

Legal Resources on the Internet

We are approaching a point in time where, using free or very inexpensive websites, Michigan attorneys can access nearly all of the primary material needed to conduct credible legal research on Michigan and federal issues. We can also access a surprising number of reliable secondary sources on the web. In this two-part article we will explore the resources currently available. *Part I* will describe Michigan sources and issues generally associated with using the free web for legal research. *Part II* will describe federal and secondary sources.

You cannot always rely on publishers of free websites to verify or classify information. Full-text searching is not always available, and when it is, the search engines may not be robust. The issues of accuracy, currency, and comprehension discussed in an earlier *Michigan Bar Journal* article on this subject are still relevant.¹ Nevertheless, legal research sources on the internet are now more likely to present economic issues rather than issues of reliability. In other words, you can spend time and save money using free sources and doing without some features, or you can spend money and save time by purchasing more traditional licensed databases with convenient features.

Many of the best free websites have been developed by governmental and educational entities. Government sites typically publish the primary law, and non-profit and educational sites—particularly those of academic law libraries—locate and organize it. When researching free sites, it helps to be aware of the structure in which legal information is typically published. That knowledge cannot only help you find what you need, but it can help you update and verify it as well. Sources of primary law always come in one of two basic arrangements—chronological or subject/hierarchical. Like the two sides of a coin, you must have both types of arrangements in order to do effective legal research into the primary law of your jurisdiction. For example, if you are searching the Michigan Compiled Laws (MCLs) (a hierarchical/subject

arrangement), be prepared to switch over to its equivalent, chronological arrangement, the Michigan Public Acts, to update the information you find in the MCLs.

Search Engines

Although this article will focus on specific websites, an article on this topic would be incomplete if it failed to mention search engines. If you know the URL (address) of a web page, you can type it into the address box of a web browser and the page will be displayed. If you do not know an address, you can use a search engine such as *Google*, www.google.com, to find locate web pages. *Google* currently dominates the market, accounting for about two-thirds of all web searches.² *Google* also indexes documents saved in portable document format (pdf), unlike many other search engines.³ *Google* is so popular that “to *Google*” something or someone is now considered a verb. Using search engines works reasonably well for legal research; however, search engines do not help you distinguish between reliable and unreliable sites.

Dot.com’s

For-profit publishers often offer reliable free information. *West Publishing Co.’s Find-Law*, www.findlaw.com, is perhaps the best known and most widely used legal dot.com, and with good reason. The site offers links to free federal and state case law and codes, case summaries, topical treatments, full-text law reviews and other articles, forms, SEC filings, and more. *Westlaw* also offers the use of its citator, *KeyCite*, and document retrieval with a known citation via its *Westlaw by Credit Card* service, creditcard.westlaw.com.

LexisNexis offers *LexisOne*, www.lexisone.com. Register to gain access, and search the LexisNexis case law database from 1996 to date, just as if you had a subscription. This site allows you to practice online searching without cost. Free legal forms and an Internet Legal Research Guide are also available. The case law back file and online statutes may be searched for a day, week, or month

at a time, payable via credit card. *Shepards* at \$4.25 per citation or \$30 per day is also available with a credit card.

VersusLaw, www.versuslaw.com, offers case law for as little as \$8.95 per month and includes appellate decisions from state and federal courts, including Michigan case law from 1930. A subscription with a search engine and a citator is only \$19.95 per month. Since citators and case law prior to 1996 are the two remaining gaps in Michigan primary law on the free web, these credit card and subscriptions services can help you bridge the gaps.

Primary Law

Michigan Statutes and Public Acts, Legislative History

At the Michigan Legislature site, michiganlegislature.org, you will find unannotated Michigan Compiled Laws (MCLs), Public Acts (1997–date), MCL Tables (1997–date), Constitution of 1963, Acts by Popular Name, bill tracking (current Legislative session), legislative history and analysis (1997–date), and House and Senate Journals (1997–date).

The Michigan Compiled Laws interface is easy to navigate. Access is available via citation, browsing, or keyword searching. Click on the printer icon on the toolbar on the left to strip away the graphics to facilitate downloading or printing. The statutes are arranged hierarchically, so it is easy to move from the chapter level into individual sections. Use the browser “find” feature (Control-F) to search for specific keywords within text.

The MCLs are generally very up-to-date, and the blue banner at the top of the page clearly shows when the statutes were last updated. To update, simply click on the Public Acts Tables to look for new legislation that has not yet been incorporated into the database, and then retrieve the relevant Public Acts to update the MCLs. You can also obtain the legislative history and analysis of all bills and Public Acts since 1997 at this site. Under the “Bills” section of the Michigan Legislature site, you can locate pending legislation as well.

Michigan Judicial Opinions, Briefs, Ethics Opinions

Numerous websites offer Michigan appellate opinions. The Michigan Courts website, courts.michigan.gov/supremecourt, offers Michigan Supreme Court opinions (2001–date); Michigan Court of Appeals published opinions (2001–date), and Michigan Court of Appeals unpublished opinions (July 1996–date). A search engine allows field or full-text searching. The Michigan Court of Appeals also offers its popular Michigan Appellate Digest (1992–date) that indexes Michigan appellate case law. The Digest may be browsed or field searched by name or date. You can also search for statute or court rule references that allow you to access information typically found in the annotations in the Michigan Compiled Laws Annotated (MCLA) and the Michigan Court Rules Practice sets. For briefs filed with the Michigan Supreme Court see the “Schedule of Oral Arguments” section.

For older appellate decisions, four websites are useful: the Institute of Continuing Legal Education (ICLE), the State Bar of Michigan, *LexisOne*, and *FindLaw*, but none of these sites provide case law prior to 1995. The Institute of Continuing Legal Education (ICLE) website, www.icle.org, contains Michigan Supreme Court Opinions (1995–date), and published Michigan Court of Appeals Opinions (1996–date). ICLE arranges the opinions by date and practice area (thus creating a digest of sorts), and also offers keyword searching. The State Bar of Michigan, www.michbar.org, offers Michigan Supreme Court opinions, published and unpublished Michigan Court of Appeals opinions, U.S. Sixth Circuit Court of Appeals opinions (all from 1998–date), and Eastern and Western District Court of Michigan opinions (1999–date). In addition, State Bar Ethics Opinions (1988–date) and Judicial Tenure Commission advisory opinions (1968–88) are also available.

Michigan Judicial System, Forms, Dockets, Procedural and Evidentiary Rules, and Orders

The Michigan Courts website, courts.michigan.gov/supremecourt, offers the Supreme Court Docket, Administrative Orders, SCAO Approved Forms, Michigan Court

Rules, Michigan Rules of Evidence, Local Court Rules, Rules for Board of Law Examinees, Michigan Code of Judicial Conduct, Michigan Rules of Professional Conduct, Rules Concerning the State Bar of Michigan, and the Michigan Uniform System of Citation. This website also provides a directory of all Michigan courts and numerous publications (under “Resources”) such as Friend of the Court and Child Support Guidelines. The SCAO forms (pdf format) can be downloaded, or filled in and printed right from the screen. The Court of Appeals website also offers a Pro Per Manual of Appellate Procedure and Forms.

FindLaw offers a collection of forms arranged by state and subject, as well as links to the SCAO forms. *LexisOne* offers a modest collection of fill-in forms that generate Word or WordPerfect documents upon completion. These forms may be downloaded and edited off-line.

Michigan Agency Rules, Regulations, Decisions and Forms, Executive Orders, and Attorney General Opinions

The Office of Regulatory Reform, www.michigan.gov/orr, offers the Michigan Administrative Code (subject arrangement) and the means to update it with a section for “Latest Rule Activity.” A search engine for the Administrative Code is available, and works fairly well, and browsing is also an option. In theory, the Michigan Register (chronological arrangement), which is also available at this site (2000–date), updates the Administrative Code, but the Michigan Register is delivered in pdf format so keyword searching is not an option.

Executive Orders are available at the Governor’s website from 1991–date, www.michigan.gov/gov, and Attorney General Opinions are available at the Attorney General’s website from 1963–date, www.michigan.gov/ag (those preceding 1977 are in pdf format and are not keyword searchable). The Attorney General site also offers consumer alerts and online complaint filing.

An indispensable website is hosted by the Department of Consumer & Industry Services, www.michigan.gov/cis. Here you can perform a business entity, name availability, or commercial license verification search (under “Online Services”). Under “Hearings, Ap-

peals and Mediation,” you can locate forms, publications, rules, and administrative law decisions for numerous state agencies from 1997–date, including Tax Tribunal rules and decisions, Workers’ Compensation Appellate Commission decisions, and MERC decisions, among others. You will find information from the Liquor Control Commission, Michigan Employment Security Board of Review, Michigan Bureau of Commercial Services—Corporate Division, licensing and disciplinary actions, forms for corporations, LLCs, partnerships, and much more.

Michigan Municipal Codes and Ordinances, Public Records

The Michigan State University–Detroit College of Law Library offers links to many Michigan municipal codes and ordinances at www.law.msu.edu/library/substantive/local.htm. A growing number of Michigan counties now provide access to register of deeds filing and other similar public records. Try Public Records Online, www.netronline.com/public_records.htm, and Search Systems, www.searchsystems.net, when seeking this type of information. ♦



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served on the State Bar of Michigan Committee on Libraries, Legal Research & Publications, and served as committee chair during the 2000–01 term. Carol regularly teaches a day-long workshop on free Internet legal resources for the Michigan Library Consortium, and has presented at numerous librarian conferences.

FOOTNOTES

1. State Bar Committee on Libraries, Legal Research and Publications, *Finding and Assessing the Best Internet Sites for Lawyers*, Mich. Bar J., p. 660, July 1998, www.michbar.org/committees/libraries/lib9.html.
2. Jefferson Graham, “Difficulty getting listed frustrates fans of Google,” Gannett News Service, January 12, 2003.
3. Because earlier search engines did not access pdf documents, which are images, pdf documents came to be known as the “invisible” or “deep” web, given the difficulties involved in locating them.

Look for Part II of this article in June.