

CHECK IT OUT

Lucille Stewart Beeson Law Library Newsletter
Cumberland School of Law of Samford University



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The Online Legal Research Industry: An Evolution

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Throughout most of the time that online legal research services have existed, the market has been dominated by two players—Westlaw and Lexis. Westlaw was a “natural” for the online market, as it pretty much dominated the legal print industry for over a century. Additionally, it had (and still has) a superior indexing system, the West Key Number System, which allows practitioners to take a topic and find case law on that topic within a needed jurisdiction. Lexis, on the other hand, became a prominent player in the market almost by accident. Mead Corporation, a paper producer, was interested in acquiring a small enterprise, Data Corporation, for its inkjet print technology, which it purchased in 1968. Data Corporation, as it turned out, had a primary business of providing a full-text information retrieval system for the U.S. Air Force, as well as,

an exploratory partnership in an online legal case access project with the Ohio State Bar Association. After studying the market potential of their cooperative venture, Mead launched LEXIS as a computerized legal research database service in 1973.¹ Its credibility was significantly enhanced, when it purchased Shepard’s citation service from McGraw Hill in 1998. Mead later sold the division to Reed Elsevier.

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¹<http://www.fundinguniverse.com/company-histories/lexis-nexis-group-history>

A fairly recent entry into the premium online legal research market has been Bloomberg Law, which was introduced in 2009. Though it may be seen in much of the legal community as a step-child in comparison to the “big two”, they certainly have a wealth of rich and unique secondary legal materials through its purchase of well-respected Bureau of National Affairs and a large depository of Practising Law Institute materials.

These three services started out as premium, high profile services, and remain so. For many small firms and solo practitioners, they were, and still are, prohibitively

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LAW LIBRARY SCHEDULE

MONDAY-THURSDAY
7:00 A.M.-12 MIDNIGHT

FRIDAY
7:00 A.M.-10:00 P.M.

SATURDAY
9:00 A.M.-10:00 P.M.

SUNDAY
1:00 P.M.-12 MIDNIGHT



Legal Research from Page 1

expensive. As a result, the market has always had an opening for other cheaper database products that would provide legal research resources to the customer, but without the high price. Such ventures have included Loislaw, NationalLawLibrary, Quicklaw America, theLaw.net and VersusLaw. What was sacrificed when going to these cheaper products varied by service; many did not have a citation checker while others claimed to have it, though thoroughness was still of concern (at least among the Law Librarian community).

Currently, there are a number of databases and database services that provide lower cost or no cost legal research services of some degree. These

products are constantly evolving in their capabilities and pricing structure. If there was one theme to be taken from recent trends in new low cost services, it is that **most** primary law can be had at almost no cost, in a text-searchable format. It is the secondary legal materials (law reviews, treatises, encyclopedias, etc.) that are, in large part, missing from these low cost services, and probably will continue to be.

One service that provides a large amount of searchable primary law for no cost is Google Scholar. Anyone with internet access and a browser can search for state appellate and supreme court decisions from 1950, lower federal court decisions from 1923 and U.S. Supreme Court decisions from 1791. As for how often new cases are added, information seems a bit sketchy; their content coverage description states "we normally add new papers several times a week."² While this service cannot be a practitioner's sole resource for competent legal research, it certainly can play a significant role; if case citations can be found using other means, this database can be an excellent option for reading and citing an official version of the case.

²<https://scholar.google.com/intl/en/scholar/help.html#coverage>

There are several prominent products that are no/low cost, but are specifically geared to the legal community. They concentrate on providing technologically up-to-date means of accessing primary law, but very few secondary sources. Those products include Casemaker, Fastcase, Ravel Law and Casetext. The first two listed specialize in bulk memberships through participating state bar associations. All state bar associations except Delaware, California and South Dakota have a contract with either Casemaker or Fastcase to provide free online access to their membership. Ravel Law and Casetext are very new to the scene, each with their own unique researching features.

Casemaker, the oldest service of the four, was begun in 1999. In the southeast United States, the only state bar associations that currently include this database in their benefits package are Kentucky, Mississippi and Alabama. It has a Google-like search box, which is very similar to those of Westlaw and Lexis. It also has CaseCheck+, a negative citation system, CiteCheck Brief Analyzer as well as CaseMakerDigest, which provides summaries of state and Federal cases in your selected practice area.

In 2007, Fastcase began as a database service for attorneys, selling bulk memberships to state bar associations for around \$2 per member³. While Westlaw and Lexis were using attorneys/editors to do index cases, Fastcase chose a cheaper option of using computer algorithms to do the same job at a fraction of the cost.

Fastcase was also very early to adopt visual aid charts for users that will sort cases by relevance and time. Fastcase also provides a citator feature, Authority Check, that provides a list of citing cases (without positive or negative labels). Like Casemaker, Fastcase provides a Google-like search box. State bar associations in the southeast region that include Fastcase in their benefits package include Georgia, Florida, Tennessee, South Carolina, North Carolina, Virginia, Arkansas and Louisiana.

Casetext is a database service that provides free access to law students, but has non-publicized charges for practitioners. The primary law coverage is similar to that of Google Scholar, but also provides state statutes for some of the larger states as well as including the Federal Rules, U.S. Code, and Code of Federal Regulations. It

provides coverage of lower Federal district courts from 2000 to present. A major feature that they promote is its crowdsourcing capabilities; this service allows its users to read and add to blog entries and annotations made by law students and attorneys to cases in the database.

Ravel Law, another recent startup, provides free access to law students. Unlike Casetext and Google Scholar, its database provides lower federal court decisions from the beginning. It also emphasizes that there is “comprehensive” inclusion of unpublished state and federal cases since May 15, 2015, with “broad” coverage before that date. A feature that this database service highly promotes is its “Search Visualization” which generates a map of case law relevant to the case that you pull up; it allows the researcher to establish relationships between cases and to identify important and recent cases on the topic needed.

This discussion hopefully will give the reader a perspective of past and current resources in the online legal research marketplace. It is well established that law firms large and small are constantly under pressure to lower research costs for their clients; indeed, many research dollars spent by law firms go totally nonreimbursed. It will serve

law students well to understand that the online legal research market is a constantly changing one and that use of smaller, less prominent, legal research databases may be critical to their profit margin when researching as a practitioner.

If you have any questions about these products, please see a reference librarian.



Grace Simms, Information Technology Librarian, received her service award at the Samford University Service Awards Luncheon on January 18, 2017. Grace received her award for fifteen years of service here at the Law Library. Congratulations, Grace!



Grace Simms and husband,
Greg Ragsdale

³<http://www.forbes.com/forbes/2008/0630/070.html>

Winter 2017
Lucille S. Beeson
Law Library Survey

by Greg Laughlin,
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Every year, the Law Library surveys our law students to get their input on your assessing of quality of our services and resources. We conduct the survey early in the Spring semester, after the first-year law students have had a semester of experience in using the Law Library.

Law student input is vital to our establishing and maintaining a high level of services and resources. During my time as director, we have made a number of changes based on law student input. These include, among other changes, allowing students to eat in the Law Library, the purchase of new soft seating and replacement chairs for the library tables, carrels, and student rooms, the expansion in the number of study rooms through converting rooms formerly used for other purposes to meet the growing demand for more quiet spaces, restricting access of non-law students to the computer labs and to the Law Library entirely during the week before and during final examinations, the purchase of standing desks, and the purchase and expanded use of scanners.

I consider the responses to this survey to be one of the most important planning tools available to the Law Library. It is our goal to provide the highest possible level of services and resources which are practical, while at the same time, managing the resources available to the Law Library prudently. The more students who respond, the better we will be able to maintain and improve our level of services and resources. The survey is short. Please take the time to respond.

The survey is open for responses now and will remain open until noon on Friday, February 10. You may access and respond to it at:

<https://www.surveymonkey.com/r/LSBLL-2017>

Thank you for your anticipated participation.

1. When you visit the Law Library, are you able to find what you're looking for?

- ☐ Always
- ☐ Frequently
- ☐ Sometimes
- ☐ Seldom
- ☐ Never
- ☐ No Opinion

2. How satisfied are you with the overall services of the Law Library?

- ☐ Extremely
- ☐ Very
- ☐ Somewhat
- ☐ Not very

- ☐ Not at all
- ☐ No opinion

3. How helpful is the Law Library staff?

- ☐ Extremely
- ☐ Very
- ☐ Somewhat
- ☐ Not very
- ☐ Not at all
- ☐ No opinion

4. How satisfied are you with the information resources (books, periodicals, online databases, etc.) available through the Law Library?

- ☐ Extremely
- ☐ Very
- ☐ Somewhat
- ☐ Not very
- ☐ Not at all
- ☐ No opinion

5. How satisfied are you with Law Library's reference services?

- ☐ Extremely
- ☐ Very
- ☐ Somewhat
- ☐ Not very
- ☐ Not at all
- ☐ No opinion

6. How satisfied are you with Law Library's information technology services (computer labs, support, etc.)?

- ☐ Extremely
- ☐ Very
- ☐ Somewhat
- ☐ Not very
- ☐ Not at all
- ☐ No opinion

7. How satisfied are you with Law Library's hours of operation?

- ☐ Extremely
- ☐ Very
- ☐ Somewhat
- ☐ Not very
- ☐ Not at all
- ☐ No opinion

8. How satisfied are you with the resources available through the Law Library to locate information which you need (the online catalog, digests, indexes, etc.)?

- ☐ Extremely
- ☐ Very
- ☐ Somewhat
- ☐ Not very
- ☐ Not at all
- ☐ No opinion

9. How easily can you find the books and journals you need in the library catalog?

- ☐ Extremely
- ☐ Very
- ☐ Somewhat
- ☐ Not Very
- ☐ Not at all
- ☐ No opinion

10. How do you typically access the library catalog?

- ☐ I use the Search Box on the Law Library web site
- ☐ I use the Library Catalog link on the Law Library web site
- ☐ Other (please specify)

11. Have you used a Research Guide found on the Law Library web site?

- ☐ Yes
- ☐ No

Please suggest any Research Guides you would like included on the Law Library website:

12. How satisfied are you with the Law Library's physical space and furnishings?

- ☐ Extremely
- ☐ Very
- ☐ Somewhat
- ☐ Not very
- ☐ Not at all
- ☐ No opinion

13. While funds are not currently budgeted, the Law Library is considering converting the Lower Level reading room into a learning commons area. This would provide a space specifically designed for collaborative work in an area that is audibly isolated from the rest of the Law Library. The space would include more soft seating, tables and chairs arranged for better collaboration, and technology to facilitate such collaborative work. Please select the response that best reflects your opinion.

- ☐ I strongly favor the creation of a learning commons area on the Lower Level
- ☐ I somewhat favor the creation of a learning commons

area on the Lower Level

- ☐ I somewhat oppose the creation of a learning commons area on the Lower Level
- ☐ I strongly oppose the creation of a learning commons area on the Lower Level
- ☐ No opinion

14. It has been suggested that if space becomes available within a room which could be audibly isolated, the Law Library should add a coffee kiosk. Should such a space become available, please select the response that best reflects your opinion.

- ☐ I strongly favor the creation of a coffee kiosk
- ☐ I somewhat favor the creation of a coffee kiosk
- ☐ I somewhat oppose the creation of a coffee kiosk
- ☐ I strongly oppose the creation of a coffee kiosk
- ☐ No opinion

15. Please provide any comments you would like to share concerning the Law Library, its staff, services and/or programs, including, but not limited to, changes you would like to see made.

Welcome Back
for the
Spring Semester!!

Study Aids - Audio Lectures

by Grace Simms,
Information Technology Librarian
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West Academic now offers streaming audio lectures from two series - Sum and Substance Audio and Law School Legends Audio. The link to the Study Aids is available on the [Law Library's web page](#), or you can go to this link at: <https://login.ezproxy.samford.edu/login?url=http://subscription.westacademic.com>.

You'll have to log in with your Samford email address and email password. Once you've done that, scroll down to the audio section.



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Author: Borchers, Patrick J.

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0:00 / 1:24
Now Playing: Introduction

Play Tracks	Description
Introduction (1:24)	

You may then listen to the streaming audio of your chosen topic. At the moment, these are not downloadable, you must have a wifi or data connection for this to work. If using this on your data plan while in the car, etc., keep in mind that you may go over your plan. If you have any questions - email Grace L. Simms, Information Technology Librarian, at glsimms@samford.edu.