

Title: Legal Research in a Nutshell

Author(s): Morris L. Cohen and Kent C. Olson

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Reviewed by: Michelle M. Botek, Electronic Services Librarian, Indiana University, Maurer School of Law Library

Review:

Intended audience: As the publisher suggests, this book is appropriate for beginning law students and novice legal researchers, as well as for occasional reference by more experienced researchers.

Accompanying materials: None.

Illustrations: There are several pages of black and white screenshots included within the text. These are used as representative models of the format of different sources. On the whole, they are well-selected although a few of the captures are from older versions of databases (i.e., from Lexis.com rather than Lexis Advance).

Gaps in coverage: Lexis Advance (see “Major Weaknesses” for more detail).

Unique appendices: There are two appendices: “State Legal Research Guides” and “Major Treatises and Services.” The first is dedicated to state-specific guidance from a variety of sources and formats, while the latter appendix lists core materials by topic and thoughtfully provides publication information, when available. This list also features Library of Congress call number ranges for each topic, which is often helpful when researching a particular subject area.

Major weaknesses: Perhaps unavoidably, the text focuses primarily on classic versions of Westlaw and Lexis rather than WestlawNext and Lexis Advance. In fact, there is no discussion of Lexis Advance at all, which some may find limiting. ***The 11th of edition of this book is forthcoming and, from a cursory review of the table of contents, will rectify this issue. Thus, if your research needs are mostly electronic, you may want to consider purchasing the 11th edition being released in the summer of 2013.***

By necessity, the sections on international law are general, highlighting only broad themes about foreign government structures and the major research sources in this area. If this is an area of research interest for you, there is a separate nutshell (*International Legal Research in a Nutshell*) which you should consider purchasing to acquire comprehensive knowledge of international legal materials.

Major strengths: Overall, the text is accessible and thorough without being overwhelming. Chiefly, it excels at rooting the different forms of legal materials within the structure of the United States legal system. Another major strength, particularly in the digital age, is the continuously updated page of links maintained by the University of Virginia.

Differences between editions: There are minor structural differences between the 9th and 10th editions but, overall, the 10th edition is functionally an update of the 9th. One major – and potentially negative – change is the elimination of the print version of the website index from this edition.

Narrative review: Nearly without exception, this text ably covers all of the core U.S legal research resources: primary and secondary, specialized, and even non-legal interdisciplinary sources. The authors also include valuable insights about locating other information commonly used in practice, such as local court rules, forms and briefs, professional directories, and ethical materials.

The first portion of the text is devoted to legal research process and strategies. There is an accessible and helpful discussion of basic search functions and features, including natural language v. Boolean searching, the fundamentals of filters and fields, and how each impacts search outcomes. This is followed by a useful overview of foundational secondary sources: encyclopedias, restatements, treatises, and law reviews. The book continues with a discussion of specific types of primary law materials, covering cases, statutes and constitutions, legislation, administrative law, international law, and practitioner resources. Helpfully, there is a cohesive explanation of government structures and the origins of different types of publications, which is incredibly beneficial for navigating an increasingly complex legal landscape. Each chapter contains an overview of the specific resources for that area of primary law, particularly beneficial for those with limited exposure to the structure of the American legal system. Additionally, the authors carefully detail the various mediums/forms of information dissemination for the source. Once a resource is identified, its basic functions and content are comprehensively described. This nutshell does an excellent job of breaking down notoriously complex research tasks into smaller chunks (i.e. compiling a legislative history) and outlines processes for completing most common research tasks (i.e., updating federal regulations). Strategic research advice is also offered as needed.

There are innumerable “smart” tips peppered throughout the book to aid many a frustrated researcher. For example, unlike legal periodicals where there is a substantial amount of overlap between the databases, legal text and treatises are typically proprietary to the platform, meaning that they aren’t available in multiple databases. The authors thoughtfully include observations of the limitations of particular resources too. For example, when discussing legal encyclopedias, they note the format’s focus on case law to the exclusion of other content like statutes, regulations and social aspects of the topic. Where appropriate, the text also acknowledges the evolution of formats, noting titles now offered by publishers electronically and the enhancements the medium can offer to the reader’s experience. Stylistically, attempts at light-heartedness help liven what might otherwise be somewhat dry material. Where feasible, the examples chosen by Cohen and Olson are colorful and often humorous. For instance, as a representation of a scholarly monograph, the authors highlight more whimsical-than-average titles, such as Gary L. Francione’s *Animals as Persons: Essays on the Abolition of Animal Exploitation*.

Ultimately, *Legal Research in a Nutshell, 10th edition* is a solid foundational text and a great book, equally suitable for inclusion in a law firm, municipal, or academic library setting.