SHINE this summer!

Ensuring Summer Success, Part 2: Perfecting Research Skills

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Congratulations on your summer job!

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 – your work will always be reviewed.
- Never ignore deadlines.
- Make your work product outstanding.
- If you have multiple assignments, let your supervising attorney prioritize them for you.
- 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.

Your employer expects you to understand basic research skills. These are the most common negative observations regarding summer associates:

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

A. Before you leave for the summer

- If any of the concerns listed above apply to you, come to see one of the research librarians here, before you leave for your summer job! We will help you review and prepare.

- Review your state's court and legislative structure, on their websites, or:
  - See the *State Legislative Sourcebook* (Reference JK2495. S689 2016) for phone numbers, and information about your state's legislative process.
  - See the *Directory of State Court Clerks and County Courthouses* (Reference KF8700 .A19 D574) or *BNA's Directory of State & Federal Courts, Judges and Clerks* (Ready Ref. KF8700 .A19 D53) for a chart showing your state's court structure.
  - Ask us to help you search Leadership Online for biographical data on leaders in organizations and the judiciary.

- Review Bluebook citation form. Take your Bluebook with you, because even if your workplace follows a different citation format, Table 1 will help you determine the official primary sources for your state. For example, you can quickly check if either or both an administrative compilation and a register exist.

- Take a list of nearby law schools and county law libraries, including hours of operation and access policies. We can also help you with that.

B. Steps to follow when you first arrive

- Find out how Lexis and Westlaw searches are viewed; do not assume that the policies are the same from one workplace to another.

- Use your organization’s Lexis, Westlaw, and Bloomberg Law representatives for additional training and especially for help with searching for your summer projects.
  - Use Lexis, Westlaw and Bloomberg Law toll-free customer service or chat lines

- Look over their library carefully. During the library orientation, note the following:
  - What secondary sources are available? The treatises in the library will be specifically oriented toward their practice areas.
  - Do they have an online catalog?
  - What reference books do they have that might help you?
  - What materials are specific to your state?
C. Steps to follow as you are working throughout the summer

- Develop a consistent strategy for your legal research.

Strategic for Successful Legal Research – Eight 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?
- Does the partner or associate recommend a research strategy?
- Will the supervising attorney want any of the 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 “search vocabulary” for your assignment.
  - Think of terms and phrases that apply to your facts and issues; come up with as many synonyms and broader, narrower, or related terms as you can.
  - SOURCES: Law Dictionaries and Thesauri, Words & Phrases.
- Keep accurate records of your research.
- Keep accurate records of your time.

Step 3: Secondary sources
- Collect background information and familiarize yourself with the area of law. Use your search 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 – Lexis or Westlaw
  - Treatises – check the 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) Print sources for statutes are often 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 6: Case Law
- Are there cases on point?
- SOURCES:
  - Federal Practice Digest, Regional Digests or other state digest

Step 7: Refine your research
- Re-evaluate and re-analyze the issues.

Step 8: 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, B-Cite

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 work with them.
- Know when to ask for assistance.

and

- Don’t forget that the HOWARD LAW LIBRARIANS will be glad to help you! Don’t hesitate to call or send us an e-mail.

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