

I. **Understand Your Problem.** Don't be afraid to ask the following questions:

- Why am I doing this project, and how will you use my work?
- What is the priority on this assignment?
- When do you want this project? Would you like to review my draft(s) earlier? When?
- Are there any in-office or in-library aids (similar case file, office memorandum, office research guide, etc.) That I could consult to assist me with this project?
- Do you want to talk to me again about this assignment? When or under what circumstances do I contact you?
- What decisions should I make about this project? Should I proceed based on my research or should I ask you or someone else to review my work first?
- How much time should I spend on this project?
- To summarize: "Let me see if I understand you clearly. This is what I will do. . . . Is that what you want?"

II **Analyze Your Problem.** This is a quick, initial analysis.

Is your problem (may be more than one of each category)

- |   |                                     |   |
|---|-------------------------------------|---|
| 1. <input type="checkbox"/> state       | <input type="checkbox"/> federal    | <input type="checkbox"/> administrative |
| 2. <input type="checkbox"/> civil       | <input type="checkbox"/> criminal   |   |
| 3. <input type="checkbox"/> substantive | <input type="checkbox"/> procedural |   |
| 4. <input type="checkbox"/> statutory   | <input type="checkbox"/> common law |   |

If civil, what area of law predominates? (Watch out for multiple areas.)

- |  |  |   |   |
|--|--|---|---|
| <input type="checkbox"/> torts   | <input type="checkbox"/> contracts           | <input type="checkbox"/> labor/employment law | <input type="checkbox"/> securities               |
| <input type="checkbox"/> bankruptcy  | <input type="checkbox"/> international issue | <input type="checkbox"/> immigration          | <input type="checkbox"/> are tax issues involved? |
| <input type="checkbox"/> real property   | <input type="checkbox"/> healthcare          | <input type="checkbox"/> education            | <input type="checkbox"/> intellectual property    |
| <input type="checkbox"/> personal injury (if so what caused injury: product, individual or combination?) |  |   |   |

If criminal,

- misdemeanor       felony
- pre-arrest       pre-trial
- post-trial       appeal
- imprisonment issues

- Are constitutional issues involved?
- What's been done to-date on the case? Review All records, briefs, files, etc. and make notes on ALL cases, statutes, rules etc. that are referenced anywhere in the materials reviewed.
- Link What and When - Identify dates for all available information and research. This will be necessary to determine usefulness, validity, and will be essential in updating information about the case.

Do you need non-legal information?

- Economic information
- Additional facts
- Business or corporate data
- Information about people
- Do you know anything about this problem?
- Have you ever researched this or a similar issue before?
- Do you know anyone that you can call who has researched this issue or is an expert on this issue?

### III. Develop a Research Strategy Based on the Choices Made in I & II

*Be prepared to adjust this research strategy as you obtain additional information.*

Primary Sources	Secondary Sources
Cases	Legal Encyclopedias
Statutes	Treatises
Uniform Laws or Model Laws	Looseleaf Sets
Legislative History	Hornbooks
Administrative Materials	A.L.R. Annotations
Rules and/or Regulations	Words & Phrases
Agency Adjudications	Periodical Articles

#### IV CALR - Computer Assisted Legal Research

- Have I done all possible work off-line?
- Is this a good issue/question for CALR? Online searching is most useful for:
  - Updating previously completed research
  - Shepardizing/KeyCiting
  - Reading and updating administrative regulations
  - New and emerging areas of law
  - Unique terms used in unique ways
  - Decisions by specific judges, cases involving specific attorneys, etc.
- What on-line resources are available to me?
- What cost restraints exist if any?
  - Are there client limits for online research?
  - What are the firm policies regarding online research?
  - Understand your on-line billing structure and plan your searches accordingly.
  - Is your billing package limited to Florida with additional fees for searches in other databases?
  - Your time may be *less* valuable than online time!

- Plan your search strategy offline.

- Know where you are going to find the information you are looking for.
  - Understand the information you are looking for.
  - Know the terms that will be used in the sources you are searching.
  - Select the smallest possible database.
  - Select subject specific databases.
  - Integrate these selections into your search strategies.

- Understand Natural Language and Terms and Connectors Searching.

##### Natural Language Searching Advantages:

- Query formulation by the computer – you don't have to do it yourself.
  - You don't need to know the key legal terms or subjects
  - You will always get some results – they may not be the best results, but you get something.

##### Natural Language Search Disadvantages:

- You have very little control over the structure of your search.
  - The computer decides on the relevant terms and their importance for your search.
  - You get very broad search results, and these results may be irrelevant.

##### Terms and Connectors Searching Advantages:

- You pick the terms and control the results.
  - Search results are more precise and relevant.
  - Search results are complete.

##### Terms and Connectors Searching Disadvantages:

- You need to know the terms and how they are used in relation to your topic.
  - Depending on your ability, you may hit or miss your desired search results.
  - You may have difficulty forming a search based on a broad legal issue.

- LexisNexis & Westlaw Search Tips & Strategies:

#### Understand terms & Connectors

Use synonyms  
Use wild cards ! \*  
Use singular word forms  
Grammatical Connectors /s /p  
Numerical Connectors w/5  
Connector **and** generally too large  
Remember connector **or**  
Connector **not**

#### Understand processing priority

Use quotation marks  
Use parentheses

Use focus and locate when you have search results.

Use “help” numbers for query formulation assistance.

- If you do not find what you are looking for, log off, and rethink your strategy off-line. It’s cheaper!

#### Other Databases

- Become familiar with the Law Library databases
- Try the Journals A to Z subject categories
- Look for topic-specific databases
- Use this opportunity to explore these databases for free!

#### Internet

- Set a specific time limit for on-line searching.
- Become familiar with search engines & develop favorites.
- Use the first 20 hits from a search engine, and if unsuccessful, change your search.
- Bookmark good, frequently used web-sites.
- Organize your bookmarks.
- Use the Law Library Home page as a starting point.

*Remember, for all on-line searching, If your search strategy is not working, exit and re-think the problem off-line.*

## V. Update and Analyze Your Sources

- How good are your sources?
- How current are your sources?

How are they updated?

How frequently are they updated?

- How current do they need to be?
- Have you updated your research appropriately?

Pocket parts, supplements, update looseleaf sections, advance sheets, legislative update services

Shepard's and/or other citators

On-line updating

- Which sources did you find most useful and why?
- How did print and computer sources compare?
- What did you learn to make your next research projects faster and easier?
- Keep a DETAILED, DATED RESEARCH LOG indicating what sources you used, where you found them etc.