

Cultivating Legal Research Skills

By Jan Bissett and Margi Heinen

Artificial intelligence. Chatbots. Technology competence. Analytics. Big data.

These innovative tools and trends affect the ways we perform legal research and analyze its results. As appealing as these trends may be, sometimes your strategy is more basic or even fundamental—a refresher or some assistance in applying learned skills in a new setting. As we welcome new members to the practice of law, new associates to firms, and new students to their first year of law school, what advice can we offer to help with research in an unfamiliar area? Where do you start? Some suggestions will be relevant to all. A librarian, research guide, database, or website may be your choice. It's time to strategize your research.

During law school and clerking assignments, you developed relationships with your peers, law faculty, and colleagues. Tapping these relationships may be your starting point; look for an expert or at least someone familiar with research in your area of interest. Consider consulting your law library or resident research expert. Law librarians are aware of the disconnect between law student work and “real life” legal work.

Many law school libraries offer advanced research classes or classes that provide students with necessary skills to take to their jobs. For example, University of Denver's Westminster Law Library has developed a Certificate in Legal Research lunchtime program¹ that gives students an opportunity to add to their résumés in their first semester. Take advantage of these programs to become as familiar as possible with legal research in all its guises. A recent blog post illustrates the necessity of legal research skills even if it's more exciting to analyze the theory or facts of a given situation.²

After completing law school and becoming a member of the legal community, you

still have networks to connect with and relationships to tap. As an alumni and member of the bench and bar, your law school library has an interest in you; outreach programs may be available. There's likely a go-to research contact in your firm or office. At many firms, courts, and government agencies, that person is a librarian or research specialist. Depending on the setting, that person can advise you on a strategy for conducting research on legal, nonlegal, business development, due diligence, and competitive intelligence topics. Law firm librarians and research specialists are especially knowledgeable with the firm culture surrounding research resources and related billing practices for these materials.

Begin with the basics—refresh your notion of how to approach a research project. Georgetown Law Library reminds us of the acronym “JUST ASK” as it applies to starting legal research projects:³ pinpoint the Jurisdiction, Useful tips, Scope, Terms of art, Acronyms, Sources, and Key cost constraints before logging onto a computer. Some of these, like key cost constraints, will be more crucial in a law firm setting, but every researcher should understand these categories so the completed research fits the need. And speaking of Georgetown, check out your favorite law school libraries for helpful research guides on unfamiliar topics. At Michigan law school libraries alone, we find a wealth of research guides to move

you to relevant materials. The University of Michigan Law School,⁴ University of Detroit Mercy School of Law,⁵ Wayne State University Law School,⁶ and Western Michigan Cooley Law School⁷ provide materials for legal researchers.

Taking a first look at research guides will save time by alerting you to the best-known sources in particular areas of law; you won't have to weed through the overload of useless links that a Google search gives you. Guides may also offer suggestions for specialized sources to help you identify a research strategy. The Law Librarians' Society of Washington, D.C. offers specialized research assistance and guidance in its *Legislative Source Book*.⁸ It's an invaluable source compiled by experts in the field, covering research guides and explanations, resource lists and links, and tables of information for legislative researchers. Seek out that expertise and consult practice and specialized research guides as well as your resident research expert.

Become familiar with databases and websites other than Bloomberg Law, Lexis-Advance, and Westlaw. While the big three were there for you in law school, convenience is less of a consideration than cost and accessibility in practice. Consider using a low-cost alternative such as Case-maker,⁹ offered to bar association members. HeinOnline provides access to a wealth of primary and secondary sources as well

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as specialized research materials, and its Spinelli's Law Library Reference Shelf¹⁰ includes access to research guides and reference publications.

Looking for practice publications in Georgia? *State Practice Materials: An Annotated Bibliography*¹¹ can help. Trying to find a copy of *Cameron on Real Property* on your way home? The Michigan eLibrary (MeL)¹² provides all Michigan residents access to the WorldCat database¹³ and can point you in the right direction.

Many researchers feel that using Google¹⁴ is akin to a guilty pleasure and admit to using it with an embarrassed laugh. Google can be a good place to start—especially Google Scholar¹⁵—but it is a wretched place to finish your research. Use these search engines wisely; familiarize yourself with their advanced searching capabilities as well as their limitations. And use good sense when thinking of relying on consensus websites like Wikipedia.¹⁶ Seek out reliable, accurate, and recognized legal research sources and open access websites such as GlobaLex¹⁷ for international materials or Cornell's Legal Information Institute¹⁸ instead of Wikipedia.

The benefits of crafting and following a research strategy allow you time to become familiar with the practice of law and the

law itself. While it may seem that algorithms and artificial intelligence are making this aspect of law practice obsolete, we're not there yet and may never be. Strong research skills put to work at the beginning of each project pay dividends throughout. Writing, advocacy, drafting, and pleasing your client all start with confidence in the research you employ. Don't abdicate that aspect of lawyering—own it. ■

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ENDNOTES

1. University of Denver, Westminister Law Library, *Certificate in Legal Research Program* <<http://libguides.law.du.edu/clrcertificate>>. All websites cited in this article were accessed October 17, 2017.
2. Bret Christensen, RIPS Law Librarian Blog: *Hindsight: Realizing the Importance of Legal Research* <<https://riplawlibrarian.wordpress.com/2017/09/19/hindsight-realizing-the-importance-of-legal-research/>> (posted September 19, 2017).
3. Georgetown Law Library, *Starting your Research? JUST ASK* <https://www.law.georgetown.edu/library/research/just_ask.cfm>.
4. University of Michigan Law Library, *Research Guides* <<http://libguides.law.umich.edu/researchguides>>.
5. University of Detroit Mercy Law School, *Law Library* <<http://libguides.udmercy.edu/index.php?gid=4135>>.
6. Wayne State University Library System, *Research Guides: Law* <http://guides.lib.wayne.edu/sb.php?subject_id=37496>.
7. Western Michigan University Cooley Law School, *Research Guides* <<https://www.cooley.edu/library/research-guides>>.
8. Law Librarians' Society of Washington, DC, ILLSDC's *Legislative Sourcebook* <<http://www.illsdc.org/sourcebook>>.
9. State Bar of Michigan, *Member Orientation: Casemaker* <<https://www.michbar.org/programs/orientation4>>; Casemaker <<http://www.casemaker.us/>>.
10. HeinOnline, *Spinelli's Law Library Reference Shelf* <<https://heinonline.org/HeinDocs/SpinelliReferenceShelf.pdf>>.
11. William S. Hein & Co., Inc., *State Practice Materials: Annotated Bibliographies* (Houdek & Postar eds) <<https://www.wshein.com/catalog/12941/>>.
12. Michigan eLibrary <<http://mel.org/>>.
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14. Google <<https://www.google.com>>.
15. Google Scholar <<http://scholar.google.com/>>.
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18. Cornell Law School, *Legal Information Institute* <<https://www.law.cornell.edu/>>.

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