

Chapter 17

Computer-Assisted Legal Research

Chapter Outline

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7. Some of the Best Legal-Resource Sites on the Internet

Chapter Objectives

After completing this chapter, you will know:

- How CD-ROMs and legal-research services provided by Westlaw® and Lexis® help legal professionals in computer-assisted legal research (CALR).
- What the Internet is, and how it can be accessed and navigated.
- Some strategies for planning and conducting research on the Internet.
- How you can find people and investigate companies using Internet search tools and databases.
- How to find some of the best legal resources available on the Internet.

Chapter 17 Computer-Assisted Legal Research

Chapter Outline

- I. INTRODUCTION
 - A. Computers and online databases have greatly simplified the tasks of paralegals in all areas of legal work.
 - B. One of the great benefits of computer technology for legal practitioners is *computer-assisted legal research (CALR)*.

- II. CD-ROMS AND LEGAL RESEARCH
 - A. Advantages of Using CD-ROMs
 - i. CD-ROMs are far less costly to purchase and require much less space than their printed counterparts.
 - ii. A CD-ROM holds the equivalent of over 600 megabytes of data, which means that one CD-ROM can store approximately 300,000 pages or over 100 volumes of legal reference materials.
 - iii. CD-ROMs are easily transported.
 - iv. Searches of materials on CD-ROMs can be conducted more easily and quickly than using printed reference materials.
 - v. Paralegals can copy segments of a case or statute directly onto their computer.
 - B. Disadvantages of Using CD-ROMs
 - i. CD-ROMs can become outdated.
 - ii. Even the most recently issued CD-ROM version of legal references may be somewhat outdated because of the time it takes to create and distribute the CD-ROM.

Contact My Computer

Technology is fascinating and dynamic. Even as I write this study tip, I know that somewhere out there, technology has changed. Using the computer for various reasons can be quick, easy, and fun. But, know what you find. Is it reliable? Is it correct? Should you do more? For example, there are many Internet sites that house legal-research material. There are also commercial, fee-based sites, and, of course, there are also books. Know when to use which sources.

- III. WESTLAW® AND LEXIS®
 - A. Accessing Westlaw or Lexis
 - i. Traditionally, a subscriber accessed Westlaw or Lexis by using the subscriber's computer to access the database through a modem connection over a telephone line.
 - ii. Today, both Westlaw and Lexis can be accessed online through the Internet; special software is no longer needed.

- iii. The advantage of accessing these services on the Web is that research is done easily with a standard browser and without the extensive training needed for the proprietary software.
- iv. The disadvantage of accessing these services through the Web is that users do not have the accompanying user manuals on how to use these services.
- v. Another disadvantage of Lexis is that only a portion of the Lexis databases is included on the Internet. Westlaw, however, does offer all of its databases online.
- vi. On Westlaw or Lexis, you can retrieve documents by citation, check citations, or search databases for cases, statutes, or other documents and legal resources on a given topic or issue.

B. Retrieving a Document by Citation

- i. To find a document, enter the citation for a document, such as a case or statute.

C. Checking a Citation

- i. Westlaw and Lexis both offer online citators.
- ii. Online citators are more up to date than printed citators.
- iii. The tools on Westlaw and Lexis allow you to update the law within seconds.
- iv. Making sure that your research results reflect current law is a crucial step in legal research.

D. Selecting a Database

- i. Both Westlaw and Lexis have databases for cases, statutes, and other legal authorities and reference materials that relate to certain topics or legal issues.
- ii. Once you become familiar with the database identifiers for Westlaw and Lexis, you can access that database more directly.

E. Searching a Database

- i. The Terms and Connectors Method
 - 1. To conduct a search using terms and connectors, you use numerical and grammatical connectors to specify the relationship between your terms or phrases.
 - 2. A list of terms and connectors can be found in the instruction manuals provided to Westlaw and Lexis subscribers.
 - 3. When drafting search queries, you want to make sure that your query is not too broad or too narrow.
- ii. The Natural Language Method
 - 1. The natural language method is called “Freestyle” on Lexis and “WIN” on Westlaw.

2. This type of search allows you to type a description of an issue in plain English to retrieve relevant documents.
- iii. Browser Enhancements
 1. There are internal browsing tools in both Westlaw and Lexis that help you to pinpoint your search more precisely.
 2. When browsing through your search results, remember that the time you spend online using the service is costly.

IV. GOING ONLINE—INTERNET BASICS

A. What Is the Internet?

- i. The Internet is a global communication network of interconnected computers.

B. Internet Tools

i. Uniform Resource Locators

1. A uniform resource locator (URL) is an Internet “address.”
2. The basic format for a URL is **“service://directorypath/filename.”**
3. The letters “http” stand for hypertext transfer protocol.
4. Hypertext is a database system by which disparate objects (such as text or graphics) can be linked to each other.
5. The letters “www” stand for the World Wide Web, which is a hypertext-based service through which data is made available on the Internet.
6. To enter a URL on a browser, it is not usually necessary to type “http” or [www](#). The browser will enter these terms automatically.

ii. E-Mail

1. This is one of the most common uses for the Internet.
2. E-mail addresses are often included on letterhead stationery and business cards.

iii. File Transfer Protocol

1. File transfer protocol (ftp) is a very basic interface that connects one computer with another to copy files.
2. To find files that are available from ftp servers, researchers use an online index called “Archie.”

iv. World Wide Web

1. The Web is a data service on the Internet that is accessed through a browser.
2. Web pages, or sites, usually contain links in boldface, underlined, or colored text.

3. By selecting or clicking on a link, the user is transported to other pages or sites.

C. Accessing the Internet

i. Setting Up Your Own Gateway

1. This is the most expensive method of accessing the Internet.
2. A large law firm or business might use this method.
3. Setting up a gateway requires registering a domain name with an ICANN accredited registrar.

ii. Internet Service Providers (ISPs)

1. An ISP is a service that provides dedicated access to the Internet.
2. An ISP is less consumer oriented than a commercial online service.
3. An ISP normally does not have the same volume of users as a commercial service and can deliver data faster.

D. Navigating the Internet

i. Browsers

1. A browser is software that allows a computer to roam the Web.
2. Although each browser has its own features, all browsers perform the same basic functions.
 - a. Browsers make it possible to copy text from Web sites and paste it into a word-processing document.
 - b. Browsers allow you to download images, software, and documents to your computer.
 - c. With browsers, you can search a single document that appears in your window.

ii. Guides and Directories

1. Lists of Web sites categorized by subject are organized into guides and directories, which can be accessed on the Web.
 - a. These sites provide menus of topics that are usually subdivided into narrower subtopics, which are further subdivided until a list of URLs is reached.

iii. Search Engines

1. Next to browsers, search engines are the most important tools for conducting research on the Web.
2. A search engine scans the Web and indexes the contents of pages into a database.
3. Search engines vary in size and scope of services.

4. The results from the search engine are limited by the researcher's ability to phrase a query within the constraints of the search engine's capabilities.
5. Search Engine Variations
 - a. Some search engines will search only specific categories of resources, particularly for law research.
6. Kinds of Searches
 - a. There are two basic kinds of searches: by keyword and by concept.
7. Using Search Engines Effectively
 - a. For legal research, even the best search engine cannot match the results of a search conducted through Lexis or Westlaw.
 - b. To obtain the best results, a researcher must know the features of each search engine and how to focus queries to take advantage of those features most effectively.

Oh, and Another Thing

The computer can also be used to develop a case, factually. Locating witnesses, finding experts, increasing your knowledge of a specific discipline through online articles or services are just a few examples of other computer uses. As you practice, you will, no doubt, know what works best in each of these (and other) categories for you, your attorney, and your client.

- V. Conducting Online Research
 - A. A Threshold Question: Is the Internet the Right Research Tool for Your Project?
 - i. Conducting Legal Research on the Internet
 1. Many primary sources of law are now available on the Internet.
 2. The availability of secondary sources on the Internet varies.
 3. Many law firms provide background material for their sites on the Internet.
 - ii. The Limited Scope of Online Legal Sources
 1. For serious, in-depth legal research, as of the time this edition is being written, the free Web sites on the Internet are not excellent resources.
 2. Conducting Fact-Based Research on the Internet
 - a. The Internet is very useful when researching peripheral materials and information, such as scientific, technical, technological, or other types of research.

B. Plan Ahead: Analyze the Facts and Identify the Issues

- i. State your objectives clearly, and be sure that you understand your goals.
 1. Determine which sources are most likely to lead you to the desired results.

C. Online Research Strategies

i. Starting Points

1. Research sessions can begin with online directories or guides.
2. A search engine or a metasearch engine may be used to compile a list of Web sites that contain certain keywords.
 - a. Different search engines yield different results.
 - b. Many sites include their own links to other sources that may be helpful.
3. Discovering What Resources Are Available
 - a. Your initial research goal may be to find out the extent of what is available online, with your ultimate goal being to locate more precise results.
 - b. Many libraries provide access to their catalogues online, which are searched the same as you would search them in a library.
 - c. Listservers
 - 1) A *listserv* is a list of e-mail addresses of persons who are interested in a particular topic. They provide more anonymity than newsgroups.
 - d. Newsgroups
 - 1) A *newsgroup* is a forum that resembles a community bulletin board.
 - e. Browsing the Links
 - 1) Traveling around the Internet to locate sites and information is known as “surfing the Web.”
 - 2) A browser “Favorite” (Explorer) or “Bookmark” (Netscape) is a way to create an automatic link to any point on the Web and return to it at any time.
 - f. Narrowing Your Focus
 - 1) Many sites on the Internet provide links to text and graphics.
 - 2) Some sites include internal search utilities that allow you to look for specific information.

- 3) Using your browser's "find" tool, you can also search an individual Web page.

D. Evaluating What You Find

- i. Every source of data obtained via the Internet needs to be evaluated carefully for its credibility.
- ii. To evaluate the credibility of a source, determine whether the source is a primary, secondary, or tertiary source.

E. Updating Your Results

- i. Confirm whether your research results represent the most recent data available by going to relevant Web sites.

VI. LOCATING PEOPLE AND INVESTIGATING COMPANIES

A. Finding People

i. Broad Searches

1. A researcher can run a broad search on the Internet with a general search engine or by using Internet telephone directories.

ii. Narrow Searches

1. If something is known about a person (such as a person's profession or employment) the Web can be a good source for locating him or her.

iii. Locating Expert Witnesses

1. There are several sites on the Internet specifically listing expert witnesses.

iv. Fee-Based Searches

1. Some commercial services provide access to their compilations of information for a price.

B. Investigating Companies

i. Finding Company Names and Addresses

1. A researcher can find a company's name and address by running a search with a telephone number or through the help of an online directory that searches by industry and state.

ii. Uncovering Detailed Information about Public Companies

1. In-depth research is necessary to discover more than the company name and address.
2. Most companies maintain their own Web sites.
3. Information may be available through the Web sites for government agencies.
4. Other information about public companies can be found at other free or fee-based sites.

iii. Learning about Privately Held Companies

1. Data about private companies is more difficult to find because they are not subject to the SEC's disclosure requirements.

VII. SOME OF THE BEST LEGAL-RESOURCE SITES ON THE INTERNET

A. Basic Resources

- i. Almanacs and Nonlegal Encyclopedias
- ii. Area Codes
- iii. Case Citation Guides
- iv. Dictionaries
- v. E-Mail Addresses
- vi. Internet Directories
- vii. Internet Search Tools
- viii. Information About the Internet
- ix. Internet Service Providers
- x. Legal Dictionaries
- xi. Legal Ethics
- xii. Library Catalogues
- xiii. Maps
- xiv. Multiple Dictionaries
- xv. Specialized Dictionaries
- xvi. Telephone Directories
- xvii. Thesauri
- xviii. Zip Codes.

B. University Sites

- iv. Law-Related Starting Points
- v. Government Resource Listings
- vi. Law-Related Discussion Groups
- vii. Web Site Evaluations.

C. Government Sites

- viii. Law-Related Starting Points
- ix. Business and Economic Information
- x. Information about Public Companies
- xi. Government Publications
- xii. Discussion Groups.

D. Sites for Associations and Organizations

- xiii. Associations
- xiv. Professional Organizations
- xv. Non-Profit Organizations.

E. Free Commercial Sites

- xvi. All-Purpose Starting Points
- xvii. Law-Related Starting Points
- xviii. Media Directories.