CHAPTER 9

Computer and Internet Research

PART I STUDY OUTLINE

I. INTRODUCTION

It is important to know how to research using print resources for at least four reasons:

• The organization and elements of the electronic databases are based upon the structure of the print material.
• The material you are looking for may not be in an electronic database.
• An occasion may occur where access to electronic research is unavailable, such as when the local server is down.
• Cost concerns may limit the amount of time you can spend using commercial electronic services.

A. Ethics

No laws or regulations govern the accuracy of the content of nonfee-based websites. As noted in Chapter 2, it is an ethical obligation to provide the client with competent representation. Therefore, you must verify the accuracy of information you obtain from such sites and determine if it is up-to-date.


B. Limitations

On many websites, when you are searching for statutory law, only the statute is available, not the annotations.

When looking for case law, many sites require that you know the name or citation of the case. If you are trying to find any case that answers the question raised by the issue, you may not be able to conduct the search based upon search terms

II. NON-FEE-BASED LAW-RELATED WEB SITES

If a website is not at the address listed in one of your resources, it does not mean that the site no longer exists. The site could be down temporarily due to technical problems, or the address may have changed. To determine if the address has changed, use a search engine to search for a key term in the address.
Often specific page addresses change. If you are not able to go to a specific page, go to the home page.

A. Search Terms

Computer searches are usually conducted using key words or terms from the issue (often referred to as **Boolean searches** or terms and connectors searches). The basic steps for determining the search terms are as follows:

1. State the issue you are researching as specifically as possible in the context of the facts.
2. Formulate the search query. Review the issue and select the significant terms. Ask yourself, “What terms in the issue are likely to be included in the constitutional provision, statute, or case being researched?”

After you have identified the terms, type them in the search query box and execute the search by clicking on the appropriate command such as “search” or “submit.”

B. Legal Search Engines

Several sites provide general access and links to legal research sites:

- <http://www.findlaw.com>, FindLaw
- <http://web.lawcrawler.com>, LawCrawler
- <http://law.gsu.edu/>, Georgia State University College of Law
- <http://www.americanbar.org/>, American Bar Association
- <http://www.scholar.google.com>, Google Scholar allows free access to state and federal cases.
- <http://www.lectlaw.com> Links to numerous research sources may be found at the Lectric Law Library.

C. Law Schools

- <http://www.law.indiana.edu/v-lib/>, Indiana Virtual Law Library
- <http://www.law.cornell.edu/index.html>, Cornell University Law School
- <http://www.washburnlaw.edu>, Washburn University School of Law
- <http://www.law.utexas.edu/>, University of Texas School of Law
- <http://www.kentlaw.edu/>, Chicago-Kent College of Law
- <http://www.law.emory.edu/>, Emory University Law School
- <http://www.law.villanova.edu/>, Villanova Law School

D. Federal Government Sources

1. General Access Sources
   a. <http://www.usa.gov>, the U.S. government’s official Web portal
2. Federal Courts Opinions
   a. **United States Supreme Court**
      (1) <http://www.supremecourt.gov>, the official page of the U.S. Supreme Court
(2) <http://www.findlaw.com/>, the FindLaw site that includes Supreme Court cases and the United States Code
(3) <http://www.law.cornell.edu/>, Cornell Law School
(4) <http://www.oyez.org>, hear oral arguments or read court briefs
(5) <http://www.willamette.edu/wucl>, summaries of recent U.S. Supreme Court opinions

b. United States Circuit Courts of Appeal
(1) <http://www.uscourts.gov>. This is the United States federal courts homepage. It provides access to federal court opinions, briefs, and rules.
(2) <http://findlaw.com>, FindLaw
(3) <http://www1.villanova.edu>, Villanova University School of Law
(4) <http://www.law.emory.edu/>, Circuit Court opinions

c. United States District Courts
<http://www.uscourts.gov/>, provides information about the courts and links to district court websites.

d. Attorney General Opinions

3. Federal Statutes, Court Rules, and Regulations
a. United States Code
<http://www.law.cornell.edu/uscode/>
<http://www.gpo.gov/> Choose FDsys to search.
b. Federal Court Rules
<http://www.uscourts.gov/>
c. Code of Federal Regulations (CFR) and Federal Register
<http://www.gpo.gov/>

4. Legislation
<http://thomas.loc.gov>, legislative history
Note: The Thomas website will be replaced in 2014 by Congress.gov.
<http://www.gpo.gov>, access to legislative history and presidential documents

5. Congress and Federal Agencies
The addresses for websites of agencies not listed here may be accessed through the Library of Congress website: <http://thomas.loc.gov>. Be aware there are many “spoof” websites of government agencies. Be sure you have the official government website.

E. State Sources

Law-related material is usually available through state court, state government, local law school, or state bar association websites. The text lists a number of such websites, but to find your state’s government and court websites, use a search engine such as Google.

F. Secondary Authority and Specialty Areas

1. Specialty Area Sources
The following is a list of legal topics and websites that provide access to information concerning these topics.
Municipal Code Corporation site, <http://www.municode.com>,
c. Bankruptcy
FindLaw, <http://www.findlaw.com/>
Internet Bankruptcy Library, <http://bankrupt.com/>
d. Civil Litigation
Links to experts, <http://www.expertpages.com>
Information on damages, <http://www.lawcatalog.com>
e. Civil Rights
FindLaw, <http://www.findlaw.com/>
The American Civil Liberties Union (ACLU), <http://www.aclu.org/>
Law Center
g. Corporate Law, LawyerExpress website, <http://www.lawyerexpress.com>
State Business and Professional Codes, <http://www.law.cornell.edu/>
The Office of the Secretary of State: contact through the state government
website or through <http://www.state.gov/secretary/>
h. Criminal Law, <http://www.criminology.fsu.edu>
Florida State University School of Criminology, Institute for Law and Justice,
<http://www.ilj.org/>
i. Elder Law, <http://www.seniorlaw.com>
j. Environmental Law, <http://www.epa.gov>, the Environmental Protection
Agency website
Links to environmental law resources are at the WWW Virtual Library site at
k. Estate Planning: FindLaw
Divorcenet, <http://www.nolo.com/>
m. Immigration, <http://uscis.gov>, the Citizenship and Immigration Service
website, <http://www.immigrationusa.com/is.html>
Immigration procedures, forms books, and other materials,
<http://www.us-immigration.com>

n. International Law
Cornell Law School Legal Information Institute,
<http://www.law.cornell.edu/>
American Society of International Law’s ASIL Guide to Electronic Resources
for International Law, <http://www.asil.org/>
o. Intellectual Property and Copyright
The United States Copyright Office website, <http://www.copyright.gov/>
Copyright Clearance Center, <http://www.copyright.com>
p. Legal Documents and Forms
<http://www.lectlaw.com>, the ‘Lectric Law Library
<http://www.legaldocs.com>, Legaldocs
Links to form sources Internet Legal Resource Guide at

q. Personal Injury
   The National Highway Traffic Safety Administration (NHTSA),
   <http://www.nhtsa.dot.gov>
   The Americans with Disabilities Act Document Center,
   <http://www.jan.wvu.edu/links/adalinks.htm>
   Virtual Medical Law Center, <http://www.martindalecenter.com>

r. Real Property and Landlord Tenant Law

s. Tax Law

   University Law School Legal Information site

2. Secondary Authority and Other Sources
   a. Law Firms
      Information on law firms and locating attorneys (FindLaw),
      <http://www.findlaw.com>
   
   b. Law Reviews, Journals, and Periodicals
      Directories that provides links to law reviews and law journals
      FindLaw, <http://stu.findlaw.com/journals>
      University of Chicago D’Angelo Law Library,
      <http://www.lib.uchicago.edu/>
      Hiros Gamos Journals, <http://www.hg.org/journals.html> law review articles
      available on the Internet.
   
   c. Legal Dictionaries
      <http://www.duhaime.org/>
      <http://www.lectlaw.com/>
   
   d. Legal Newspapers and Newsletters
      FindLaw
      The Washburn University School of Law website, <http://www.washlaw.edu>
   
   e. Statistical Information
      The Federal Bureau of Investigations Uniform Crime Reports,
      <http://www.fbi.gov>
   
   f. Treaties: Treaties & International Agreements Researchers’ Archive,
      <http://www.oceanalaw.com>
g. Uniform State Laws and Model Acts
National Conference of Commissioners on Uniform State Laws (NCCUSL),
<http://www.nccusl.org/>
The University of Pennsylvania Law School, <http://www.law.upenn.edu/>

G. Listservs

A listserv is an e-mail discussion group. A listserv links people with common interests to share information on a topic or area of expertise.

There are two types of listservs: unmoderated—all messages by group members are sent to the group; moderated—messages are sent to a moderator who reviews the message and decides whether to return it to the sender, or edit and send it on to the group, or send it on to the group as is.

Two websites that provide information on legal listservs are a Washburn University School of Law site at <http://www.washlaw.edu/listservs> and the Westchester Library System site at <http://www.wls.lib.ny.us/resources/legallistservs.html>.

H. Organizations

The following is a list of law-related organizations and associations.

- <http://www.abanet.org/>, American Bar Association (ABA)
- <http://www.aclu.org/>, American Civil Liberties Union (ACLU)
- <http://www.alanet.org/>, Association of Legal Administrators (ALA)
- <http://www.aafpe.org/>, American Association for Paralegal Education (AAFPE)
- <http://www.nala.org/>, Association for Legal Professionals (NALA)
- <http://www.nals.org/>, National Association of Legal Secretaries (NALS)
- <http://www.nass.org/>, National Association of Secretaries of State (NASS)
- <http://www.paralegals.org>, National Federation of Paralegal Associations (NFPA)

State Bar Organizations. State bar organizations may be accessed by using a search engine and typing in the name of the state bar such as “New York State Bar.”

International Organizations

- <http://www.europa.eu.int>, European Union
- <http://www.icj-cij.org>, International Court of Justice (World Court)
- <http://www.oas.org>, Organization of American States

PART II  STUDY QUESTIONS

1. Why is it important to know how to research using print resources?

2. Why must you verify the accuracy of information you obtain from nonfee-based websites and determine if it is up-to-date?

3. What are the addresses of websites called?
4. If a website is not at the address listed, how do you determine if the address has changed?
5. What are computer searches using key words or terms from the issue called?
6. What are the basic steps for determining search terms?
7. What is FindLaw?
8. What is a listserv?
9. What is a disadvantage of using a CD-ROM?
10. Name four limitations of nonfee-based legal research websites.
11. What are the two types of listservs, and how are they different?

PART III ASSIGNMENTS

ASSIGNMENT 1
Which CFR addresses the antiterrorism standards for chemical facilities?

ASSIGNMENT 2
How do you locate a 2009 opinion of the U.S. Attorney General?

ASSIGNMENT 3
Your employer would like you to locate a summary of a U.S. Supreme Court opinion decided in October of 2008 that lifted a temporary restraining order compelling the secretary of state of Ohio to update the state’s voter registration list. What is the name of the case?

PART IV WEB ASSIGNMENTS

ASSIGNMENT 1
The client is charged with a federal crime. When must the trial commence under federal law? Include the statutory citation.

ASSIGNMENT 2
The client owns a movie theater. Last week the district attorney filed a civil complaint alleging that the theater was exhibiting obscene films contrary to state law. Your assignment is to locate a U.S. Supreme Court case from the early 1970s on the topic. Your supervisory attorney does not remember the name or citation of the case, but he remembers that the name of the film in question was Magic Mirror. What is the case name and citation?
ASSIGNMENT 3
Does the state of New York recognize holographic wills (include the statutory section)?

ASSIGNMENT 4
You are looking for some general information on blue-sky laws. Where would you look? Describes the steps you would take. *Hint:* This involves corporate law.

ASSIGNMENT 5
Your firm is working on an industrial lease. Your assignment is to locate an industrial lease form. Where would you look to locate the form and what is the cost?

ASSIGNMENT 6
What is the telephone number for the clerk’s office for the U.S. Court of Appeals for the Third Circuit?

ASSIGNMENT 7
How often is the economic census of the United States taken? How can you access economic census data?

ASSIGNMENT 8
What section of the Savannah, Georgia, municipal code governs speed limits? What is the speed limit unless otherwise posted?

PART V CHAPTER SUMMARY

The earlier chapters of the text focused on the techniques for conducting research using print resources such as texts and bound volumes. Experienced researchers do not rely exclusively on computer-assisted legal research. It is important to know how to research using print resources for at least four reasons:

- A familiarity with the print source makes it much easier to understand the structure of the electronic database and conduct electronic research.
- The material you are looking for may not be in an electronic database.
- An occasion may occur where access to electronic research is unavailable, such as when the local server is down.
- Cost concerns may limit the amount of time that you can spend using commercial electronic services.

This chapter presents an overview of the various nonfee-based Internet and other computer-based legal research sources, such as CD-ROMs.
Thousands of nonfee-based websites provide access to various types of legal information on the Internet. There are no laws or regulations governing the accuracy of the content of nonfee-based websites; therefore, they do not have a legal duty to provide information that is accurate or up-to-date. You must verify the accuracy and determine if any information you obtain from such sites is up-to-date. When selecting a nonfee-based site, always consider the author/publisher and content of the information, and check the site to determine how frequently the information is updated.

A limitation of most nonfee-based Internet sources is that their databases are not as extensive as those of the commercial sources mentioned in Chapter 10. Many sites that provide statutory law do not include the annotations. Many sites that provide access to case law do not allow searches based on search words or terms (Boolean searches).

This chapter discusses and provides the Web addresses of many of the nonfee-based websites that provide access to various types of legal information. Included are federal and state government websites, secondary authority and specialty area sources, and e-mail discussion groups (listservs). It closes with a discussion of legal research information available on CD-ROMs.