Cost Effective Legal Research

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ABSTRACT. Legal researchers need to be able to efficiently retrieve information in a cost effective manner. To do this, they must be familiar with the various information formats and be able to evaluate these formats. This article reviews the various information formats, discusses the advantages and disadvantages of each format, suggests research strategies, and reviews Internet sites that provide legal information.

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INTRODUCTION

In today’s legal market, it is essential that attorneys and legal researchers be able to provide clients with cost effective research. With the various

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With LOIS Law, the researcher can use keyword searching with boolean connectors. LOIS Law also provides for field searching of primary federal and state sources. Updating is limited to the latest edition. 

VERSUS LAW contains the full text of cases from the U.S. Supreme Court, all federal circuits, and all state appellate courts. U.S. Supreme Court cases are available in full text from 1900 onwards while most federal circuit court sites contain opinions from the 1930's and 1940's onwards. State appellate court decisions include decisions from the 1960's onwards. On the whole, federal district court decisions are not available. Present, decisions from the Eastern District of Pennsylvania are the only federal district court decisions available. Versus Law uses keyword searching with boolean connectors or natural language searching. After choosing the appropriate database and drafting the search query, a citations list is then retrieved with hyper-text links to the full text of opinions. Searching is free. A subscription is necessary to obtain the full text of court decisions. Cases cannot be updated with Versus Law; there are neither statutes or regulations, either state or federal, available at this site. Cost is very reasonable: $6.95 per attorney per month (see Figure 3).
Addition to Westlaw, Lexis, Versus Law and LOIS Law, a number of others are making their information available via Internet subscriptions. Congressional Information Service (CIS), which operates the Congressional Universe service, Matthew Bender, 278 of its treatises online with its recently launched 278 of its treatises online with its Authority on Demand service, and it is available online as well. BNA and CCH have put many of their products online, and these too can be accessed with a subscription.

In addition to the fee-based electronic services, it is also possible to obtain some legal information on the Internet at no charge. Primary sources are available for both federal and state materials as well as some secondary sources. The researcher's only cost is the Internet Service Provider (ISP) fee. The many advantages of the Internet, drawbacks do exist. Consistency is a problem as sites appear only to disappear a few months later. URLs change frequently. There is a great deal of recent information on the Internet but it can be difficult to locate older materials. Researchers should also consider reliability and updating. Who puts up the site? When is it updated? Researchers should evaluate Internet sites as they would print products.

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

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

Disadvantages to print resources also exist. They require a great deal of space and CD-ROM's or online resources. They can be expensive to maintain (filing and shelving) and they are not updated as rapidly. The researcher is limited to the indexing done by the publisher.
Researchers face a quandary. What is the best format? There is no “best” format that will work for every research query. Instead, researchers must be aware of the resources available and decide what resource will provide the most complete and most economical retrieval. Before deciding which format to use for a research query, consider:

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

CONDUCTING A RESEARCH QUERY

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

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

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

FEDERAL INFORMATION

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

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

- United States Code (U.S.C.)
- The researcher can search for code sections via keyword, citation, popular name, or via title through a table of contents. Full text of the code section is provided. It is updated within twenty-four hours of updates being released by the U.S. House of Representatives.
- U.S. Constitution
- Searching is via section or amendment. Hyper-text links to the full text are provided.
- Code of Federal Regulations (C.F.R.)
- Search for sections via a table of contents, citation, and keyword. Keyword searching is connected to the popular GPO search engine.
- Federal Rules of Civil Procedure
- Federal Rules of Evidence
- U.S. Supreme Court Opinions
- The full text of U.S. Supreme Court opinions from 1990 onwards is available at this site, as is the Court’s Calendar and its schedule of Oral Arguments. Opinions can be searched via party name, date of decision, and keyword.
University’s School of Law provides access to the decisions of the circuit courts with their Federal Courts Finder,http://www.law.emory.edu/FEDCTS/. Emory maintains some of the sites while providing others (see Figure 5). At sites maintained by Emory, the full text of cases from 1995 onwards is available. They can be searched by date, name, or keyword. Decisions from the following courts can be ac-

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

Federal Local Rules at the Law Librarians’ Resource Exchange site provides links to both federal and state court rules. Designed by Genie Ty-
the Federal Local Rules can be found at http://www.llrx.com/. Open lower to this address and click on columns. From there, scroll down to the following court rules:

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

sites provide a list of the court’s rules, with hyper-text links to the rules of the court. Keyword searching is rarely an option.
world,http://www.fedworld.gov/, was developed by the National Information Service in 1992 to “serve as the online locator service comprehensive inventory of information disseminated by the Federal government.” At present, it has over 10,000 data files of U.S. government archived. These files can be searched by keywords with boolean operators. In addition, this site provides links to several other government sites, including the BIA (Bureau of Indian Affairs), the EPA (Environmental Protection Agency), the FAA (Federal Aviation Administration), the Internal Revenue Service, and the U.S. Department of Customs. Fed-also maintains FLITE, a database with U.S. Supreme Court decisions

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

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

- Office of Management & Budget
- Food & Drug Administration
- General Accounting Office
- Merit Systems Protection Board
- National Archives & Records Administration’s Office of the Federal Register
- National Labor Relations Board
- Occupational Safety & Health Review
- Office of Government Ethics
- Office of Special Counsel
- U.S. Census Monitoring Board
- U.S. Equal Employment Opportunity Commission
other Executive branch resources are available at this site and include:

- Budget of the United States Government, (1997 onward)
- Foreign Affairs Network
- GAO (General Accounting Office) Reports
- Statistical Abstract of the United States (1997 version)
- Weekly Compilation of Presidential Documents (1993 onward)

Site also provides extensive regulatory information, including the full text of the Federal Register and the Code of Federal Regulations (C.F.R.).

Full text of the Federal Register from 1995 to the present can be found on this site. A researcher can search the Table of Contents, Proposed Rules, Final Rules, and Meeting Notices using keywords and boolean connectors. Limited years are also available. Hyper-text links to the full text of the documents are provided. A researcher can also browse the current day's Table of Contents. The Table of Contents has hyper-text links to the applicable document; however, keyword searching cannot be done with the Table of Contents.

Full text of the current C.F.R. is also available at the GPO Access site. The most recent C.F.R. can be searched either by keyword or citation. Histor-
lations of the C.F.R. (1996 onwards) are available at this site as well and searched by citation. The List of Sections Affected (L.S.A.) is also available at this site from 1996 onwards.

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

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

- Bill Summaries and Status are available from 1993 onwards. Searching is via keyword, dates, bill number, sponsor or committee.
- Text of Bills from 1989 onwards is available with searching via either keyword or bill number.
- Public Laws from 1973 onwards are also available. Searching is by Public Law Number.
- The text of the Congressional Record from 1994 onwards is available and searching is via keyword.
- Committee Reports from 1995 onwards are available and can be searched via keyword, bill number, report number, or committee.

**Bill Calls**

- House Committee & Senate Committee members.

Similarly, there is the White House, http://www.whitehouse.gov/, site. It is designed by the White House Web Team and provides the full text of Pres-

- Press Briefings
- Radio Addresses
- Executive Orders

Searching is via keyword.
STATE INFORMATION

One of the best known sites for locating state information is FindLaw\textsuperscript{38} (www.findlaw.com). Produced and maintained by the Northern California Librarians, this site provides extensive links to legal resources available on the Internet (see Figure 10). The full text of documents can be read, and keyword searching with boolean connectors is available. FindLaw uses the Law Crawler search engine. At FindLaw’s state sites, you will see an alphabetical arrangement of hyper-text links to all 50 states. Each state has a link for:

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

Another good source for locating state information is Washlaw\textsuperscript{39} (washlaw.edu). Developed and maintained by Washburn University’s law school, this site provides links to legal resources from all 50 states. Searching is via keyword. States are arranged in alphabetical order. There are the following information for each state (see Figure 11):

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

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

Municipal Code Corporation\textsuperscript{41} http://www.municode.com/ is a special site that requires fees for the retrieval of full text documents (see Figure 13). It does allow free searching and charges only for the retrieval of a document. States are organized alphabetically and codes/ordinances
in listed under the appropriate state. Using Folios software, the researcher can use keyword and boolean connectors to retrieve a citation and an index to various city and county codes.

**MISCELLANEOUS SOURCES**

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

**Virtual Chase,** [http://www.virtualchase.com](http://www.virtualchase.com), began in 1996 with its Genie Tyburski. It contains legal pathfinders on numerous legal topics but not explains how to do legal research; she then provides a link to the best sites available for the research. Thus if you are looking for regulations, Tyburski will explain how to locate regulations in her **Statutes, Legislation, and Regulations** guide and then provide links to the PPO Access site.

**LegalDocs,** [http://www.legaldocs.com](http://www.legaldocs.com), is produced by USA Law Public and provides access to boilerplate legal documents on a variety of topics (see Figure 13). Forms are available for wills, leases, and UCC sales. There are a few forms that are “free” but the majority of forms require a fee to download.

**Martindale Hubbell,** [http://www.martindale.com](http://www.martindale.com), allows the researcher to search for attorneys at its Internet site (see Figure 13). With this resource, researchers can search for attorneys in any state. The researcher can search by attorney name, location, type of practice, firm, government, faculty, or corporation. Search retrieval results in a listing of the attorney’s name, address, practice affiliation, law school and bar admissions. There is no charge for this information.

Next is Heiros Gamos, [http://www.hg.org](http://www.hg.org). Produced by Lex Mundi, it provides links to:

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

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

The **Brief Reporter,** [http://www.briefreporter.com](http://www.briefreporter.com), is a collection of appellate briefs and trial memoranda written by attorneys. Coverage includes cases in federal and state jurisdictions. Briefs are arranged by subject, and there are over fifty subjects, including briefs on ADA, Bankruptcy, Civil
Rights, Criminal Law and Procedure, ERISA, Legal Malpractice, Patents, Securities Fraud, Sexual Discrimination, Trademarks and Workers' Compensation. Searching is by keyword with boolean connectors. There is also a general index with hyper-text links. Both of these sources are free of charge. Once the search is complete, a citations list with a brief abstract is retrieved. If the researcher decides to read the brief, the download fee is $40.00 for non-members and $10.00 for members.

The Best of the Web for Lawyers @ Legal Online, http://www. legalonline.com/best98.html, has been reviewing and evaluating web sites of use to attorneys. Produced by American Lawyer Media, it provides a listing of the "best of the web" available to lawyers as well as hyper-text links to these sites. Links to the best sites for law firms, law schools, law libraries, and government agencies can be found here.

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

FIGURE 14

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

HANDLING THE RESEARCH QUERY

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

Since the researcher knows nothing about "hostile work environment," a law review article that discusses the topic would be a good starting place. From there, it might be possible to find citations to applicable cases and statutes. Since both time and money are of the essence, the researcher could begin with the Internet. In addition to state resources, the website, FindLaw, provides links to electronic law reviews, and this information is available at no charge. Frequently full text documents are available at this site. The
money was spent. Copying the various documents from the Internet and pasting them into the memorandum saves further time. This is cost effective research.

CONCLUSION

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

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

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

ENDNOTES

3. Boolean searching allows researchers to connect search terms (i.e., keywords) with connectors such as and, or, not, within. Thus if you want to retrieve cases on the issue of whether weight is a disability protected under the Americans with Disabilities Act and thus precludes termination, you might use the following boolean search query: terminate w/5 weight and ADA or Americans with Disabilities Act. Italicized words are the boolean connectors. For more information about boolean connectors,
15. With LOIS Law, you can see what later cases have cited your case by putting the citation in Search All Fields. The library will then retrieve all cases that contain your citation. This is Loisizing. Unfortunately you are limited to searching only the libraries in LOIS Law which excludes coverage of federal district court cases, several states, and any secondary sources. Id.

16. Id.

17. See Note 12, supra.

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


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


23. WWW Virtual Library: Information Quality, Alastair Smith, Evaluation of Information Sources (visited June 12, 1999) <http://www.wuv.ac.nz/~asmith/evaln/1>


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


29. Emory University School of Law, Federal Courts Finder (visited May 1, 1999) <http://www.law.emory.edu/fedcits/7>


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

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

58. See note 36, supra.

59. Id.

60. Electronic citator sources include KeyCite on Westlaw and Shepard's Online. See Westlaw (visited June 12, 1999) <http://www.westlaw.com/2d Shepard's (visited June 12, 1999) <http://www.shepards.com/> or a discussion of the differences between KeyCite and Shepard's Online see Fred R. Shapiro, KeyCite and Shepard's--Coverage and Currency of Citations to Recent Cases: A Comparative Study, 17 Legal Information Alert 1 (April 1998).

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4. Henson v. City of Dundee, 682 F.2d 897 (11th Cir. 1982).
## APPENDICES

### Cases

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