



Guide for Summer Associates

Howard University
Law School Library

How to Handle Your Research Assignments, by Eileen Santos
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Congratulations on your summer associate position!

General tips for your legal research assignments...

- Make sure you understand what you're being asked to do.
- Write down your assignments as they are given to you.
- Don't reinvent the wheel. Ask the librarian or your supervising attorney if there are memos or research files that can help you.
- There is no such thing as a draft.
- Never ignore deadlines.
- Make your work product outstanding.
- Whether or not you get a job offer, your experience will be a success... if you make sure you come away with a writing sample, a reference, and the names of attorneys to add to your network.

Law firms expect you to have practical research skills. Law firm librarians consistently voice the following concerns regarding summer associates...

- Summer associates don't understand the codification of public laws into state or federal statutes.
- Summer associates forget to check pocket parts or to look at the date through which their online sources are updated.
- Summer associates don't understand regulations; they seem to be exposed only to case law.
- Summer associates think everything is on the web... and that everything on the Internet is correct and timely.
- Summer associates behave as though *Lexis* and *Westlaw* are free.
- Summer associates seem unfamiliar with using secondary legal sources, such as treatises, bar journals, etc.
- Summer associates come to librarians for assistance without a clear understanding of their research assignment.

Today I will give you some practical steps to follow –

- **Before you leave for the summer**
- **When you first arrive at your firm**
- **As you are working throughout the summer**

Steps to follow before you leave for the summer...

- If any of the concerns listed above apply to you, see me, or one of the reference librarians here, before you leave for your summer job! We will help you prepare.
- Review your state's court and legislative structure.
 - See the *State Legislative Sourcebook* (Reference JK2495. S689 2002) for phone numbers, information about your state's legislative process, and current legislative history sources.
 - See the *Directory of State Court Clerks and County Courthouses* (Reference KF8700 .A19 D574 2002) or *BNA's Directory of State & Federal Courts, Judges and Clerks* (Reference KF8700 .A19 D53 2003) for a chart showing your state's court structure. (Table 1 of the *Bluebook* will also help you determine if either or both an administrative compilation and a register exist.)
- Review *Bluebook* citation form. Take your *Bluebook* with you, because even if your firm follows a different citation format, Table 1 will still prove helpful. Make sure you have the latest edition!
- Take a list of nearby law school and county law libraries, including hours of operation and access policies.

Steps to follow when you first arrive at your firm

- Find out how *Lexis* and *Westlaw* searches are viewed; do not assume that the policies are the same from one firm to another. [N.B.: Your Howard Law School *Lexis* and *Westlaw* accounts will be turned off over the summer.]
- Use your *Lexis* and *Westlaw* firm representatives for additional training and especially for help with searching for your summer projects.
 - Use *Lexis* and *Westlaw* customer service
 - *Lexis* 1-800-45L-EXIS and *Westlaw* 1-800-REF-ATTY
- Look over the firm library carefully. During the library orientation, note the following:
 - What secondary sources are available? The treatises in the firm's library will be specifically oriented toward the firm's practice.
 - Do they have an online catalog (like our *Daniel*)?
 - What reference books do they have that might help you?
 - What materials are specific to your state?

Steps to follow as you are working throughout the summer

- Develop a consistent strategy for your legal research.

For example:

Strategy for Successful Legal Research – Seven Steps

Step 1: Make sure you understand the research question

- How will your work product be used?
- Why are you being asked to do it?
- What is your deadline?
- Is the research limited to one jurisdiction?
- Can the partner or associate recommend a search strategy?
- Will the supervising attorney want any of the raw research materials you relied on?

Step 2: Develop your research plan

- Review the facts - Who, what, when, where?
- Identify the Issues - cause of action or legal theory, is there a defense, relief sought?
- Determine jurisdiction.
- Identify your Search Terms.
 - Generate a “research vocabulary” for your assignment.
 - Think of terms and phrases that apply to your facts and issues; come up with as many synonyms and broader or narrower or related terms as you can.
 - SOURCES: Law Dictionaries and Thesauri, *Words & Phrases*.

Step 3: Secondary sources

- Collect background information and familiarize yourself with the area of law. Use your research vocabulary as index and search terms for both your online and your print sources.
- SOURCES:
 - Legal Encyclopedias – *Am.Jur.2d*, *C.J.S.*, state encyclopedias
 - Law Review Articles – *LegalTrac*, *Lexis* or *Westlaw*
 - Treatises – check the firm's catalog, *ALRs*, *Restatements*, Hornbooks, Nutshells
 - Loose-leaf services – CCH, BNA
 - Practice Materials – CLE materials, Practice Manuals, Formbooks

Step 4: Understand and frame the issues

- Analyze the Issues of your case

Step 5: Statutes

- Look for primary authority first. If no luck, try and find persuasive authority.
- Is there a statute on point?
- SOURCES:
 - *USCA*, *USCS*, *Statutes at Large*, *USCCAN* (or state statutes) Book sources for statutes are easier to use than online sources
- Are there also administrative regulations?
- SOURCES:
 - *CFR*, *Federal Register* (or state administrative materials), agency websites
 - Loose-leaf services – CCH, BNA

Step 5: Case Law

- Are there cases on point?
- SOURCES:
 - *Federal Practice Digest*, *Regional Digests* or other state digest

Step 6: Refine your research

- Re-evaluate and re-analyze the issues.

Step 7: Update and verify authorities

- Update your authorities using pocket parts, advance sheets, and checking online
- Use a citator to make sure you are citing good authority.
- SOURCES:
 - *Shepard's, KeyCite*

How to Have a Successful Summer – Research Tips Summary

- Plan your research strategy
- Make sure you understand your assignment; take careful notes
- Know who the Librarians are and what they do – and use them
- Know when to ask for help

and

- Don't forget that the HOWARD LAW LIBRARIANS work for YOU!
Don't ever hesitate to call or send us an e-mail.

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