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USING COMPUTERS IN LEGAL RESEARCH: A GUIDE TO LEXIS AND WESTLAW

BY CHRISTOPHER G. WREN AND JILL
ROBINSON WREN

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I teach legal-research classes every year. Every year I search for ways to improve those classes, especially in attempting to incorporate the growing impact of technology into the research curriculum. Consequently, I have eagerly awaited the publication of *Using Computers in Legal Research: A Guide to LEXIS and WESTLAW* ever since it achieved the status of “forthcoming” several years ago. The wait is now over and I can’t help it, I’m disappointed. *Using Computers* does not meet my teaching needs. My search continues.

The first questions I asked myself after perusing the 800-plus pages in this new book was who would use it? And why? You see, I felt misled. The Wrens’ earlier, much-used text, *The Legal Research Manual* (2nd ed., 1986), was unequivocally a teaching tool, so intended and so achieved. We had been told that their new work was to be a companion, intended for the same audience (witness its very reasonable \$19.95 price tag).

However, I could—and can—only see this book as a reference tool, not a law school legal-bibliography textbook. I would place it in the same category as an earlier work by Fred Shapiro, *LEXIS: The Complete User’s Guide* (St. Martin’s Press, 1989). Both have roles as a user handbook, but neither is much good for teaching.

Here’s the Bad News

I do not see *Using Computers* as a useful course text for at least four reasons. **First**, its length and fine detail are far more than most professors could justify requiring. **Second**, its close alliance to the authors’ first book would make it difficult to use with other texts. **Third**, because the book contains so much

detail, it will be (and was at the time of publication) out of date. **Fourth**, the book does not move from easy to complex in explaining how to use computer-assisted legal research (CALR). It treats all computer research skills as equally easy to learn and use. The underlying assumption is that if you want to use CALR at all, you must know how to do *everything* described in the book.

But Now for the Good News

Purchased for use as a reference manual, *Using Computers* has much to offer. Perhaps most importantly, it does cover both LEXIS and WESTLAW and it is *not* written (or published) by either vendor. The book’s best feature is its detailed descriptions of how to actually perform innumerable CALR tasks (on both systems). This is particularly useful for LEXIS, whose printed documentation is often less than useful. On the other hand, most of what I read in *Using Computers* about WESTLAW could be found in West’s excellent *WESTLAW Reference Manual*.

When I first encountered this new text, I was teaching the segment of my advanced legal-research class on federal administrative rules and regulations. Naturally I looked to see what *Using Computers* could tell me about the online updating of the CFR. I was delighted to find detailed descriptions of how to update a CFR section in the *Federal Register* by using WESTLAW and LEXIS. Using this material, a researcher not only could learn how to prepare a search query to perform the task on either WESTLAW or LEXIS, but could also decide which—if either—system would be more efficient to use. The researcher might even conclude that updating using the print sources was the best way to go.

The book is also useful for the interesting tables and other minutiae it contains. One of the more striking is the set of tables (LEXIS appears on pages 452-53, WESTLAW on pages 580-81) that shows the results of different search queries aimed at finding references to a specific case in all state cases (using CALR as a citator). The tables are an excellent illustration of the vagaries of full-text searching.

Back to the Bad News

The impressive detail just described too often becomes lost in the organizational arrangement of the book. Because the organization of *Using Computers in Legal Research* shadows the earlier Wren

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research text, *The Legal Research Manual*, those unfamiliar with the latter may find it difficult to locate the very useful information contained in *Using Computers*.

For example, the updating of a CFR section is covered on pages 480, 482 and 620. The detailed table of contents (15 pages long) has these sections in Chapter 12 ("Using Computers in Updating the Law"). This all seems straightforward until you realize that you have to skim through 1½ pages of detailed contents to find an entry called "Other tips for updating administrative regulations through LEXIS" to locate the reference to the needed information.

The index is a detailed one of 44 pages. Access to the information on how to make sure the CFR section is current by using the *Federal Register* is found in the index under "Code of Federal Regulations," "Federal Register," "Updating the Law Through LEXIS" and "Updating the Law Through WESTLAW." Four access points give the user many different places from which to start. Still, the first places I looked in the index were "administrative law" and "administrative regulations." Neither term was present, nor was there a cross-reference to other possible entries to check.

Both the index and table of contents suffer from poor formatting and use of typefaces that confuse more than simplify the search process. An outline form is implicit rather than explicit, and I found working with both the table of contents and the index frustrating. In addition, I found it very difficult to figure out where I was in the text itself. There are chapter headers at the top of each page, but because one of the most important chapters (12) is over 200 pages long, some signposts are necessary!

These concerns suggest that *Using Computers in Legal Research* will be most useful to those who consult it regularly. The person who is very familiar with the arrangement and organization of this work can overcome its inherent weaknesses. For this reason I would not suggest that copies be purchased for computer labs or other rooms containing WESTLAW and LEXIS terminals for students.

And the Bottom Line Is ...

I would recommend *Using Computers in Legal Research* to those who regularly use LEXIS and WESTLAW; to academic librarians for their reserve or reference collections; to CALR teachers—but to help them prepare for their instructional duties, not to use as a direct teaching tool—and finally, to those who are enamored of the Wren "process" method for teaching research.

Using Computers in Legal Research contains some gems. The reader must be familiar enough with the text and its organization to think to look here for the information, persistent enough to uncover it and hopeful that the mechanics are still correct! ♦