

**ALL-SIS  
ADVANCED LEGAL RESEARCHROUNDTABLE RESULTS  
AALL ANNUAL MEETING, SAN ANTONIO, 2005**

**COURSE MATERIALS & TEACHING METHODS**

**1. Would you be willing to share your research exercises in the Legal Research Sourcebook? Why or Why not?**

Most did not know about the Legal Research Sourcebook. Some were willing to share their research exercises. They thought that the Sourcebook was a good idea, but some were concerned that clarification would be needed; authors would be embarrassed about mistakes; consents had to be sought in team teaching situations; some exercises might be too specific to individual libraries; and usefulness might diminish due to passage of time from event prompting exercise preparation.

**2. What are some effective ways of teaching small groups legal research without using PowerPoint?**

- Hands on approach: send small groups to work on problems and regroup to discuss results;
- Live internet demo;
- CALI;
- TWEN;
- “Clicks” technology – not very well-received by students mainly because the technology did not work well in that particular classroom.

**3. Do you think that ALR instructors have a good grasp of what types of legal research practicing attorneys will need to perform? If not, how can they improve their understanding?**

Many believed that ALR instructors did not have a good grasp of what types of legal research practicing attorneys will need to perform.

Ways to improve:

- Keep providing reference assistance so as to keep track of the kind of questions practitioners and summer students may have;
- Participate in law firm/academic library exchanges;
- Continue to do contract work as a way to stay in touch with the issues;
- Past practice experience proves to be very helpful;
- Survey how recent graduates fare in legal research: The report of a study undertaken by a Georgetown librarian of how well-equipped recent law school graduates are in terms of doing legal research would be helpful;
- Survey students after summer to get an idea of what research they did.

- Invite practising attorneys to their classes as guest speakers (however, there was some concerns that some practising attorneys would say they don't do research anymore.)
- Require students to interview a practicing attorney about legal research.
- Georgetown offers a 1-credit Legal Research Skills for Practice course taught by a senior librarian with litigation experience in addition to the ALR course, and other legal research credit courses.

One librarian mentioned that it was important to remember that not all law students went to big firms, so that law practice models should encompass more than one type of practice.

**4. Is your course taught by one librarian or by a team of librarians? If taught by a team, how do you divide the duties?**

Many said that they taught as teams. Some teams were made up of only two instructors. In those cases, the two instructors planned and graded everything. There was some discussion about duplicating efforts when both instructor grade each exercise. Other teams were composed of multiple members of the library staff. In the case of multiple members, some were assigned topics/responsibilities and others simply sat down and discussed duties prior to class. The primary difficulty discussed with team teaching was the assignment of grades (either letter or P/F). One librarian thought that team teaching offered students different teaching styles.

One group turned their discussion to Westlaw and Lexis training. There were mixed feelings about inviting Westlaw and Lexis trainers to do the training:

- Pros:
  - They know the pricing structure.
  - They know what new changes are coming.
- Cons:
  - Nuances not covered;
  - Hard to tie the training sessions by Westlaw/Lexis trainer to the assignments.

**5. What approach do you use for drafting class exercises and simulations? Do you use canned exercises or do you draft your own? If you draft your own, is there a particular method you use to come up with the questions?**

Most said that they would look at canned exercises, but would always draft their own. Most adopt the method of reverse-engineering: find an interesting topic and create questions that cover most aspects of legal research. There are many sources to look for good topics:

- Seton Hall Circuit Splits
- Research memos kept back in the law practice years
- Wall Street Journal
- Federal Register
- National Law Journal

- Briefs for “big” cases
- Reference questions
- Practicing attorney contacts

One group discussed the desirability of using more open-ended rather than “treasure hunt” assignments but commented that it was time consuming to develop those types of problems. Most of the participants used some variation of the “Pathfinder” as their major course assignment. One participant described a “Research Diary” with five chapters (secondary sources, statutes, etc.) in which the students describe the research process on a topic of their choice. The difficulty of balancing the more “bibliographic” with the “process” approach was discussed. One participant described how she/he assessed students at the beginning and at the end of the course to show students how much they had learned.

Hastings has a live web site for research exercises.

**6. Do you use a published textbook? If so, what is your choice of text? Why? If you are not happy with your textbook what would you like to see in a text?**

Favorite published textbooks:

- Cohen & Berring’s HOW TO FIND THE LAW
- Jacobstein & Mersky’s LEGAL RESEARCH ILLUSTRATED
- Jody Armstrong & Chris Knott’s WHERE THE LAW IS
- Berring’s FINDING THE LAW
- Nutshell for legal research is often used as text; Sloan, Kunz and Nolo came up as well.

One participant who teaches tax law research assigns readings from Gail Richmond’s FEDERAL TAX RESEARCH: GUIDE TO MATERIALS AND TECHNIQUES, but does not require students to purchase it. Those who teach other topical ALR courses assign reading materials prepared in house.

One participant said that he would like to see a text that explains how things fit together without getting into excruciating bibliographic details.

**COURSE CONTENT**

**1. How much time do you spend in your advanced legal research course reviewing material the students should have learned as first years? For those who have to spend a significant amount of time reviewing first-year materials, who teaches your first-years legal research, librarians, writing instructors, or students?**

A few participants use questionnaires or ungraded quizzes to determine how much students know. Some assume they don’t know anything Others spend from 1 week to 7 weeks reviewing what they should have learned in first year.

Most librarians were not responsible for first-year legal research programs. Great sympathy was expressed to the university which had student instructors for first-year research. The majority of the group members represented schools in which adjunct faculty taught the first year research. Some sentiment was expressed that the adjunct faculty were often practicing attorneys that were taking a break from practice due to family concerns and were perhaps distracted by other issues.

**2. What are the advantages/disadvantages of teaching topic-specific courses rather than survey courses? If you have taught a 1 credit or 'compressed' advanced legal research course, what has your experience been?**

One of the primary advantages of topic-specific courses is that students are able to select which class they wish to enroll in. As a result, the students either have an interest in the topic or are aware that this is a topic in which their future employer is interested. The flip side is that for certain subjects it is hard to find enough students to fill a class. One participant teaches a topic-specific course that is tied to a substantive course on the same topic. She noted that it was an advantage because she could create research problems from materials that would be covered in the substantive class. She emphasized that it was extremely important to get the support of the faculty member. It is important not to include too much material in a 1-credit course. Other observations include a need for research instructions for LLM programs and clinical programs.

**3. What role, if any, does non-law or interdisciplinary research instruction play in your advanced legal research course(s)? What approaches have you employed to introduce law students to research in other disciplines?**

Some spend some ALR class time on company/business research and statistical sources, and introduce different databases that have the usual info needed in law firm practice. One librarian commented: Different topical courses are taught in her law school, but they are survey courses in disguise. Some offer specialized ALR classes such as health law and business law. One participant who teaches a survey course takes a one-on-one approach to teaching non-law research when he meets with students about their course projects.

**4. How important is it to include international legal research in advanced legal survey courses if no specific course in international law research is offered?**

Most believed that it was important to include international legal research with a focus on treaty research towards the end of the course in ALR even if there was a stand-alone international legal research course. It should be introduced, with a focus on treaty research, towards the end of the ALR course. A few also felt that it was important to talk about comparative law, and to educate their students on the fact that common law is only one possible legal system. The participant who teaches immigration law research noted that international law research is an essential component of her course. There were two suggestions for sources of reading materials on international and foreign law

topics: articles on LLRX (which the recommender noted make good handouts) and research guides on the NYU law library web site.

**5. Do you use the CALI materials? If yes, do you require that students complete any particular lessons, or that they complete several unspecified legal research lessons?**

Some ALR instructors recommended CALI lessons but did not require completion. Others did require completion of lessons and reporting of scores. One participant indicated that she had used CALI lessons as a substitute for background readings in her course. One instructor commented that she had reviewed the CALI lesson on administrative law for possible inclusion in her class. She decided not to include the lesson because of the time (at least one and one-half hours) required to complete the lesson. She felt it was not appropriate to require the students to put that much time into a single lesson and then also require completion of a local exercise which more closely fit the course. Some found that CALI lessons tend to be too bibliographic.

**6. Are there legal research topics that should be covered by CALI lessons but are not at this time?**

Business research. Most realized that CALI had recently added materials. They agreed that they would need to further review CALI lessons before making recommendations about additional topics.

## **ELECTRONIC RESEARCH**

**1. How do you present the online legal research component of your cours(es)? For example, do you integrate print and electronic by topic, or do you separate your discussion by format? Do you discuss Internet research in the context of online research systems? Why/why not?**

The group was split between those who try to integrate print and online from the start and those who present print sources first and limit use of online sources until later in the semester. Most research instructors agreed that they do discuss Internet research as well. One instructor discussed covering “low rent law” for those that may be going into public service and may not have access to a great number of subscription electronic databases. Two instructors specifically mentioned that training on LexisOne was provided.

**2. Do company vendors do your online training - alone or in conjunction with the librarians? Would you consider asking law firm librarians to participate in the training? What advantages and/or drawbacks have you experienced with your current approach(s)?**

Most of the schools represented used company vendor reps for at least some law student training; benefits included reps’ knowledge of the cost and up-to-date developments of the products, and alleviation of the teaching burden on the librarians. Possible

drawbacks included uneven quality of instruction; it was mentioned that librarians should attend all sessions in order to prevent reps getting off track into promoting their own service or providing basic research instruction. The most common use of Lexis and Westlaw reps was for basic level instruction; some schools asked the reps to return to ALR classes for training on cost effective research. Others preferred to ask the reps to deal with specialty databases such as public records and news databases. Other suggestions included asking both Lexis & Westlaw reps to use the same example for their instruction to give the students a basis for comparison. Several Roundtable participants mentioned the necessity to conduct follow up training; others mentioned encouraging students to attend independent Lexis /Westlaw training sessions to achieve greater mastery of search techniques.

**3. How you incorporated blogs, newsfeeds or aggregators into your courses? If so, what have you done, and what results have you seen?**

Two participants said yes (Lewis and Clark requires that students use a blog as part of their course), but most indicated that they had made little or no use of blogs. Many participants thought that they should be introduced in the context of current awareness.

**4. Do you make a point to cover government and other high quality free sites that offer useful sources of electronic legal information?**

Nearly all attendees indicated that they did so; one stated that he taught students how to evaluate web sites.

**5. What kinds of electronic databases, services, products do you cover other than Lexis or Westlaw?**

Among the answers were BNA, CCH, HeinOnline, Pacer, LegalTrac, and LOIS.

## **EVALUATION**

**1. How do you evaluate your students? What kind of tests, quizzes, etc. do you require? What kind of student work projects do you require?**

The split was about even between schools where the advanced legal research course was offered “pass/fail” and those where the course was graded. At the schools where the course was pass/fail, the evaluation tended to be based on attendance, shorter weekly assignments, and short answer quizzes/tests.

Most teachers of graded courses agreed that they continue to experiment with evaluation tools. Most participants indicated that they used some sort of research journal, research guide, pathfinder, or other research project. It was noted that policy oriented topics are often not good for this type of project, but that many students want to do these types of topics because they are researching them for other courses. Some participants indicated that they incorporated an in-class presentation as part of the project. Two participants used an in-class exam as part of the evaluation; another used a take-home assignment

which included extremely difficult research problems and required students to describe how they would tackle them. In response to a question, no one indicated that they used graded CALI lessons as part of the student grading.

Most instructors indicated that participation was part of the grade, but agreed that it is difficult to get students to speak up in class. One participant requires students to do research outside of class on something in the news, then calls on people to talk about the process. Another participant, who requires her students to monitor a topical legal periodical throughout the term and write about what they read, suggested that students could instead be required to discuss what this monitoring in class. One participant described a graded assignment in which students choose an article from a suggested reading list on research-related topics (examples were legislative history; unpublished opinions; use of social sciences and use of Internet sources by judges; notion of precedent in constitutional law issues); students write a summary of the article and come to class prepared to lead a discussion on the topic. In another course, the assigned pathfinder is a group project and the students then teach a class period using the pathfinder.