Legal Research Simulations

Subject: Teaching Legal Research

Useful for: Useful for those who teach introductory legal research and have time to cover concepts that are seldom emphasized in other research texts.

Format: Chapters with a table of contents, assignments for each chapter, and numerous exhibits that illustrate the concepts discussed.

Reviewer’s Comments:
I have the privilege of reviewing a legal research introductory text written by the former occupant of my office. Legal Research Simulations encapsulates how 1L legal research was, and to a certain extent, continues to be taught at Notre Dame Law School. We teach a dedicated, one-hour legal research course to the 1L’s each Fall semester. Before my arrival, this course was mostly lecture-style with applied skills learned in online tutorials. Given the amount of lecture time enjoyed by the author, Prof. Reese had the ability to cover worthwhile content that is not generally emphasized in introductory legal research courses. This includes: Bluebooking specifics, the interplay between state and federal courts and what is considered mandatory or persuasive authority between them, case dockets, etc.

The book has seven chapters: (1) Introduction to Legal Research, (2) Court Decisions, (3) Locating Cases and Secondary Sources, (4) Using Citators, (5) Statutory Research, (6) Administrative Regulations, and (7) Practical Research Tips. Its strength is its explicit overview and elaboration on many foundational concepts that are often less prominent in other texts or is assumed that students will learn elsewhere in law school. For instance, it provides an explanation of different types of case opinions (majority, concurrence, dissent, plurality, and per curium), with helpful diagrams illustrating the differences. Another example is a chart on the hierarchy of primary legal authority (US Constitution -> US Statutes -> US Administrative Regulations -> State Constitution -> State Statutes -> State Administrative Regulations -> Court decisions (federal and state courts)) and how these authorities interrelate.

Additional content that is not as thoroughly covered in other texts is the distinction between published and unpublished cases and what this means in an era of readily available electronic dockets. Furthermore, the text employs a case-based approach to
the legal research process with secondary sources being introduced as another way to find cases. Most other legal research texts have secondary sources as its own chapter, or chapters, and highlight their potential to illustrate the interplay of different areas of the law (legislation, administrative law, and cases).

This text contains numerous assignments that illustrate the concepts, extensive exhibits to further simulate actual research scenarios, and is inexpensive. It is well worth a read, and some might want to adopt it as their text.