

**ALL–SIS Legal Research and Sourcebook Committee
Legal Research Roundtable Notes
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How many platforms can we teach? Should we still be teaching Westlaw Classic and Lexis.com in addition to WestlawNext, Lexis Advance (and Bloomberg Law)? What about Fastcase and Casemaker?

Eight librarians discussed platform selection, preference and instruction. Initial comments concerned personal platform preferences, many agreeing that Lexis.com is preferred to LexisAdvance and of the two newer platforms, WestlawNext is preferred.

The facilitator began the session with a request that each participant let the group know which platforms (Lexis [L], LexisAdvance [LA], Westlaw Classic [WL], WestlawNext [WLN] and Bloomberg Law [BLaw]) are currently offered to 1L students. Many participants also addressed librarian/vendor instruction.

- a) L, WL, BLaw – Fall LA, WLN – Spring
- b) L, LA, WL, WLN – Fall BLaw – Spring
- c) LA, WLN – Fall
- d) L, LA, WLN, BLaw, mention Fastcase
- e) LA, WLN – Fall (initial training librarians/vendors; BLaw vendor training)
- f) L, WL (5 day intersession training; Fall/Spring new platforms upcoming year)
- g) L, LA, WL, WLN with emphasis on L, WLN. BLaw introduced, very little WL; vendor instruction limited to Prepare to Practice sessions.
- h) LA, WLN – Fall L, WL, BLaw (secondary sources)
– Spring

Participants shared their experiences about:

- Use of classic platforms in firms?
 - One participant noted being contacted by a firm librarian concerning WLN instruction and wondered how many firms have adopted WLN which led to discussion of firms' adoption of single providers as well as 'new/advanced' pricing strategies of LA, WLN platforms. Noted possibility of working with firm librarians and various discussions at Seattle conference.
- LexisAdvance:
 - Concern expressed by many about search strategy/content and difficulty explaining to students. Noted that Sources will be part of word wheel (this Fall?) instead of paging through alpha list.
- Bloomberg Law:
 - BLaw not typically taught in 1L curriculum. One participant noted one session devoted to BLaw and that vendor's desire for integration into the curriculum. Another participant noted BLaw is introduced in Advanced LR.
- Use of WLN by federal/government agencies?
 - One participant asked if group members were familiar with the platforms used by federal courts.
- Students – search strategies/results. Comments that librarian instruction presented more 'real world' examples; vendor training often canned with a definitive answer leading students to believe an answer may always be found.
- How involved are LRW faculty in training/platform selection?
- Use of print sources – illustration/integration with platforms? Do you talk about what might be easier to use in print? Or advise students print materials may be their only choice?

- What additional legal databases might you introduce to 1Ls?
 - Fastcase, HeinOnline, Casemaker, LegalTrac.

Teaching cost-effective research: How to use Westlaw/Lexis/Bloomberg efficiently if available and when and how to use “free” and lower cost alternatives even if they are.

How prepared are students when entering law firms? New associates come in not knowing how to do the research required of them. As a result, Ober Kaler, a law firm in Baltimore, Maryland instituted a law clerk program, where a law clerk is assigned to and works with one practice group for the summer. This program is meant to be more hands on for students and provide more practical experience.

Platforms for Research

What platforms besides Westlaw and Lexis are firms and organizations using and teaching?

- Fastcase is currently being introduced and taught to students in some institutions.
- Bloomberg law is currently taught at three of the institutions (NYU, Touro & Georgetown). NYU and Touro teach it to first year students and at Georgetown, it is taught only at the direction of the Legal Research and Writing Professors. Students do not use Bloomberg as much as Westlaw or Lexis.
 - While, portions of Bloomberg Law are really good, there are some concerns: there are no annotated codes; the digesting system is only in certain areas; codes are not updated as quickly as other vendors.
 - Ober Kahle is using Bloomberg Law to access primary source materials, case law, citations, state codes, and docket information from Edgar.
- Loislaw, Fastcase, and Casemaker are other alternatives. Only Fastcase is being introduced in some research classes.
- LLRX has a 50 state compendium on annotated regulations, case law, opinions, etc. and it is a great start for state law research.
- Google Scholar is being used to find cases; citations are checked in Lexis and Westlaw. Google Scholar is also used to search for articles in HeinOnline journals.
- Print resources - librarians still recommend that students use the state encyclopedias, digests, and annotated codes in print if they are available.

Cost-Effective Legal Research

Are law schools teaching a course in cost-effective legal research or is it part of a workshop or other classes? If cost-effective legal research is not part of a required legal research class or workshop, it is hard to get students to attend. There are several different ways for handling cost-effective legal research:

- Not taught, but research guides with information on alternatives to Westlaw and Lexis, and resources for free legal research are provided.
- The research guides are incorporated into the first year curriculum with a one hour session on cost-effective research.
- Incorporated into the first year legal research class; part of a workshop taught by librarians; covered in a session by Westlaw and/or Lexis reps.

Takeaways

- Students have to understand that not knowing how to research effectively and efficiently has a financial impact on the firm, their clients, and also on their skill set.
 - There is a motivational force in the law firm environment to do things efficiently, quickly, and cost-effectively.
 - Clients are not interested in paying for the work of first and second year associates who don't know what they are doing.

- Even with flat fee contracts, the increase in usage and time spent online using subscription databases could still result in an increase in price.
 - Clients are billed hourly for the time an associate spends working on their case.
- We need to teach efficiency in all platforms that we teach. Research assignments need to be formulated to replicate immediacy and the cost of legal research.
- Law firms want associates with practical experience and who are familiar with legal research. If you can put students in real work situations where they have to learn by doing and actually put together something that is a real work product, it can help them get hired and also provide them with practical experience.
 - Flipping the classroom and having students listen to lectures outside the classroom and using class time to actually work on assignments and research problems are a starting point for providing students with a more hands on experience.
- Cost-effective legal research also involves: showing students the importance of formulating a plan and coherent strategy for locating information; efficient use of legal databases; narrowing/filtering your results. As an associate, knowing the tips and tricks on effectively and efficiently researching and using the databases is valuable information.
- It would help if librarians had: ways to set a maximum limit for subscription database usage and the ability to curtail usage once their limit is reached; a printout showing the amount of money a student spends online researching information, i.e., what their use of a database actually costs.
- There is a misperception about what we do as librarians. We have to put students/associates at ease and let them know we are available for help.

Librarian-taught for-credit research classes

Basic problem with Legal Research instruction

- The basics are missing→ what is an index? Why use the TOC? How do catalogs work?
- The issues begin at the lower levels of education BUT
- Are these basics really important for Legal Research instruction with WestlawNext and Lexis Advance?
- How do you get students to value the basics?
 - Demonstrate value (why is it important?)
 - “rebookify” the way students use the databases
 - Use bad keyword searches that return a lot of results to show the value of filtering

Teaching the various platforms

- Teaching all 5 is difficult but some materials are still in classic so those can't be phased out

Flipped Classrooms

- Videos→ instructional and library/collection tours
- Ways to make sure students watch and /or pay attention to the material
 - Quiz them
 - Keep the videos short

Team or Solo Teaching

- Primarily team teaching either with other librarians or shared with legal writing
- Some specialized research courses taught by individuals

Are you paid to teach (beyond your librarian's salary)?

- Some do but most don't- depends on dean, funding, expectations of the legal research program.
- Most likely to get paid for classes outside of the core 1L curriculum
- Most librarians want to be in the classroom and will do it any way they can- paid or not
- No one really want to fight the money battle in an era of shrinking budgets
- Generally, our service orientation can be used against us because we want to help, administration/faculty know that, and it is used against us.
- Note on Summers:
 - Summer courses generate revenue- if a librarian teaches in the summer she/he should be treated like an adjunct and get paid like it.

How important is teaching to you professionally?

- It is a requirement of almost all job postings→ having the background will help with the job hunt
- It seems to more important the earlier it is in your career→ as you move up other people come in who are better at it- it is fine to relinquish that control

Miscellaneous Notes

- Downfall of grading:
 - Nitpicking students
 - The curve

- The emphasis on skills training should make the anti-curve argument easier.

Complex research exercises: drafting, developing & applying them in law school classes

The group discussed the following problems in writing effective legal research exercises for law students, and proposed the following solutions:

- Problems were too complex, which can overwhelm students and cause some to shut down
 - Use very guided research exercises that sequentially highlight different resources
 - Have students trace their research process
 - Don't hide the ball or use needle in a haystack problems
 - Break down big exercises into smaller parts
 - Keep an open door policy
- Exercises based on business law are timely and important but too difficult, particularly when students are new to law school
 - Write exercises geared toward writing assignment that they have to do anyway, so that they have context
 - Use procedural statutes, like statutes of limitations, as examples for research
- Summer associates are often asked to research legislative history and many are unprepared
 - Pick a legislative history research example to walk through in class, then follow with an assignment
- Reference librarians can spend hours preparing a problem, only to find it unusable for 1L's because it either fails to facilitate use of variety of resources or is too complex
 - Start with regulations, then work backwards
 - Use circuit splits to draft problems that address both sides of an issue
- Changing key numbers can complicate teaching key number searching and the use of digests
 - Teach strategies, not individual databases. Leave specific Wexis training to the reps
 - Do research examples together in class
 - Have students report the most recent case they see under a particular topic. If they have not tracked key number changes, they will see immediately
- Print resources, including tables and indexes are both limited in quantity and unfamiliar to students
 - Give different groups of students different problems so they are not competing for the same print volumes
 - Use research stations that utilize different materials
 - Show how print structure gives context to online resources
- Hard to keep students' attention
 - Use current events as research topics (ex Boston marathon bombing)
 - Adapt cases and change character names to reflect popular culture, i.e., use Game of Thrones characters

- Use questions that students write in over the summer when they are on the job as examples for 1L classes
- Revise problems that have dated facts
- Use comic book/ action heroes /humor (ex: pirate theme)
- Use problem banks through SIS or put out a request for ideas using the message board
- Cost effective research is hard to teach and students often run into problems with this in practice; hard to strike a balance between making students aware of need to be efficient and frightening them off of using expensive databases at all.
 - Explain print is still important because online does not have everything
 - Give a price sheet (real or fake): have students record their time and add up their costs
 - Do exercises in groups that include cost component. Assign different resources to each group, have them report answer and have them report cost
- Grading is difficult
 - Choosing right source is part of grade
 - Have them explain research strategy (which resources picked and why)
 - Results will be different if correct resource used
 - Ask for annotated memo, footnote each citation with explanation of why they picked it
 - Use check, plus, minus system

Final thoughts: remember that as a group we are not alone. We can share experiences and information, and we can ask each other for help.

Flipping the classroom: What material is best suited for shifting to pre-class student preparation and what are the best ways to use the class time freed up by doing so?

The primary discussion revolved around the following topics/ideas:

- In determining what must go 'inside' the class and what goes 'outside' the class instructors should focus on what information can be easily received and understood on one's own and what material/skills are best taught with real-time guidance. Ask yourself "what information will this student need in order to perform the task at hand? Can they gather that info on their own?"
- When thinking about pre-recorded lectures should you use a text book? The group was mixed on this because we all agreed it is important not to use the Flip model to double your content and expectations for student's time must be reasonable (if for no reason other than it can build resentment). However, some members were concerned that no text alienates textual learners by reaching out to visual and auditory learners. The consensus seemed to lean towards a mix of content delivery with potential "optional" content in various forms. i.e. if you use videos, provide optional text chapters for those who do like the reading.
- We talked a lot about the survey and how we could use those results to build better assignments and help students prepare for practice by explaining to them when/how it may work 'out in the real world.'
- We also talked about the survey and how sharing some of the statistics (particularly the ones on how employers feel about the current skills of law grads) to help contextualize what we are teaching and show the value of being a good researcher.
- We also talked about using the survey to identify 'bad practices' and use that data to inform what or how we teach- for example if they are going to use Google regardless should we spend some time showing them how to use it best and revealing its strengths and weaknesses.
- We also talked about creating partners to share assignments with because the hard part of a flip is coming up with the content for valuable in-class exercises.

What is the appropriate model for teaching and support of moot court teams, law journal editors, clinical programs, and trial teams?

Library Liaison

- We discussed the idea of creating a library liaison for extracurricular activities. More than one participant has a library liaison for student groups at their law library. However, admittedly, with student-run activities, participation can be largely hit or miss, as it depends on the students and how much they request or require librarian assistance.
- Still, having a contact person for Student Groups allows for the library to respond quickly and effectively to requests and also invites requests for assistance, such as inviting students to ask for a LibGuide that meets their needs (which may lead to the LibGuide being used and used often).
- The key is to go to their initial meetings, in the beginning of the semester, which are advertised and open to anyone. Pop in, say hello, and offer help. Then throughout the year – be persistent.
- In-your-face marketing sounds extreme, but can be so effective! One librarian e-mails or posts on their TWEN page LibGuides geared towards their area of interest that might help them (sending a Family Law LibGuide to a Future Family Law Attorneys Group, for example). In this way, they know she is there and she is interested, which often leads to more involvement with the library.

Marketing

- We agreed as a group that marketing is a key to reaching any and all students – whether they are in a group or not.
- One library set up space where students could drop in and watch the historic Supreme Court arguments that took place this Spring. Turning the television on to watch the argument, and keeping the space open all day, allowed students to drop in and out as their schedule allowed, but it still got them *into the library*, which is key.
- We discussed many ideas for running contests that draw students to the library. Law students love competition, especially if they win something moderately cool (it doesn't have to be expensive) and if the contest is not too extreme that it takes up too much of their time. The key is to be quick, relatively easy, and fun.
 - Another great idea - use social media to do this! Create pop-up contests on Facebook or Twitter – and students will learn that they can't participate, and can't win, if they do not follow you.
 - A sample contest for Halloween – Ask students to find the definition of cemetery in words or phrases, or a case that discusses whether you can sell a haunted house, or a digest topic and key number for haunted houses.
 - Prizes can be as simple as free earplugs, a study room for an entire day, or SWAG from the AALL conference!
- One great idea was to hold something of a Cool Tools Café to demonstrate new technology to students – and with each demo attended, they get a stamp or an entry to win a contest.
- Another idea was to survey local firms and ask what technology they are using – so that we can train on students on it and they can use that training to get a job.
- Other participants have created LibGuides entitled “The Summer Associate” or “Prepare to Practice,” to give students the tools and tips they need to get a job and be successful while they are there. You could do this for any type of summer work – a LibGuide for judicial clerks, a LibGuide for non-profit interns – the list goes on. This work could be developed in conjunction with Career Services at your school.

- Any of the ideas below, we all agreed, are geared to demonstrating to students the value of our services and getting more of them to use our services.

Journals

- As a group, we determined there is a lot of opportunity to work with students on Journal editorial boards. There is often much guidance that we can give, such as: assistance and training on Bluebook use (particularly Rule 18), a short training program for Journal editors on library use, tips and tricks; trainings on effective database use (such as Hein); interlibrary loan tutorials, and resource guides/LibGuides specifically geared towards Journal work.
- We can establish procedures and work with local state/public law libraries to obtain print copies of codes and cases quickly for students who are cite-checking articles.
- We also discussed embedding librarians with the Journal; acquiring special collections and/or cordoning off areas for special Journal collections to be held in the library space (think of it like Barnes and Noble subject sections, but in the library); and partnering with students to prepare them for publication as other ideas to get into Journal work.
 - One great idea – Host a Bluebook night. Serve food, and prepare a presentation on how to use the Bluebook.
 - For more ideas, consult “How Librarians Can Help with Publishing,” 104 Law Library J. 383 (2012). The authors of this article, in sum, encourage librarians to go beyond what you normally do. This is good advice, we agreed, given that these are not normal times.
- One idea from this article is to offer trainings for faculty and for the Journal editors on what language to have in their contracts about copyright, especially in regard to open access. Faculty care about retaining publishing rights, but Journal editors should know what and what not to agree to in publishing contracts.
- We can also help with training on using Google analytics, creating and tracking empirical data, and/or creating an online blog.

Moot Court & ADR Teams

- With Moot Court, it is admittedly harder to get involved. One reason is that Moot Court participants are limited by the competition rules in the help they can receive. Another reason is that they often have a team of coaches/guides already in place to assist.
- At one school with a successful moot court team, the librarians volunteer as coaches every season, which means the librarians are depended upon and visible, too. Even if we’re not doing librarian work directly for them, if we’re approachable, they will utilize our services for other reasons (such as their own academic work).
- We also discussed acquiring special collections and/or cordoning off areas for special Moot Court collections to be held in the library space. (Think of it like Barnes and Noble subject sections, but in the library.)
- Although we agreed space is often limited (and fought for), a few librarians suggested offering up study space for teams to use in practice.

Clinics

- One good idea to increase law librarian involvement with clinics is to offer CLE or trainings. The Clinic members at our libraries often really appreciate this kind of training.
- The key to getting involved with the Clinics is to get the faculty to sell the librarian as a resource. If the faculty promotes the library, then the students will be more likely to approach us for assistance.

- We agreed, however, that without faculty support for librarian involvement, it is hard to get the students to pay attention to the resources we offer. The most important thing we can do these days is to find and cultivate a champion on the faculty!
- At one of our participant's libraries, one faculty member actually required students to meet with the librarian at the beginning of the semester.
- Other libraries have made opportunities to offer trainings in using multi-disciplinary resources (such as medical books/resources), which the clinic students often use.
- One participant offered the idea of gathering state specific practitioner tools – such as sample forms – together for clinics to easily access. Another discussed offering a one-shot class at the beginning of the semester on the resources that the clinics use.
- The key is to make an impression, and do early. Students network, and if the library is helpful, they'll tell their friends.
- If your law school is creating a clinic that is innovative or new, or another innovative or new program, we agreed that getting in on it at the level of creation is a really valuable idea. If librarians are involved in the beginning, we become a valuable part of the team.

Teaching legal research to non-JD candidates: Foreign LLM, MLS (Master of Legal Studies), and library (MLIS, and MIS) students

Eight people joined the discussion. The first question posed was, "What types of students do you teach?". Participants agreed that they are generally seeing more non-J.D. students, particularly foreign LL.M. students. At USC in the fall, there will be 170 foreign LL.M. students. Participants agreed that teaching foreign students has its own challenges and involves a lot of hand-holding.

The next question posed was, "Do you teach the same way to J.D. candidates as to non-J.D. students?". Participants indicated that they generally do not approach teaching legal research to these two student groups in the same way. Some libraries offer LibGuides specifically for non-J.D. students. Some schools offer fewer legal research classes for international LL. M. students. One institution offers more basic civics information in classes for foreign students. Some attendees indicated that they talk about plagiarism with the foreign students. A few schools offer legal English courses for international students before they officially begin their degree programs. Several participants indicated that they do not teach legal research at all to students in one-year programs, like the M.J.

There was one attendee from the University of North Carolina who team teaches a legal research course for library students. She said that she thought it was easier to teach library students than law students because she can share library stories. She indicated that she teaches very basic legal research to these students and invites a number of guest lecturers. Assignments are scavenger-hunt types, and the major assignment is a pathfinder.

At the University of Arizona, the Director of the Law Library is teaching classes for J.D. students who want to pursue a library degree, covering administrative and teaching skills. A law student has also taken one of these courses who did not plan on attending library school.

One attendee asked if the staffs at participants' libraries are being enlarged to accommodate the increasing numbers of non-J.D. students. USC recently added a part-time librarian, but other participants indicated that they have not seen associated staff increases. At the University of Arizona, reference librarians are teaching more, and law students and library students are working the reference desk.

A participant from Duke said that they are seeing more international students in their J.D. program, which has its own challenges. At the University of Arizona, they have an "advanced J.D." program for foreign students who want to earn a J.D. degree in the U.S.

Another question posed was whether attendees are teaching state-specific legal research. Most of the attendees said that they generally focus on federal legal research, rather than state.

The final question posed was whether participants are using textbooks in their legal research classes for non-J.D. students. At Georgetown, they are using something called TeachingLaw, which includes hands-on exercises. Other participants indicated that they are assigning CALI lessons and are experimenting with "flipped" classrooms.

Teaching legal research in a distance learning environment

Question: What do you do at your school?

- Denver: Certification program, night students didn't have time for an addition to the schedule, taped live lecture that students must watch to get the assignment. They used tutorials to keep the students more engaged, incorporate practical skills because students learn by doing. Have looked into ways that k-12 teachers teach because it translates well to distance education through interactive tutorials.
- William Mitchell: They use blackboard, and they break it into units with objectives, with 80 mins face to face time in the class (they are not sure how to measure how this structure impacts the students). Face time is used to give students the knowledge that skills for research are something that move forward through a progression.
- Denver: It is a challenge to deal with student time zones all over the world, and the online environment can be confusing, so she uses screen casts to show how to use the online course, as well as a tutorial on how to use the website to find resources.
- USC: Blackboard provides "one stop shopping." Students can submit documents online, one place to collect everything, and email can be conducted through the website. Student participation is achieved by requiring it through a point system. Start with non-threatening material, and then get harder to ease them in.

How do you deal with students that aren't engaging?

- Reach out to students

How do you grade in this environment?

- Certification program has one assignment through multiple choice exam done on the website (Denver)
- Timed assignments to give JD's an idea of being time efficient, teach accountability
- Extra credit can encourage students to do more, and gives opportunities for points for students that may have done poorly on an assignment
- Homework is weighted over time which helps those that improve over time
- 1L's get a research project for points towards professionalism and an exam towards 25% of legal writing (USC)
- Bluebook points are counted, as well as for grammar
- Foreign LLM do not need to have such a bluebook focus as they will never see it again (things to consider)
- Flipped class with hypothetical work in class gives the students something to take with them, but this can be hard in an asynchronous course
- Teach so they fail so they can learn from their mistakes
- Remember that law students have less patience to learn a new tool, and may not appreciate the online environment because of this

How do you deal with assignments for international students?

- time zone challenge
- virtual meeting
- have students contact you directly
- challenge to provide different office hours that accommodates all time zones and the one you are in
- suggested to ask vendors how they deal with the challenge of time zones, as well as the military, as they have students all over the world in online education

- when students have a problem, have them screen cast the page to show the problem, and can be used to show research trail
- suggestion for an assignment: Have students create a presentation through screen casts that could be shared with all students

Practitioners' use of specific types of resources and tools for legal research, including free internet resources. What do the results of the Task Force survey suggest to us as educators?

- Summary of Task Force work by Toni Aiello
- Legal Treatises
 - Older attorneys are using them more
 - Law firms are seeing this too
 - Costs may have something to do with it
 - Do lawyers even know when they are in a legal treatise?
 - How do we teach that
 - Still teach from books
 - Should we still be teaching for citation
- Free resources
 - Using them frequently or very frequently
- Fee based
 - High frequently or very frequently
- Law review and journals
 - Increased use by more experienced users
 - Not very basic research makes sense for experienced users to use them.
- Practice guides
 - 1/3 use them frequently or very frequently
 - Depends on type of practice
 - How much is it taught in law schools?
 - When a lot go to small firms, they need these types of resources
 - Small firms don't have the types of resources that a bigger firms
- Legal Encyclopedias
 - Small use frequently
 - Geographic problem
 - National ones may not be as helpful
 - Do attorneys even know that they are looking for legal encyclopedias or ALR
 - Did older attorneys get used to good resources
 - Small firms might have more access than bigger firms – cheaper costs
- Case Digests
 - What is being substituted?
 - Googling
 - Practice guides/treatises
- Transactional Law
 - More use now
 - Forms
 - Sec filings
 - PLC –
 - These resources go down with size of firm
 - Probably using in house work product
 - Some teaching in law schools of transactional legal research
 - More transactional courses
 - Partnering with professor
- Google
 - Very frequently
 - Teach how to use it correctly

- Google Scholar
 - Not big usage
 - Surprising for some that it's not used too often
- Government Legislative Websites
 - Likely to rely on the library to do this kind of work.
- Pleadings
 - Really needed now
 - And probably in the future
 - Trial court rulings – law firms

Practitioners' opinions about the research skills of recent law school graduates and legal research education. What do the results of the Task Force survey suggest to us as educators?

Impetus: The practitioner survey administered by the ALL-SIS Task Force on Identifying Skills and Knowledge for Legal Practice included a question that asked respondents who work with recent law school graduates to rate their performance on a number of components of the legal research process, selecting from the following responses: "very well," "moderately well," "adequately," "very poorly," and "unacceptable." A report to the ALL-SIS Executive Board including the results of the opinion question was posted and available for review before the conference on the [ALL-SIS website](#). A composite summary of the results of the opinion question was also made available at the roundtable session, listing the rating level percentages for each of the components of the research process included in the question. A copy of that composite table is included below.

Key points from the discussion:

- Clearly, there are some aspects of legal research that the practitioners who responded to the questions feel recent law school graduates have a pretty good handle on. More than 50% say recent grads research case law, research statutes, use Westlaw online services, and update legal sources with a citator "very well" or "moderately well."
- In fact, as a general matter, most respondents rated recent grads as performing "adequately" or better on all of the components of legal research the survey asked about. If that is the standard we're shooting for as educators, we would seem to be doing fine.
- On the other hand, there are also clearly a number of areas where substantial proportions of respondents view recent grads as coming up short.
 - More than 40% of respondents say recent grads perform "very poorly" or "unacceptably" on researching administrative decisions, researching legislative history, being able to find non-legal information such as statistics and economic data, and knowing when to stop researching.
 - 30-40% of respondents said the same with respect to the ability of recent grads to perform cost effective research, research using online services other than Westlaw or Lexis, and research pleadings, motions, or other court documents.
 - 20-30% of respondents said the same with respect to recent grads' ability to use secondary sources effectively, use critical thinking to evaluate the relevance of case law and other primary sources, and their ability to research regulations.
 - Close to 20% said the same with respect to their ability to develop an effective research plan.
- The deficits appear to fall into two basic categories:
 1. Components of the legal research process that involve topics that many graduates were not even exposed to in law school or only to a very limited degree.
 - Most first year legal research classes don't cover legislative history, for instance, or researching administrative decisions or court documents, or finding non-legal information. More typically, those are topics covered in an advanced legal research class, and the majority of law students don't choose to take one.
 2. Components of the legal research process that involve more sophisticated aspects of legal information literacy and higher order cognitive functioning, such as using critical

thinking to evaluate the relevance of primary authority, using secondary authorities effectively, and performing cost effective research.

- There appears to be an inherent tension in trying to be responsive to both of these types of deficit, at least in the context of the required first year class. The more topical coverage we try to add, assuming we are even involved in direct classroom teaching in those courses, the more difficult it may be to structure the class in ways that create learning opportunities that develop more sophisticated understanding and ability.
- We all face various combinations of institutional pressures that limit what we can do, including the amount of time that we get the students if we do get them for a required first year course, and the limited number of students who can sign up for advanced classes and inherent problem with self-selection to elective courses.
- We have also been hearing that we need to change our teaching methods, shifting away from using the lecture format to small group and other experiential learning practices, but that we will have to reduce the amount of topical coverage we shoot for in the process.
- Unless we get students for additional time in required first year classes, find ways to add slots for more students in advanced elective classes, or somehow get the approval and resources for an additional required research class after the first year (or required research component in upper division courses), we need to continue to look to lunch time sessions, bridge the gap sessions, certificate programs and the like, shifting content there as need be to accommodate changes in classroom teaching methods. The longstanding problem though is getting them to attend. Several ideas were discussed, including billing it as a “prepare to practice” session and recruiting firm librarians to participate.
- Having the data from the survey should be helpful in working with our various institutions, highlighting the areas of need, particularly as it comes from practitioners in a broad range of types of practices and practice settings, including attorneys in private practice, government practice, in-house/corporate, and the judiciary, from large firms to solo practitioners. It may also help us in reaching the students for the same reason.
- We can also each augment the data for our own use by reaching out to local firm librarians to ask what abilities their firms are looking for and what problems they are seeing, and by surveying our rising 2Ls and 3Ls to find out about their summer research experiences. An additional idea would be to survey our incoming students to see what skill levels they are actually arriving with.

Summary of Responses to Survey Opinion Question

Question Posed: “In your opinion, how well do recent law school graduates perform the following components of legal research? [If you do not work with recent law school graduates, please skip this question]”	Number of Respondents Who Answered the Question	Percentage of Responses				
		Very Well	Moderately Well	Adequately	Very Poorly	Unacceptably
Develop an effective research plan	253	7.1	27.3	45.8	18.2	1.6
Use secondary sources effectively	240	7.1	22.5	44.2	23.7	2.5
Use critical thinking to evaluate the relevance of case law and other primary sources	255	7.0	30.6	42.4	18.0	2.0
Develop appropriate search protocol (terms and connectors, etc.)	239	10.9	30.5	45.6	10.9	2.1
Research case law	249	21.7	42.6	28.5	6.4	0.8
Research statutes	250	16.8	38.8	32.4	10.0	2.0
Research regulations	223	8.5	24.2	38.1	25.1	4.0
Research administrative decisions	202	4.0	20.3	31.7	37.1	6.9
Research legislative history	210	4.3	17.1	30.9	35.7	12.0
Understand the difference between statutes and regulations	229	24.9	25.3	35.4	13.1	1.3
Update legal sources with a citator (Shepard’s/KeyCite)	229	27.1	33.2	30.6	6.0	1.7
Perform cost-effective research	231	8.1	19.9	34.3	30.3	7.4
Use Westlaw online services efficiently	213	19.2	31.0	33.3	13.6	2.8
Use Lexis online services efficiently	182	15.9	30.2	35.2	15.9	2.7
Research using an online service other than Westlaw or Lexis	174	10.3	20.1	33.3	28.2	8.0
Research pleadings, motions, or other court documents	221	5.0	24.0	38.0	24.4	8.6
Know when to stop researching (found everything reasonably possible)	246	2.4	20.3	35.0	30.5	11.8
Able to find a variety of other non-legal information (i.e. statistics and economic data)	212	3.8	18.4	34.4	31.1	12.2

Source: Compilation of data reported in *A Study of Attorneys’ Legal Research Practices and Opinions of New Associates Research Skills*, <http://www.aallnet.org/sections/all/Features/New-ALL-SIS-Resources/final-report-07102013.pdf>