



Find It Free and Fast on the Net: Strategies for Legal Research on the Web

Professor Sara Anne Hook, M.B.A., J.D.
NBI, December 12, 2016

VI. How to Search Like a Pro



What is the Difference Between a Search and a Directory?

- ▶ According to Kimmons, [a] search engine is a web site that collects and organizes content from all over the internet. Those wishing to locate something would enter a query about what they'd like to find and the engine provides links to content that matches what they want.
- ▶ Google.com has become the most widely used search engine on the Internet. Other top engines include:
 - Yahoo.com
 - Dogpile.com
 - Ask.com
 - Bing.com
- ▶ To understand why listings rise to the top of search engine results, we need to know the motivations of all of the players: the searcher, the search engine and the website or marketer.

What is the Difference Between a Search and a Directory?

- ▶ On the other hand, as defined by Wikipedia,
- ▶ A web directory or link directory is a directory on the World Wide Web. A collection of data organized into categories. It specializes in linking to other websites and categorizing those links.
- ▶ A web directory is not a search engine and does not display lists of web pages based on keywords; instead, it lists web sites by category and subcategory. Most web directory entries are also not found by web crawlers but by humans. The categorization is usually based on the whole web site rather than one page or a set of keywords, and sites are often limited to inclusion in only a few categories.
- ▶ Web directories often allow site owners to submit their site for inclusion, and have editors review submissions for fitness.

What is the Difference Between a Search and a Directory?

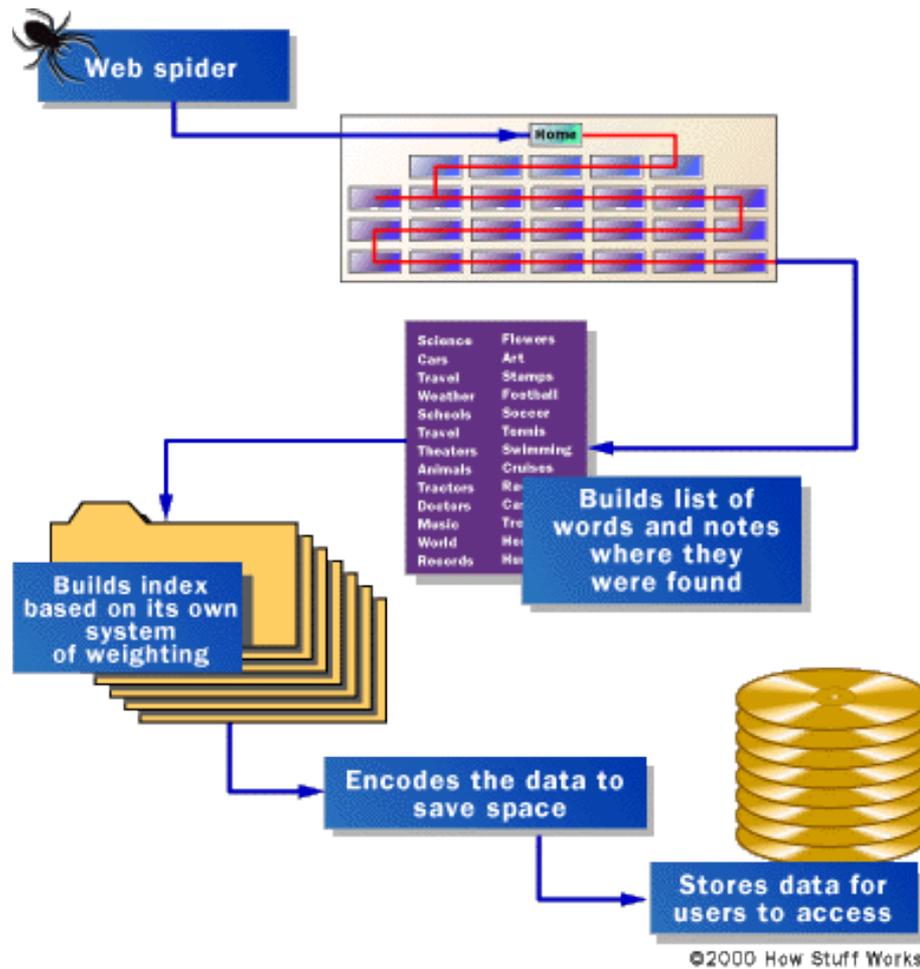
- ▶ Additional clarification provided by DirectoryOne.com
 - Some search engines and directories include both types of indexes, and are known as "hybrids". Some examples of search engines are Google, Gigablast, and Alltheweb. These search engines use programs (known as robots), with the following functions:
 1. To find web pages.
 2. To scan the contents of a web page.
 3. Return its findings to the search engine's databases.
 - The best known directories are [Yahoo](#), [Business.com](#), [Dmoz.org](#), and [Looksmart](#).
 - Directories, unlike search engines, use a tree hierarchic structure to organize their database. This hierarchic organization allows the existence of specialized directories, by subject or by geographic location
- ▶ Levitt and Davis provide additional information about portals and directories versus search engines as it relates to legal research – *See manual*

How Do Search Engines Really Work?

- ▶ Franklin provides a nice description of how Internet search engines work.
- ▶ Internet search engines are special sites on the Web that are designed to help people find information stored on other sites.
- ▶ There are differences in the ways various search engines work, but they all perform three basic tasks:
 - They search the Internet -- or select pieces of the Internet -- based on important words.
 - They keep an index of the words they find, and where they find them.
 - They allow users to look for words or combinations of words found in that index.

How Do Search Engines Really Work?

- ▶ Early search engines held an index of a few hundred thousand pages and documents, and received maybe one or two thousand inquiries each day.
- ▶ Today, a top search engine will index hundreds of millions of pages, and respond to tens of millions of queries per day.
- ▶ "Spiders" take a Web page's content and create key search words that enable online users to find pages they're looking for.
- ▶ When a spider is building its lists, the process is called **Web crawling**.



“Spiders” take a web page’s content and create key search words that enable online users to find pages they’re looking for.

Learn Boolean Logic

- ▶ Franklin describes the various options for creating search strategies using Boolean logic:
 - Searching through an index involves a user building a **query** and submitting it through the search engine.
 - The query can be quite simple, a single word at minimum.
 - Building a more complex query requires the use of Boolean operators that allow you to refine and extend the terms of the search.

Learn Boolean Logic

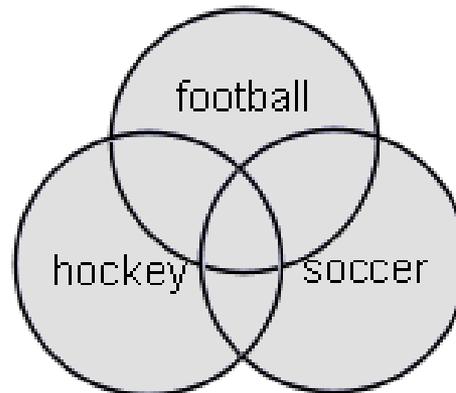
- ▶ The Boolean operators most often seen are:
 - **AND** – All the terms joined by "AND" must appear in the pages or documents. Some search engines substitute the operator "+" for the word AND.
 - **OR** – At least one of the terms joined by "OR" must appear in the pages or documents.
 - **NOT** – The term or terms following "NOT" must not appear in the pages or documents. Some search engines substitute the operator "-" for the word NOT.
 - **FOLLOWED BY** – One of the terms must be directly followed by the other.
 - **NEAR** – One of the terms must be within a specified number of words of the other.
 - **Quotation Marks** – The words between the quotation marks are treated as a phrase, and that phrase must be found within the document or file.

Learn Boolean Logic

- ▶ Some databases and search engines may substitute symbols and numbers for words:
 - Proximity connectors
 - Wildcards can be indicated by a question mark (?) to replace one character before, within or after a search term and the asterisk symbol (*) to replace one or more characters before, within or after a search term.
 - Parentheses should be used when creating complex searches.
 - Many databases and search engines will use field code or tags that let you restrict your search to just author, title, etc.
- ▶ Whatever search engine or database you are using, you will want to become familiar with the particular words, abbreviations and symbols it uses so that you can effectively increase the relevance of your search retrieval.

Boolean Operator OR

- ▶ Used to retrieve a set in which each citation contains *at least one* of the search terms.
- ▶ Use OR when you want to pull together articles on similar topics.
- ▶ **Example:** *football OR hockey OR soccer*



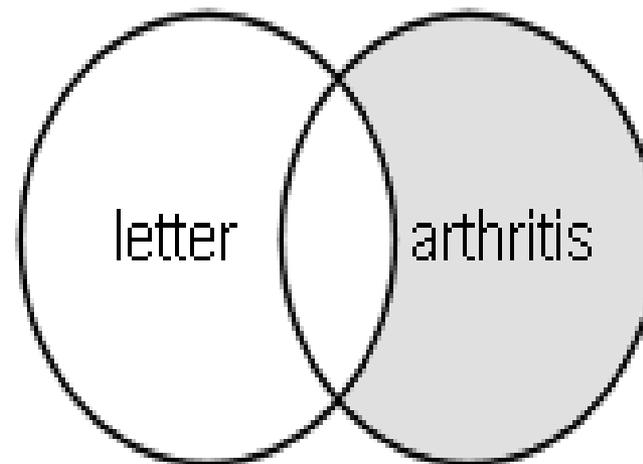
Boolean Operator OR

Search terms	Results
football	4819
hockey	1058
soccer	2517
football OR hockey OR soccer	6090

The table represents sample results for each item, then for the items combined with OR. Note the increased retrieval. Great for synonyms.

Boolean Operator NOT

- ▶ Retrieves a set from which citations to articles containing specified search terms following the NOT operator are eliminated.
- ▶ **Example:** *arthritis NOT letter*
- ▶ HINT: Use NOT with care – you do not want to inadvertently remove items that might be useful.



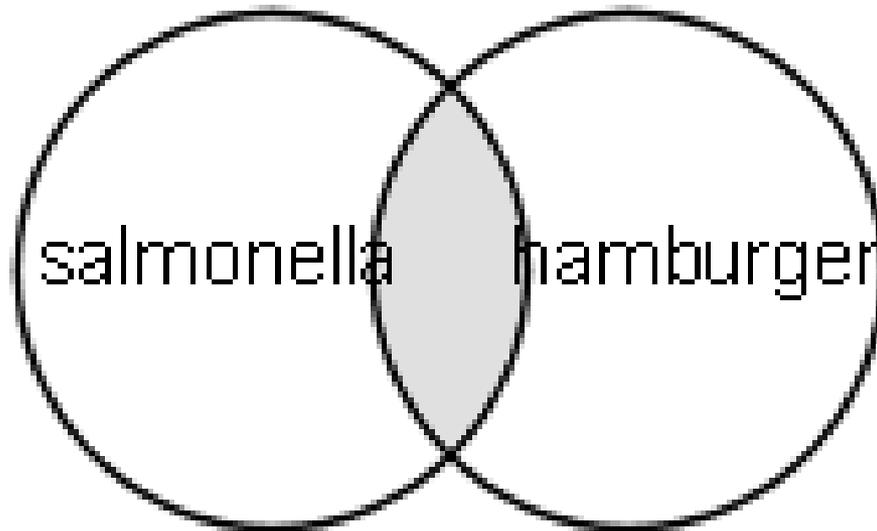
Boolean Operator NOT

Search terms	Results
arthritis	167,933
letter	617,646
arthritis NOT letter	159,681

Note in the diagram in the previous slide and in the sample search results that the retrieval is a portion of the total retrieval for arthritis – that portion not including the term letter.

Boolean Operator AND

- ▶ Used to retrieve a set in which each citation contains *all* search terms.
- ▶ **Example:** *salmonella AND hamburger*



Boolean Operator AND

Search terms	Results
salmonella	64810
hamburger	2494
salmonella AND hamburger	12

Note in diagram on the previous slide and in the sample search results that the retrieval is only the overlap of the results for each term – those records in which both terms appear. AND is the default operator used in PubMed. If you do not include Boolean operators in your search, PubMed will automatically use AND between terms.

Example: *diabetes mellitus phototherapy*

PubMed searches as: *diabetes mellitus AND phototherapy*

Which Search Engines Are the Best?

- ▶ Gil provides an interesting article on the best search engines of 20156
- ▶ As he states, “[m]ost people don't want three dozen search engines, especially people who are not trained internet users. Most people want a single search engine that delivers three key features:
 - Relevant results (results you are actually interested in)
 - Uncluttered, easy to read interface
 - Helpful options to broaden or tighten a search
- ▶ With this criteria, several Reader Favorite Search Engines come to mind.
- ▶ These 11 search sites should meet 99% of the searching needs of a regular everyday user.”

Which Search Engines Are the Best?

- ▶ Duck Duck Go Search
- ▶ Bing Search
- ▶ Dogpile Search
- ▶ Yippy Search
- ▶ Google Scholar Search
- ▶ Ask.com Search
- ▶ Mahalo 'Learn Anything' Search
- ▶ Webopedia Search
- ▶ Yahoo! Search (and More)
- ▶ The Internet Archive Search
- ▶ Google Search

Recommendation

- ▶ The best advice may be to try a number of different search engines to determine which you like the most and then to practice searching with them so that you are comfortable with the subtle nuances of each and proficient with the functionality and special features.
- ▶ For example, call me old-fashioned, but I prefer the newest version of Internet Explorer as well as Google as my search engines. I save Moxilla Firefox for my learning management system.

Search Engines That Think: The Future of Searching

- ▶ On the other hand, there are newer types of search strategies being developed to more accurately capture what the user is searching for.
- ▶ Franklin reports on two opportunities that show promise in the future:
 - Concept-based searching.
 - Natural-language queries.

Search Engines That Think: The Future of Searching

- ▶ Massive amounts of information are now being generated in digital form in a wide variety of formats and file sizes.
- ▶ The era of “big data” is clearly upon us. And that is where we will turn to technology to help solve the problem.
- ▶ Data mining, algorithms, tags, etc. are all being developed and tested, by entrepreneurs and vendors as well as by faculty researchers in my own school. (See Mathew Palakal, Ph.D., <http://soic.iupui.edu/people/mathew-palakal/>, accessed 12/09/16)
- ▶ Some articles about big data in the context of law are listed in your seminar materials.

Mathew Palakal, Ph.D. – Our School's Executive Associate Dean



The screenshot shows a web browser window with the address bar displaying "soic.iupui.edu/people/mathew-palakal". The page content includes:

Education

- Ph.D., Computer Science, Concordia University, Montreal, Canada (1987)
- M.S., Computer Science, Concordia University, Montreal, Canada (1983)
- B.S., Computer Science, Concordia University, Montreal, Canada (1979)

Research Interests

Biomedical Text Mining: The biomedical literature databases continue to grow rapidly with vital information that is important for conducting sound biomedical research. BioMap is an attempt to create a scalable knowledgebase of biological relationships extracted from vast amount of biomedical literature data. The development of BioMap system addresses several innovative research issues related to knowledge discovery from literature documents and real-time, interactive access of this knowledge. Specific problems that are being investigated are: discovering *explicit, implicit* and *directional* relationships among biological entities from abstracts and full text documents; discovering both explicit and implicit protein-protein interactions and computationally validating these interactions; and, obtaining novel pathways associated with specific diseases in question. Protein-protein, gene-protein, disease drug interactions are examples of biological associations that are automatically discovered from large number of literature documents. BioMap can discover interactions in user specified biomedical problem domains such as inflammatory diseases, regenerative biology, cancer, etc., and provide a user-centric view of the knowledge that are discovered.

Intelligent Information Management Systems: There is a critical need for innovative information management and knowledge discovery tools to sift through vast volumes of heterogeneous data from various information sources. This project looks into developing Intelligent Software Systems that can integrate information resources and extract embedded knowledge from these information sources.

Related News

- February 17, 2016
[Indiana Workforce Development awards \\$400K to iDEW program](#)

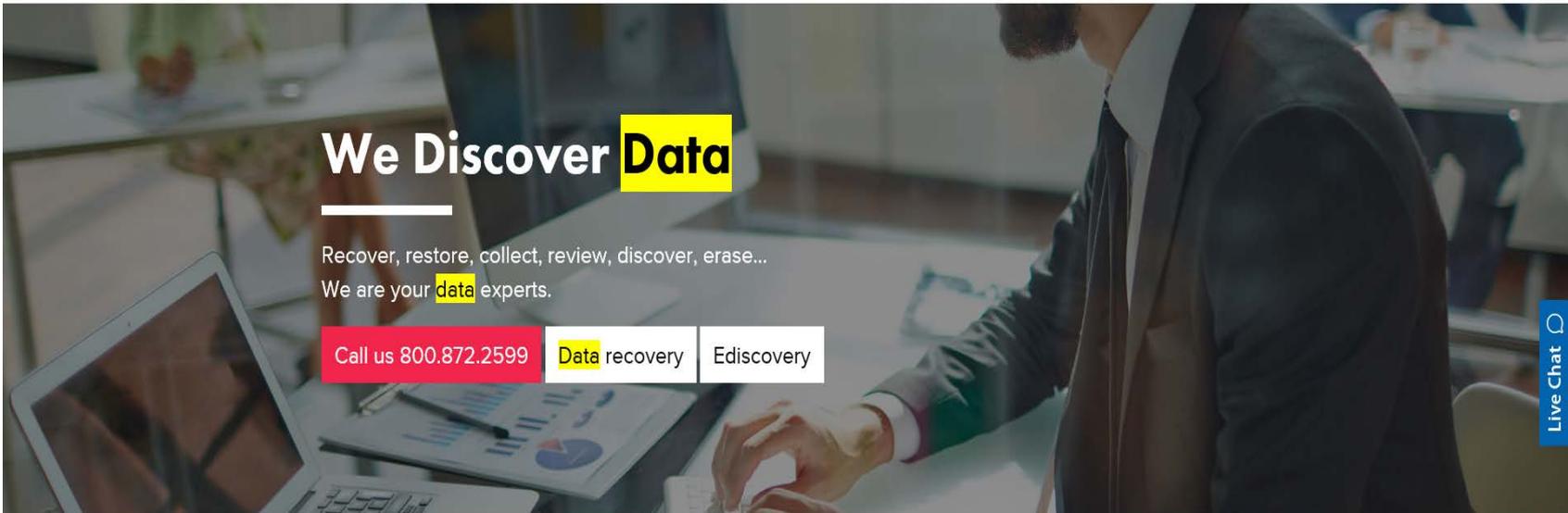
Search Engines That Think: The Future of Searching



An excellent handout from FindLaw, which was distributed at the State Bar of Michigan's Solo & Small Firm Institute helps us visualize how the web has impacted the search for legal services and information by the public.

The Power of the “Find” Function to Scan Web Pages Quickly

- ▶ Each browser – and version of a browser – will have a different mechanism for quickly locating information.
- ▶ The Find command [CTRL] + [F] – and its variations – can be a powerful tool because it enables you to search for information within a specific website.
- ▶ The process is very easy.
- ▶ Once you have located a website that you believe may have the information you want, simply use the pull-down menu under Edit and select Find on this page.
- ▶ You will be provided with a search box to type your keywords.



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<https://www.krollontrack.com/services/data-recovery/>

The Power of the “Find” Function to Scan Web Pages Quickly

- ▶ On this website, you can see that the word I searched for, “Data,” is highlighted in yellow.
- ▶ This can be a quick way to scan large amounts of information. It is a great device for finding that “needle in a haystack”.
- ▶ Fortunately, most websites now provide their own search boxes (typically at the top right of the screen or as part of More ...), which is even more convenient, and it will search the entire website, rather than just one page at a time.
- ▶ If I search “forensics” on Sensei Enterprises, Inc., here is what I locate.

Home - SENSEI ENTERP x +

senseient.com

Canvas at IU Customer Log In Box London Art College eDiscovery IU/PUI ScholarWorks New Online-Distance Purdue OWL APA soft Journals - UCF The World of the

Find on page forensics 1 of 9 Options



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SENSEI ENTERPRISES, INC.

Your trusted partner for Information Technology Support, Cybersecurity and Digital Forensics.



ABOUT SENSEI

Sensei Enterprises, Inc. is a nationally-known digital forensics, information technology and information security woman-owned small business, founded in 1997 by Sharon Nielson, a practicing attorney and John Simsek, vice president. Sensei provides information technology to hundreds of businesses locally in the DC Metro area. Sensei provides digital forensics and information security services nationwide.

INFORMATION TECHNOLOGY

Sensei strives to provide quality Information Technology support to businesses in the DC Metro area. Sensei provides cost-effective virtualization and cloud computing services, secure backup and monitoring solutions, hosted e-mail, spam filtering, both onsite and remote support and supplemental IT support to companies that just wish to have projects completed by experienced and certified IT consultants. Sensei provides Microsoft Financing for larger projects that includes hardware and software purchases as well as consulting hours so that businesses can budget for their IT projects. Sensei offers a free site audit to customers that wish to get started with Sensei's services.

HOW MAY WE HELP YOU?

Your Name (required)

E-mail Address (required)

Service of Interest (required)

Digital Forensics

Message (required)

The Power of the “Find” Function to Scan Web Pages Quickly

- ▶ The equivalent of a Find command is also available in other software.
- ▶ Rather than print and review an entire PDF document, you can use the Find feature on the top left side of the screen.
- ▶ For example, if I have a question about whether a lawyer can benefit from a client’s literary rights, I will open the PDF version of the Indiana Rules of Professional Conduct.
- ▶ I merely use the pull-down menu under Edit, select Find and then fill out the text box at the top of the screen.

Find x
literary
Previous Next

Indiana Rules of Court Rules of Professional Conduct

Including Amendments made through April 30th, 2015

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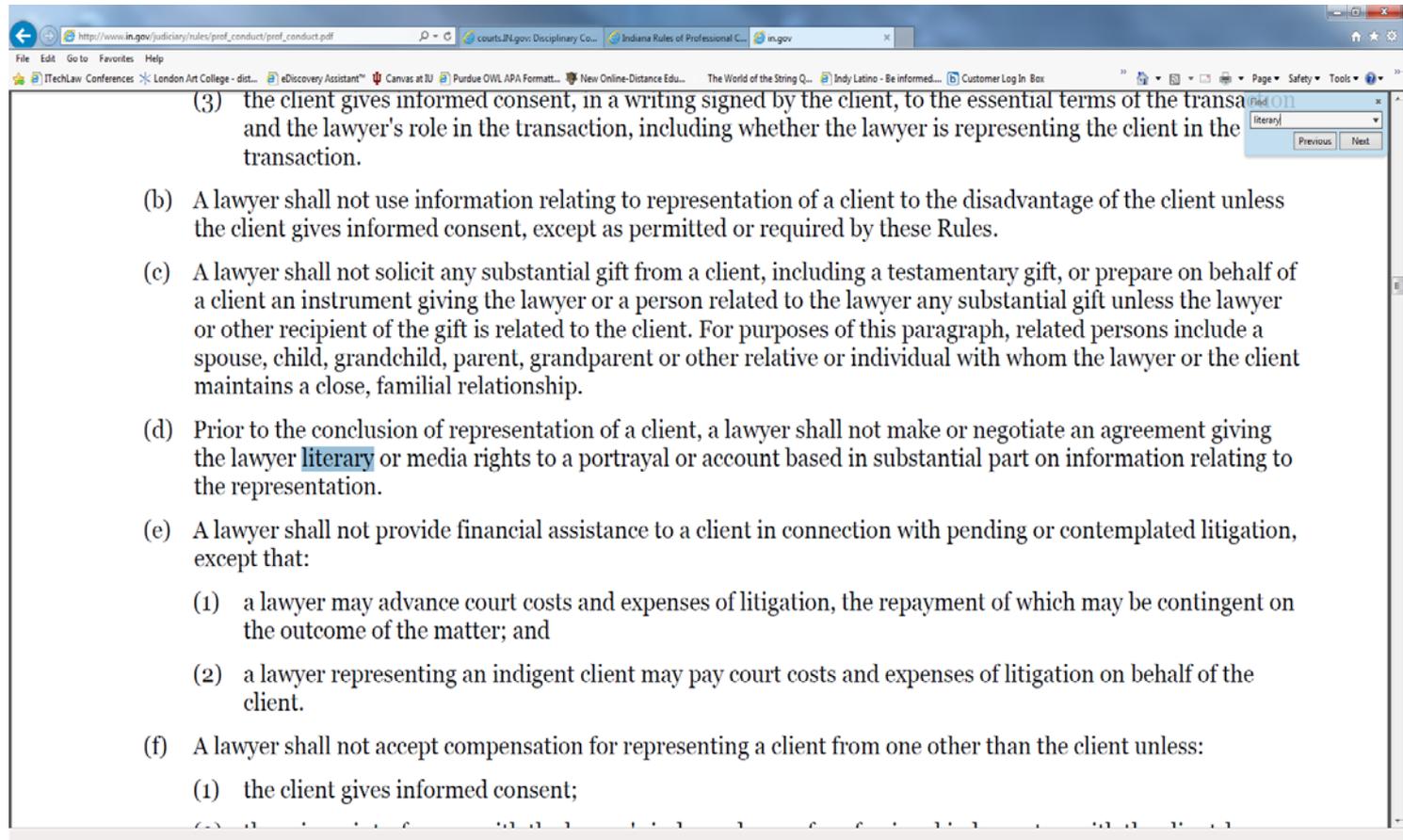
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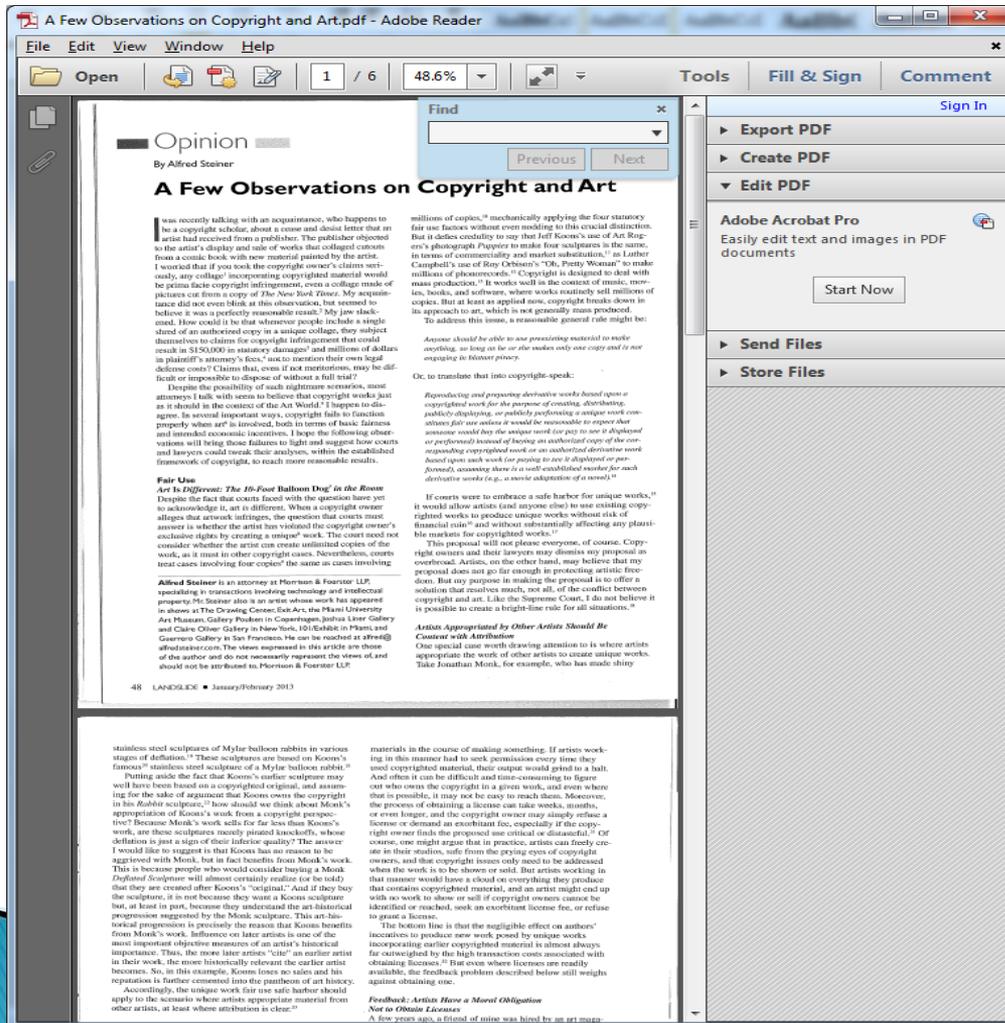
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I can then then see all instances of the keyword “literary” within the document and move seamlessly to each of them by clicking on Next or Previous.

The Power of the “Find” Function to Scan Web Pages Quickly



Other versions of PDF readers may use a binoculars symbol on the left-hand side of the document or a pull-down menu at the top.

Managing Bookmarks

- ▶ There is no need to continually re-invent the wheel when conducting legal research or competitive intelligence on the Internet.
- ▶ One of the best tools available is the “bookmarks” or Favorites (Microsoft Explorer) feature of website browsers.
- ▶ If you find a website that is useful, simply add it to your list.
- ▶ You can organize bookmarks into a variety of categories or folders, which is particularly helpful when your list contains more websites than you can easily remember.

Managing Bookmarks

- ▶ As time goes on, you may notice that you have accumulated a long list of bookmarks or Favorites.
 - It is useful to periodically weed through and delete bookmarks that you are no longer using.
 - It is also a good idea to periodically go through your list and make sure all of the websites are still in operation.
 - Delete those that are no longer active or update your list when the URLs change.
 - Re-alphabetizing your list is also a good habit to get into.
 - You can also place your most-used bookmarks onto a Favorites bar. Another strategy is to have two separate lists.
 - The top list can be for websites that you will use again and again.
 - The bottom list can be for websites that you are only using for a short-term project that can be deleted later.
 - You can also organize your bookmarks into folders.

Managing Bookmarks

- ▶ To keep my list of Favorites at a manageable size, I try to find very comprehensive websites that are likely to have links to other sites I might be most interested in.
- ▶ For example, if I can get to chapters of an organization through its national headquarters website, I will add the national headquarters website to my Favorites.
- ▶ I periodically do an intensive review of all of my favorites and eliminate those where I no longer have need of or interest in the information or where the URL is no longer valid.

Effectively Using RSS Feeds

- ▶ RSS stands for Really Simple Syndication. According to the USA.gov website, RSS is an easy way to keep up with news and information that's important to you. By subscribing to an RSS feed, you can have content delivered directly to you without receiving an e-mail.
- ▶ As defined by Cornick, RSS is a group of formats that are used to publish and distribute news feeds, blogs, and podcasts. RSS allows users to “push” news, blogs, updates, and other information to RSS readers and web pages. Users can subscribe to RSS feeds and access the updated information as soon as it comes in.
- ▶ Free RSS readers are widely available on the Internet.

Effectively Using RSS Feeds

- ▶ See the following websites for information, free RSS readers and reviews:
 - Heinz Tschabitscher, *Top 8 Free Windows RSS Feed Readers / News Aggregators*, About Technology, http://email.about.com/od/rssreaderswin/tp/windows_free.htm, accessed 10/18/16.
 - RSS Reader, <http://www.rssreader.com/>, accessed 10/18/16.
 - http://www.dmoz.org/Computers/Software/Internet/Clients/Web/Feed_Readers/, accessed 10/18/16.

Some Helpful RSS Feeds Covering Legal Topics Include:

- ▶ Automobile recalls listed by the National Highway Traffic Safety Administration – <http://auto-recalls.justia.com>, accessed 10/18/16.
- ▶ RSS Mojo – <http://www.rethinkip.com/rssmojo/> (intellectual property law) – accessed 10/18/16.
- ▶ U.S. government provides dozens of RSS feeds through its many agencies. For example, the U.S. Department of Housing and Urban Development (HUD) provides a links to number of RSS feeds at <http://portal.hud.gov/hudportal/HUD?src=/rss>, accessed 10/18/16.
- ▶ Through the Legal Information Institute (LII) at Cornell University, <http://www.law.cornell.edu/nyctap/subscribe.html>, accessed 10/18/16.
 - Daily decisions: http://www.law.cornell.edu/nyctap/rss/nyctap_today.rss
 - Recent decisions: http://www.law.cornell.edu/nyctap/rss/nyctap_recent.rss

RSS Feeds, cont.

- ▶ Legislative developments: <http://www.govtrack.us/>, accessed 10/18/16.
- ▶ Law journal articles: <http://law.wlu.edu/library/feeds/index.asp>, accessed 10/018/16.
- ▶ CIO (IT related information): <http://www.cio.com/feeds>, accessed 10/18/16.
- ▶ U.S Copyright Office: <http://www.copyright.gov/help/rss.html>, accessed 10/18/16.

Effectively Using Blogs

- ▶ As defined by Cornick, “[a] blog (short for weblog) is a website with information contained in “posts” that are arranged in reverse chronological order. Blog postings resemble diary or journal entries and may contain links to other websites or articles.”
- ▶ There are a number of search engines for blogs.
- ▶ For example:
 - BlogSearchEngine: <http://www.blogsearchengine.org/>, accessed 10/18/16.
 - IceRocket blogs: <http://blogs.icerocket.com/?&q>, accessed 10/18/16.
 - LiveJournal Seek: <http://www.livejournal.com/>, accessed 10/18/16.

There Are Also Blogs for Law, Sometimes Referred to as Blawgs

- ▶ There are also blogs for law, sometimes referred to as blawgs.
- ▶ An index of blawgs is available through Justia's BlawgSearch. (<http://blawgsearch.justia.com/blawgs>, accessed 10/18/16)
- ▶ Another source for blawgs is through the ABA Journal's Blawg Directory. (<http://www.abajournal.com/blawgs>, accessed 10/18/16)
- ▶ In addition, you can try the following websites:
 - beSpecific: <http://www.bespacific.com>, accessed 10/18/16.
 - Nolo's Blog: <http://www.nolo.com/law-blogs>, accessed 10/18/16.
 - Blogs offered by various agencies within the federal government, such as the Federal Trade Commission (FTC):
<https://www.ftc.gov/news-events/blawgs>, accessed 10/18/16.

Blawgs

- ▶ *See also* the ABA's Blawg 100, the annual ranking of that year's top legal blawgs:
- ▶ The 2015 ABA Journal Blawg 100, <http://www.abajournal.com/blawg100>, accessed 10/18/16 and also the 2015 Blawg 100 Hall of Fame, http://www.abajournal.com/magazine/article/2013_blawg_100_hall_of_fame, accessed 10/18/16.
- ▶ The *ABA Journal* just published its 10th Annual Blog 100 for 2016 in the December 2016 issue.
- ▶ One blawg that is usually at the top of the list is myShingle.com, by Carolyn Elefant, who is also an excellent speaker. (<http://myshingle.com/>, accessed 12/12/16).

Effectively Using Podcasts

- ▶ According to Wikipedia, “[a] A **podcast** is a form of digital media that consists of an episodic series of audio or digital radio, subscribed to and downloaded through web syndication or streamed online to a computer or mobile device. The word is portmanteau of "pod" and "broadcast.”
- ▶ As noted by Cornick, “[m]usic, lectures, blogs, and other recordings can be made available as podcasts and can also be pushed to users using an RSS format.”
- ▶ Podcasting is very popular in educational settings, especially with the increased use of mobile devices.
- ▶ I record and upload a weekly podcast for all of my courses at the School of Informatics and Computing, which students really enjoy and which is a nice complement to text-based information.

Law-Related Podcasts

- ▶ Allpodcasts.com: <http://www.allpodcasts.com>, accessed 10/18/16.
- ▶ Podcast Directory: <http://www.podcastdirectory.com/podcasts.html>, accessed 10/18/16.
- ▶ Podcasts from the American Bar Association through many of its sections, for example: http://www.americanbar.org/portals/solo_home/cle/podcasts.html (for solo practitioners), accessed 10/18/16.
- ▶ Lawyer2Lawyer, LegalTalkNetwork: http://www.legaltalknetwork.com/modules.php?name=News&new_topic=15, accessed 10/18/16.
- ▶ Government podcasts: <http://freegovinfo.info/node/174>, accessed 10/18/16.

More Law-Related Podcasts

- ▶ Nolo podcasts: <http://www.nolocast.com/>, accessed 10/18/16.
- ▶ U.S. Supreme Court: <http://www.oyez.org/cases/2014>, accessed 10/18/16.
- ▶ Open Culture – Podcasts from Top American Law Schools: http://www.oculture.com/2007/03/podcasts_from_t.html, accessed 10/18/16.
- ▶ Legal Talk Network: <http://legaltalknetwork.com/podcasts/>, accessed 10/25/16.

Other Information Sources

- ▶ Of course, there are additional opportunities to follow trends and capture up-to-the-minute information and events through Twitter and other social media sites.
- ▶ For example, here is the Twitter site for one of my graduate students, whose expertise is in social media and journalism, with more than 20 years of service at *The Indianapolis Star* and its website.



Have an account?

 Remember me - [Forgot password?](#)

Log in

New to Twitter?

Sign up



TWEETS 50.6K FOLLOWING 3,121 FOLLOWERS 6,379 LIKES 20.1K LISTS 4

Follow

Cori Faklaris ✓
@heycon

Social media consultant & UX/HCI researcher in Downtown #indy. Cat mom. Politics/jour/slashes addict.
@IUPUIinformatics grad student. Ex @indystar, @pjstar.

Indianapolis
[linkedin.com/in/corifaklaris](https://www.linkedin.com/in/corifaklaris)
Joined September 2008

2,606 Photos and videos

Tweets Tweets & replies Media

Pinned Tweet

 **Cori Faklaris** @heycon · Sep 27
As I keep telling anyone who will tolerate my speech on the matter: this is a really big deal.



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You may also like · Refresh

 **Jill Disis** ✓
@jdisis

 **Amy Bartner** ✓
@AmyBartner

Other Information Sources

- ▶ Many people may prefer to watch a video rather than read or listen to information. (I find YouTube videos helpful in trying to learn new music pieces – for example, a sonata for an audition).
- ▶ Thus, YouTube can be an excellent source of information.
- ▶ YouTube may be especially useful for training, for example, if you are trying to learn a new piece of software.
- ▶ In one of my legal informatics courses, we teach SmartDraw software for use in courtroom presentations.
- ▶ YouTube has many tutorials available on how to use this software.

smartdraw - YouTube x +

youtube.com/results?search_query=smartdraw

Canvas at IU ☆ Customer Log In Box ☆ London Art College: ☆ eDiscovery IUPUI ScholarWorks ☆ New Online-Distance ☆ Purdue OWL ADA ☆ sotl Journals - UCF ☆ The World of the

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YouTube Red

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2:45 NDW

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Other Information Sources

- ▶ One other source of information, although not necessarily legal information, is the Library of Congress.
- ▶ For example, its Digital Collections can be an excellent place to find old maps, photographs, presidential papers, etc. (<https://www.loc.gov/collections/>, accessed 10/18/16).

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Aaron Copland Collection

The first release of the online collection contains approximately 1,000 items that yield a total of about 5,000 images. These items date from 1899 to 1981, with most from the 1920s through ...

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Abdul Hamid II Collection

This collection contains 1,819 photographs in 51 large-format albums date from about 1880 to 1893. They portray the Ottoman Empire during the reign of one of its last sultans, Abdul-Hamid II and ...

[View 1,827 Items](#)



Collection
Abraham Lincoln Papers at the Library of Congress

Items in the collection date from 1833 through 1916, but most of the approximately 20,000 items are from the 1850s through Lincoln's presidential years, 1860-65. Treasures in this collection include Lincoln's draft ...

[View 20,157 Items](#)



Collection
African American Perspectives: Pamphlets from the Daniel A. P. Murray Collection, 1818-1907

A panoramic and eclectic review of African-American history and culture, spanning almost one hundred years from the early nineteenth through the early twentieth centuries, with the bulk of the material published between ...

[View 353 Items](#)

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But What About the Validity of What You Find on the Internet?

- ▶ Pete Brown. Six Easy Ways to Tell If that Viral Story is a Hoax. *The Conversation*, Sept. 18, 2015.
- ▶ Reverse image search
- ▶ YouTube DataViewer
- ▶ Jeffrey's Exit Viewer
- ▶ FotoForensics
- ▶ WolframAlpha
- ▶ Online Maps

VII. FINDING FREE LEGAL RESEARCH SITES AND FREE CASE LAW



The Sheer Volume of Information on the Web Can Be Overwhelming

- ▶ According to Roper, “searching the Internet and finding the exact information you are looking for is many times not easy due to the breadth and depth of information on the web. By some accounts, there are more than 9,000,000 different web sites and more than 1,000,000,000 web pages on the Internet.”
- ▶ Since this quote was from the 2008 edition of this book, we can only imagine the challenges for finding quality, relevant information have increased significantly, especially with the proliferation of social media and other forms of digital content, such as Twitter, YouTube videos, podcasts, blogs and blawgs, Pinterest, Instagram, Facebook and LinkedIn, to name but a few.

Effective Searching on the Web

- ▶ At that time, Roper noted that “some search engines are better at finding particular kinds of information than others. Which search engine you use should depend on the particular information you are looking for.”

Roper's Classification of Search Engines

- ▶ Individual search engines, such as Google
- ▶ Specialty search engines, such as FindLaw
- ▶ Metasearch engines, such as Metacrawler or Dogpile
- ▶ Subject directories, such as Yahoo
- ▶ Library gateways, such as the Lilly Law Library at the McKinney School of Law, <http://mckinneylaw.iu.edu/library/research/frequently-used.html>, accessed 10/18/16) or the Internet Public Library – ipl2 (<http://www.ipl.org/>, accessed 10/18/16)
- ▶ Subject-specific databases, such as PubMed for health and medical information (<http://www.ncbi.nlm.nih.gov/pubmed>, accessed 10/18/16) or any of the databases offered through INSPIRE. (<http://www.in.gov/library/inspire/faq.html>, accessed 10/18/16)

Levitt and Davis

- ▶ Justia: <http://www.justia.com>, accessed 10/18/16.
- ▶ FindLaw: www.findlaw.com, accessed 10/18/16.
- ▶ Law.com – <http://www.law.com>, 10/18/16.
- ▶ HR.org (formerly Hieros Gamos) <http://hg.org>, accessed 10/18/16.
- ▶ LLRX.com: <http://www.llrx.com>, accessed 10/18/16.
- ▶ Nolo Press: <http://www.nolo.com>, accessed 10/18/16.

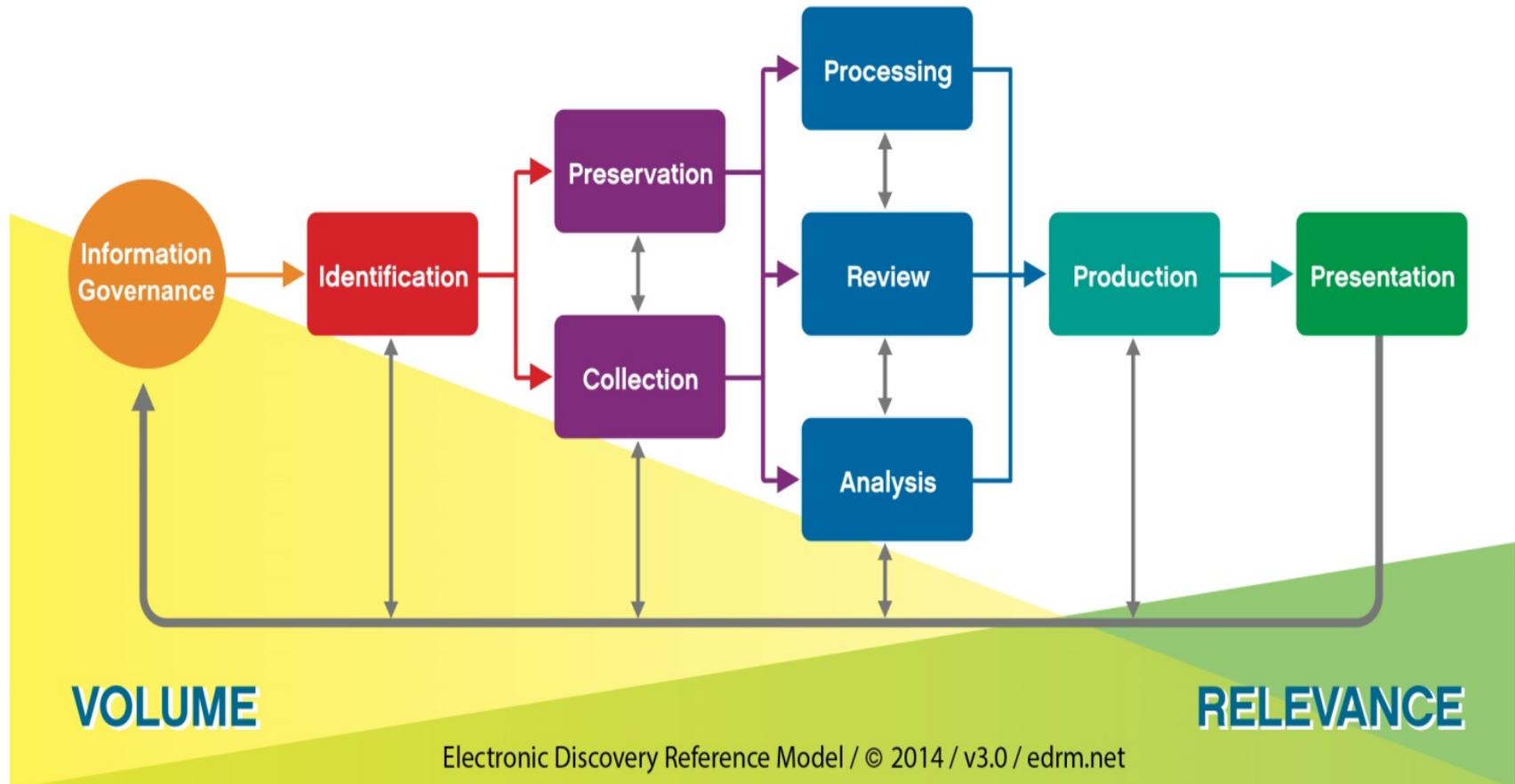
Additional Options

- ▶ Legal Information Institute:
<https://www.law.cornell.edu/>, accessed 10/18/16.
- ▶ Washburn University's WashLaw: www.washlaw.edu,
accessed 10/18/16.
- ▶ Public Legal – Internet Legal Research Group:
www.ilrg.com, accessed 10/18/16.
- ▶ WWW Virtual Library: <http://vlib.org/admin/AboutVL>,
accessed 10/18/16.
- ▶ Virtual Chase: <http://virtualchase.justia.com/legal-research>,
accessed 10/18/16.
- ▶ All Law: <http://www.alllaw.com>, accessed 10/18/16.
- ▶ Law & Policy Institutions Guide:
<http://www.lpig.org/>, accessed 10/18/16

Electronic Discovery

- ▶ Many of my research projects for presentations and publications involve electronic discovery.
- ▶ Whenever I have a question regarding electronic discovery, the first place I start is a review of the Electronic Discovery Reference Model (EDRM) and the information provided on the EDRM website. (EDRM, <http://www.edrm.net/>, accessed 10/18/16)
- ▶ By visualizing the steps in handling a piece of electronically-stored information (ESI) from the left-hand side of the model (which starts with proper information governance) to the presentation of the ESI in court, the EDRM also reminds me of the potential for ethical breaches at each step

Electronic Discovery Reference Model



K&L Gates

- ▶ Another excellent resource for cases, statutes, guidelines and other materials for electronic discovery is the K&L Gates Electronic Discovery Law website.
(<http://www.ediscoverylaw.com/>, accessed 10/18/16)
- ▶ The website contains a very helpful database of over 2000 cases that is searchable by keyword as well as having a number of pre-determined case attributes.
(<http://www.ediscoverylaw.com/e-discovery-case-database/>, accessed 10/18/16)
- ▶ Many of the cases have very short summaries that include the case citation, the nature of the case, the electronic data involved, the electronic discovery issue and searchable attributes.
- ▶ A number of the cases have more robust summaries that also may have links to additional materials.
- ▶ You can also subscribe to the free Blog Update.



IN CRIMINAL CASE, FAILURE TO PRESERVE RESULTS IN EXCLUSION OF ALL TEXT MESSAGES, POSSIBLE ADVERSE INFERENCE

United States v. Vaughn, No. 14-23 (JLL), 2015 WL 6948577 (D.N.J. Nov. 10, 2015)

In this criminal case, a *pro se* defendant sought sanctions, including dismissal of the indictment, for the Government's failure to preserve text messages relevant to its investigation. Upon examination of the facts, including the Government's acknowledged failure to preserve certain text messages and constantly changing explanations surrounding that failure as well as the "different level of diligence" applied to different text messages (care was taken to preserve certain messages, but not others), the court determined sanctions were warranted. Accordingly, the court ordered that the Government would be precluded from using any text messages in its case in chief and reserved judgment until trial regarding the propriety of



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E-DISCOVERY CASE DATABASE

Search nearly 3000 cases collected from state and federal courts involving electronic discovery issues by keyword, or by any combination of 36 different case attributes, including on-site inspection, format of production, allegations of spoliation, or involving data that is “not reasonably accessible,” etc.

[CLICK HERE](#) to access the database, free of charge.

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Please select one or more of the following case attributes and/or enter keyword search terms below:

E-Discovery Rules

- FRCP 26(b)(2)(B) "Not Reasonably Accessible"
- FRCP 34(b) Procedure or Format
- FRCP 26(b)(5)(B) or FRE 502
- FRCP 37(e) Safe Harbor
- FRCP 26(b)(2)(C) Limitations
- Local Court Rule, Form or Guideline

Context

- TRO or Preliminary Injunction
- Motion for Preservation Order
- Early Conference or Discovery Plan
- Motion to Compel
- Motion for Protective Order
- Third-Party Discovery
- Motion for Sanctions

Particular Issues

- Data Preservation
- Mirror Images
- Cost Shifting
- Records Retention Policy
- On-Site Inspection
- Spoliation
- Backup Media Recycling
- Keyword Searches
- Court-Appointed Expert
- Backup Tapes
- Format of Production
- Privilege or Work Product
- Deleted Data Recovery
- Metadata
- Lack of Cooperation or Inaccurate Representations
- Admissibility
- Adequacy of Search/Identification or Collection (added 03/13)
- Computer Assisted Review

Enter keyword search terms:

Limit results to citations with case summaries only

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"Not Reasonably Accessible"

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Procedure or Format

FRCP 26(b)(5)(B)
or FRE 502

FRCP 37(e) Safe Harbor

FRCP 26(b)(2)(C)
Limitations

Local Court Rule, Form
or Guideline

Context

TRO or Preliminary
Injunction

Motion for Preservation
Order

Early Conference or
Discovery Plan

Motion to Compel

Motion for Protective
Order

Third-Party Discovery

Motion for Sanctions

Particular Issues

Data Preservation

Mirror Images

Cost Shifting

Records Retention Policy

On-Site Inspection

Spoliation

Backup Media Recycling

Keyword Searches

Court-Appointed Expert

Backup Tapes

Format of Production

Privilege or Work Product

Deleted Data Recovery

Metadata

Lack of Cooperation or
Inaccurate Representations

Admissibility

Adequacy of Search/Identification
or Collection (added 03/13)

Computer Assisted Review

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Case Citation:	Bass v. Miss Porter's School, 2009 WL 3724968 (D. Conn. Oct. 27, 2009)
Nature of Case:	Claims arising from alleged bullying and harassment of private school student
Electronic Data Involved:	Facebook
E-Discovery Issue:	Upon in camera review of all documents produced to plaintiff by Facebook pursuant to subpoena, and in response to plaintiff's objection to producing all such documents on the grounds that many were irrelevant and immaterial, court found "no meaningful distinction" between the pages produced and the pages withheld and stated that "Facebook usage depicts a snapshot of the user's relationship and state of mind at the time of the content's posting" and that "relevance is more in the eye of the beholder" such that production should not be limited to plaintiff's determination of what may be "reasonably calculated to lead to the discovery of admissible evidence" and ordered the production of all documents produced by Facebook to defendants, rather than the smaller subset previously provided
Case Summary:	Not Available
Attributes:	Motion to Compel; Third Party Discovery
Case Citation:	Crispin v. Christian Audigier, Inc., 717 F.Supp.2d 965 (C.D. Cal. 2010)
Nature of Case:	Breach of contract, copyright infringement, breach of covenant of good faith and fair dealing
Electronic Data Involved:	Messages from social networking sites
E-Discovery Issue:	Upon holding that the social networking sites at issue (Facebook, MySpace, Media Temple) were subject to the Stored Communications Act, court quashed subpoenas seeking private messages but, as to subpoenas seeking messages posted to plaintiff's Facebook wall and MySpace comments, remanded for further investigation of plaintiff's privacy settings as to those messages because the Stored Communications Act is not applicable to information readily available to the general public
Case Summary:	Available
Attributes:	Third Party Discovery
Case Citation:	Fawcett v. Altieri, ---N.Y.S.2d---, 2013 WL 150247 (N.Y. Sup. Ct. Jan. 11, 2013)
Nature of Case:	Personal injury
Electronic Data Involved:	Social network content (Facebook, MySpace, Friendster, Flickr, etc.)
E-Discovery Issue:	Court acknowledged the discoverability of social media content but reasoned that "[i]n order to obtain a closed or private social media account by a court order for the subscriber to execute an authorization for their release, the adversary must show with some credible facts that the adversary subscriber has posted information or

PURSUANT TO STORED COMMUNICATIONS ACT, COURT QUASHES SUBPOENA FOR PRIVATE MESSAGES, REMANDS FOR FURTHER CONSIDERATION OF FACEBOOK WALL AND MYSPACE COMMENTS

Crispin v. Christian Audigier, Inc., 717 F. Supp. 2d 965 (C.D. Cal. 2010)

Defendant subpoenaed several social networking sites seeking disclosure of plaintiff's subscriber information and communications relevant to the underlying dispute. Plaintiff sought to quash the subpoenas arguing that such disclosure would violate the Stored Communications Act ("SCA"). The magistrate judge denied plaintiff's motion to quash upon finding the SCA was inapplicable. Plaintiff moved for reconsideration of the order.

Granting reconsideration, the district court judge found the SCA was applicable to the social networking websites at issue (Facebook, MySpace, Media Temple) and quashed the subpoenas to the extent they sought private messages. However, the court recognized a distinction between strictly private messages and those posted more openly, such as on plaintiff's Facebook wall or MySpace comments.* Specifically, the court noted the inapplicability of the SCA to information that is readily available to the general public. Thus, a review of plaintiff's privacy settings was necessary to determine the extent of access allowed to his Facebook wall and MySpace comments (although the court recognized that the record implied that access was restricted). Accordingly, the district court vacated

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E-Discovery Rules

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| <input type="checkbox"/> FRCP 37(e) Safe Harbor (prior to Dec. 1, 2015) | <input type="checkbox"/> FRCP 26(b)(2)(C) Limitations | <input type="checkbox"/> Local Court Rule, Form or Guideline |
| <input type="checkbox"/> FRCP 26(b)(1) Scope in General (effective Dec. 1, 2015) | <input type="checkbox"/> FRCP 37(e) Preservation (effective Dec. 1, 2015) | |
| <input type="checkbox"/> FRCP 26(c) Protective Orders | | |

Context

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|--|--|---|
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Particular Issues

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| <input type="checkbox"/> Backup Media Recycling | <input type="checkbox"/> Keyword Searches | <input type="checkbox"/> Court-Appointed Expert |
| <input type="checkbox"/> Backup Tapes | <input type="checkbox"/> Format of Production | <input type="checkbox"/> Privilege or Work Product |
| <input type="checkbox"/> Deleted Data Recovery | <input type="checkbox"/> Metadata | <input type="checkbox"/> Lack of Cooperation or Inaccurate Representations |
| <input type="checkbox"/> Admissibility | <input type="checkbox"/> Adequacy of Search/Identification or Collection (added 03/13) | <input type="checkbox"/> Computer Assisted Review |
| <input type="checkbox"/> Taxable Costs | <input type="checkbox"/> Proportionality | |

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Case Citation: Nature of Case: Electronic Data Involved: E-Discovery Issue:	Truesdell v. Thomas No. 5:13-cv-552-Oc-10PRL, 2015 WL 2022991 (M.D. Fla. Apr. 30, 2015) Privacy Rights Database Court denied Motion to Compel Production of Electronically Stored Data where plaintiff said that 1500 printed pages of defendant's database usage history were inadequate under FRCP 34(e)(ii) because they were not easily searchable. Plaintiff sought to compel production of the electronic version of the data to include metadata, but the court said that the printed information was not as cumbersome as the plaintiff suggested because only a limited time period contained within the pages was relevant; the data did not originate from the defendant, so the defendant did not have the ability to manipulate the data to provide it only for the limited time period; and the plaintiff was unable to identify any information contained in the electronic version of the data that was not also contained in the printed pages.
Case Summary: Attributes:	Not Available Motion to Compel; Format of Production; Metadata
Case Citation: Nature of Case: Electronic Data Involved: E-Discovery Issue:	Advantor Sys. Corp. v. DRS Technical Servs., Inc., No. 6:14-cv-533-Orl-31DAB, 2015 WL 403308 (M.D. Fla. Jan. 28, 2015) Employment Hard Drive The Magistrate Judge denied Advantor's motion for sanctions against DRS for intentional bad faith spoliation of evidence, finding that sanctions were not warranted because there was no showing that the destroyed evidence was critical to litigate the case issues. DRS had a duty to preserve the contents of a laptop that was used by an employee who was hired away from Advantor and subsequently fired by DRS after receiving notice from Advantor that litigation was reasonably anticipated. Despite having a duty to preserve the contents of the laptop, DRS reformatted the laptop and erased files that were potentially proprietary to Advantor and in violation of their Nondisclosure Agreement. However, Advantor failed to show that the files contained relevant information critical to the case or that DRS was aware the files were on the laptop. Despite the unexplained reformatting of the laptop, sanctions were not granted.
Case Summary: Attributes:	Not Available Motion for Sanctions; Data Preservation; Spoliation
Case Citation: Nature of Case:	Am. Fed. Of Musicians of the U.S. and Canada v. Skodam Films, LLC, NO. 3:15-mc-122-M-BN, 2015 WL 7771078 (N.D. Tex. Dec. 3, 2015) Breach of contract

Category: Federal Rules Amendments



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TODAY IS THE DAY! AMENDMENTS TO FEDERAL RULES OF CIVIL PROCEDURE EFFECTIVE DEC. 1, 2015

The wait is over. Amendments to the Federal Rules of Civil Procedure are effective today.

The 2015 amendments to the Federal Rules of Civil Procedure are significant and will have a direct impact on the day to day practice of law, particularly discovery. If you've been putting off your review of the amendments, the time for action is now! Take a few minutes (or a few hours) to review these important amendments and/or attend one of K&L Gates' two live events to learn more! *(Live events are also available via webinar.)*

CLICK HERE for an overview of the rules amendments package.

To register for K&L Gates' complimentary CLE, "Federal Rule Changes Affect e-Discovery – Are You Ready This Time?" follow the links below:

- **CLICK HERE** to attend LIVE! in Seattle: Dec. 1, 2015, 1:30 PM -5:30 (with post-program reception)



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Local Rules, Forms and Guidelines of United States District Courts Addressing E-Discovery Issues

Many United States District Courts now require compliance with special local rules, forms or guidelines addressing the discovery of electronically stored information. Below is a collection of those local rules, forms and guidelines, with links to the relevant materials. Please note also that many individual judges and magistrate judges have created their own forms or have crafted their own preferred protocols for e-discovery. These are generally available on the website of the individual judge or magistrate judge and care should be taken to ensure you are aware of any such forms or guidelines in any court you may appear in.

District of Alaska

Local Rules (Civil)

Local Form 26(f): Scheduling and Planning Conference Report
Local Rule 16.1 Pre-Trial Procedures (requiring use of Local Form 26(f) or one substantially similar)

Eastern and Western Districts of Arkansas

Local Rule 26.1 Outline for Fed. R. Civ. P. 26(f) Report

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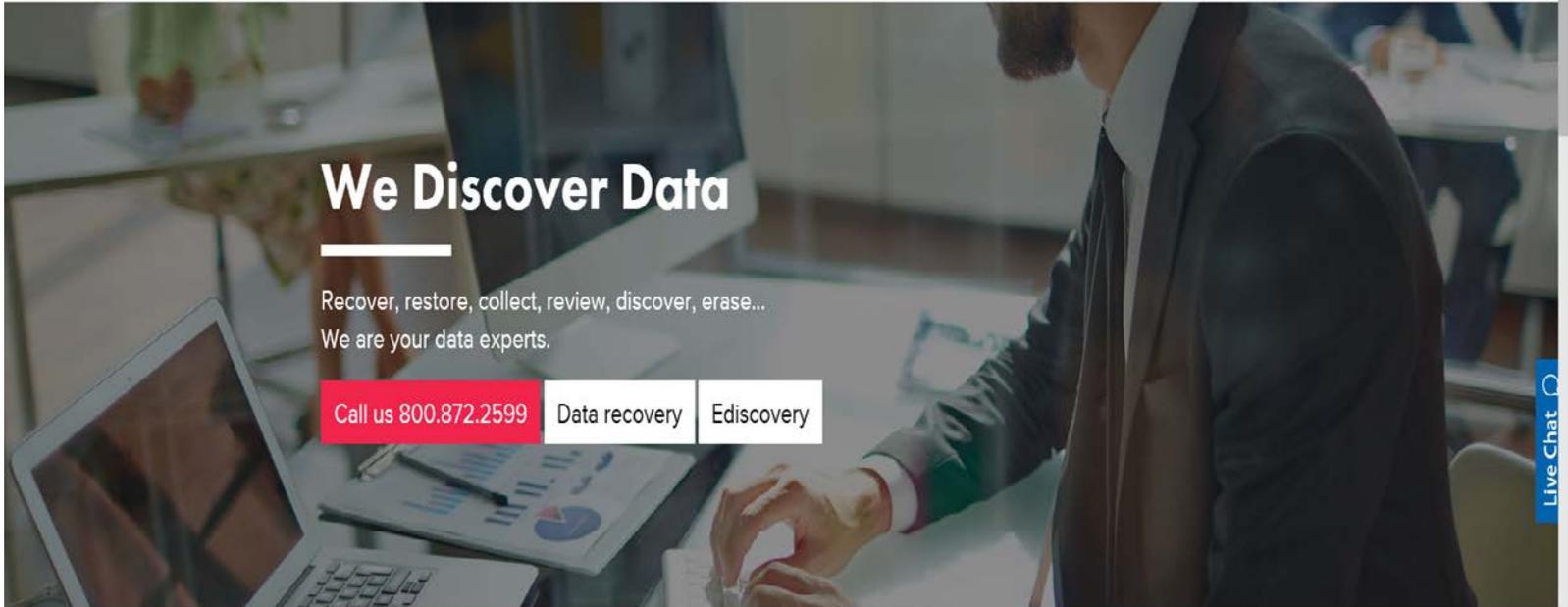
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Kroll Ontrack

- ▶ A second excellent resource for materials on electronic discovery is the Kroll Ontrack.
(<http://www.krollontrack.com/>, accessed 10/18/16)
- ▶ This website includes blogs on electronic discovery and data recovery, white papers, case studies and industry news.
- ▶ It also offers a searchable database of electronic discovery cases that complements what is provided by K&L Gates and is searchable by keyword as well as by e-discovery-related topics and jurisdiction.
(<http://www.ediscovery.com/pulse/case-law/>, accessed 10/18/16)
- ▶ I find it comforting when both of these databases provide summaries of the same case, but also they may cover different cases, which broadens my collection of cases.



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[Court Denies In Camera Review in Light of "Unsupported Suspicions"](#)

Armouth Int'l, Inc. v. Dollar General Corp., 2015 WL 6696367 (M.D. Tenn. Nov. 2, 2015)

Keywords: Privilege, Production



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- 10th Circuit
- 11th Circuit
- Court of International Trade
- DC Circuit
- Federal Circuit
- U.S. Court of Appeals for the Armed Forces
- U.S. Court of Federal Claims
- United States Air Force Court of Criminal Appeals
- U.S. Supreme Court
- U.S. Tax Court
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Detailed Summary Short Summary

Court Rejects Privilege Request for Private Social Networking Site Communications

McMillen v. Hummingbird Speedway, Inc., No. 113-2010 CD (C.P. Jefferson Sept. 9, 2010).

Keywords: Facebook, MySpace, social media, privilege

Court Finds Company Acted Appropriately in Blocking Facebook Following Employee Complaint

Amira-Jobbar v. Travel Servs. Inc., 726 F.Supp.2d 77 (D. Puerto Rico July 28, 2010).

Keywords: Facebook, summary judgment, firewall, social media

Court Denies Discovery of Listserv and Social Media in Post Trial Fee Dispute



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Court Rejects Privilege Request for Private Social Networking Site Communications



Pennsylvania

McMillen v. Hummingbird Speedway, Inc., No. 113-2010 CD (C.P. Jefferson Sept. 9, 2010). In this personal injury litigation, the defendants sought production of the user names, log-in names and passwords granting access to the plaintiff's Facebook and MySpace accounts. Having found comments on the public portions of the plaintiff's social media sites indicated the plaintiff exaggerated his injuries, the defendants argued that private portions might similarly contain impeaching content. Objecting, the plaintiff contended that communications shared among private friends on social network sites are confidential and thus protected against disclosure. Equating the plaintiff's argument with a request for a new "social network site privilege," the court expressed concern that recognizing such a privilege would contravene the purpose and policy of Pennsylvania's broad discovery rules. Thus, finding no reasonable expectation of confidentiality given the clear language contained on both sites regarding the possibility of disclosure, no subjective or objective relational need for privilege outside of attorney-client communications and a failure to outweigh the interests of justice, the court ordered the plaintiff to preserve existing information and provide his Facebook and MySpace user names and passwords to the defendants' counsel.

Keywords: Facebook, MySpace, social media, privilege

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Additional Sources

- ▶ Depending on the area of law you practice in – or have research questions about – there are excellent websites with free databases available.
- ▶ For example, the U.S. Patent and Trademark Office provides a wonderful website with information about how to apply for patents and trademarks, manuals and guides, law and policy, and other helpful material, including information for the general public and for kids. (<http://www.uspto.gov/>, accessed 10/18/16).
- ▶ From this website, you can also search the patent database (<http://www.uspto.gov/patents/process/search/index.jsp>) and the trademark database (<http://www.uspto.gov/trademark>).

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Patent No. 6234467

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Search Trademark Database

Although not required prior to filing an application, you are encouraged to search the USPTO's trademark database to see if any mark has already been registered or applied for that is similar to your mark **and** used on related products or for related services. If your search yields a mark that you think might conflict with your mark, you should then check status to see if the application or registration is still "live," since any "dead" mark cannot be used to block a new application.

A complete search is one that will uncover all similar marks, not just those that are identical. In this regard, searching for trademark availability is not the same as searching to register a domain name. A domain name search may focus on exact or "dead on" hits, with no consideration given to similar names or use with related products and services. Basically, a domain address is either available or it is not. The trademark process, on the other hand, is more complex. As part of the overall examination process, the USPTO will search its database to determine whether registration must be refused because a similar mark is already registered for related products or services (i.e., even identical marks may co-exist if used on goods or services not considered to be related in any way). Please note that the USPTO does **not** offer advisory opinions on the availability of a mark prior to filing of an actual application.

For more information about conducting a clearance search, please watch the news broadcast-style video titled "Searching" (video #3 in the [Trademark Information Network \(TMIN\)](#) series).

Depending on what trademark material you are looking for, there are a number of different areas to perform a Search:

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Use [Trademark Electronic Search System \(TESS\)](#) to conduct a free online search of the USPTO database. TESS provides access to text and images of registered marks, and marks in pending and abandoned applications. The USPTO cannot provide guidance as to how you should search, beyond the HELP provided within the TESS site.

[Trademark Electronic Search System \(TESS\)](#)

Design Search Code

If your mark includes a design element, you must search using a design code. The USPTO assigns all marks containing design figurative elements a 6-digit numerical code(s) for searching purposes. A design code search is also conducted using [TESS](#).

For assistance in searching with a design code, access the [Design Search Code Manual](#). This manual indexes the categories, divisions, and sections that make up these codes. For example, a five-pointed star would be

Trademarks > Trademark Electronic Search System (TESS)

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This option allows you to construct word and/or design searches using Boolean logic and multiple search fields. **NOTE:** You must first use the [Design Search Code Manual](#) to look up the relevant Design Codes.

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Helpful 351

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New to Patent Searching? See this important information about searching for patents:

[How to Conduct a Preliminary U.S. Patent Search: A Step by Step Strategy - Web Based Tutorial \(38 minutes\)](#)

- [The Seven Step Strategy](#) - Outlines a suggested procedure for patent searching
- [A detailed handout of the Seven Step Strategy](#) with examples and screen shots.

Patents may be searched using the following resources:

- [USPTO Patent Full-Text and Image Database \(PatFT\)](#)
- [USPIO Patent Application Full-Text and Image Database \(AppFT\)](#)
- [Global Patent Search Network \(GPSN\)](#)
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- [Public Search Facility](#)
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all patents from 1790 to the present.

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Searches are limited to patent numbers and/or classification codes for Full-Page images.

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Global Patent Search Network (GPSN) enables users to search the full text of multiple international patent collections. The initial collection available will be Chinese patent documentation from the State Intellectual Property Office (SIPO) of the People's Republic of China. Users can search published applications, granted patents and utility models from 1985 to 2012. The data available includes full text Chinese patents, English machine translations and full document images. This collection will be periodically updated to include additional years of coverage.

- [Search Global Patent Search Network \(GPSN\)](#)

Additional Information

- [GPSN Quick Reference Guide \(QRG\)](#)
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Additional Sources

- ▶ For copyright information, including the copyright database, forms and assistance for filing copyright applications and other documents, current and proposed legislation, fee schedules and other information, use the website for the U.S. Copyright Office. (<http://www.copyright.gov/>, accessed 10/18/16)
- ▶ **Exciting news about the U.S. Copyright Office – Proposed Legislation:**
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 - Small claims tribunal

Copyright Office Announces Electronic System for Designating Agents under DMCA

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TITLE 37, CHAPTER II

Copyright Law of the United States
AND RELATED LAWS CONTAINED IN
TITLE 17 OF THE UNITED STATES CODE

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Pre-1978 Records

Copyright registrations and renewals covering the period 1870 through 1977 are accessible through a physical card catalog housed in the Copyright Office and also through a virtual set of volumes titled the "Catalog of Copyright Entries" (CCEs), which cover 1891 to 1977.



Post-1978 Records

The Copyright Office is an office of public record for copyright registrations and related documentation. Copyright registrations for all works dating from January 1, 1978, to the present, as well as renewals and recorded documents, are accessible through the Copyright Office online records catalog.



Digitization Project

The Copyright Office is an office of public record for copyright registrations and related documentation. Prior to 1978, copyright records were created in analog form, and housed in the Copyright Office. Once the "Digitization and Public Access Project" is complete, it will provide web-access to all pre-1978 U.S. Copyright Office records.

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How is a copyright different from a patent or a trademark?

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Copyright Catalog (1978 to present)

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Search Hints

- Works registered prior to 1978 may be found only in the [Copyright Public Records Reading Room](#).
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Additional Sources

- ▶ Other outstanding source of information can be found on the websites of professional organizations devoted to specific areas of the law.
- ▶ For example, for intellectual property law, the American Intellectual Property Law Association (AIPLA) as a very nice website. (<http://www.aipla.org/Pages/default.aspx>, accessed 10/18/16)
- ▶ For legal technology, the website of the International Legal Technology Association (ILTA) can be very helpful. (<http://www.iltanet.org/>, accessed 10/18/16).
- ▶ For electronic discovery, litigation support and legal project management, try the Organization of Legal Professionals (OLP) website. (<http://www.theolp.org/>, accessed 10/18/16)

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- December 15 Perspectives on *Star Athletica v. Varsity Brands*

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- > [ILTACON](#) (08.28.16 - 09.01.16)

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Another Excellent Resource

- ▶ In addition to Kroll Ontrack and K&L Gates for electronic discovery mentioned above, I also recommend the website for Sensei Enterprises, Inc.
- ▶ Two of my favorite authors are Sharon Nelson and John Simek, who have been on the cutting edge of security, digital forensics, electronic discovery and legal technology for many years through their company, Sensei Enterprises. (Sensei Enterprises, Inc., <http://www.senseient.com/>, accessed 10/18/16).
- ▶ I use their materials extensively in several of the courses I teach at the School of Informatics and Computing (Indiana University).
- ▶ One suggestion is that all paralegals and lawyers register for their free article distribution service.



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Sensei Enterprises, Inc. is a nationally-known digital forensics, information technology and information security woman-owned small business, founded in 1997 by Sharon Nelson, a practicing attorney and John Simek, vice president. Sensei provides information technology to hundreds of businesses locally in the DC Metro area. Sensei provides digital forensics and information security services nationwide.

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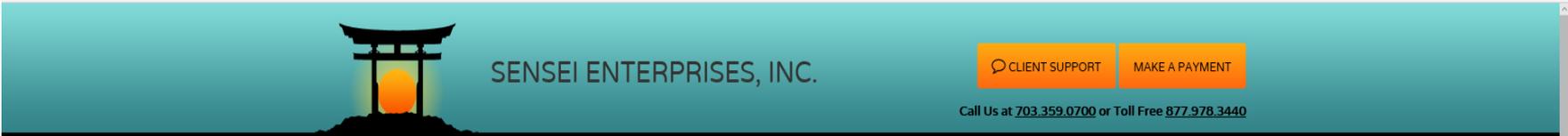


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Sensei Enterprises, Inc. is a nationally-known digital forensics, information technology and information security woman-owned small business, founded in 1997 by Sharon Nelson, a practicing attorney and John Simek, vice president. Sensei provides information technology to hundreds of businesses locally in the DC Metro area. Sensei provides digital forensics and information security services nationwide.

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ARTICLES

SECURITY FATIGUE AND ITS IMPACT ON LAW FIRM SECURITY

November 21, 2016

Excerpt People are inherently lazy. After all, why do something today that you can put off until tomorrow? Users hate to do anything that would slow down their access to their computer or data. That means they would much rather just sit at a keyboard and start to surf the Internet instead of entering logon credentials and then entering a second factor. How many times have you been tired of the constant password changes only to resort to using one you know you'll remember and have previously used? Didn't feel like creating a new account so passed on that online purchase? You are not alone.

A recent study from the National Institute of Technology (NIST) found that the majority of typical computer users experience security fatigue, which leads to risky computing behavior at work and in their personal lives. Security fatigue is defined as a reluctance or weariness to deal with computer security. So what does this mean for law firms? A balanced approach is the way to go. If you make things too difficult for the users, they will find ways around the security measures.

[Read the entire article here.](#)



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 Digital Forensics

Legal Dictionaries

- ▶ Legal Dictionary: <http://www.legal-dictionary.org>, accessed 10/18/16.
- ▶ Law.com Dictionary: <http://dictionary.law.com>, accessed 10/18/16.
- ▶ FindLaw Legal Dictionary: <http://dictionary.lp.findlaw.com>, accessed 10/18/16.
- ▶ The Law Dictionary (Black's Law Dictionary): <http://thelawdictionary.org/>, accessed 10/18/16.
- ▶ Nolo's Free Dictionary of Law Terms and Legal Definitions: <http://www.nolo.com/dictionary>, accessed 10/18/16.

Legal Dictionaries – Mobile Devices

- ▶ In terms of legal dictionaries, there is probably an “app” for that so that content can be accessed on mobile devices. For example,
- ▶ Black’s Law Dictionary: for Android <http://thelawdictionary.org/blacks-law-dictionary-android-app/> and the iPhone <http://thelawdictionary.org/blacks-law-dictionary-iphone-app/>, both accessed 10/18/16.



Finding and Using Free Full-Text Case Law Sites

- ▶ There are many web sites that provide access to the full-text of case law as well as other helpful information about state and federal courts.
- ▶ Levitt and Davis provide the following list:
 - Google Scholar: <http://scholar.google.com/>



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| <input type="checkbox"/> Appellate Div. | <input type="checkbox"/> New Mexico | <input type="checkbox"/> Bankruptcy Appellate Panel | <input type="checkbox"/> D. South Dakota |
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| <input type="checkbox"/> Superior Court | <input type="checkbox"/> Court of Appeals | <input type="checkbox"/> 3rd Circuit | <input type="checkbox"/> D. Alaska |
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| <input type="checkbox"/> Court of Appeals | <input type="checkbox"/> Court of Appeals | | |

Scholar Profiles

The screenshot shows a web browser window with the Google Scholar Citation page for Sara Anne Hook. The browser's address bar displays the URL: scholar.google.com/citations?view_op=search_authors&mauthors=sara+anne+hook&hl=en&oi=ao. The browser's tab bar shows the current tab is 'Google Scholar Citation'. The browser's toolbar includes navigation buttons (back, forward, refresh, home) and a search bar containing 'sara anne hook'. The browser's address bar also shows several bookmarks, including 'Canvas at IU', 'Customer Log In Box', 'London Art College', 'eDiscovery', 'IUPUI/ScholarWorks', 'New Online-Distance', 'Purdue OWL APA', 'sotl Journals - UCF', and 'The World of the'. The browser's search bar shows the Google logo and the search results for 'sara anne hook'. The search results show a profile for Sara Anne Hook, a Professor of Informatics/Human-Centered Computing at Indiana University. The profile includes a photo of Sara Anne Hook, her name, title, affiliation, and a list of her research interests: Intellectual Property Law, Legal Informatics, Electronic Discovery, and Security and Privacy. The profile also indicates that she is cited by 76 other scholars. At the bottom of the profile, there is a note: 'Dates and citation counts are estimated and are determined automatically by a computer program.' Below this note are links for Help, Privacy, Terms, Provide feedback, and My Citations.

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scholar.google.com/citations?view_op=search_authors&mauthors=sara+anne+hook&hl=en&oi=ao

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Profiles

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Professor of Informatics/Human-Centered Computing, Indiana University
Verified email at iupui.edu
Cited by 76
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Observation

- ▶ It is surprising how many websites come and go even within a one-year time period.
- ▶ I was surprised in updating this content from the 2015 seminar manual how many websites had changed their URLs or their focus – and some which had been discontinued altogether, such as Zimmerman’s – see *Farewell to Zimmerman’s Research Guide* at <https://www.lexisnexis.com/infopro/keeping-current/b/weblog/archive/2015/12/10/farewell-to-zimmerman-s-research-guide.aspx>, accessed 10/31/16.

From Levitt and Davis

- ▶ FindLaw: <http://lp.findlaw.com/#casesearch>, accessed 10/18/16.
- ▶ The Public Library of Law: <http://www.plol.org>, accessed 10/18/16.
- ▶ The Free Law Reporter 2011--):
<http://www.freelawreporter.org>, accessed 10/18/16.
- ▶ FindACase Network (free from VersusLaw):
<http://findacase.com>, accessed 10/18/16.
- ▶ Justia's U.S. Supreme Court Center:
<http://supreme.justia.com>, accessed 10/18/16 and links to cases from other courts: <http://law.justia.com/cases/>, accessed 10/18/16.
- ▶ Oyez (for free U.S. Supreme Court resources):
<https://www.oyez.org/cases/2016>, accessed 10/18/16.
- ▶ Supreme Court of the United States:
<http://www.supremecourt.gov>, accessed 10/18/16.

Other Websites

- ▶ Administrative Offices of the U.S. Courts:
<http://www.uscourts.gov>, accessed 10/18/16.
- ▶ Seventh Circuit: <http://www.ca7.uscourts.gov/>, accessed 10/18/16.
- ▶ National Center for State Courts: <http://www.ncsc.org/>, accessed 10/18/16.
- ▶ United States Federal & State Courts, Internet Legal Research Group: <http://www.ilrg.com/caselaw>, accessed 10/18/16.
- ▶ American Law Sources On-line (U.S., Canada, Mexico):
<http://www.lawsources.com/also>, accessed 10/18/16.
- ▶ Legal Dockets On-line: <http://www.legaldockets.com>, accessed 10/18/16.
- ▶ LLRX Court Rules, Forms and Dockets:
<http://www.llrx.com/courtrules>, accessed 10/18/16.

Other Websites

- ▶ SunEthics.com: <http://sunethics.com>, accessed 10/18/16.
- ▶ Southern District of Indiana: <http://www.insd.uscourts.gov>, accessed 10/18/16.
- ▶ Northern District of Indiana: <http://www.innd.uscourts.gov/>, accessed 10/18/16.
- ▶ Indiana Courts: <http://www.in.gov/judiciary/>, accessed 10/18/16.
- ▶ *See also* the long lists of starting points for legal research on as Exhibits 9–4 and 9–6 in Matthew S. Cornick, *Using Computers in the Law Office*, 7th ed. Boston, MA: Cengage Learning, 2015.

State Court Records – Indiana

- ▶ In terms of Indiana, more of the state court case records are available online, depending on when the county and its courts begin using the new electronic filing system called the Odyssey Case Management System. (<https://mycase.in.gov/default.aspx>, accessed 12/12/16).
- ▶ For a list of the courts that use Odyssey and how far back their records go, see <http://www.in.gov/judiciary/4234.htm>.



Case Records

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Improved version of mycase.in.gov now online: [Start searching »](#)

This is the original public access site for the Odyssey Case Management System for Indiana Courts and Clerks. It is still available to use, but you may wish to [switch to the new version »](#)

- [Which courts use Odyssey and mycase.in.gov?](#)
- [Get information about bulk data requests](#)
- On the search screen, you'll be asked to read and enter characters on a CAPTCHA image. If you have trouble reading it, click the speaker button to the right of the image to hear the code read aloud or click the refresh button to display a different image.

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Mary Willis
 Chief Administrative Officer



[judicial administration](#) > [court technology](#) > [odyssey case management system](#) > which courts use odyssey and mycase.in.gov?



Which courts use Odyssey and mycase.in.gov?

Case information available at <http://mycase.in.gov/> comes only from courts that use the state's Odyssey case management system. Following is a list of the courts/counties that use Odyssey and the dates they began using the system. Also included are courts scheduled to begin using Odyssey in the near future, abolished courts with archived cases still in Odyssey, and courts with renumbered identifiers.

Court Identifier	Courts/County	Go Live Date
	Johnson County	Scheduled for 2014
02C01	Allen Circuit Court	9/7/2010
02D01	Allen Superior Court 1	1/18/2011
02D02	Allen Superior Court 2	1/18/2011
02D03	Allen Superior Court 3	1/18/2011
02D04	Allen Superior Court 4	9/7/2010
02D05	Allen Superior Court 5	9/7/2010
02D06	Allen Superior Court 6	9/7/2010
02D07	Allen Superior Court 7	11/26/2012
02D08	Allen Superior Court 8	11/26/2012
02D09	Allen Superior Court 9	1/18/2011
02H01	Allen/New Haven City Court	6/15/2009
04C01	Benton Circuit Court	3/1/2010
05C01	Blackford Circuit Court	1/4/2010
05D01	Blackford Superior Court	1/4/2010
06I02	Boone/Zionsville Town Court	11/14/2013
08C01	Carroll Circuit Court	4/5/2010
08D01	Carroll Superior Court	4/5/2010

Casemaker

- ▶ Another important resource for legal research, including cases, is Indiana State Bar Association's Casemaker system, which is free to ISBA members:
<http://www.inbar.org/>, accessed 10/18/16.
- ▶ Casemaker has become even more useful with its expanded features, including CaseCheck+, CiteCheck and Casemaker Digest.

Learn About the Free (Poor Man's) “Shepards”

- ▶ Shepardizing is an important step in legal research. According to the LexisNexis website,
 - The Shepard's Citations Service provides a comprehensive case citation and treatment history to verify the validity of case law, statutes, agency opinions, and other legal documents. **Only case law is covered in LexisNexis Academic.**
 - Shepardizing™ is the practice of using the Shepard's Citations Service to validate a citation.
 - When you Shepardize® a case, LexisNexis provides a report showing every opinion where that case has been referenced, all treatments of the case, and, most importantly, whether or not the case is "good law."
 - If the case has been overruled, it is considered "bad law" and may no longer be cited as a legal precedent.
(<http://www.lexisnexis.com/communities/academic/w/wiki/105.shepard-s-citations.aspx>, accessed 10/18/16)

Poor Man's "Shepards"

- ▶ However, Shepardizing requires either consulting bound volumes or an online service through LEXIS for a fee.
- ▶ It can be a tedious and expensive process.
- ▶ *See also* Westlaw's KeyCite feature.

Definition of the Poor Man's "Shepards"

- ▶ Back in 2006, Hilyerd commented that “in some circles an even lower cost alternative is mentioned for checking to see if a particular opinion is still part of the law of a jurisdiction.
- ▶ This method is known as the ‘poor man's Shepard's.’
- ▶ It consists of using free case law databases such as LexisOne to determine if the courts in a jurisdiction are still relying on a particular opinion in their newer opinions.
- ▶ This is done by using the name of the opinion the researcher wishes to check as a search term in the database and seeing if new opinions can be located.
- ▶ While this method is available, it is very sloppy research and should only be used if no access is available to other methods.”

A Hybrid Strategy to Save Costs Without Sacrificing Retrieval

- ▶ Rather than relying totally on a poor man's approach, a hybrid strategy may be in order.
- ▶ Use the Internet and free case law databases as a first step.
- ▶ If more recent cases or materials are located, utilize the Shepard's service, either online (through LexisNexis or using Westlaw's KeyCite) or through the printed volumes.
- ▶ This will save costs and time without sacrificing the unique information and peace of mind that Shepardizing or using Westlaw's KeyCite feature can provide.
- ▶ Levitt and Davis devote Chapter 18 to several free alternatives to using either LexisNexis or Westlaw.
- ▶ Among these options are Google Scholar and FindLaw as well as a party name or case number as a keyword search.
- ▶ In terms of my electronic discovery research, this is often the first thing I try after I have located a case summary through either the K&L Gates or Kroll Ontrack case database.

Casemaker

- ▶ Members of the Indiana State Bar Association have free access to Casemaker.
- ▶ When a recent contract for Casemaker was negotiated, the ISBA was able to add a number of premium features at no additional cost to members.
- ▶ Per the Casemaker marketing flyer, these features include:
 - CaseCheck+: a negative citator system that lets you know instantly if the case you are reading is still good law.
 - CaseCheck+ returns treatments instantly as you search. It allows you to link to negative treatments and quickly review the citation history for both state and federal cases.

Casemaker

- CiteCheck: If you upload a brief or pleading, within 90 seconds Casemaker will provide a report stating whether your case citations continue to be good law.
- Casemaker Digest: A daily summary of appellate decisions for all state and all federal circuits, categorized by subject.
- Casemaker Digest will email or send you an RSS feed of the latest cases in your selected jurisdictions and subject areas of interest.
- ▶ To learn more about Casemaker and the tools available to you as an ISBA member, please contact the ISBA at (317) 639-5465.

Statewide E-filing is coming – be prepared!



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The Indiana State Bar Association was founded on June 23, 1896, in the hall of the Indiana House of Representatives with more than 100 lawyers present. Benjamin Harrison served as the Association's first president. Three years earlier he had concluded his service as the nation's 23rd president.

Today, the ISBA is the largest legal organization in the state. With more than 12,000 members, the Association continues to serve and advocate on behalf of its members, their clients and Indiana's citizenry as the independent voice of the state's legal profession.

– Photo by Benjamin Harrison Presidential Site

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To sign in to the new website, you will simply use your ISBA membership number as your username and "inbar1896" as your password. **Please note:** The first time you sign in at www.inbar.org, you will automatically be directed to a page titled "My Preferences," where you can manage notification settings and preferences for your member account. **For now, you can simply click "Save My Settings."**

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Favorite Research Strategies

- ▶ These are some of the research strategies I have developed over the years to keep my process as streamlined, organized and effective as possible.
- ▶ Perhaps one or more of these suggestions will be helpful for you as you think about how to make your legal research project as quick and comprehensive as necessary while keeping it free – or as close to free – as possible.
- ▶ *See pages in seminar manual.*

INSPIRE

- ▶ One of the best bargains in Indiana is the INSPIRE system at <http://www.inspire.net> (accessed 10/18/16).
- ▶ This collection of databases is a cooperative project of libraries throughout Indiana and its funding is provided by the Indiana General Assembly.
- ▶ INSPIRE databases are free to all Indiana citizens and they can be accessed from any library as well as from home or office.
- ▶ It is easy to register for a username and password. INSPIRE provides access to over two dozen databases that contain the full-text of journals, newspapers and magazines.
- ▶ In addition to material for students of all ages, there are several databases that offer access to scholarly and peer-reviewed materials on a number of topics.
- ▶ Training materials and user support are available.
- ▶ Through INSPIRE, you can search multiple databases at the same time and it will eliminate duplicates.

INSPIRE

- ▶ You can also request that you retrieve only material in full-text.
- ▶ You can also tailor your search by time period, peer-reviewed, publication type, audience level, language and a host of other specifications.
- ▶ You can also combine keywords and search phrases and confine your search only to author names, titles or subject headings.
- ▶ With INSPIRE, your search can be general or very specific.
- ▶ By having your search retrieve only material that is in full-text, you can have immediate access to resources without having to go to the library or use interlibrary loan.
- ▶ You can choose to print the abstracts to materials – this may be all of the information you need for your research or the abstracts will at least be a clue as to whether you really want the full-text of the material.
- ▶ You can also examine the subject headings of material you retrieve and use these to further refine your search.

Difficulties with Internet Research

- ▶ There are several reasons why your Internet research may be failing you.
 - There is the sheer size of the Internet – the number of websites is in the millions and continues to grow daily.
 - There is no quality control.
 - Anyone can create a website, blog, etc.
 - Regardless of improvements made, the existing search engines are not as powerful, user-friendly or sophisticated as databases you might be familiar with, such as LexisNexis, WESTLAW or MEDLINE.
 - Websites are not indexed like databases and library catalogs; there is no helpful list of subject headings that you can use to add precision and control to your search.
 - You may have used only one search engine.

Difficulties with Internet Research

- You may not have taken full advantage of some of the advanced search features that can help you narrow your search and tailor your retrieval to just what you need.
- The sheer amount of information to digest may be too much; it is wearying to face the prospect of wading through hundreds of documents or websites.
- You may not be delving beyond websites themselves into some of the free services, such as databases, that are available and that do have the necessary indicia of quality, authority, ease of use and special search features and capabilities.

Here Are Some of My Own Research Strategies:

- ▶ For quick information or background, I try to find one or two good sites on the Internet.
- ▶ If there is a professional association, government agency, nonprofit organization or support group devoted to that topic, I will start with its website.
- ▶ For quick information or background material, I will also try to find a good, short textbook on the topic through either the libraries on the IUPUI campus (using the IUCat common catalog) or the Indianapolis Public Library or Fishers Public Library.
- ▶ If I need information on patents or trademarks, I use the website for the U.S. Patent and Trademark Office, which includes databases, forms, basic information, FAQs, manuals and legislative information.
- ▶ Reading the Help or Search Guides for the search engine or database you want to use can be especially helpful, since each may have its own search commands and conventions.

More Research Strategies

- ▶ If I need copyright information, I turn to the U.S. Copyright Office website.
- ▶ For searches on legal topics, I use both LexisNexis (available through the IUPUI University Library) and Casemaker (free to members of the Indiana State Bar Association).
- ▶ For searches about medicine and health, I visit websites for professional organizations, support groups and government agencies. I also rely heavily on MEDLINE (available through INSPIRE), CINAHL and related health care databases.
- ▶ For other topics, I turn to INSPIRE in addition to some simple searches on the Internet.
- ▶ If I cannot find books locally, I will search either the Library of Congress catalog or OCLC's WorldCat (available through INSPIRE or through IUPUI University Library's website).
- ▶ If I have time, I will order the material through interlibrary loan.
- ▶ I also look at WorldCat to see what has been published around the world and what publications are forthcoming.

More Research Strategies

- ▶ If I want journal articles, I turn to the appropriate databases in the field: MEDLINE for health, LexisNexis and/or Casemaker for law, ERIC for education.
- ▶ Fortunately, Indiana citizens can access the INSPIRE suite of databases free of charge.
- ▶ Using INSPIRE, you can search in multiple databases at the same time and the system eliminates duplicate records.
- ▶ I use Advanced search options whenever possible so that I can combine keywords, author names and words in the title and limit my search by time period, language, type of publication, etc.
- ▶ If I am short on time, I select the full-text option when searching. In fact, I do this routinely.
- ▶ If there is no full-text available, I print the abstract. You can get a lot of good information from an abstract – perhaps this will be enough. Reading an abstract will also help you decide whether you need to obtain a copy of the entire article.

More Research Strategies

- ▶ I limit by time period as much as possible, especially for fast-changing topics like technology. Often, for law or technology topics, I might limit the search to only the past two years.
- ▶ In order to reduce retrieval, I often ask for only scholarly or peer-reviewed articles. This cuts out the “newsy” stuff and letters to the editor, commentary, etc.
- ▶ Some databases contain lots of different kinds of material. ERIC is a good example. This database is composed of journal articles and ERIC documents, which may have to either be in your library’s collection or ordered through ERIC. So I always limit my search to just journal articles. Many databases let you be even more specific about the kind of material you want to retrieve – CDs, videos, musical scores, etc. In many cases, you can also specify audience level, geographic location, etc.

More Research Strategies

- ▶ I pay special attention to the “fields” in databases and catalogs and try to limit my search accordingly.
- ▶ Searching phrases – put terms in “quotation marks”.
- ▶ To get more specific, I restrict my search to subject headings and descriptors when available.
- ▶ To get even more specific, I restrict my search to just the title field – this can really narrow retrieval.
- ▶ In summary, the more specific I can make my search query, the more likely it is that my search will be both more precise and provide more relevant materials.
- ▶ I make sure I have the complete citation for everything I find. One of my favorite journals does not include volume, issue, month/season or year at the top or bottom of the page – what a hassle to have to look this up later, specially when I have a deadline to meet! It is well worth the time to write this down on the article.

More Research Strategies

- ▶ Some databases contain lots of different kinds of material.
- ▶ ERIC is a good example.
- ▶ This database is composed of journal articles and ERIC documents, which may have to either be in your library's collection or ordered through ERIC.
- ▶ So I always limit my search to just journal articles.
- ▶ Many databases let you be even more specific about the kind of material you want to retrieve – CDs, videos, musical scores, etc.
- ▶ In many cases, you can specify audience level, geographic location, etc.

More Research Strategies

- ▶ I keep a file folder (either paper or online, depending on the project) with everything in it, such as printouts, search strategies, etc. I start this immediately when I am invited to give a presentation or write an article.
- ▶ When I start working on a research project, I make a folder and then when I see things in journals, online, etc., I tear them out or make a copy and just put these in the folder. Later I am surprised by how much I have accumulated already, so that I'm already well on my way towards my research.
- ▶ I look at the references of any articles, books or website material that I retrieve – and then try to obtain those materials if they look helpful.
- ▶ I look for a good review article.
- ▶ If a website has a section for Links or Other Resources, I review it
- ▶ I use a building blocks strategy, starting broadly, then adding increasingly narrower concepts.

More Research Strategies

- ▶ I use Boolean operators AND and OR. I avoid NOT as a Boolean operator because I don't want to risk eliminating something that may be useful.
- ▶ I look for websites with good design that are easy to use. With so many great websites available, it is usually not necessary to struggle with a website that is not well-designed and usable.
- ▶ If I still can't find what I am looking for, I take a break, contact a colleague or contact an expert in the field – it is so easy with email and LinkedIn. Most people are happy to help and are flattered to be asked.
- ▶ Contact a librarian – that is what they are there for – and many have special subject expertise.
- ▶ Often, NOT finding something can be good news, particularly if you are hoping that your project is something new and unique or presents a view or treatment of a topic that has not been expressed before.

More Research Strategies

- ▶ After I give a presentation/poster or publish a journal article, abstract, paper in a conference proceeding or chapter, I post the full-text of my materials to IUPUI ScholarWorks.
- ▶ Many faculty, staff and students at IUPUI provide their materials through this source, which can provide a wealth of content as well as lead you to an expert in the field/discipline you are interested in. (IUPUI ScholarWorks, <https://scholarworks.iupui.edu/>, accessed 10/31/16.)

Public Library Access Card – Excellent Investment!

- ▶ An excellent service called a PLAC card is offered for public libraries throughout Indiana.
- ▶ This is especially helpful if you would like access/borrowing privileges for the Indianapolis Public Library (if you live outside of Marion County), which has an outstanding collection that is recognized nationally.
- ▶ A PLAC (Public Library Access Card) card costs \$65.00 a year, but allows you to use all of the public libraries in Indiana.
- ▶ To obtain a PLAC card, go to your local public library (in the city/town/county you reside in). Request a PLAC card and pay the \$65.00. You should get a paper card; be sure that you keep your receipt.
- ▶ Then visit the public library you are interested in. They will create a borrower's card for you for that library, which should be valid for one year.

Sample Briefs, Motions, Complaints and Settlements

- ▶ U.S. Supreme Court briefs, SCOTUS blog:
<http://www.scotusblog.com/case-files/terms/>, accessed 10/31/16.
- ▶ U.S. Supreme Court briefs, Office of the Solicitor General:
<https://www.justice.gov/osg/supreme-court-briefs>, accessed 10/31/16.
- ▶ FindLaw: <http://caselaw.findlaw.com/court/us-supreme-court>, accessed 10/31/16.
- ▶ Indiana Appellate Court (Indiana Supreme and Appeals Courts):
<http://www.valpo.edu/law/briefs>, accessed 10/31/16.
- ▶ Sample brief and other useful links, Karen A Wyle Law Office:
<http://inappeals.com/sample-briefs-and-useful-links/>, accessed 10/31/16.
- ▶ Indiana Appellate Briefs, Ciyou & Dixon, P.C.:
<http://inappeals.com/sample-briefs-and-useful-links/>, accessed 10/31/16.

Sample Briefs, Motions, Complaints and Settlements

- ▶ Sample Indiana appellate brief:
[https://lawstore.legaleasesolutions.com/samplework/Sample-State-Appellate-Brief-\(Indiana\).pdf](https://lawstore.legaleasesolutions.com/samplework/Sample-State-Appellate-Brief-(Indiana).pdf), accessed 10/31/16.
- ▶ Forms and Court Rules, Indiana:
<http://www.in.gov/judiciary/2684.htm>, accessed 10/31/16.
- ▶ Forms, Indiana Courts Self-Service Legal Center:
<http://www.in.gov/judiciary/selfservice/2333.htm>, accessed 10/31/16.
- ▶ For examples of *Amicus Curiae* briefs, see the ABA's website:
<http://www.americanbar.org/groups/committees/amicus.html>, accessed 10/31/16.
- ▶ Accessing PACER will provide materials that will be of assistance in drafting motions and complains.
- ▶ *Federal Practice Manual for Legal Aid Attorneys*:
<http://www.federalpracticemanual.org/>, accessed 10/31/16

Sample Briefs, Motions, Complaints and Settlements

- ▶ U.S. Courts, *Forms*: <http://www.uscourts.gov/services-forms/forms>, accessed 10/31/16.
- ▶ Civil Cases and Settlements, EPA: <https://cfpub.epa.gov/enforcement/cases/>, accessed 10/31/16.
- ▶ Civil Rights Division, U.S. Department of Justice (Americans with Disabilities Act): https://www.ada.gov/enforce_current.htm, accessed 10/31/16.
- ▶ *A Best Practices Primer for Drafting Settlement Agreements*, New York Law Journal, July 15, 2013.
- ▶ Jeremy A. Mercer & Evan A. Bloch, *Settlement Agreement Drafting Issues Checklist*: http://www.pepperlaw.com/uploads/files/bloche_settlementagreementdraftingissueschecklist_2_501_1790.pdf, accessed 10/31/16.
- ▶ Charles B. Jimerson & Kyla Haines, *Drafting Enforceable Settlement Agreements and Avoiding Pitfalls*, Jimerson & Cobb, P.A., March 14, 2016, <http://www.jimersoncobb.com/blog/2016/03/drafting-enforceable-settlement-agreements-and-avoiding-pitfalls/>, accessed 10/31/16.

Uncover Jury Verdicts

- ▶ As indicated by DeAngelis, her research revealed that several sites that once provided jury verdict research for free now require a fee for access. (*Id.* at 76.)
- ▶ When I have prepared my section of the manual when I covered this topic in previous years, I also struggled to find any sites that offered jury research for free.
- ▶ However, DeAngelis did report that Kent Morlan, the editor and publisher of MoreLaw, continues to be willing to provide jury research for free: <https://www.morelaw.com/verdicts/>, accessed 10/31/16.



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State of Indiana v. State Farm Insurance Company

Consumer Fraud - The State of Indiana claimed that State Farm Insurance Company sold vehicles which it has purchased from its insured to unsuspecting customers who were not told that the vehicles had been repaired. The purchasers were not told that the cars, trucks and recreational vehicles had been repaired and they purchased the vehicles without knowledge of the damage, safety, reliability and true value of the vehicles.

</verdicts/case.asp?a=49D07-9807-CP-001043&a=IN&d=3705>

Uncover Jury Verdicts

- ▶ Check the website of the U.S. District for the district in which your matter arises to see if that court compiles that information and makes it available.
- ▶ For example, DeAngelis notes that the U.S. District Court for the District of New Hampshire compiles jury verdict reports that are available with PACER access. (*Id.* at 76.)
- ▶ She also recommends searching Google Scholar for articles on jury verdicts or statistics about them. (*Id.*)

News and Information About Companies, Products and Executives

- ▶ Superpages.com: <http://www.superpages.com/>
- ▶ Hoover's: <http://www.hoovers.com>
- ▶ Corporate Information: <http://www.corporateinformation.com>
- ▶ Division of Corporations, State of Delaware: <http://www.corp.delaware.gov/>
- ▶ Justia.com Virtual Chase: <http://virtualchase.justia.com/research-resources/business-research>
- ▶ D&B – Dunn & Bradstreet: www.dnb.com
- ▶ Kompass: www.kompass.com
- ▶ ThomasNet: www.thomasnet.com
- ▶ The Public Register's Annual Report Service: <http://www.prars.com/>
- ▶ Better Business Bureau: <http://www.bbb.org>

News and Information About Companies, Products and Executives

- ▶ See also INSPIRE.net databases:
 - ***Corporate ResourceNet***: Provides access to the full text of more than 1,120 journals and magazines, 377 of which are peer-reviewed. Greater than 760 of the 1,900 plus titles indexed are peer reviewed. It also includes company profiles and trade publications.
 - ***Business Wire News (formerly Regional Business News)***: Incorporates 75 business journals, newspapers and newswires covering all metropolitan and rural areas within the United States. Included in this database are Arizona Business, Business North Carolina, Crain's New York Business (and other Crain Communications editions), Des Moines Business Record, Enterprise Salt Lake City, Fort Worth Business Press, Orange County Business Journal, Westchester County Business Journal, etc.

Information from Government Agencies Regulating Companies

- ▶ There are many reasons to use government websites and other resources as a starting point for your research. I routinely turn to websites from federal and state government agencies to begin my research.
 - Free
 - There are generally no copyright concerns
 - Credible
 - Comprehensive
 - Content rich
 - Lots of links
 - Lots of forms
 - Usually use good website design principles
 - Usually easy to navigate
 - Maps, charts, graphs, statistics
 - Information for the professional as well as the general public
 - Content usually overseen and approved by experts and staff
 - FAQs and contact information – I have had very good experience when I have contacted agencies through their websites for additional information, clarification or assistance in using a web site or forms
 - Often contain links to free databases
 - Can also order and/or print free pamphlets and brochures that can be given to clients, your boss or the general public

Information from Government Agencies Regulating Companies

- U.S. Patent and Trademark Office: www.uspto.gov/
- U.S. Copyright Office: www.copyright.gov/
- SBA (Small Business Administration): www.sba.gov/
- SCORE: <http://www.score.org/>
- Federal Aviation Administration: www.faa.gov/
- U.S. Environmental Protection Agency: www.epa.gov/
- U.S. Department of Labor – Bureau of Labor Statistics: www.bls.gov
- National Institutes of Health: www.nih.gov/
- National Labor Relations Board: www.nlr.gov/

Information from Government Agencies Regulating Companies

- ▶ National Library of Medicine (free version of MEDLINE called Pub Med plus resources for the general public): www.nlm.nih.gov/
- ▶ Library of Congress: <http://www.loc.gov/index.html>
– be sure to consider the digital collections available through the American Memory Project
- ▶ Thomas (legislative information): <http://thomas.loc.gov/>
- ▶ GPO (Government Printing Office): <https://www.gpo.gov/fdsys/>
- ▶ FedWorld: <http://fedworld.ntis.gov/>
- ▶ USA.gov: <https://www.usa.gov/>
- ▶ U.S. Census Bureau: <https://www.census.gov/>
- ▶ Fedstast: <https://fedstats.sites.usa.gov/>

State Government and Related Organizations

- ▶ IN.gov: <http://www.state.in.us/>
- ▶ Indiana Economic Development Corporation: <http://www.in.gov/iedc/>
- ▶ INSPIRE (free access to databases for Indiana citizens): www.inspire.net
- ▶ Indianapolis–Marion County Public Library: <http://www.indypl.org/>
- ▶ Indiana State Bar Association – includes free access to Casemaker for ISBA members: www.inbar.org/
- ▶ State and Local Government on the Net: www.statelocalgov.net

Additional Sources

- ▶ Other websites I search often are those of educational institutions, which often post research reports and links to faculty and staff experts as well as information on courses, curriculum, programs and degrees.
- ▶ I use websites with lots of images – museums, historical societies and archives – which I need for my own history research and in my teaching efforts for the School of Liberal Arts.
- ▶ Lots of websites now feature audio and video along with images.

Final Thoughts

- ▶ One of the best ways to become a better searcher is to practice.
- ▶ Developing expertise in searching is no different than any other skill or talent.
- ▶ It is fun to just think up a topic and see how fast you can find information, what kinds of sources are available and what creative search strategies you can try.
- ▶ File these efforts away in your mind – or make a notebook or log of your efforts.
- ▶ Be sure to bookmark or designate as Favorites those websites that you find especially useful.

Final Thoughts

- ▶ The web has made it possible for even small groups of people with obscure interests and causes to make information available.
- ▶ For example, a musician colleague needed a viola d'amour for a performance – see <http://www.violadamoresociety.org/> for the web site of The International Viola d'amore Society.
- ▶ There are lots of Listservs, discussion groups and online newsletters that you can subscribe to.
- ▶ There is information and assistance available – free and fast – through the Internet no matter how narrow or obscure the topic might be! 😊



Any Questions?

Thank you for attending today's seminar!
Happy holidays!