Engaging Legal Research Students Through Supplemental Readings from the Last Decade

By Annalee Hickman

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The 2017–2018 school year was my first year as a legal research professor. Among the many lessons I learned along the way that will influence my future years in teaching, the one that resonated most is the helpfulness of supplemental readings for my legal research students. While I do not advocate the replacement of legal research textbooks, I think the best way to teach students legal research and engage them in the course is by using supplemental readings as well.

In my first year of teaching, I used several and found them irreplaceable in my curriculum. As I prepared for my second school year over the summer, I scoured high and low for additional supplemental readings I could add, looking in publications such as the Student Lawyer magazine, Law Library Journal, AALL Spectrum, and, of course, Perspectives: Teaching Legal Research and Writing. Following up on an article published in Perspectives ten years ago, I present additional outstanding supplemental readings from the last decade that could be assigned to students in a legal research course.

Below is a selected annotated bibliography of supplemental readings from the last decade, divided into the following topics: readings for the first day, primary sources, secondary sources, specialized legal research, electronic legal research, and legal research tools. At the end of this article, I also list additional supplemental readings that I came across in my search that could be helpful in a legal research course. Each of the readings in this article could be used in an advanced legal research course, and most are readings that would be appropriate at the basic 1L legal research level or for an LL.M. legal research course.

Readings for the First Day


In a short article for the Student Lawyer magazine, Nevers writes directly to students about how they can “gain an appreciation for the importance of legal research.” He suggests three tips to help them do so. First, they should broaden their understanding of research to see that it is a process and not just the database or platform used. Second, Nevers encourages students to take research seriously and to practice it. Third, he strongly recommends that they take advanced legal research if it is offered at their law school.

This article can kickstart a legal research course because it gives tips that will lay the foundation for the rest of the course. These are tips that I want my students applying as they read their legal research textbook about the different sources and legal research techniques throughout the semester. It is a short article that catches their attention and helps them understand the big picture of why they are even enrolled in a (usually required) legal research course.

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2 While the principles of researching law tend to stay the same, the logistics and the resources seem to be ever-changing. Even for the selected readings from the last decade collected in this article, some aspects are already out-of-date. With these, and with readings from more than ten years ago that I still use to supplement my 1L legal research course, I include an addendum correcting a few pieces of information here and there. Students do not seem to mind, and it is better to have these applicable readings that are engaging and helpful than to not assign them for fear of a few out-of-date details.

Buckingham introduces students to legal research by expounding on four research tips that will help any law student: (1) understand the assignment before researching, (2) begin with secondary sources, (3) use library catalogs and indexes, and (4) ask for help. In the second tip, he gives short summaries of the following secondary sources—annotated codes, legal encyclopedias, law review articles, legal treatises, and resources for multi-state research—that help serve as an introduction to sources that are likely new to first-year law students.

This article gives practical tips for students in a way that serves as both an introduction and an overview of legal research. While its style is more like a law review article, it is written for a student audience, which makes it an easy supplemental article to read and understand. Buckingham’s article is most useful as either an assigned reading for the first class, as an overview and introduction, or during the class where you teach about the legal research process.


Beginning with a brief overview of bills, the *Statutes at Large*, and the *United States Code*, Whisner provides a good review of these topics which are likely already being taught in a legal research course. However, she then dives into the more complex aspects of the *Code* with which most law students are likely unfamiliar: only some titles in the *Code* are positive law (meaning they are legal evidence of the law); and the rest of the titles are simply prima facie evidence of the law (meaning if there is any conflict between them and the text in the *Statutes at Large*, the *Statutes at Large* governs). She then gives real world examples of instances when these have been legal issues for clients. Finally, she gives the detailed history of why the *Code* is only prima facie evidence of the law.

While Whisner’s article will most likely be used only in an advanced legal research course, it provides more detail than most legal research textbooks on this positive law aspect of the *Code* that surprisingly is rarely taught to law students but could arise in practice. The article is lengthier and written in a more formal, academic tone than many of the other supplemental readings in this annotated bibliography, but it is a source that will teach law students when they need to check the *Statutes at Large* in practice and will give them a working knowledge of the history of why some code sections are positive law and others are not.


McDade begins with a vivid anecdote about when he realized he needed to understand “regs.” He then gives a description of how regulations are created, what they do, and where to find them (including the differences between the CFR and the Federal Register). He also briefly mentions state regulations.

Much of the information, and even some of the text, is taken verbatim from McDade’s earlier...
article in the *Student Lawyer*, but this article is more recent and has more up-to-date examples. It nicely complements what legal research textbooks cover about regulations, and it is written in a way that makes it easy for students to grasp how important regulations are and how to use them.

### Secondary Sources

**Mark Cooney, Let the Experts Serve You—Starting Legal Research with Treatises, 43 Student Law.** 16 (2014).

Cooney helps students realize that treatises have “relevant cases worth reading with care.” He emphasizes the benefit and efficiency of treatises with specific examples of legal research questions they will likely encounter in practice. He also compares and contrasts starting with treatises versus starting with case law.

The specific examples Cooney provides of the usefulness of treatises will engage students long enough for them to understand when they should use treatises in practice and why they would want to. So, go ahead and “cheat” (as Cooney advises students to do with treatises when they are researching), and use this supplemental reading to reinforce the value of treatises for your students.

**Jackie Woodside, Introducing Students to Online Research Guides, 17 Perspectives: Teaching Legal Res. & Writing 171 (2009).**

Woodside provides a helpful and unique explanation of online research guides because many students are likely unaware these guides exist. She concisely, yet thoroughly, covers in this article the following: (1) the four purposes of an online research guide; (2) who publishes research guides; (3) how to evaluate research guides (by giving a clever acronym to help students remember—“How much is this guide T.E.A.C.H.ing me?”); and (4) how to find research guides on a certain topic.

Since the audience for the article is the legal research professor, I would suggest telling your students to skip the introduction. Instead, have them read the heart of the article where Woodside shares her advice about when to teach students about online research guides. If you do not have time to cover online research guides in class, Woodside’s short article gives your students the information they need.

### Specialized Legal Research

**Patrick Charles, Reading and Understanding a Source Credit in the United States Code, 22 Perspectives: Teaching Legal Res. & Writing 46 (2013).**

In this short article on source credits (which are the information that appear after *U.S. Code* sections that give enactment and amendment details for each section), Charles briefly covers the principle of positive and non-positive law titles in the Code in a very quick way that is a perfect fit for a 1L legal research course. Then he describes the three reasons source credits are useful, the basic elements of source credits, and examples of source credits for both positive and non-positive laws.

This article could be used when teaching legislative history because source credits are a hard concept for students to grasp.


Nevers succinctly describes seven different litigation practice materials that law students may find useful: (1) in-house work product, (2) PACER, (3) state court documents, (4) legal forms, (5) secondary source books that discuss trial preparation, (6) jury instructions, and (7) verdicts and settlements. He provides specifics about where to find these materials, how to use them, and what the potential drawbacks may be.

I have found this article provides information about litigation practice materials that I do
"[Mart's] article fits nicely into my class on the limitations of electronic legal research."

not see in most legal research textbooks. This article also provides a quick overview on specific materials that law students can use as a starting point if they are interested in becoming litigators. This article fits nicely into a 1L or advanced legal research curriculum where the professor spends at least twenty minutes discussing litigation practice materials.

Shawn G. Nevers, Transactional Law Research, 41 Student Law. 18 (2013).

Nevers gives a brief introduction to four useful resources for conducting transactional law research: (1) EDGAR (and the commercial alternatives), (2) in-house precedents, (3) Practical Law Company, and (4) Bloomberg Law. He lists the transactional law areas covered in each resource and how to access them.

Like the Litigation Practice Materials article above, Nevers’ article on transactional law research is a great introduction for any 1L or advanced legal research course where the professor has at least twenty minutes to discuss specialized legal research for transactional law. Since legal research textbooks typically do not cover this topic, I use this reading to prep my students before I spend about thirty minutes in class on transactional law research.

Electronic Legal Research

Catherine M. Dunn, Use Terms and Connectors for Precise Search Results, 43 Student Law. 21 (2015).

Dunn explains terms and connectors within the framework of how to create a Boolean search, including steps like brainstorming various search terms, identifying key terms, expanding by breadth and depth, and determining how multiple search terms for a single query should relate to one another. She also reminds students to assess and adapt their searching in light of the results they receive. Moreover, she shows how terms and connector searching is used to prove a negative (meaning the search retrieves no results, proving that a particular law does not exist), a concept that none of the legal research textbooks I have considered for my class addresses.

This article is brief, direct, and written with law students in mind. Using it as a supplemental reading for your class will help students understand further the importance of adding this style of searching to their skillset, rather than solely relying on natural language (i.e., Google-like) searching.


Mart exposes how the designers of legal research search engines control the algorithms and explains what legal researchers should know about those algorithms (like the variables employed to retrieve results) so that they can tweak their research habits to take them into account. She summarizes (using colored graphs) her research study in which she concluded that the top ten results from the same search run on Westlaw, Lexis Advance, Google Scholar, Fastcase, Ravel, and Casetext produces different results. Her conclusion demonstrates to law students that they should be cautious about relying on a single platform and only looking at the first few results of any search.

This article fits nicely into my class on the limitations of electronic legal research. Mart’s candid analysis of various search engine algorithms and users ignorance about how these providers write their algorithms serves as an eye-opening warning to law students that supplements well the warning I give them in class on the limitations and pitfalls of electronic legal research.

Legal Research Tools


McElroy, in this brief article, describes her own litigation experience where a citator, or rather her opposing counsel's failure to use a citator, created an awfully embarrassing, and cautionary, moment in that person's career. Although she does not provide substantive information about how to use a citator or its main functions, McElroy, instead,
entertains new law students with her anecdotal experience, while reinforcing why citators matter. Her article supplements the textbook reading I assign on the use of citators by providing a vivid and exciting real-life example of the importance of citators. Like the infamous citator example from the O.J. Simpson case, McElroy's example is another powerful warning to always use citators.


Charles concisely explains the West topic and key number system in a way that helps students better understand it. He breaks down this tool and describes how each portion of the West topic and key number system works. Charles thoroughly explains the nuances of the key number system without going into so much detail that could be lost on first-year law students. He provides an example of a headnote that has been assigned two topics and key numbers. He even addresses the occasional practice of renaming key numbers.

This reading is especially helpful if you teach print digests because of the side-by-side comparisons. The screenshots of Westlaw are out-of-date, but I think there are enough similarities to its current iteration that it will help students better decipher these tools because of Charles' helpful explanations.


Wolotira enumerates the strengths and weaknesses of Google (and Google Scholar) in an article that is simple to read. In addition to covering case law, she also covers using Google Scholar to search for scholarly articles, which may be beneficial for students since many law schools require law students to write an academic-style paper in order to graduate.

Wolotira's article is most useful for legal research courses where the professor has the time to spend on an in-depth discussion of non-traditional research tools like Google. In that case, this article will make a valuable classroom supplement. While only published six years ago, the article is already slightly outdated since it talks about "Legal Documents," which Google Scholar now calls "Case Law." Nonetheless, this drawback is small enough that it is far overshadowed by the usefulness of the rest of the article.

**Conclusion**

Overall, using supplemental readings helps engage my legal research students because these readings tend to provide specific examples and increase awareness about legal research issues that may encounter in practice that resonate with students more than relying just on legal research textbooks. Further, the readings tend to be shorter, which helps to more effectively retain the students' attention longer than textbook readings. Especially for more challenging topics and concepts, supplemental readings clarify, explicate, and reiterate material for students so that they understand the material better. Thus, I enjoy adding a supplemental reading to most of my legal research class periods. My hope is that this bibliography can alert other legal research professors to supplemental readings they might also find engaging for their students as well.

**Additional Supplemental Readings**


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Annalee Hickman Moser, *Go Ahead and Google. Then Do a Subject-Based Search,* 46 *Student Law.* 8 (2018).


Travis McDade, *Print Digests Make it Easy to Find that One Good Case,* 37 *Student Law.* 10 (2008).


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**Micro Essay**

Will AI change how or what we teach? Yes and no. Librarians have been teaching AI for years. Every time we talk about how databases parse natural language searches differently, or discuss how the web works we teach “AI.” But the rise of AI awareness gives us an opportunity to address information literacy in a big way. Students need to know the strengths and weaknesses of AI systems like document automation and algorithmic searching so that they STOP seeing computers as infallible and START seeing them as another tool in their toolbox.

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