

**Legal Research, Legal Information and the Search for Reality**  
**Presented by**  
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Models for Thinking About Information

1. Data Base
2. Organizing System
3. Upkeep
4. The Ways in Which Paper Dealt with This Model
5. The Implications of Digital Information

The Collapse of the Old Universe

1. The Cornerstones
  - a. The National Reporter System
    1. It defined what a case was
    2. It defined reality
    3. Look at an example
  - b. Shepards
    1. The Tinkerbell theory
    2. Obsessive, compulsive research
  - c. The Key Number System
    1. The World of Thinkable Thoughts
    2. Closed-ended, universal indexing
    3. The Langdell-West model
2. The Transition
  - a. LEXIS
    1. Full text mimicking reality
    2. Boolean searching
      - a. The Ramifications of Boolean Searching
      - b. Hooks and strings

3. FREESTYLE
    - a. Natural language searching
    - b. Losing grip of the algorithm
  - c. WESTLAW
    1. Same except it is rooted to the rocks
      - a. West's dilemma
    2. The surviving power of the Key Number System
    3. The revolution of KeyCite
3. The Next Wave
- a. Where does the data come from
    1. Format neutral citation
      - a. Can the Blue Book survive?
    2. No barriers to entry
    3. Volunteers: LII example
    4. Government
  - b. How does one search
    1. Boolean
    2. Natural Language engines
    3. Citation clustering
    4. AskJeeves and Raymond Kurzweil

#### The Future of Case Publication

1. What will a judicial report look like?
2. How will judicial information be delivered?
3. Who will produce it?
4. Citators and search engines

#### Still Standing

1. Legislative materials
  - a. Session laws
    1. Chronological publication with good indexing
  - b. Codes
    1. Subject arrangements
    2. Blended language
  - c. Annotated codes
    1. Why I love annotated codes
    2. Integration of information
    3. The legislative timeline
    4. Federal example
    5. California example

- d. Legislative history
  - 1. The timeline approach to thinking about legislation
  - 2. Documentary trail
  - 3. Reality trail
- 2. Administrative materials
  - a. The Federal Register/CFR model
    - 1. The Diary and the Code
    - 2. The place for Boolean searching
  - b. Agency websites
    - 1. Let a hundred flowers bloom
  - c. State materials CCR
- 3. Practice Books
  - a. The difference between academic research and practice based work
  - b. Finding the Tinkerbell
  - c. California Practice
    - 1. Witkin
    - 2. Rutter
    - 3. Bender
    - 4. How do you know?
- 4. Journals and Periodicals
  - a. Law school law reviews
    - 1. The footnotes and the text
    - 2. The nature of persuasive authority
    - 3. Indexes mediated versus full-text
  - b. Bar journals
  - c. Legal newspapers
  - d. Reading what they read

### Research Strategy

- 1. The Reference Interview
- 2. Use Human Beings
- 3. Making a Plan
  - a. You are not as good a Boolean searcher as you think
  - b. Data base costs vary
- 4. Reading the Material
  - a. A few words on critical thinking
- 5. Knowing When to Stop

## What Lies Ahead

1. The Uniform System of Citation
2. Law Reviews
3. New styles of publication
  - a. Law firms as publishers
  - b. FINDLAW
  - c. Rupert Murdoch