

Preface

Basic Legal Research: Tools and Strategies was first published more than twenty years ago. In the generation that has passed since then, legal research has undergone a sea change. Research is now conducted almost exclusively online, and access to print materials is uncertain at best for most researchers. Another sea change is underway with the advent of generative AI. This new technology has not yet reached its full potential, but it is already a tool researchers can incorporate into their research process. In response to these changes, the revised eighth edition is fully oriented toward online research and addresses use of generative AI for research.

You will notice the following changes in this updated edition:

- **New material on generative AI**—Appendix A is a new addition to the text that explores the advantages and risks of research with generative AI. It explains the tasks for which generative AI is and is not useful, describes how to craft effective prompts, and offers guidelines for when and how to cite AI-generated information. Appendix A is structured similarly to the chapters describing traditional research tools. It includes both research examples and a summary checklist.
- **Updated coverage of online platforms**—Chapter 5, on Case Research, explains Westlaw Precision research. Chapter 6, on Research with Citators, explains the latest features of Shepard's and KeyCite.
- **Condensed references to print resources**—The coverage of print research tools for cases and statutes in Chapters 5 and 7, respectively, is limited to general descriptions rather than detailed explanations of the print research process.

The philosophy and the format of the revised eighth edition remain the same as those of earlier editions. The genesis of this book was a conversation I had with Todd Petit, a student in my Lawyering Skills class at Catholic University, in the fall of 1994. Todd was working on a research project, and he came to me in frustration and bewilderment over the research process. Over the course of the year, Todd ultimately mastered the skill of legal research. Nevertheless, our conversation that fall caused

me to start thinking about how I could teach research more effectively, a process that ultimately culminated in this book.

I do not believe Todd's experience was unique. Mastering a skill is a form of experiential learning—learning that can be done only by doing. And the “doing” aspect necessarily involves periods of trial and error until a person grasps the skill. It is not surprising that this can be frustrating and even bewildering at times.

Having said that, however, even experiential learning has to be built on a base of information. My goal with this book is to provide two kinds of information necessary for students to learn the process of legal research: basic information about a range of research sources and a framework for approaching research projects.

This text provides instruction for using a variety of legal research sources, including secondary sources, cases, citators, statutes, federal legislative history, and federal administrative regulations. Each of these sources is described in a separate chapter that includes the following components:

- introductory information;
- techniques for online research;
- a brief description of print resources;
- an explanation of citation rules;
- an annotated set of screen shots illustrating the research process; and
- a checklist summarizing both the research process for the source and its key features.

The range of material in each of these chapters is intended to accommodate a variety of teaching and learning styles. These chapters contain textual explanations, charts, and checklists that can be used for in-class discussions and for out-of-class reference as students are conducting research. In addition, the screen shots illustrating the research process provide both instructional material and a useful summary synthesizing the information on the source from the rest of the chapter.

This text does more, however, than simply explain the bibliographic features of various research sources. It also provides instruction in research as a process, and it does this in two ways. First, Chapters 1–3 provide an overview of research sources and the research process. These chapters provide a framework for understanding the relationships among different types of legal authority; an overview of different approaches to searching; a method for generating and prioritizing search terms; and techniques for drafting word searches. Through this material, these chapters set the stage for a process-oriented introduction to research instruction. Second, Chapter 11 provides a framework for creating a research plan. By setting out a process based on a series of questions students can ask to define the contours of any type of research

project, it provides a flexible approach that can be adapted to a variety of assignments. Although Chapter 11 is the last chapter in the text, it can be used whenever students are required to develop a strategy for approaching a research project.

The coverage of online research within each chapter devoted to an individual research source addresses search techniques specifically suited to that source. Chapter 10 addresses online research more generally. It explains differences among search engines; techniques for executing, reviewing, and refining searches; and field and segment searching. This chapter can be used in conjunction with other chapters at any point in the research course.

Moreover, the text provides instruction in a wide range of online research sources. It discusses research using commercial services such as Westlaw, Lexis, and Bloomberg Law. But it also covers a range of other online research options, including subscription services and publicly available websites. As part of this instruction, the text discusses cost considerations so that students can learn to make informed decisions about how to select the best source for any research project.

The Appendices add instructional material. Appendix A addresses use of generative AI tools for legal research. This material can be introduced early in the semester if you plan to integrate generative AI research throughout the course or later if you plan to cover traditional research tools first. Appendix B lists a range of online sources students can use for research.

This text seeks to provide students not only with the bibliographic skills to locate the legal authorities necessary to resolve a research issue, but also an understanding of research process that is an integral component of students' training in problem-solving skills. I hope this text will prove to be a useful guide to students as they undertake this intellectual challenge.

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