Legal Research in the Real World

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On

- Managing research assignments
- Developing research strategies
- Learning tips to make legal research easier
We Can’t Cover Everything Today!

- Use **research guides**.
  - Incl. int’l

Ask a reference librarian.

Develop your skills --
- e.g., by taking advanced legal research classes.
Project Log

- Date assigned
- Supervisor
- Project
- Due
- When you’ll work on it
- Done!
Calendar

- Due dates
- Chunks of time for working on projects (before their due dates!)
- Meetings
- “Extras”
Getting the Assignment

- School assignments
  - What topic
  - How long (pages, margins, font size)
  - What sources to use
  - When due

- Work assignments
  - ????
I need you to do a legislative history of the breathalyzer statute.

Our client (a large company) is being sued for sexual harassment allegedly done by one of the supervisors. Could you research possible defenses?
Asking Questions Is Good!

- Requester?
  - Contact info?
  - Others who know project?
- When is it due?
- Format?
- Time?
- Billing?
- Background? Suggestions?
What Resources Are Available?

Important to know about your workplace

Librarian, office manager, summer clerk coordinator
- Information, policies
- Advice

In-house library
- Books, etc.
- Brief bank
- Electronic subscriptions
What e-Resources Are Available?

Your workplace

- LN & WL?
  - academic subscriptions - externships *for credit*
  - employer’s subs for all else
  - be aware of firm policies
How Much Do LN & WL Cost?

Depends on K:
- Hourly
- Transactional
- Flat-rate
- Databases included
- Usu. extra for big databases
For example...

If you click on a Westlaw Results Plus link outside your contract secondary source:

brief or motion:

$55

$80
“How can one get by without Westlaw or LexisNexis?”
What e-Resources Are Available?

Your workplace

- LN & WL?
- Loislaw (OK to use for work)
- Casemaker (all WSBA members)
- Other products

Free websites

Local libraries

gallagher law library university of washington
A Few Internet Tips

- Often efficient to search specific site rather than whole Web. (Problem of “deep Web.”)
- Great links for Washington and federal law:
  http://lib.law.washington.edu/research/research.html
A Few Internet Tips

- Wide variety of sources (and authority!)
  - Official court and agency sites
  - Newspapers
  - Law reviews
  - Firm newsletters, blogs
  - Wikipedia

- Citation
  - Credit your source
  - Will it be findable later?
“I have relied VERY heavily on electronic research during school and I need to get stronger at using books to keep costs down.”
Tips for Using Books

- Practice Materials later today
- Library catalogs
- Ask a librarian
- No keyword searching, **BUT**
  - Table of Contents
  - Index
  - Table of Cases
  - Table of Statutes

- *How is this source kept up to date?*
Local Law Libraries

- Law school libraries – SU, UW
- King County Law Library
  - Subscription plan
  - Collection
  - Electronic resources
  - Reference help
- KCLL RJC
KCLL Resources

- Online Library Catalog (from web site)
- Current secondary sources and primary law for Washington & Federal
- Historical Washington & Federal primary law
- Codes for all 50 states
KCLL Resources

- **Legal Databases** (search free, print for 15¢ a page)
  - **Westlaw** – 50 states plus federal case law, statutes, and administrative material
  - **Lexis** – Wash. State & federal, plus Get a Document
  - **HeinOnline** – for law reviews, treaties, Federal Register, etc.
KCLL Resources

- **Legal Research and Training Center**
  - Access to Internet
  - SCOMIS & ACORDS
  - Word processing & printing

- **Wireless**
KCLL Research Help

- Experienced reference staff
- Research Links on our web site
- Research Guides
- Ask a Question – from the web site

How do I Find --- ?
More Libraries

- Other law libraries
  - County law libraries
  - U.S. Courts
- What about nonlegal info?
  - Seattle Public Library
  - University libraries
Notes

Keep a paper trail – *including dead ends*

♪ What’s the question?
♪ Where’d you look?
♪ How’d you look?
♪ What’d you find?
♪ What’s the date?
♪ Why’d you copy
Notes

Keep a paper trail – *including dead ends*

♫ What’s the question?
♫ Where’d you look?
♫ How’d you look?
♫ What’d you find?
♫ What’s the date?
♫ Why’d you copy *that*?
Notes

Prepare to cite
Write down the information you’ll need now rather than waiting until you’re ready to write.
Speaking of Citation

- If you want a *Bluebook* refresher, see: [http://lib.law.washington.edu/ref/bluebook101.html](http://lib.law.washington.edu/ref/bluebook101.html)

Think Framework

Rombauer
- Preliminary analysis
- Search for statutes
- Mandatory precedent
- Persuasive precedent
- Refine, do double check & update
Preliminary Analysis

- Issue
- Jurisdiction
- Key facts
- Relevant search terms
- Knowledge assessment
For instance…

Our client was in a car accident just this side of the Idaho border. A Washington State Patrol trooper followed the ambulance that took him to a hospital in Idaho and then had the hospital do a blood alcohol test. The Idaho tech isn’t certified by Washington. Can the prosecution still use the results?
When Do I Stop?

- When the costs outweigh the benefits
- When you keep finding the same sources
- When you find the answer
- When you run out of time
Indian Law

- Tribes are sovereign governments
- 29 in Washington
- Guide:
  http://lib.law.washington.edu/ref/indian.html
50 State Surveys

- M-H Law Digest
- National Survey of State Laws
- Subject Compilations of State Laws
- Uniform Laws Annotated
Unfamiliar Topic

- Find a research guide
- Consult a treatise
- Check ALR or Causes of Action
- Read a law review article
Leave It to Bieber’s

- Dictionary of Legal Abbreviations
- Dictionary of Legal Citations
The Bluebook

- Blue pages
- Tables & abbreviations
- Jurisdiction-specific
- Courts, documents, states, periodicals, services

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Tricks with Full-Text Databases

- Bluebook puzzles? Find a law review article that cites the source.
- Obscure document? Find an article that cites it – and maybe says where it’s reprinted.
- (Remember cost constraints.)
Words and Phrases

- Judicially defined
- Nationwide
- Annual pocket parts
- Westlaw: search cases or statutes, field WP (term)
Questions?
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