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

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How To Search Like A Pro

Submitted by Sara Anne Hook
I. HOW TO SEARCH LIKE A PRO

A. What is the Difference Between a Search and a Directory?

According to Yahoo! Help,

A search engine, such as Yahoo or Google, is an online tool that helps users of the Internet find the sites and information they're looking for. Most search engines use automated programs (sometimes called spiders) to look for relevant information based on keywords entered by the user.

A search directory, such as Yahoo Directory, is a catalog of websites organized by category to allow users to easily browse for the information they need. Unlike search engines, which locate and display relevant information based on a formula or algorithm using an automated software program, search directories are organized by real people who discover new sites and relevant information by exploring the Internet themselves and by reviewing submitted sites.

Both search engines and directories can help drive customers to your website. Neither guarantees that your site will be included in their listings.

Additional clarification is provided by DirectoryOne.com,

Search engines and the directories are two different services available to the Web community. However, many people do not know the difference between them. Search engines have databases built up "robots", which visit a websites and add information to their database. On the other hand, directories are human edited and build their indexes with editors who visit websites, and add to the directory the sites that they consider to be a valuable resource.

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.

Most search engines update their databases frequently. When web searchers use a search engine to locate websites relevant to the keyword (or key phrases) searched, they are searching the search engine's database. Therefore, a search engine with a frequently updated database should provide better search results.
The best known directories are Yahoo, Business.com, Dmoz.org, and Looksmart. These directories employ human editors to review websites that are submitted for possible inclusion into their directory. The directories usually include only the main page of a website, while search engines can include many pages from a website. The process of adding sites to a directory manually is much slower than the automated work of robots. Therefore, most of the time there are many more websites indexed by a search engine than in a directory. However, the directories have an advantage: The data organization.

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. One example is Checkhouston.com, a directory dedicated specifically for information and businesses in the area of Houston, Texas. (http://www.directoryone.com/articles/search-engines-vs-directories.htm, accessed 11/12/14).

Levitt and Davis provide additional information about portals and directories versus search engines as it relates to legal research.

Portals and directories are quite different from a search engine. Search engines return their results via automated programs that do not rely on human intervention. In contrast, legal portals and directories employ humans to create their products. These humans (usually law librarians or lawyers) have the subject expertise to be able to categorize the sites (just as a librarian would catalog a book by subject) and to judge whether a site is reliable before adding it to the portal or directory. This ensures that you will be able to easily pinpoint relevant and reliable sites. (Carole A. Levitt & Judy K. Davis. Internet Research on a Budget: Free and Low-Cost Resources for Lawyers. Chicago: ABA Law Practice Division, 2014)

B. How Do Search Engines Really Work?

Franklin provides a nice description of how Internet search engines work:

The good news about the Internet and its most visible component, the World Wide Web, is that there are hundreds of millions of pages available, waiting to present information on an amazing variety of topics. The bad news about the Internet is that there are hundreds of millions of pages available, most of them titled according to the whim of their author, almost all of them sitting on servers with cryptic names. When you need to know about a particular subject, how do you know which pages to read? If you're like most people, you visit an Internet search engine.

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.

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. In this article, we'll tell you how these major tasks are performed, and how Internet search engines put the pieces together in order to let you find the information you need on the Web. (Curt Franklin. How Internet Search Engines Work. How Stuff Works, http://computer.howstuffworks.com/internet/basics/search-engine.htm, accessed 11/12/14).

He also provides a very nice graphic of how search engines employ special software robots, called spiders, to build lists of the words found on web sites. 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. (Id. at 2)
C. Learn Boolean Logic to Create the Best Search Strategies for Finding Relevant Documents

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.

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. (Franklin at 5)

Some databases and search engines may substitute symbols and numbers for words. For example, proximity connectors may include adj (for adjacent), before/# (the first word is within whatever number of words that you select of the second word in that order) and near/# (specifies that the first word is within whatever number of words you select of the second word and in any order). (Levitt & Davis at 53) 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. (Id.) The authors note that parentheses should be used when creating complex searches, especially searches with multiple proximity connectors and/or multiple field operators. (Id.) 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.
The National Library of Medicine provides some simple examples of using OR, AND or
NOT in a search strategy:

**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*

Each circle in the diagram to the right represents the retrieval for each term. The grey areas represent the retrieval for this example – all records that include any one of these terms.

**NOT:**

- Retrieves a set from which citations to articles containing specified search terms following the NOT operator are eliminated.

**Example:** *arthritis NOT letter*

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

**AND:**

- Used to retrieve a set in which each citation contains *all* search terms.

**Example:** *salmonella AND hamburger*

Note in the diagram to the right and in the sample search results below that the retrieval is only the overlap of the results for each term – those records in which both terms appear. (Introduction to Boolean Logic, National Library of Medicine, Oct. 9, 2014, [http://www.nlm.nih.gov/bsd/disted/pubmedtutorial/020_350.html](http://www.nlm.nih.gov/bsd/disted/pubmedtutorial/020_350.html), accessed 11/12/14)
D. Which Search Engines Are the Best?

Gil provides an interesting article on titled The 10 Best Search Engines of 2014. (Paul Gil. The 10 Best Search Engines of 2014, About Technology, Oct. 2014, http://netforbeginners.about.com/od/navigatingthenet/tp/top_10_search_engines_for_beginners.htm, accessed 11/13/14). The 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.

E. 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:

One of the areas of search engine research is concept-based searching. Some of this research involves using statistical analysis on pages containing the words or phrases you search for, in order to find other pages you might be interested in. Obviously, the information stored about each page is greater for a concept-based search engine, and far more processing is required for each search. Still, many groups are working to improve both results and performance of this type of search engine. Others have moved on to another area of research, called natural-language queries.

The idea behind natural-language queries is that you can type a question in the same way you would ask it to a human sitting beside you -- no need to keep track of Boolean operators or complex query structures. The most popular natural language query site today is AskJeeves.com, which parses the query for keywords that it then applies to the index of sites it has built. It only works with simple queries; but competition is heavy to develop a natural-language query engine that can accept a query of great complexity. (Franklin at 6)

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 11/13/14)

Some articles about big data in the context of law include:

- Peter Ozolin. Listening to Big Data: Finally, Relevant Information for Business Development. *Peer to Peer*, vol. 29, no. 4, Dec. 2013, pp. 44-47.

F. Learn Browser Tricks – The Power of the “Find” Function to Scan Web Pages Quickly

The Find command [CTRL] + [F] 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, simple use the pull-down menu
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), 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 Kroll Ontrack, here is what I locate.
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.
Indiana Rules of Court

Rules of Professional Conduct

Including Amendments made through January 1, 2013

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The advice of independent legal counsel on the transaction; and (q) the client gives informed consent, in a writing signed by the client, to the essential terms of the transaction and the lawyer's role in the transaction, including whether the lawyer is representing the client in the transaction.

(c) A lawyer shall not use information relating to representation of a client to the disadvantage of the client unless the client gives informed consent, except as permitted or required by these Rules.

(c) A lawyer shall not accept any substantial gift from a client, including a testamentary gift, or prepare on behalf of a client an instrument giving the lawyer or a person related to the lawyer any substantial gift unless the lawyer or other recipient of the gift is related to the client. For purposes of this paragraph, related persons include a spouse, child, grandchild, parent, grandparent or other relative or individual with whom the lawyer or the client maintains a close, familial relationship.

(d) Prior to the conclusion of representation of a client, a lawyer shall not make or negotiate an agreement giving the lawyer legal or media rights to a portrayal or account based in substantial part on information relating to the representation.

(c) A lawyer shall not provide financial assistance to a client in connection with pending or contemplated litigation, except that:

1. a lawyer may advance court costs and expenses of litigation, the repayment of which may be contingent on the outcome of the matter; and
2. a lawyer representing an indigent client may pay court costs and expenses of litigation on behalf of the client.

(c) A lawyer shall not accept compensation for representing a client from one other than the client unless:

1. the client gives informed consent;
2. there is no interference with the lawyer's independence of professional judgment or with the client-lawyer relationship; and
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. Other versions of PDF readers may use a binoculars symbol on the left-hand side or the document or a pull-down menu at the top.
G. 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.

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.

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.

H. Effectively Using RSS Feeds, Blogs and Podcasts

RSS Feeds
According to the website USA.gov,

RSS stands for Really Simple Syndication. It's an easy way for you to keep up with news and information that's important to you, and helps you avoid the conventional methods of browsing or searching for information on websites. Now the content you want can be delivered directly to you without cluttering your inbox with e-mail messages. This content is called a "feed."

RSS is written in the Internet coding language known as XML (eXtensible Markup Language).

An RSS reader is a small software program that collects and displays RSS feeds. It allows you to scan headlines from a number of news sources in a central location.

Some browsers, such as the current versions of Firefox and Safari have built in RSS readers. If you're using a browser that doesn't currently support RSS, there are a variety of RSS readers available on the web; some are free to download and others are available for purchase.

The first step is to choose an RSS reader. Each reader has a slightly different way of adding a new feed, also called a "channel." Follow the directions for your reader but, in most cases, here's how it works:

- Click on the link or small XML button near the feed you want. For example, USA.gov Updates: News and Features. You'll see a page displaying XML code.

- From your web browser's address bar, copy the URL (web address). For example, the URL you would copy for USA.gov Updates: News and Features is: http://www.usa.gov/rss/updates.xml.

- Paste that URL into the "Add New Channel" section of the reader. The RSS feed will start to display and regularly update the headlines for you. An RSS reader is a small software program that collects and displays RSS feeds. It allows you to scan headlines from a number of news sources in a central location. (What Is RSS?, http://www.usa.gov, accessed 11/13/14)

Free RSS reader programs are available on the Internet. See the following websites for information, free RSS readers and reviews:


Some helpful RSS feeds covering legal topics include:

- Automobile recalls listed by the National Highway Traffic Safety Administration from http://auto-recalls.justia.com

- RSS Mojo – http://www.rethinkip.com/rssmojo/ (intellectual property law)

- U.S. government provides dozens of RSS feeds, arranged under categories such as defense and international relations, education and employment, environment, energy and agriculture, family, home and community, health, money, public safety and law, and science and technology – see http://www.usa.gov/rss/index.shtml, accessed 11/13/14.


  - Daily decisions: http://www.law.cornell.edu/nyctap/rss/nyctap_todayrss
  - Recent decisions: http://www.law.cornell.edu/nyctap/rss/nyctap_recentrss


- Legislative developments: http://www.govtrack.us/


**Blogs**

There are a number of search engines for blogs. For example:


There are also blogs for law, sometimes referred to as blawgs. An index of blawgs is available through Justia’s BlawgSearch. (http://blawgserach.justia.com, accessed 11/13/14) Another source for blawgs is through the ABA Journal’s Blawg Directory, (http://www.abajournal.com/blawgs, accessed 11/13/14) In addition, you can try the following websites:


See also the ABA’s Blawg 100, the annual ranking of that year’s top legal blawgs:

- One blawg that is always at the top of the list is myShingle.com, by Carolyn Elefant, who is also an excellent speaker. (http://myshingle.com/, accessed 11/13/14).

Podcasts

According to Wikipedia, ‘[a] podcast is a digital medium consisting of an episodic series of audio, video, radio, PDF, or ePub files subscribed to and downloaded through web syndication or streamed online to a computer or mobile device.” (Podcast, Wikipedia, http://en.wikipedia.org/wiki/Podcast, accessed 11/13/14) 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.

- Allpodcasts.com: http://www.allpodcasts.com
- 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)
- LegalTalkNetwork:
- Government podcasts: http://freegovinfo.info/node/174
- Nolo podcasts: http://www.noloast.com/
- Openculture – Podcasts from Top American Law Schools:

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. Also, many people may prefer to watch a video rather than read or listen to information. 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.
II. FINDING FREE LEGAL RESEARCH SITES AND FREE CASE LAW

A. Finding the Shortcuts to Legal Research: Free Legal Portals and Meta-Sites

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.” (Roper, B.D. Using Computers in the Law Office, 5th ed. Clifton Park, NJ: Delmar Learning, 2008, p. 704). 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.

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, p. 704) He classifies search engines as:

- 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 Infomine (http://infomine.ucr.edu/, accessed 11/13/14) or the Internet Public Library (http://www.ipl.org/, accessed 11/13/14)
- Subject-specific databases, such as PubMed (http://www.ncbi.nlm.nih.gov/pubmed, accessed 11/13/14) or any of the databases

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Levitt and Davis list of number of free commercial portals and directories for legal research. (Levitt & Davis at 35-46)

- Justia: http://www.justia.com
- FindLaw: www.findlaw.com
- HR.org (formerly Hieros Gamos) http://hg.org
- LLRX.com: http://www.llrx.com
- Nolo Press: http://www.nolo.com
- VISALAW.com: http://www.visalaw.com

Some additional websites for legal research that I like are:

- Legal Information Institute: www.law.cornell.edu
- Washburn University’s WashLaw: www.washlaw.edu
- Catalaw: www.catalaw.com
- Public Legal - Internet Legal Research Group: www.ilrg.com
- WWW Virtual Library: http://vlib.org/admin/AboutVL
- Virtual Chase: http://www.virtualchase.com
- All Law: http://www.alllaw.com
- TheLaw.net: http://www.thelaw.net

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 11/12/14) 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.

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 11/12/14) 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 11/12/14) 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.

A second excellent resource for materials on electronic discovery is the Kroll Ontrack. (http://www.krollontrack.com/, accessed 11/12/14) 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 11/12/14) 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.

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 11/13/14). From this website, you can also search the patent database (http://www.uspto.gov/patents/process/search/index.jsp) and the trademark database
(http://tmsearch.uspto.gov/bin/gate.exe?f=tess&state=4802:kdi6h6.1.1). 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 11/17/14)

Another outstanding source of information can also 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 11/13/14) For legal technology, the website of the International Legal Technology Association (ILTA) can be very helpful. (http://www.iltanet.org/, accessed 11/13/14). For electronic discovery, litigation support and legal project management, try the Organization of Legal Professionals (OLP) website. (http://www.theolp.org/, accessed 11/13/14) Finally, a variety of vendor websites may include access to lots of terrific information. 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.sensecient.com/, accessed 11/13/14). 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.
Legal Dictionaries:

- FindLaw Legal Dictionary: http://dictionary.lp.findlaw.com
- Black’s Law Dictionary: http://thelawdictionary.org/

In terms of legal dictionaries, there is probably an “app” for that so that content can be accessed on mobile devices. For example,

B. 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: (Levitt & Davis at 71-114)

<table>
<thead>
<tr>
<th>State Courts</th>
<th>Federal Courts</th>
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<tr>
<td>Alabama</td>
<td>Supreme Court</td>
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<tr>
<td>Wyoming</td>
<td>Court of Appeals</td>
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- FindLaw: [www.findlaw.com](http://www.findlaw.com)
- The Public Library of Law: [http://www.plol.org](http://www.plol.org)
- FindACase Network (free from VersusLaw): [http://findacase.com](http://findacase.com)
- Justia’s U.S. Supreme Court Center: [http://supreme.justia.com](http://supreme.justia.com)
- Oyez (for free U.S. Supreme Court resources, including audio files): [http://www.oyez.org](http://www.oyez.org)
- Casetext (a “crowdsourced” case law database): [https://casetext.com](https://casetext.com)
- Supreme Court of the United States: [http://www.supremecourt.gov](http://www.supremecourt.gov)

Other websites that are useful when doing legal research are:

o National Center for State Courts: http://www.ncsc.org/

o United States Federal & State Courts, Internet Legal Research Group:
  http://www.illrg.com/caselaw

o American Law Sources Online: http://www.lawsource.com/also

o Legal Dockets On-line: http://www.legaldockets.com

o LLRX Court Rules, Forms and Dockets: http://www.llrx.com/courtrules

o SunEthics.com: http://sunethics.com

o Southern District of Indiana: http://www.insd.uscourts.gov

o Northern District of Indiana: http://www.innd.uscourts.gov/

o Indiana Courts: http://www.in.gov/judiciary/

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 11/13/14)
For a list of the courts that use Odyssey and how far back their records go, see http://www.in.gov/judiciary/jtac/3147.htm.

- Indiana State Bar Association’s Casemaker system, which is free to ISBA members: http://www.inbar.org/ Casemaker has become even more useful with its expanded features, including CaseCheck+, CiteCheck and Casemaker Digest.
C. 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://wiki.lexisnexis.com/academic/index.php?title=Shepard's_Citations, accessed 11/13/14)

The importance of taking this step in legal research is explained on the website for the E.H Butler Library, Buffalo State University:

The law has many sources, including written judicial opinions (or cases), statutes, and regulations, among others. Judicial opinions form the basis of our common law (or "caselaw") legal system. One of the concepts underlying our common law system is stare decisis, which means "to abide by or adhere to decided cases." According to stare decisis, judges are supposed to adhere to precedent, or principles of law from earlier cases that become rules of guidance in future, similar cases.

But stare decisis is not an inviolable concept. A court may criticize or even overrule an already-decided case, thus damaging or even destroying its precedential value. A court may also rule that a statute or regulation is void or invalid, meaning that it is in violation of another existing legal authority. Negative decisions such as these can erode or destroy the precedential value of a case, statute, or regulation, making it "bad law." In order to determine the precedential value of a legal authority, you need to Shepardize its citation. Attorneys are responsible for knowing the precedential value of any case, statute, or other legal authority before relying on it in an argument. Shepardizing shows you the precedential value of a legal authority, as well as helping to expand your research

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.

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.” (Hilyerd, W.A. Education Law Research: Using the Law Library: A Guide for Educators. Part VI: Working With Judicial Opinions and Other Primary Sources. 35 Journal of Law & Education 67 January 2006)

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. (Levitt & Davis at 291-300)

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.

Members of the Indiana State Bar Association have free access to Casemaker. When the most 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.

- **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, you can call Customer Support at 877-659-0801.