Cost Effective Legal Research Redux: How to Avoid Becoming the Accidental Tourist Lost In Cyberspace

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COST EFFECTIVE LEGAL RESEARCH REDUX: HOW TO AVOID BECOMING THE ACCIDENTAL TOURIST, LOST IN CYBERSPACE

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COST EFFECTIVE LEGAL RESEARCH REDUX: HOW TO AVOID BECOMING THE ACCIDENTAL TOURIST, LOST IN CYBERSPACE

Lisa Smith-Butler*  

I. INTRODUCTION

There are three primary sources of American law produced by the three branches of American government. These sources are:

- Opinions published by the judicial branch, i.e. the courts;
- Legislation or statutes enacted and then published by the legislature; and
- Regulations promulgated under the power of the legislative branch and published by regulatory agencies as well as executive orders and executive orders and proclamations which are issued and published by the executive branch under its own authority.  

With citations or names, it is relatively easy to access these materials in print or in electronic format. If the material is lacking a citation, popular or party name, bill, public law or docket number, it is necessary to utilize finding aids to locate the relevant material. As American law evolved over the centuries, a number of finding aids and updating tools were developed to assist legal researchers. When using

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2 U.S. Const. art. I, II, III.
3 See generally Berring & Esdoin, supra note 1, at 14-15.
4 Id.
5 See id. at 102-16. See also Mersky & Dunn, supra note 1, at 81.

these precise finding aids and updating tools with understanding, researchers were said to be performing cost-effective legal research.  

Generations of law students, now attorneys, learned to research with print finding aids. Several resources, such as digests, American Law Reports, law reviews, loose leafs, and treatises, were created to assist the researcher when locating cases by subject. Popular names tables and indexes provided access to statutes and regulations. Sheppard's Citation Service allowed researchers to update their materials.  

In the 1970s, the electronic computer assisted legal research systems of Westlaw and LexisNexis (Lexis) were created by researchers familiar and comfortable with the print process of legal research. Thus, these new fee-based electronic systems relied upon the foundation of print legal research as the basis for their development. As electronic resources continued to grow, develop, and expand, law schools suddenly found themselves with Gen X and Millennial students who

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7 See Berring & Esdoin, supra note 1, at 5.
8 See id. at 5, 102-16.
9 See Mersky & Dunn, supra note 1, at 170, 223-24.
10 See id. at 67-69.
14 See Berring & Esdoin, supra note 1, at 5-6.
were raised on computers and the Internet. These students were interested in using electronic rather than print resources. Since the late 1990s, a contentious debate has ensued among law professors, law librarians, and legal research and writing instructors about the value and validity of print and electronic resources. With flat or shrinking budgets for library materials, and rising costs of serials, academic law libraries struggled to make sense of the new world of electronic resources while trying to juggle the duplicative coverage created by electronic resources with print and micro formats. Students continued to learn print research in legal bibliography or legal research and writing classes, but dismissed print research tools as irrelevant until summer clerkships and lack of access to Westlaw and Lexis revealed their lack of research skills.

Because of the above, it appears that this transitional generation will need to understand both print and electronic legal research. Accepting that, it also seems important to acknowledge that these students prefer the electronic format to either the print or micro format. As legal research transitions into electronic formats, perhaps the most useful and cost-effective approach to teaching students should be to focus on the three branches of government, the information produced by those branches, where the information is published, and the format in which it is available. In order to perform cost-effective legal research, students need to know how to precisely locate primary and secondary sources of law. They need to know in what sources these materials can be located; and they must also know how to evaluate these sources, whatever their format.

31 See Wu, supra note 17, at 251.
32 I am indebted to my colleague, Dean Gail Levin Richmond, for sharing this approach as she taught taxes to my advanced legal research class.
33 Both states and the U.S. government are placing their primary sources of law on the Internet. While much of this information is now available in electronic format, concerns do exist as to the authentication of these materials. See, e.g., AALL, State-by-State Report on Authentication of Online Legal Resources, http://www.aallnet.org/aalwash/authenreport.html (last visited Mar. 3, 2008). Although the technology exists to authenticate the materials, the majority of states have not yet done so. See Robert C. Berring, Litigating the Law: A Call to Arms, 10 Green Bag 2d 279, 280 (2007) ("Not one state has put in place a system that authenticates and preserves the new digital information."). In order to educate the appropriate government entities on the topic, the American Association of Law Libraries (AALL) recently convened a national summit to deal with the authentication of legal information in the digital age. See American Association of Law Libraries, Authentic Legal Information in the Digital Age: AALL National Summit, http://www.aallnet.org/summit/default.asp (last visited Jan. 19, 2008). AALL recently published a report, listing the authentication of online legal resources by state. See Richard J. Matthews & Mary Alice Baish, AALL 2005-2006 Access to Electronic Information Committee, State-by-State Report on Authentication of Online Legal Resources, http://www.aallnet.org/summit/matthewsreport.pdf. To deal with these concerns and raise legislative awareness of the issues, the Legal Information Preservation Alliance (LIPA) was created. Legal Information Preservation Alliance, http://www.aallnet.org/committee/ (last visited Jan. 19, 2008). LIPA’s stated mission is “to provide the leadership, the necessary organizational framework, and the professional commitment necessary to preserve vital paper and electronic legal information by defining objectives, developing and/or adopting appropriate standards and models, creating networks, and fostering financial and political support for long term stability.” Id. AALL also published a document, listing the U.S. government information that is permanently available via PURLS (Permanent Uniform Resource Locator). See Richard J. Matthews et al., American Association of Law Libraries, State-by-State
Before using an Internet site, students should evaluate it just as a print source would be evaluated. A student should consider:

- Whether the publisher of the site is reputable and knowledgeable;
- Whether the content of the site is accurate, authentic, and objective;
- Whether the content can be retrieved via keyword, author, or title searching;
- Whether the information is current; and
- Whether the information is frequently updated.  

To assist law students with evaluating legal web sites containing primary and secondary sources of law, this article reviews certain free Internet sites pertaining to primary sources of federal and state law as well as secondary sources. When using these sites with understanding, legal researchers are said to be performing cost effective legal research and will avoid becoming an accidental tourist, lost in cyberspace.

II. COURT OPINIONS

A. United States Supreme Court Opinions

The United States Supreme Court is at the apex of the federal court system. Having both appellate and limited original jurisdiction, the Court is the court of “last resort.” Opinions produced by the Court are available in several sources, in both print and electronic format. In print, there are three reporters and a loose leaf service that publish Court opinions. The U.S. Reports, published by the Govern-

29 Id.
30 Both Lexis and West publish cumulative digests for their Supreme Court reporters with comprehensive coverage from 1754 to the present. Id. Party name, citation, and subject indexes are available. Id.; see also DIGEST OF UNITED STATES SUPREME COURT REPORTS: LAWYER’S EDITION (LEXISNEXIS) (1754 - Present); UNITED STATES SUPREME COURT DIGEST, (West) (1754-Present).
its publication, United States Supreme Court Library.\textsuperscript{37} Searching is via keyword, party name, or citation.\textsuperscript{38}

Several reputable Internet sites provide access to Court opinions. These include the official U.S. Supreme Court site,\textsuperscript{39} Cornell's Legal Information Institute,\textsuperscript{40} FindLaw,\textsuperscript{41} FLITE,\textsuperscript{42} and Oyez.\textsuperscript{43} While all of these sites provide access to Court opinions, the focus of each site as well as the respective dates of coverage differ. Search engines also vary from site to site.

Presented by the U.S. Supreme Court, the Court's official site is aptly named, "Supreme Court of the United States."\textsuperscript{44} The site provides an enormous amount of information for the practitioner and the legal researcher. Practitioners can access both the Court's docket\textsuperscript{45} and oral argument calendar\textsuperscript{46} for scheduling purposes. They can also review the Court's rules\textsuperscript{47} and case handling guidelines.\textsuperscript{48} A history of the Court as well as photographs and biographical information about present and past Justices is available.\textsuperscript{49} A recent feature provides transcripts of oral arguments from October 2000 to date.\textsuperscript{50} In October of 2006, the Court began posting transcripts of oral arguments to the site on the same day that the case is argued.\textsuperscript{51}

The full text of all Court opinions issued from 2004 onwards is available at this site.\textsuperscript{52} Access is to either recent slip opinions or term opinions, published in reverse chronological order and hyperlinked.\textsuperscript{53} Earlier opinions (1991-2001) can be located by a keyword search on the home page of Oyez or by using a case citation finder that must then be applied to the hyperlinked volumes that are labeled "bound."\textsuperscript{54}

Cornell's Legal Information Institute also provides access to the full text of Court opinions.\textsuperscript{55} Coverage is comprehensive for decisions rendered from 1990 onwards. Coverage is selective for decisions issued prior to 1990, using significant historical value as the selection criteria.\textsuperscript{56} Access to the decisions is via a topical search, a justice-authored search, a party name search, or a date search using either the month or term.\textsuperscript{57} There is also information about the Court's calendar and rules as well as biographical information about the Justices.\textsuperscript{58} The liliubulletin, an electronic current awareness resource published and produced by Cornell second- and third-year law students, provides commentary on cases pending before the Court.\textsuperscript{59} The site also provides hyperlinks to briefs located on the American Bar Association Website, oral arguments reproduced on Oyez, and oral argument transcripts published on the official Court site.\textsuperscript{60}


\textsuperscript{38} See Oyez, supra note 43.

\textsuperscript{39} See Supreme Court Collection, supra note 40.

\textsuperscript{40} See Cornell University Legal Information Institute, About Supreme Court Collection, http://www.law.cornell.edu/supct/supremes.htm (last visited Jan. 18, 2008).

\textsuperscript{41} See Supreme Court Collection, supra note 40.

\textsuperscript{42} See id.


\textsuperscript{44} See Supreme Court Collection, supra note 40.
FindLaw, created by attorneys in northern California and eventually purchased by Thomson West, is also available for electronic case research. This site provides comprehensive coverage and access to the full text of Court opinions from 1893 to present. Access is via publication year, official U.S. citation, party name, or keyword search. There is a limited updating feature within the U.S. Supreme Court and circuit court files at this site. Links are readily available to Keycite, one of Thomson West's commercial products. In addition to the full text of Court opinions, this site also provides access to additional Court information, including the Court's calendar and rules. The U.S. Supreme Court at this site provides access, via the oral argument date, to the Court's docket sheet, the full text of decisions from the lower courts, and briefs submitted to the Court, including petitioner, respondent and amicus briefs.

FLITE, developed in 1992 and maintained by the National Technical Information Service of the U.S. Government, provides comprehensive coverage to Court decisions between 1937 and 1975. Decisions can be searched either by keyword or party name.

Oyez, published by Northwestern University with support from the National Endowment for the Humanities, is noted for its audio recordings of oral arguments made before the Court. This site provides access to all recorded proceedings in the Court recorded from 1995 onwards. Selected audio from 1955 to 1995 is available at this site; the site's ultimate stated goal is to provide "a complete and authoritative source for all audio recorded in the Supreme Court since the installation of a recording system in October 1955." Audio in the format of MP3 files and podcasts is available from the 2005 term onwards while earlier audio is available in the RealPlayer format available for computer use. Select news media releases are podcasts, allowing the user to download updates with iTunes. Really Simple Syndication (RSS) feeds are available for news headlines from the site.

In addition to the audio of oral arguments made to the Court, Oyez also provides access to blogs and other current-awareness resources. It links to the SCOTUS blog, which offers commentary about current cases before the U.S. Supreme Court. Docket reports are also available from Appellate.net, which is published by the law firm Mayer Brown LLP. There is also a link to a site maintained by the Medill School of Journalism at Northwestern University. On the Docket, which aggregates articles about cases pending before the U.S. Supreme

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63 FindLaw, supra note 61.
64 FindLaw, Supreme Court Opinions, supra note 41.
65 See id.
66 You must actually locate a case to access the updating feature. It is not a separate and distinct feature like Keycite in Westlaw or Shepard's in LexisNexis. Look for "Cases Citing this Case: Supreme Court" or "Cases Citing this Case: Circuit Courts."
69 See id.
70 Federal Legal Information Through Electronics, supra note 42.
72 Id.
73 Id.
74 Oyez, supra note 43.
76 Northwestern University, About Oyez, http://www.oyez.org/about/ (last visited Jan. 18, 2008).
78 Id.
79 Id.
80 Oyez, supra note 43.
82 See Oyez, supra note 43.
85 See SCOTUSBLOG, supra note 83.
Court, and provides a list of current cases. An RSS feed is available for On the Docket.

Historical and pictorial information is also available at the Oyez site. A virtual tour of the U.S. Supreme Court, including selected Justices’ chambers, is available. Photos, paintings, and biographical information are provided about each Justice of the Court since its inception.

Access to selected full text opinions is also available at this site. Opinions can be searched by date, an Oyez-created subject index, or keyword search of the full text. Searching via a Justice’s name or an advocate’s name is also possible. Opinions are linked to Justia.com’s beta site known as the “US Supreme Court Center.”

As the above sites demonstrate, audio recordings of oral arguments, transcripts of oral arguments, briefs, docket sheets, and the full text of Court opinions are readily available at no charge to the cost-effective legal researcher. In addition, commentaries and opinions by law professors and Court practitioners are now available at the click of a mouse.

There are many blogs available about the Court. A selected list includes:

- The ACLU blog, which is authored by the American Civil Liberties Union and reflects concerns with special RSS feeds for topics such as capital punishment, civil liberties, drug law, free speech, government spying, privacy and technology, religious freedom, reproductive rights, torture and abuse, and women’s rights.
- The ACS blog, which is edited by law students from Yale, Rutgers, Texas, and Virginia. The American Constitution Society for Law and Policy was founded in 2001. The stated mission is to protect the “fundamental principles of human dignity, individual rights and liberties, genuine equality, and access to justice…” by ensuring that these principles “enjoy their rightful, central place in American law.”
- The Balkinization blog, which was created by Yale Law School professor, Jack M. Balkin. Other bloggers at this site now include: Ian Ayres, Lee Epstein, Mark Graber, Stephen Griffin, Scott Horton, Andrew Koppel, Marty Lederman, Sanford Levinson, David Laban, Kim Scheppel, Brian Tamanaha, and Mark Tushnet. The blog provides commentary on how legal topics interact with politics and culture.
- The Behind the Homefront blog was created by reporters concerned about a free press. It is self-described as “a daily chronicle of news in homeland security and military operations affecting newsgathering, access to information and the public’s right to know.”
- The Campaign for the Supreme Court blog, which was created by The Washington Post to track Court nominations. It

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97 Id.
98 Balkinization, http://balkin.blogspot.com/ (last visited Jan. 24, 2008). The blog is still run by Jack Balkin and numerous other contributors are listed on the blog’s main page in the left margin.
100 Balkinization, supra note 98.
101 See id.
103 Id.
focuses on the process, the politics, and the strategies involved in the nomination process.\textsuperscript{105} 
• The Media Law blog,\textsuperscript{106} which was created by legal technology attorney Robert J. Ambrogi, who blogs about freedom of the press.
• The SCOTUS blog,\textsuperscript{107} which is published and edited by the Court practice Akin, Gump, Strauss, Hauer & Feld, L.L.P., provides commentary and analysis about the Court as well as discussions about new filings, orders, and opinions.\textsuperscript{108}

To keep current with Court information, alerts can be created using several sources. Google Alerts,\textsuperscript{109} RSS feeds from Cornell University’s Legal Information Institute’s Court site,\textsuperscript{110} Oyez,\textsuperscript{111} and the SCOTUS blog all provide free alerts.\textsuperscript{112} Fee alert services include Lexis Alerts,\textsuperscript{113} Loishlaw Watch Alerts,\textsuperscript{114} and Westlaw Westclips.\textsuperscript{115}

A social book marking site, del.icio.us, allows registered users to tag and post articles of interest.\textsuperscript{116} Del.icio.us tags regarding the Court are available, with links to articles recommended by individuals interested in the Court.\textsuperscript{117} Since anyone can post, care should be utilized when accessing this site.\textsuperscript{118} Nonetheless, recent interesting posts include a link to A Supreme Court Conversation, published by online Slate Magazine.\textsuperscript{119}

Finally, Justia’s Blawg Directory is a directory of 2,431 law related blogs.\textsuperscript{120} Searching is via subject-created categories, analogous to an index, as well as by publisher (i.e. state, country, or law school).\textsuperscript{121} Constitutional law is an available subject category.\textsuperscript{122}

B. United States Circuit Courts of Appeals

Poised between the U.S. district courts and the U.S. Supreme Court are the U.S. circuit courts of appeals. There are eleven circuit courts of appeals as well as the District of Columbia Circuit Court and the Federal Circuit Court.\textsuperscript{123} Decisions from these federal courts of appeals are published in print and electronic formats. Electronic formats include fee and free Internet sites.

Decisions from all U.S. circuit courts of appeals issued between 1789 and 1880 are published in thirty print volumes of Federal Cases.\textsuperscript{124} From 1880 to the present, print decisions from the U.S. circuit courts of appeals are published in the Federal Reporter series, which is part of West’s National Reporter System.\textsuperscript{125} Access to these

\textsuperscript{118} What is del.icio.us, supra note 111.
\textsuperscript{119} See del.icio.us, Search, http://del.icio.us/search/?fr=del_icio_us&p=a+recent+supreme+court+conversation&type=all (last Mar. 6, 2008).
\textsuperscript{121} Id.
\textsuperscript{122} See id.
\textsuperscript{123} Smith-Butler
\textsuperscript{124} Federal Cases, (West) (1894-1997).
print cases can be found with a series of non-cumulative federal digests.\textsuperscript{126} Fee electronic resources also provide access to the full text of decisions from the circuit courts of appeals. Westlaw provides access via its CTA databases,\textsuperscript{127} while Lexis makes the opinions available in its Cases-US/All Courts by Circuit files.\textsuperscript{128} Loislaw provides access to the full text of opinions from 1924 to the present.\textsuperscript{129}

Several Internet sites either maintain or provide access to official opinions of the circuit courts of appeals. Perhaps one of the best-known sites belongs to Emory University School of Law, MacMillan Law Library, Federal Courts Finder.\textsuperscript{130} Emory developed this site in the mid-1990s.\textsuperscript{131} At that time, it provided access to the full text of opinions from the First, Fifth, Sixth, Eleventh, and Federal Circuits. Today,

\textsuperscript{126} See \textit{Federal Claims Reporter} (West) (1983-Present); Veterans Appeals Reporter (West ed.) (1983-Present). Regional Reporters, see note 174, infra; published by West are also part of this National Reporter series. See \textit{Berring & Edmister}, supra note 1, at 44-45.

\textsuperscript{127} See \textit{The William S. Richardson School of Law, Law Library} (2006), http://library.law.hawaii.edu/refexLegal_research_Guides/Legal_Digests.pdf (discussing \textit{Federal Digest} (West) (1941), \textit{Modern Federal Practice Digest} (West) (1960-1961), \textit{Federal Practice Digest} (West ed. 2nd, 4th) (1976-1999)). These series contain party name and citation indexes as well as subject indexes. See \textit{Berring & Edmister}, supra note 1, at 108-09. Topics and key numbers are also part of this case finding system. Id. Since this series does not cumulate, as do the U.S. Supreme Court digests, each series must be examined.


\textsuperscript{132} See id.

\textsuperscript{133} See, e.g., Emory University School of Law, First Circuit Opinions, http://www.law.emory.edu/lcirquit/ (last visited Mar. 6, 2008).

\textsuperscript{134} The First Circuit Court of Appeals had opinions maintained by Emory from 1995 to 2001. Id. In 2001, the First Circuit Court of Appeals began maintaining its own official Internet site. See United States Court of Appeals for the First Circuit, http://www.ca1.uscourts.gov/locator3/ (last visited Jan. 17, 2008).

Emory no longer maintains official circuit court sites.\textsuperscript{135} Opinions may be searched by party name, keyword, or date of decision.\textsuperscript{136} In addition to maintaining official sites for these circuit courts, the Federal Courts Finder also operated as a portal to decisions from other circuits as well as the D.C. and Federal Circuits.\textsuperscript{137} Today, Emory continues to maintain the Federal Courts Finder with links to official circuit courts of
appeals' sites. These official sites then provide access to court opinions; search engines vary from site to site. Perhaps, the Federal Courts Finder is best known for the circuit court map, color-coded by geography and circuit.

Villanova's Federal Court Locator maintains the official Third Circuit Court of Appeals' Internet site. It also provides a portal to the other official circuit court sites. FindLaw provides links to Internet sites for the circuit courts of appeals.

The official federal government Internet site that provides portal access to the opinions of the circuit courts of appeals is the U.S. Courts site. In addition to providing links to official sites containing court opinions, this site also provides access to statistical reports, as well as manuals, including the Code of Conduct, U.S. Judges. Like Emory's Federal Courts Finder, this site also has a map geographically color-coded by circuit. It allows researchers to search for federal circuit and district court information by district, circuit, zip code, area code, county, or state. Once the appropriate court is located, searching can usually be done via party name, keyword, or docket number, but it varies from court to court.

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135 See First Circuit Opinions, supra note 133.
137 See Federal Courts Finder, supra note 130.
139 See id.
140 See id.
141 Home Page, supra note 61.
145 Federal Courts Finder, supra note 130.
147 Id.
150 See id.
151 See id.
157 See id.
C. United States District Courts

Decisions from United States district courts are also available in print and electronic format. Each state has at least one U.S. district court; some states have more.159 Print decisions from U.S. district courts can be located in two sources: the Federal Reporter,160 and the Federal Supplement.161 Between 1879 and 1932, decisions from U.S. district courts were published alongside opinions from U.S. circuit courts of appeals in the Federal Reporter series.162 After 1932, U.S. district courts obtained their own publication, the Federal Supplement, which now includes the Federal Supplement, Second Edition.163 As with opinions from the U.S. circuit courts of appeals, access to print decisions is done with the Federal Digest series,164 which is non-cumulative. Electronic fee services also provide access to U.S. district court opinions. In Westlaw, these opinions can be found in the DCT databases165 while Lexis provides access through Federal Court Cases, Combined.166 Loeb law provides access to selected federal district court opinions from 1921 onwards.167

Several Internet sites exist that provide portal access to either information or information and opinions from U.S. district courts. Both

162 See Berring, supra note 1, at 45.
163 See id.
164 See FEDERAL DIGEST, supra note 126.

The official site providing portal access to U.S. district court Internet sites is published by The Federal Judiciary.169 Cornell's Legal Information Institute also provides portal access to official U.S. district and bankruptcy court Internet sites.170 A chart, organized by circuit, indicates whether an official U.S. district court site has only information available or whether it contains both information and opinions.171

D. State Supreme Courts

State supreme court decisions can also be located in print and electronic format. Some states have an official print publication of their decisions,172 while other states simply rely upon the West Regional Reporter to be the official print publication.173 Because of finite monetary and space constraints, West divided the country into seven regions in the late 1800s, and state supreme court decisions are published in the regional reporter servicing the particular state.174 Again, access is gen-
erally via a digest, either regional or state,\textsuperscript{175} that generally allows for searching via party name, citation, or subject.

Fee and free electronic access to state court decisions is also available. In Lexis, state court decisions can be found in alphabetical order by state, under the Legal, States Legal - U.S. library,\textsuperscript{176} while Westlaw provides access in its Cases by State and Other U.S. Jurisdictions database.\textsuperscript{177} Loislaw also provides access to the full text of state supreme court decisions in its State Library.\textsuperscript{178} While coverage varies by state, Loislaw generally provides coverage from the mid twenties to present.\textsuperscript{179}

Internet access to state court decisions is also available and has greatly increased since the late-nineties. Cornell’s Legal Information Institute provides a portal to all fifty states.\textsuperscript{180} Links to official state internet sites are organized into three categories: judicial opinions, regulations and other agency information, and other state legal collections.\textsuperscript{181}

FindLaw also provides an alphabetical portal with access to information from all fifty states.\textsuperscript{182} Information is organized as follows:

\textsuperscript{175} There are five regional digests that are still being published, namely ATLANTIC DIGEST (West ed., 1st-2nd) (1966-Present), NORTH WESTERN DIGEST (West ed., 1st-2nd) (1879-Present), PACIFIC DIGEST (West ed., 1st-4th) (1942-Present), SOUTHERN DIGEST (West) (1969-Present) and SOUTH EASTERN DIGEST (West ed., 1st-2nd) (1949-Present). See BIRNIE & EDDICHER, supra note 1, at 107.


\textsuperscript{179} See id.


III. LEGISLATION

Promulgated by the legislative branch, legislation is enacted by elected bodies in order to regulate individual, corporate, and govern-
A. Federal Session Laws

Federal session laws are published in two formats that are available both electronically and in print: Statutes at Large and United States Code Congressional and Administrative News. Statutes are available electronically at both fee and free sites. At GPO Access, the Statutes at Large are available for 2004, the 109th Congress, and can be searched by subject, public law number, popular name, statute, or U.S. Code citation, or bill number. The Library of Congress makes the index and lists of Public Acts/Private Acts/Treaties of the Statutes at Large from 1789 to 1875 available. At this site, the researcher can

186 Mersky & Dunn, supra note 1, at 149-51.
187 See Berring & Edinger, supra note 1, at 119.
188 See Mersky & Dunn, supra note 1, at 149-51.
191 United States Statutes at Large (Stat.) is the official government publication of the federal session laws while the United States Code Congressional and Administrative News (U.S.C.C.A.N.) is a commercial publication containing the session laws as well as selected legislative history. Berring & Edinger, supra note 1 at 126-27.
196 See id.
197 See id.
198 See id.
201 See Berring & Edinger, supra note 1, at 126; see also Researching Federal Statutes and Legislative Materials, supra note 199, at 21.
202 Welcome to Westlaw, https://web2.westlaw.com/Welcome/westlaw/default.wl?fn = Top&rs=WLW.03&km=Westlaw&ver=2.6&sw=Split (last visited Mar. 21, 2008) (log into Westlaw and then search for "USCCAN" in the "Search These Databases" field on the left side of the page).
203 See id.
204 See id.
205 See id.

208] Smith-Butler

The United States Code Congressional Administrative News (USCCAN) is published by West in both print and electronic format. The electronic format is available only on Westlaw. Beginning in 1948, USCCAN became the commercial publication for federal session laws. It provides access to the full text of the law as initially passed during a particular congressional session, full text of major legislative reports published to accompany the law, and limited legislative history. Public law and bill numbers, as well as a date of passage, can also be ascertained from this source.
B. Federal Codifications

While session laws are excellent resources for reconstructing the historical aspects of federal legislation, researchers looking to locate the law that is currently in force should consult a code. A code is the subject-arrangement of the law that is currently in force. In print format, there are three publications of a federal code: the United States Code, the United States Code Annotated, and the United States Code Service.

The United States Code, published by the Government Printing Office, is the official code. It can be searched by subject, citation, or popular name. In addition to its print format, it can also be located on several Internet sites such as Cornell’s Legal Information Institute, FindLaw, GPO Access, and the United States House of Representatives’ Office of Law Revision Counsel.

Cornell’s Legal Information Institute provides researchers with access to both the United States Constitution and the United States Code. The Constitution can be browsed by preamble, article, or amendment. The United States Code can be searched via popular

206 See BIERING & EDINGER, supra note 1, at 128.
207 See id. at 129.
208 Id. at 131.
209 Id. at 126.
211 BIERING & EDINGER, supra note 1, at 129–30.
218 See U.S. Code Collection, supra note 212.
219 See id.
220 See id.
221 U.S. Code, supra note 213.
222 See id.
224 U.S. Code, supra note 213.
225 See id.
226 See id.
228 See id.
and supplement four of the Code is also available at this site.\textsuperscript{230} It can either be browsed by title or searched via keyword.\textsuperscript{231} Public law information, as well as later amendment information about a particular provision, immediately follows the full text of the selected statutory provision.\textsuperscript{232}

Pursuant to 2 U.S.C. § 285(b)(3), the House of Representatives’ Office of the Law Revision Counsel prepares and publishes the United States Code.\textsuperscript{233} At this site, the researcher can search by either keyword or citation.\textsuperscript{234} The entire United States Code can be browsed in either PDF or ASCII formats.\textsuperscript{235} A table of sections with amendments enacted, omitted, repealed or transferred, via legislative session, is included.\textsuperscript{236} Instructions for updating refer the researcher to the GPO Access site.\textsuperscript{237}

Fee electronic access to the United States Code is also available via Lexis and Westlaw.\textsuperscript{238} Loislaw and VersusLaw also provide fee access to federal legislation.\textsuperscript{239}

\textsuperscript{231} See id.
\textsuperscript{232} See id.
\textsuperscript{233} 2 U.S.C. § 285(b)(3); see also Office of the Law Revision Counsel, supra note 215.
\textsuperscript{236} See id.
\textsuperscript{237} See id.

\textsuperscript{242} See Thomas, supra note 240.
\textsuperscript{243} See id.
\textsuperscript{244} See id.
\textsuperscript{245} See id.
\textsuperscript{246} Selected committee reports are published in the United States Code Congressional Administrative News (U.S.C.C.A.N.) as well as other sources. For a discussion of committee reports, see HORNING & EDINGER, supra note 1 at 178-80.
\textsuperscript{248} Thomas, supra note 240.
\textsuperscript{249} See Thomas, supra note 240.

C. United States House and Senate Bills

Researchers trying to obtain pending federal legislation in the form of bills, congressional debates, and committee reports can locate a great deal of information at the Library of Congress’ Internet site, thomas.loc.gov.\textsuperscript{240} Pending bills and resolutions, in both the U.S. House of Representatives and the U.S. Senate, can be found at this site from the 101st Congress to the present.\textsuperscript{241} Bills can be searched by keyword, a Library of Congress-created index (known as standard subject searching), a bill’s sponsor, a House or Senate committee, or by date.\textsuperscript{242} Both individual and multiple congresses can be searched.\textsuperscript{243} The full text of the bill, its summary and status, and any congressional actions pertaining to it can be retrieved.\textsuperscript{244} Related bills are listed, along with the bill’s sponsors and co-sponsors.\textsuperscript{245} Legislative intent is also ascertainable at this site via both House and Senate committee reports.\textsuperscript{246} Committee reports are available from the 104th Congress and can be searched via keyword, committee, or date.\textsuperscript{247} Legislative intent can also be discerned from congressional debate available via the Congressional Record.\textsuperscript{248} The Congressional Record, available in print and electronic formats, records the daily debate occurring in House and Senate sessions.\textsuperscript{249} With Thomas, this publication can be searched via keyword, member name, or date from the 101st
Congress to present. The Congressional Record is also available on fee based sites such as Lexis and Westlaw.

The House and Senate each have sites that provide access to current directories of members along with contact information and information about the members’ staffs. Committees, along with their members, are listed; links to selected committee hearings are available at both sites. Roll call votes and legislative activities, including daily bill digests and calendars, are also available from the 101st Congress.

In addition to the above sources, the Law Librarians’ Society of Washington, D.C. (LLSDC) has created a web site providing the researcher with practical advice about compiling a federal legislative history, as well as links to useful Internet sites with its Legislative Source Book. At this site, there is a guide to items needed for the compilation of a legislative history. There are also links to electronic legislative histories of selected U.S. laws. Links to selected congressional hearings and publications, such as the Research Service Reports, also exist at this site.

The Center for Democracy and Technology has created the Open Congressional Research Reports site which attempts to provide a central location for the electronic deposit of Congressional Research Reports. Coverage is not comprehensive at this site, but it does pro-

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250 See id.
251 See id.
252 See Westlaw, supra note 238; see also Lexis, supra note 238.
254 See id.
256 See id.
257 See id.
258 See id.
261 See Berring & Edinger, supra note 1, at 154-56; see also Mersey & Dunn, supra note 1, at 221-23.
263 See FindLaw, supra note 61; see also WashLaw, supra note 185.
264 See id.
265 See Berring & Edinger, supra note 1, at 161-63; see also Mersey & Dunn, supra note 1, at 233-35.
268 See id.
269 See id.
270 See id.
IV. REGULATIONS AND EXECUTIVE PUBLICATIONS

The third and final primary source of American law, regulations by administrative agencies, is promulgated under executive or legislative authority. Regulations are published by agencies acting under the legislature’s grant of enabling power, whereas executive orders and proclamations are issued directly by the executive branch. As with all American law, regulations and executive orders are produced at both the federal and the state level.

A. Federal Regulations

At the federal level, agencies publish regulations to fill in gaps left by legislation. Federal agencies publish proposed rules, interim rules, and final rules, as well as notices of various agency actions, such as hearings. These are initially published in the Federal Register. Available in print and electronic formats, the Federal Register is published every business day by the Government Printing Office.

271 See Berring & Edinger, supra note 1 at 230.
272 See J. MYRON JACOBSTEIN ET AL., FUNDAMENTALS OF LEGAL RESEARCH 269 (7th ed. 1998) (“All regulations by administrative agencies are issued either under authority delegated to them by a federal statute or by a Presidential Executive Order.”).
273 See J.D.S. ARMSTRONG & CHRISTOPHER A. KNOTT, WHERE THE LAW IS: AN INTRODUCTION TO ADVANCED LEGAL RESEARCH 138-40 (1st ed. 2004); see also Berring & Edinger, supra note 1 at 266.
274 See Berring & Edinger, supra note 1 at 266.
275 See id. at 235.
276 See id. at 237.
277 Id. 235-37. Executive orders and presidential proclamations are also published in the Federal Register. Id. at 236. According to Berring, the Federal Register was designed to end the chaos created by Roosevelt’s New Deal legislation. Id. at 235. The New Deal legislation established numerous new federal agencies, which began issuing rulings. Id. at 235-36. Prior to 1935, no attempt was made to publish the rulings. See id. at 235. Consequently, several cases, involving the lack of notice regarding the existence of agency rulings and regulations, made their way to the U.S. Supreme Court. See id. at 235-36. After receiving congressional attention, Congress passed the Federal Register Act, initially published at 49 STAT. 500 (1935). Id. at 236. The Federal Register helped to make order out of chaos, by publishing proposed rules, final rules, and notices of agency meetings. See id. at 236-37.

Access, the official website for the U.S. Government Printing Office, provides electronic access to the Federal Register for agency publications dating back to 1994. This site can be searched by date or keyword. Every year, a table of contents, organized alphabetically by agency name, is published with hyperlinks to proposed agency rules, final rules, and meeting notices. An alert feature has been added to the site, allowing the legal researcher to receive daily email notifications.

Other electronic sources include Westlaw and Lexis. On Westlaw, the Federal Register is available in the Federal Register database from 1936, the date of its inception, to the present. By contrast, Lexis provides current coverage, but limited retrospective coverage in the Federal Legal US Library.

B. Decisions of Federal Agencies

While the Federal Register publishes proposed agency rules, notices of agency meetings, and final agency rules, it is not a satisfactory resource for locating final regulations that are currently in force. To locate final regulations that are currently in force, use the Code of Federal Regulations (C.F.R.). While similar to the United States Code, with respect to the fact that the C.F.R is a subject arrangement of regulations currently in force, comparisons are not exact. In the C.F.R., agencies, rather than regulations, are grouped together based on numerical order.

279 Id.
280 Id.
284 See Westlaw, supra note 283.
285 See Lexis, supra note 283 (providing coverage from 1980 to the present).
286 See Berring & Edinger, supra note 1, at 243.
287 See id.
288 See id.
subject matter and are arranged under fifty titles.289 Similar to the Federal Register, the C.F.R. is published in print and electronically by the Government Printing Office,290 and can also be found on Westlaw and Lexis.291

In addition to acting in a quasi-legislative fashion by promulgating regulations, federal agencies carry out quasi-judicial functions, by issuing agency opinions.292 Many of these agencies publish their information on their own websites, while others allow GPO Access to publish their information.293 The University of Virginia’s library294 provides access to agency decisions and orders from various administrative agencies.295 Access is via a subject-created index and a directory of agencies.296

289 Id. In addition to the publication of final agency regulations, the C.F.R., Title 3, also publishes executive orders, presidential proclamations, and other presidential documents. Id. at 248-49.
292 See BERRING & ENGDUR, supra note 1, at 257-61 (including a discussion on researching federal agency decisions and their publication).
296 See id. The library website provides links to decisions and orders from many agencies, including the FDIC, FRB, OMB, SEC, IRS, SBA, NSA, FDA, FEC, EEOC and FLRA. See id.

C. Executive Orders and Presidential Proclamations

In addition to agency regulations and decisions, regulatory materials are also produced by the executive branch.297 At the federal level, executive orders and presidential proclamations are published in print and electronic format.298 Initially, both appear in the Federal Register, and then published in Title 3 of the Code of Federal Regulations.299 Proclamations are usually policy announcements, while executive orders direct federal agencies and government officials to pursue a particular course of action.300 In addition to the sources listed above, proclamations can be found in the Statutes at Large (1846 to present), the United States Code Congressional Administrative News (USCCAN), and the United States Code Service Advance Sheets (USCS Advance).301 While executive orders are not available in the Statutes, they are available in USCCAN and USCS Advance.302

The current administration’s proclamations and executive orders can be located at the official White House Internet site.303 Orders and proclamations are arranged in reverse chronological order and keyword searching of the site is available.304

Proclamations and executive orders from the Clinton Administration are archived by the National Archives and Records Administration (NARA).305 The five versions of the White House web site, created under former President Clinton, are archived there as well.306 Plans are to archive future presidential documents, by term, on the Clinton Li-

289 See BERRING & ENGDUR, supra note 1, at 262-63.
290 See id. at 262-63.
291 Both resources are published in print and electronic formats by the Government Printing Office. See id. at 262. They are also available in fee electronic resources such as Lexis, LoisLaw, Westlaw, and VeriusLaw. See BERRING, supra note 1, at 263.
292 Id. at 262.
293 Id. at 263.
294 Id. at 263.
296 See id.
One may access former President Clinton’s official papers via the GPO Access site, which provides access to the Public Papers of the President.608

In addition to executive orders and proclamations, presidents also produce other information, including messages to Congress, reorganization plans, speeches, press conferences, and nominations to various government posts.609 This material can be located in the Weekly Compilation of Presidential Papers, published by the Government Printing Office in print and electronic formats.610 This material is compiled biannually into the Public Papers of the President, available in print and electronic formats.611

If a researcher remains confused and unsure where to look, they should visit the USA.gov site which is self-described as the “U.S. government’s official web portal.”612 It provides access in several ways, including: a subject created index, an alphabetical agency index, an audience selection, and a federal/state/local government selection.613

V. SECONDARY SOURCES

There are numerous secondary sources available to assist the legal researcher. Research guides, directories, dictionaries, law reviews, current awareness resources, blogs, and working papers are a few secondary sources that can point a researcher to primary sources of law and clarify legal concepts.

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A. Research Guides

The Law Librarians’ Resource Exchange (LLRX) was created in 1996 by law librarian Sabrina Pacifici.614 LLRX helps researchers ascertain which resources to consult and how to begin a research process, by providing access to subject research guides for over thirty-five legal topics, ranging from agricultural law to trade law.615 Links to court rules and docket by jurisdiction are available at this site, as are articles about technology, marketing, and librarian resources.616 This site focuses on providing research assistance for primary sources of law at the international, federal, and state levels.617

The Virtual Chase618 was created in 1996 by Genie Tyburski, a law librarian, and owned by the law firm of Ballard, Spahr, Andrews, and Ingersoll, LLP.619 This site assists the legal researcher in locating primary and secondary sources of law.620 It is best known for its excellent guides that help researchers locate information about businesses, companies, or individuals.621

Zimmerman’s Research Guide622 was created by a law firm librarian, Andrew Zimmerman.623 As word about the guide spread, Lexis published it, and it is now known as an “online encyclopedia for legal

608 See Public Papers of the President of the United States: Search, supra note 307.
609 See BERING & EDELINGER, supra note 1 at 263-65.
613 See Id.
614 See LLRX, supra note 314.
615 See id.
An extensive subject index was created to help researchers browse in addition to keyword searching capabilities. In response, an encyclopedic entry is returned with hyperlinks to similar subjects.

B. Directories and Dictionaries

In addition to research guides, there are directories and dictionaries available to assist a legal researcher.

1. Directories

Directories are abundant, but vary in quality. The oldest and most familiar attorney directory, Martindale Hubbell, is now available online at no charge. At this site, lawyers and law firms can be searched by name, practice area, or location. An advanced search engine expands the search to include the number of years that have passed since a lawyer’s first bar admission. The search also permits the researcher to discover the languages a lawyer speaks and the law school they attended. Access to a legal personnel directory is also available, allowing a search for firm administrators, marketing professionals, librarians, and paralegals. Peer ratings are available for consumers, while attorneys have access to practice related articles. Links to professional development sites and professional organization information also exist. This directory has been accessible in print since 1931.

The Lexis competitor, Thomson West, also has a directory of legal professionals and attorneys known as FindLaw’s Lawyer Directory. This site is a traditional directory, allowing consumers to search for an attorney by name, law firm name, legal topic, subject, or location. FindLaw’s Lawyer Directory differs from the traditional print directory because it allows consumers with a legal issue to contact the consultants listed within the directory.

Worldwide legal directories are available on Hieno Gamos. Consumers can search for attorneys throughout the world by practice area, continent, or bar association. This site also offers directories for court reporters, expert witnesses, process servers, forensic experts, and investigators. Individuals interested in attending law school can search for law schools by continent.

There is a directory of “defunct U.S. government agencies and commissions” maintained by the U.S. Government Printing Office and the Libraries of the University of North Texas, known as the CyberCemetery, that allows researchers to access federal agencies’ web sites that no longer exist. This site allows searching via keyword in addition to browsing by agency name. For example, it maintains the

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325 MARTINDALE HUBBELL LAW DIRECTORY (LEXIS NEXIS) (1800s- Present)
327 See Research Lawyers, supra note 328.
328 See id. (follow “Search” hyperlink; then follow “Practice Support & Consultants” hyperlink).
329 Hieno Gamos, supra note 328.
330 See id.
331 See id.
332 See id.
333 See id.
defunct Amtrak Reform Council web site exactly as it existed before the council was disbanded.346

2. Dictionaries

Along with directories, dictionaries are available in electronic and print formats. Perhaps the best known legal dictionary today is Black’s Law Dictionary.347 Initially compiled in 1891 and produced by Henry Campbell Black,348 Black’s Law Dictionary has been a standard for law students and lawyers alike for well over a century.349 While it is available in print and electronic formats, it is not available free in an electronic format. Electronic legal dictionaries that are available at no charge include Merriam-Webster’s Law Dictionary and Law.comDictionary. Merriam-Webster, published in 1996, is available online at FindLaw’s site.350 At this site, the researcher keys in the legal terms; a list of hyperlinked terms is then retrieved.351 Pronunciation and definition are included.352 Law.comDictionary, an American Law Management product, also has a legal dictionary that allows researchers to search by word, or browse an alphabetical list of words.353

Hieros Gamos provides hyperlinks to thirteen electronic dictionaries; ranging from the early and no longer updated, John Bowyer Law Dictionary to the Nolo Press’s Everybody’s Legal Glossary.354

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348 Id. at ix.
351 Id.
352 Id.
356 See generally id.
357 Id.
358 See id. (encouraging “contributions from qualified experts”).
361 Id.
363 See id. (listing citations that are available by clicking on each category).
others, to create the University Law Review Project website. Hyper-linked law reviews are listed, in alphabetical order, under the topic, General Law Reviews. At this site, a researcher can determine if a particular law review’s full text is available at no charge. Law reviews are grouped into thirty-five subject categories that can be browsed. Keyword searching, using Boolean connectors, is available. These searches retrieve both an abstract and a hyperlinked citation. Current awareness resources can be created when researchers sign up to receive emails with “abstracts of new law review articles.”

Another source that provides access to free law review articles is Hieros Gamos. Journals are listed in alphabetical order with hyperlinks. Some journals provide free, unfettered access to their articles, while others require a subscription password.

In addition to locating electronic law reviews, a researcher may also need a directory of law reviews. Such a directory can be found at the Lexis site. Compiled by University of Mississippi law professor Michael H. Hoffheimer, and initially published by Anderson Publications, this site lists, in alphabetical order, all student edited law reviews plus contact information. Special focus law reviews, as well as non-

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366 See id.
367 See id.
368 See id. (making such searches available by clicking on “options” under “Full Text Search of Law Journals on the Internet”).
369 See id.
370 Id.
372 Id.
373 See id.
376 The table of contents pages of law reviews are an excellent current awareness resource. There are electronic versions that are free as well as those that require a fee. The University of Washington School of Law’s Marian Gould Gallagher Library has published the Current Index to Legal Periodicals (CILP) since 1948. Today it is available for a modest subscription in electronic format. It indexes over 500 legal publications and uses 100 subject headings. A researcher can view the information either by subject heading or browse the table of contents pages for law reviews arranged in alphabetical order. SmartCILPs, a current awareness resource that functions via email, can be set up in the CILP. The advantage of this particular resource is its currency; it is available four to six weeks before commercial indexes such as Current Law Index or the Index to Legal Periodicals become available.

The University of Texas’ Jamail Center for Legal Research, Tarlton Law Library, provides access to the contents’ pages of 750 law reviews at no charge. Publication is limited to law reviews published by the Tarlton Law Library within the last three months. Keyword searching of these pages is available and retrieves a hyperlink to law reviews with articles on the keyword searched.

Washington & Lee Law School’s law library provides a database that allows researchers to select, and then determine, the most

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378 See id.
379 Id.
383 Id.
384 Id.
D. Current Awareness Resources

Other current awareness resources exist aside from law reviews and their respective table of contents. *Jurist: Legal News & Research* was originally known as *Law Professors on the Web*, because Bernard Hibbitts, editor-in-chief and publisher, initially developed the service for law professors in 1996. Today, this service is written and edited by regular law school staff and students at the University of Pittsburgh. There are also special contributors, including law professors from Duke, Texas, and Yale; as well as former Supreme Court clerks. *Jurist* provides access to continuous legal news from around the world and updates this information twenty-four hours a day. In addition to headline news, researchers can access the site by U.S. and world subject created hot topics, as well as a limited subject and name index. In addition to leading legal news stories, links are available to recently released important documents, as well as to video clips from

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386 Id.
388 See id.
389 See id.
391 Id.
392 Id.
393 See id.
396 See id.
397 See id. (making the search available under “Documents Search”).
398 Google Alerts, supra note 109.
399 See id.
400 See id.
401 See id.
405 See LexisNexis, supra note 402; see also LoisLaw, supra note 403 and Thomson West, supra note 404.
E. Blogs

Blogs are becoming increasingly popular as a current awareness resource, and some are speculating that "the future of legal scholarship belongs to the blogosphere." Several "blawg" directories are available to provide access and direction, including the American Bar Association's ("ABA") Blawg Directory, Blawg.com, Justia's Blawg Search, and the Law Student Blogger Directory.

At the ABA's Blawg Directory, there is a weekly featured blawg as well as a list of the most popular blogs as determined by the week, the month, or all time. The latest legal news is available at this site. Also, readers can suggest and submit blog links. While no keyword searching is available, researchers can search over 1,000 law related blogs by alphabetical subject index, author type, region, or law school. The ABA's subject created index includes over one-hundred topics, ranging from administrative law to worker's compensation, while the author index allows the researcher to locate blogs authored or edited by an associate, general counsel, judge, law professor, law student, partner, prosecutor, or public defender. Additionally, researchers can search by region, arranged via U.S. jurisdiction (i.e. Supreme Court, circuits, and states), or by continent. Lastly, a researcher can search by law school to see professors that are publishing blogs.


409 See id.

410 See id.

411 See id.

412 See id.

413 See id.

414 See id.

415 See id.


418 Blawg, supra note 416.

419 See Blawg, supra note 416.

420 See id.

421 See id. (listing "Featured Feed").

422 Legal Talk Network, Welcome, http://www.legaltalknetwork.com/ (last visited Jan. 12, 2008). This network began in 2005 as an Internet radio station by Lu Ann Reeb and Scott R. Hess. Legal Talk Network, The Company, http://www.legaltalknetwork.com/modules.php?name=FAQ&myfaq=yes&kid_cat=1&categories=About+The+Legal+Talk+Network (last visited Jan. 12, 2008). It made legal programs available in both the MP3 (ipod) and Windows Media Player (computer) formats. Id. RSS feeds made it possible for listeners to be updated whenever a new program was available. Id. Several legal programs are available at this site, including The Power of Attorney, The ESI Report, Workers Comp, Matters, and Lawyer 2 Lawyer. Id.


424 Legal Talk Network, supra note 422.


426 Id.
listing the most popular blogs of the day, week, month or all time.\textsuperscript{427} It also headlines the most recent blawg posts.\textsuperscript{428}

Law students can search for blogs by, and about, law students at the Law Student Blogger Directory.\textsuperscript{429} At this site, students can search by school, keyword, or a subject index, consisting of ten topics that begin with blogging and conclude with virtual property.\textsuperscript{430}

LawSagna\textsuperscript{431} is edited and published by attorney Anastasia Pry-"\textsuperscript{432} Anikova.\textsuperscript{432} Pryanikova also has a business, E-Studio, which develops and sells "study aid and training products for law students and legal professionals."\textsuperscript{433} The blog’s stated purpose is to provide “[a]lternating layers of thoughts, tips, tricks, and other ingredients to live and learn well in law and beyond.”\textsuperscript{434} Recent posts include motivational topics such as “21 Steps to Becoming a Better Learner”\textsuperscript{435} and “What Can Law Schools Do Better?”\textsuperscript{436} RSS feeds are available, as are social bookmarking options, such as Digg This!\textsuperscript{437}, Stumble It!, and de.licio.us.\textsuperscript{438}

Vendors are beginning the process of sponsoring law related blogs. Law Professor Blogs is sponsored by Thomson West and published by Dean Paul L. Caron, University of Cincinnati College of

\textsuperscript{427} Id.
\textsuperscript{428} Id.
\textsuperscript{430} Id.
\textsuperscript{432} Id.
\textsuperscript{433} Id.
\textsuperscript{434} Id.
\textsuperscript{435} LawSagna, supra note 431.
\textsuperscript{438} See, e.g., Digg This!, http://wordpress.com/blog/2007/02/22/digg-this/ (last visited Feb. 28, 2008).

Law.\textsuperscript{439} It links to over fifty-three blogs, published, edited, and authored by law professors at law schools that include American University’s Washington College of Law, Florida Coastal School of Law, Georgetown University Law Center, Mercer University School of Law, University of Texas School of Law, University of Cincinnati College of Law, and University of California-Davis School of Law.\textsuperscript{440} Topics include:

\begin{itemize}
  \item Aviation Law;
  \item Chinese Law;
  \item Civil Rights;
  \item Elder Law;
  \item Food Law;
  \item Immigration Profs;
  \item Law Librarians;
  \item Law School Innovation;
  \item Legal Profession;
  \item Legal Writing Prof Blog;
  \item Brian Leiter’s Law School Reports;
  \item Products Liability;
  \item Statutory Construction; and
  \item Tax Prof.\textsuperscript{441}
\end{itemize}

Prawfs Blawg\textsuperscript{442} is sponsored by Aspen.\textsuperscript{443} Created by several law professors, its mission is to discuss a “variety of topics related to law and life.”\textsuperscript{444} Editors and contributors include Dan Markel of Florida State University, Ethan J. Leib of UC Hastings College of Law, Robert Howse of University of Michigan, Rick Garnett of University of Chicago School of Law, Matt Bodie of Saint Louis University, Steve

\textsuperscript{440} Id.
\textsuperscript{441} Id.
\textsuperscript{443} Id.
F. Working Papers

Working papers are another recent development in digital scholarship, allowing researchers to keep track of works in progress.

BePress was established in 1999, and is the Berkeley Electronic Press working paper series. Here, legal researchers and scholars can submit articles for publication and download articles that are continuing works in progress. As of January 7, 2008, this site had 3,098 papers with full text downloads of 563,111 for the 2007 calendar year. This site can be searched by keyword, browsed by institution, or browsed by a subject index that includes over one-hundred topics, such as Animal Law, Law & Technology, Psychology and Psychiatry, and RICO. The site organizes and provides links to recent publications, the most popular papers, and peer reviewed articles. Bealerts are current awareness resources delivered directly to a chosen email address, that allow researchers to be notified of new papers by a particular author, or in a particular subject area. In addition to keyword, subject index, and institution searching, this site can also be browsed by author.

Id.; PrawlsBlew, supra note 442.


Id.

Id.

Id.

Id. BePress Legal Repository: Promote Your Faculty Scholarship, supra note 448.

NELLCO’s Legal Scholarship Repository is a consortium that includes materials categorized as “working papers, reports, lecture series, [or] workshop presentations” created by NELLCO member schools. Member schools include Boston College Law School, Columbia Law School, Cornell Law School, Duke Law School, Fordham University School of Law, Georgetown University Law Center, Harvard Law School, New York University School of Law, Pierce Law, Roger Williams University School of Law, Suffolk University Law School, University of Connecticut School of Law, University of Pennsylvania Law School, Vermont Law School, and Yale Law School.

Powered by the BePress technology, this site allows for searching via keyword, a subject index, author name, corporate author name, title, publication title, or abstract. Customized email alerts, created by chosen subject topic, are available.

The Social Science Research Network (SSRN) began in 1994, to “create a way for scholars to share and distribute their research worldwide long before their papers worked their way through the journal refereeing and publication process.” Like BePress, it too allows legal researchers and scholars to upload working papers in progress, as well as download working papers. This facilitates scholarship before publication is finalized. Many law schools are members of the SSRN working paper series. This membership allows professors to upload their works in progress, receiving commentary from other scholars in

Id.; PrawlsBlew, supra note 442.


Id.

Id.

Id.

Id. BePress Legal Repository: Promote Your Faculty Scholarship, supra note 448.

Id.

Id.


Id.

Id.

Id.

Id. BePress Legal Repository: Promote Your Faculty Scholarship, supra note 448.

Id.


Id.

the field. Similarly, researchers can download works in progress to assist with research in a particular subject area. The SSRN consists of an abstract database as well as an electronic paper collection database. The electronic paper collection can be searched via keyword, title, title abstract, or author; it can be browsed by network, journal, or topic. The site provides access to several subject areas, including accounting, economics, financial, information systems, and law. The Legal Scholarship Network portion of the SSRN site is managed by University of Texas professor Bernard Black, and two Stanford Law School professors, A. Mitchell Polinsky and Ronald J. Gilson. According to data on the SSRN site, as of January 9, 2008, there have been 171,817 abstracts and 132,270 full text papers deposited with SSRN. There are 86,433 authors whose papers have been downloaded and a total of 17,340,777 downloads since the site's inception, 294,301 of which were downloaded in the last thirty days.

VI. Conclusion

In this article, selected free Internet sites have been reviewed.

667 SSRN’s Objectives and Commitments to Users, supra note 462.
668 SSRN Homepage, supra note 466.
670 Id.
671 See id.
673 SSRN Electronic Library, supra note 469.
674 Id.
675 It is the author's contention that appropriate free Internet legal research sites, when used properly and with understanding, can be effective in locating primary and secondary sources of law. For disagreement, view the video available at: You Tube, Westlaw Stress Toy, http://www.youtube.com/watch?v=mvY2kFWEW4 (last visited Jan. 7, 2008).

While official authentication remains an issue to be resolved, these reputable sites provide an enormous amount of legal information at no cost.

As legal research is taught today, the emphasis should be for researchers to select the appropriate branch of government from which information is needed. Once this is decided, researchers can then directly approach the primary source of information and begin retrieval via name, number, or subject searching. While electronic resources have yet to develop the precision searching tools created for print resources, electronic precision searching tools are in the process of development at fee sites. It is likely that these precision tools will develop eventually at free sites.

As with the beginning of any print research project, today's digital researchers should begin their research projects by asking a series of questions, such as:

- What are the relevant background facts in the problem to be researched?
- What issues need to be researched?
- What research terms should be used?
- Should federal or state law be researched on the topic? Is there a need to consult both?
- Should cases, statutes, or regulations, or a combination of these three primary sources be researched?
- Do secondary sources need to be utilized to help locate primary sources on point?
- Do non-legal resources need to be consulted?

666 AALL Washington Affairs Report: State-by-State Report on Authentication of Online Legal Resources, supra note 23. See also Losing the Law: A Call to Arms, supra note 23 ("Not one state has put in place a system that authenticates and preserves the new digital information.").
· Does updating the research change anything?478

Once these questions have been answered, and the researcher knows which resources will be consulted, the research can begin.