legal theory, if you want to keep up with what’s hot.

Finding subject matter specific sources
You should follow the important blogs covering the courses you teach – it is likely that your students are doing so. I recommend starting with Law Professor Blog Network\textsuperscript{68}. This is a family of around fifty subject-specific blogs edited by some of the top names in their respective fields. Other good places to find useful blogs are:

- ABA Journal Blawg Directory\textsuperscript{69},
- The law page on Alltop\textsuperscript{70} (links to the latest posts in 136 law-related blogs),

\textsuperscript{57} Appellate Law & Practice, \texttt{http://appellate.typepad.com} (last visited July 2, 2010).
\textsuperscript{58} FindLaw’s Writ | Legal Commentary, \texttt{http://writ.news.findlaw.com} (last visited July 2, 2010).
\textsuperscript{59} How Appealing, \texttt{http://howappealing.law.com} (last visited July 2, 2010).
\textsuperscript{60} SCOTUSblog, \texttt{http://www.scotusblog.com} (last visited July 2, 2010).
\textsuperscript{61} Tom Gaylord, Keeping up with the bloggers, 96 ILL. B.J. 264 (2008), quoted in Mark E. Wojcik, Blawgs, LEGAL WRITING PROF BLOG (May 28, 2008), \texttt{http://lawprofessors.typepad.com/legalwriting/2008/05/blawgs.html}.
\textsuperscript{62} Balkinization, \texttt{http://balkin.blogspot.com} (last visited July 2, 2010).
\textsuperscript{63} Brian Leiter’s Legal Philosophy Blog, \texttt{http://leiterlegalphilosophy.typepad.com} (last visited July 2, 2010).
\textsuperscript{64} Jurisdynamics, \texttt{http://jurisdynamics.blogspot.com} (last visited July 2, 2010).
\textsuperscript{65} Legal Theory Blog, \texttt{http://solum.typepad.com} (last visited July 2, 2010).
\textsuperscript{66} Ratio Juris, \texttt{http://ratiojuris.blogspot.com} (last visited July 2, 2010).
\textsuperscript{67} The Volokh Conspiracy, \texttt{http://volokh.com} (last visited July 2, 2010).
\textsuperscript{68} Law Professor Blog Network, \texttt{http://www.lawprofessorblogs.com} (last visited July 2, 2010). Disclosure: My blog, ADMINISTRATIVE PROF LAW BLOG, is a member of the Law Professor Blog Network.
• **Blawg**\(^{71}\),
• **Law Blog Central**\(^{72}\) (selective),
• the law directory on **Blogged**\(^{73}\),
• **LexMonitor**\(^{74}\), which provides RSS feeds of blogs assembled by subject or source.

You can search for blogs on **Google Blog Search**\(^{75}\) and **Technorati**\(^{76}\), among others. In particular you may wish to find blogs from government agencies, NGOs, interest groups, and intelligent observers in your fields of interest. For example, if you are teaching environmental law you might want to follow the activities of the U.S. Environmental Protection Agency on **Greenversations**\(^{77}\) and Greenpeace on **Greenpeace USA**\(^{78}\).

**Three more blogs you should watch**

- The Legal Scholarship Blog\(^{79}\) posts information about conferences and law school workshops, including calls for papers.
- **Above The Law**\(^{80}\) bills itself as “A Legal Tabloid - News, Gossip, and Colorful Commentary on Law Firms and the Legal Profession,” but it is more than that. It’s funny, sardonic, and on top of what is going on in the culture of law. It regularly scoops mainstream legal media on news in the law firm and law school worlds. Ignore the comments.
- **ThirdLevel** to see if your law library publishes an RSS feed of new acquisitions\(^{81}\). If it doesn’t, ask your librarians to set one up. This will keep you informed of new books, journals, other physical items, and online resources available to you.

**Other alert systems**

Most\(^{82}\) major online legal publishers have one or more systems for generating alerts from search results or other news.

- **Bloomberg**\(^{83}\) provides alerts to new litigation and “active case monitors”. The former work from searches and notify you when sources relating to your search are added or updated. The latter are targeted at a specific matter and notify you of any new filings in that matter.

---

78 **Greenpeace USA Blog**, [http://members.greenpeace.org/blog/greenpeaceusa_blog/](http://members.greenpeace.org/blog/greenpeaceusa_blog/) (last visited July 2, 2010).
• Intelliconnect\(^84\) (Wolters Kluwer). Tracker News works from selected topics. “Trackers” can be emailed to you every morning or fed by RSS. You may follow as many topics as you like. You may either accept the default configuration or refine the scope to some degree.

• HeinOnline\(^85\) provides email alerts through MyHein feature that will tell you when a journal or other resource is updated.\(^86\) It appears that Hein intends to add further alert capabilities in the future.\(^87\)

• Lexis. As of the writing of this article, the law school version of Lexis has an alert system based on searches. You can create alerts from searches or from Shepard’s.\(^88\) To create an alert from a search, run the search and when it is giving you the results you want, click the “Save as Alert” link. On the default law school start page\(^89\), there is a tab labeled “Alerts” at which you can manage your alerts. I have been running a test Lexis alert for several months and have found it less than satisfactory. The items it reports are between six months to three years old.

• Loislaw\(^90\). LawWatch notifies you whenever Loislaw indexes a new document satisfying certain user-configured search criteria. LawWatch may be activated from any search results list or document display.\(^91\)

• Westlaw. Depending on your subscription, Westlaw offers up to seven different alert types\(^92\):
  
  o Agency Tracker (for a specified federal agency, monitors the FEDERAL REGISTER and Westlaw-selected databases), and
  o Docket Alert (monitors trial courts for new cases or new filings in specified cases),
  o D&B Alert (monitors D&B reports by DUNS number).
  o IP Filing Rules Alert (same as KeyRules Alerts for the United States Patent and Trademark Office),
  o KeyCite Alert (runs a citation check for a specific item against a broad range of databases),
  o KeyRules Alert (monitors selected court rules for changes),


\(^{86}\) E-mail from William S. Hein & Co., Inc., marketing@wshein.com, to author (July 2, 2010, 10:36 MST) (on file with author) (“HeinOnline’s June 2010 Newsletter, Issue #6”).

\(^{87}\) Id.


\(^{92}\) For more details, see the Scope Information links for each type of alert on the Alert Center Directory, accessible from your Westlaw start page.
WestClip (daily run of a search against a specific database, results emailed),

Remember that these services change frequently. With the arrival of WestlawNext, we can expect changes in names, scope, and capabilities for most of these services. I recommend you check the Help pages in each of the services available to you to get a better understanding of what each can do for you.

Saving and organizing your electronic notes

I was taught to keep my notes and citations on 3-by-5 cards. I usually used yellow legal pads and leafed through them to find what I was looking for. We don’t have to do that anymore. With the volume of information through which we must sift, we can’t do that anymore. Remember, anything you cannot find may as well not exist.

“Reference management software” (also known as “personal bibliographic management tools” and “citation managers”) comes close to automating the entire citation process, from finding to recording to citing to creating bibliographies. The key point here is that you can use one of these programs and not have to write anything down. Each program can make a note for you from something you see online in one or two clicks, a note you can edit and tag so that you can easily find it when you need it. Some available programs:

- **EndNote** was originally designed for ease of use by individuals with different degrees of experience in citation searching, but who still needed to store and manage large amounts of bibliographic information on their personal computers.

- **Microsoft [MS] Office OneNote** is included with some versions of MS Office or can be purchased separately. It integrates with other MS Office products and has heavy-duty search, character recognition, and collaboration tools. It was originally intended for pen-enabled Tablet PCs, and works with pen, audio, and video notes.

- **ProCite** was designed more for information specialists working for others in environments with multiple work forms, computer operating systems, differing client citation search needs and criteria, and where specialized private databases were needed. As a result, it was designed to be highly customizable in citation searching.

---


96 Citation Managers, PURDUE UNIVERSITY LIBRARIES, [http://www.lib.purdue.edu/info/citation_managers/choose.html](http://www.lib.purdue.edu/info/citation_managers/choose.html) (last visited July 6, 2010).


100 Citation Managers, PURDUE UNIVERSITY LIBRARIES, [http://www.lib.purdue.edu/info/citation_managers/choose.html](http://www.lib.purdue.edu/info/citation_managers/choose.html) (last visited July 6, 2010).
- **Reference Manager**\(^\text{101}\) is a basic citation manager very similar to *EndNote* in use. It contains most of the features of *EndNote* but without the depth.\(^\text{102}\)
- **Zotero**\(^\text{103}\) was created by George Mason University. It is a free open source *Firefox* browser\(^\text{104}\) extension that is especially suited for saving and organizing web pages. You can create different collections and tags, and it extracts most of the metadata from web pages and PDF documents. A standalone version that will work with other browsers is in development as of the writing of this article.\(^\text{105}\) I use Zotero because it makes it easy to save information I come across when I am looking for something else. And the price is right.

### An obligation to your colleagues

I have been an academic law librarian for five years. I have watched, intently, the activities of the brilliant faculty at my school. They are wonderful teachers and scholars. However, one common behavior has impressed me negatively.

During the Cold War I served as an intelligence staff officer in Germany. During exercises, my function was to manage and facilitate the flow of information about the enemy, weather, terrain, and civilian population. Part of Army intelligence doctrine – the discipline of intelligence staff activities – was to make sure that relevant information flowed up (to higher headquarters), down (to subordinate commands), and sideways (to physically adjacent and collocated units). I kept the other staff sections of my headquarters informed about the enemy, and expected them to keep me informed about operational and logistical matters that might have an impact on intelligence operations. If I came across an item of information that might be of interest to another unit, I sent it off. When I practiced law, I passed information of interest to the other lawyers in my firm and expected them to do the same for me. However, I have not observed members of our faculty passing information to one another.

<soapbox> I ask you, gentle reader, to assume an obligation: I ask you to think about each item of information that crosses your path and ask yourself, which of my colleagues might be interested in this? In most instances it will be as easy as forwarding an email. If a torts blog posts an interesting civil procedure discussion, forward the item to your colleagues who are teaching or writing about civil procedure.\(^\text{106}\) If enough faculty members take on this obligation, we may be able to make it part of law faculty culture. All will benefit. </soapbox>


\(^{102}\) Citation Managers, Purdue University Libraries, http://www.lib.purdue.edu/info/citation_managers/choose.html (last visited July 6, 2010).


\(^{105}\) Sean, Standalone Zotero, Zotero (April 15, 2010), http://www.zotero.org/blog/standalone-zotero/.

\(^{106}\) It is my opinion that the best analysis of the impact of *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544 (2007), and *Ashcroft v. Iqbal*, 129 S.Ct. 1937 (2009), on pleading can be found on the Drug and Device Law blog, James M. Beck, Drug and Device Law, http://druganddevicelaw.blogspot.com/ (last visited July 14, 2010).
Concluding guidance

The sneakiest trick to keeping up with the flow of information is to exploit the work of bloggers who cover subjects of interest to you. You don’t need to subscribe to every blog that has news on administrative law if the editors of the Administrative Law Prof Blog cover them and select the most important items for you. Similarly, you don’t need to check every SSRN or bepress abstract every day if Legal Theory Blog is going to link to the most important papers in those repositories.

And remember the “delete” buttons in your email program and your feedreader are your very good friends. You will be able to judge from titles and opening sentences what is relevant to you. If an email item or a blog post doesn’t look useful, kill it and move on. As you continue reading, you will get a feel for bloggers and blogs that you can trust.

It is important to remember that things change quickly on the Internet. “Link rot” – hyperlinks that no longer go anywhere – is a fact of life. Blogs die, but are sometimes reborn. Standards change; some applications keep up, others whither. New applications come to dominate the information environment or flash and disappear. You just have to get used to this. When you get a “404 Not Found” error message, don’t get angry or give up. The site on which what you seek is located may have been reorganized – your page may well be there, somewhere. You just need to search for it. Accept that a program you have come to know and love may suddenly change or even be orphaned. You will need to learn how to use a new one. That’s just life in the information world of the 21st Century.

Even with all the tools I’ve described above, it is going to be hard to monitor this flow of information by yourself. Use those smart people out there on the Internet. Help your faculty colleagues and ask them to help you. And when you are stuck, ask your librarian.

Keep in mind that you now have at your fingertips access to vast amounts of information and knowledge, from raw data and news to the thoughts of some of the world’s greatest scholars. I was born in the first half of the 20th century and I have been able to figure this stuff out; so can you. It is your duty as a professor and as a lawyer. You can let the rushing surf wash you away, or you can grab your surfboard and ride the waves.

NWEOI. YMMV. And,

DON’T PANIC.

_____________________

107 For example, the ADMINISTRATIVE LAW PROF BLOG, http://lawprofessors.typepad.com/adminlaw/, stopped posting in October, 2007, then resumed with new editors in July, 2008.
109 “No warranties express or implied.”
110 “Your mileage may vary.”