Basic Legal Research on the Internet

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This article explores the corner of the Internet landscape that concentrates on legal research. For the most part, these databases and search tools are free, although some might require a library card. Essentially, this is a short list of "go to" sites that most researchers will find useful. Before delving in, it might be worthwhile to examine a few time tested research concepts for the Internet age.

Principally, there are two goals of a search, either to find something that exists (based on a full or partial citation) or to construct something that needs to exist from related materials (subject search). The route and analysis may differ, but both approaches require the researcher to envision the end result, e.g., a court decision on point, a controlling statute or any combination of legal publications that support the remedy or relief being sought. So the assignment can be completed intellectually before the first mouse click. Internet searching, like all legal research, is simply an exercise in the mechanics of unearthing the hidden treasures of our imagination.

At its heart, online research relies heavily on linguistic and textual analysis, putting great demands on our language skills. A researcher needs to peer into the minds of legislative drafting committees, judges and their law clerks, academics and policy makers. See, e.g., Opinion Writing and Opinion Readers (http://ssrn.com/abstract=1361161) , 31 Cardozo L. Rev. 1 (2009). The words, the phrases, the terms of art, the nuanced meanings, the semantic interplay of everyday language comprise the palette that a researcher draws from.

Search tools can sometimes be distracting. Five minutes spent contemplating a legal research problem is worth an hour of careering through websites and search engines. The demands of search technology and databases should not lead the analysis. Knowing what is ideally needed should come before figuring out how to retrieve it.

A researcher can quickly become bogged down in the protocols of information tools and sources before recognizing how far off course they have gone. The pole star of research should be the answer to the question, not the path to get there—the map will emerge once the end is visualized. Or as Michelangelo insightfully observed: "Every block of stone has a statue inside it and it is the task of the sculptor to discover it."

Quality control and smart searching are important facets of this process. See, e.g., The Evolving Library (http://www.uscourts.gov/News/TheThirdBranch/10-05-24/The_Evolving_Library.aspx) , The Third Branch, May 2010. And they have led to the rise of specialty and customized search tools designed to improve the ability of researchers to find reliable and official sources of law, e.g., Google Custom Search Engines (http://www.google.com/cse/) (CSE), some of which have been cited below. Still, there remains a crucial need to harmonize human thinking and machine searching.

Librarians are in the best position to provide guidance through the thickets of ever changing and expanding digital resources. See generally 21st-Century Research Collections: Mostly Digital, Ever Larger (http://chronicle.com/blogPost/21st-Century-Research/24503/?sid=wc&utm_source=wc&utm_medium=en) , Chronicle of Higher Education, June 3, 2010; "Librarians (http://www.bls.gov/oco/ocos068.htm) " in Occupational Outlook Handbook, 2010-11 Edition (http://www.bls.gov/oco/) ("The traditional concept of a library is being redefined from a place to access paper records or books to one that also houses the most advanced electronic resources, including the Internet, digital libraries, and remote access to a wide range of information sources.") While the future of libraries and information services will arc to the digital, the future of research will always have a human face.

PRIMARY SOURCES

Circuit Courts of Appeals (http://www.law.cornell.edu/usca/search/) (Legal Information Institute)

"This is a specialty search engine limited to opinions and orders published by federal circuit court sites (either singly or all circuits)."

Court Locator (http://www.uscourts.gov/allinks.html) (Administrative Office of the U.S. Courts)

This site offers a useful, detailed directory of federal trial and appellate courts nationwide.

Court Web Sites (http://www.ncsconline.org/D_KIS/info_court_web_sites.html) (National Center for State Courts)

"This page provides judicial branch links for each state, focusing on the administrative office of the courts, the court of last resort, any intermediate appellate courts, and each trial court level."

Federal Digital System (http://www.gpo.gov/fdsys/search/home.action) (FDsys)

"GPO's Federal Digital System (FDsys) provides public access to Government information submitted by Congress and Federal agencies and preserved as technology changes."

FindLaw Guide (http://www.findlaw.com)

"Comprehensive guide to legal information including more than 50,000 human-edited site listings (with editorial descriptions) in more than 30 practice areas, as well as state-specific, federal and international materials. FindLaw facilitates access to online codes and case law, legal forms, legal publishers, legal associations, law schools and law reviews, legal experts and continuing legal education courses. FindLaw's channels for business and the public help non-lawyers navigate the Web for legal information and services."

Government Printing Office (http://www.gpoaccess.gov/about/index.html) (GPO)

"GPO Access is a service of the U.S. Government Printing Office that provides free electronic access to a wealth of important information products produced by the Federal

Government. The information provided on this site is the official, published version and the information retrieved from GPO Access can be used without restriction, unless specifically noted. This free service is funded by the Federal Depository Library Program and has grown out of Public Law 103-40, known as the Government Printing Office Electronic Information Enhancement Act of 1993."

Guide to Law Online (http://www.loc.gov/law/help/guide.html) (Library of Congress)

"The Guide to Law Online, prepared by the Law Library of Congress Public Services Division, is an annotated guide to sources of information on government and law available online. It includes selected links to useful and reliable sites for legal information"

Issues and Research (http://www.ncsl.org/IssuesResearch/tabid/756/Default.aspx) (National Conference of State Legislatures)

"NCSL conducts policy research in a variety of areas ranging from agriculture and budget and tax issues and education to health care and immigration and transportation. NCSL's experts are here to answer your questions and give you unbiased, comprehensive information as soon as you need it on issues facing state legislatures. We answer more than 20,000 requests for information a year. Call us anytime or check out our issues list to see what we have online."

Legal Information Institute (http://www.law.cornell.edu/index.html) (Cornell Law School)

"We are a not-for-profit organization that believes everyone should be able to read and understand the laws that govern them, without cost. We carry out this vision by: Publishing law online, for free; Creating materials that help people understand law; Exploring new technologies that make it easier for people to find the law. We are a small research, engineering, and editorial group housed at the Cornell Law School in Ithaca, NY. Our collaborators include publishers, legal scholars, computer scientists, government agencies, and other groups and individuals that promote open access to law, worldwide."

LexisONE: Free Case Law (http://www.lexisone.com/caselaw/freecaselaw)
"Search the last ten years of State & Federal Courts and U.S. Supreme Court from 1781 to present."

Thomas Legislative Information (http://thomas.loc.gov/) (Library of Congress)

"Thomas was launched in January of 1995, at the inception of the 104th Congress. The leadership of the 104th Congress directed the Library of Congress to make federal legislative information freely available to the public. Since that time THOMAS has expanded the scope of its offerings to include the features and content listed below: Bills, Resolutions; Activity in Congress; Congressional Record; Schedules, Calendars; Committee Information; Presidential Nominations; Treaties, etc."

SECONDARY RESOURCES

ABA Online Law Review Search Engine (http://www.abanet.org/tech/ltrc/lawreviewsearch.html)

"This free search engine searches the free full-text of over 350 online law reviews and law journals, as well as document repositories hosting academic papers and related publications such as Congressional Research Service reports. Several of the law reviews and legal journals (such as the Stanford Technology Law Review), working papers, and reports are available online only. Coverage may vary; for more complete coverage visit your local law library and fee-based online legal research services. Also see our list of reviews/journals/document repositories which have free full-text available online, but which must be searched/browsed manually. (http://www.abanet.org/tech/ltrc/lawreviewsearch.html#search_manually) "

Abbreviation of Periodicals (http://lib.law.washington.edu/CILP/abbrev.html) (Marian Gould Gallagher Law Library, University of Washington)

"This page provides Bluebook (A Uniform System of Citation, 18th ed., 2005) abbreviations for journals that are indexed in the Current Index to Legal Periodicals. Upon request, we will add abbreviations for online-only law reviews."

Global Legal Information Network (http://www.glin.gov/search.action) (Library of Congress)

"Global Legal Information Network (GLIN) is a public database of official texts of laws, regulations, judicial decisions, and other complementary legal sources contributed by governmental agencies and international organizations."

Google Scholar (http://scholar.google.com/schhp?hl=en&as_sdt=20000000002)

About Google Scholar (http://scholar.google.com/intl/en/scholar/about.html) : "Google Scholar provides a simple way to broadly search for scholarly literature. From one place, you can search across many disciplines and sources: articles, theses, books, abstracts and court opinions, from academic publishers, professional societies, online repositories, universities and other web sites. Google Scholar helps you find relevant work across the world of scholarly research." Moreover, this resource includes legal research materials. FAQ (http://scholar.google.com/intl/en/scholar/help.html) : "Currently, Google Scholar allows you to search and read opinions for US state appellate and supreme court cases since 1950, US federal district, appellate, tax and bankruptcy courts since 1923 and US Supreme Court cases since 1791 (please check back periodically for updates to coverage information). In addition, it includes citations for cases cited by indexed opinions or journal articles which allows you to find influential cases (usually older or international) which are not yet online or publicly available. *Legal opinions in Google Scholar are provided for informational purposes only and should not be relied on as a substitute for legal advice from a licensed lawyer. Google does not warrant that the information is complete or accurate."* See More Google Products (http://www.google.com/intl/en/options/) *for other search tools and resources.*

Law School Combined Search (http://www2.cali.org/index.php?fuseaction=static.schoolsearch) (Center for Computer-Assisted Legal Instruction)

This site uses a customized Google search engine to provide a unique gateway to law

school websites and related resources.

Library Databases (http://www.abanet.org/tech/ltrc/fyidocs/library.html) (ABA Legal Technology Resource Center)

"As discussed in a recent article (http://news.cnet.com/2100-1038_3-6197993.html) on c|net news, many public libraries now offer extensive database collections free to their patrons. For most libraries these databases can be accessed from a remote computer with a library card ID number. Which means research can be conducted at home or at the office utilizing these powerful resources. Check with your local library and see if a library card combined with free database access can supplement your law practice." This site includes a select list of public and state libraries.

Social Science Research Network (http://www.ssrn.com/)

"Social Science Research Network (SSRN) is devoted to the rapid worldwide dissemination of social science research and is composed of a number of specialized research networks in each of the social sciences." "The SSRN eLibrary consists of two parts: an Abstract Database containing abstracts on over 287,700 scholarly working papers and forthcoming papers and an Electronic Paper Collection currently containing over 238,700 downloadable full text documents in Adobe Acrobat pdf format. The eLibrary also includes the research papers of a number of Fee Based Partner Publications."

Wayback Machine (http://www.archive.org/web/web.php) (Internet Archive)

"Browse through over 150 billion web pages archived from 1996 to a few months ago. To start surfing the Wayback, type in the web address of a site or page where you would like to start, and press enter. Then select from the archived dates available. The resulting pages point to other archived pages at as close a date as possible. Keyword searching is not currently supported."

WorldCat (http://www.worldcat.org/)

"WorldCat connects you to the collections and services of more than 10,000 libraries worldwide." What is WorldCat? (http://www.worldcat.org/whatis/default.jsp) "You can search for popular books, music CDs and videos—all of the physical items you're used to getting from libraries. You can also discover many new kinds of digital content, such as downloadable audiobooks. You may also find article citations with links to their full text; authoritative research materials, such as documents and photos of local or historic significance; and digital versions of rare items that aren't available to the public. Because WorldCat libraries serve diverse communities in dozens of countries, resources are available in many languages."