

iCite

Legal research?

There's an app for that.

By Jacob Sayward

Earlier this school year, a student came up to me after our legal research class and asked when some of the legal research providers would make it easier for him to do his homework on his phone. I hadn't given this idea much thought, despite having purchased an iPhone a year earlier in order to have more information at my fingertips. I had even tried to use both LexisNexis and Westlaw through Safari, the device's regular internet browser. I found, however, that most tasks are easier for the user if Safari can be eschewed for some dedicated application—or “app,” in smartphone terminology.

At that time I didn't even know what legal research apps existed. So I decided to research some of them by trying to answer a question from homework I had assigned using just my iPhone and apps I could find on iTunes. Most of these apps would presumably function similarly on the iPod Touch and iPad as well.

Fastcase

A question on a homework assignment required students to research the topic of trade secrets in Maryland. The best app for this was put out by Fastcase in January. Although it requires a quick registration, it is free to download and use. There is an option to browse the *Maryland Code* (one of 43 sets of state statutes available in the app), and it is simple enough to get to the relevant sections if one can intuit “Commercial Law,” “Trade Regulation,” and “Maryland Uniform Trade Secrets Act” as relevant headings (code, title, and subtitle, respectively). Upon reaching a particular section of Maryland's statutes, it is easy to visit neighboring sections via this table of contents hierarchy or simply by book

browsing to adjacent sections. One can also search any available state codes using a keyword search. A quick search of “trade secrets” brought me to the relevant sections of the *Maryland Code* immediately.

Fastcase was also useful in finding Maryland cases on the issue. I was able to limit my keyword search of “trade secrets” to Maryland cases from 1970 onward and received 55 results. I also tried entering the *Maryland Code* citation into the keyword search but inconsistencies in how the code is cited limited the number of results I received to a fraction of the relevant ones available. Within each opinion, Fastcase

has hyperlinked citations to other cases, but unfortunately statute citations are not hyperlinked. Each opinion also has Fastcase's Authority Check, a quick-and-dirty citator. Statute sections and cases may be saved to the device for later access (without need for internet connectivity), and Fastcase keeps recent searches available so users don't need to re-enter them each time.

LexisNexis

The only other notable app for case research available in early 2010 is LexisNexis' Get Cases and Shepardize app, which is much less robust than Fastcase. Although it is free to download, one must already have an active

LexisNexis login to use it, and its functionality is limited to what's described in its name.

It allows one to pull up an opinion or Shepardize a case by citation so the chore of actually finding at least one relevant case must be completed before the app can even be used. The actual text of the opinion resembles what appears in LexisNexis, with the case summary, headnotes, and other familiar bells and whistles all present. Citations within the opinion are not hyperlinked, which means the user would have to copy and paste them back into the search box to pull their opinions. The Shepard's summary for each

case gives counts for positive analysis, negative analysis, etc., but not citations for



the actual cases falling into each of these categories. One is left to glean an overall impression from the counts LexisNexis offers without being able to examine the citing cases themselves.

U.S. Code

In the assignment given to my students, the topic of trade secrets also had to be researched on the federal level. Fastcase applies similar functionality to its *U.S. Code (U.S.C.)* as to its state codes, but the *U.S.C.* is also available through several other sources. A free app simply entitled “*U.S. Code*,” put out by lawyer/developer Shawn Bayern, actually downloads the entire text of the *U.S.C.* to one’s iPhone, making it searchable without Internet access or any signal (thereby winning my Best Functionality on an Airplane Award). It features the same sort of simple keyword search and browsing functions as Fastcase, as well as a separate “find by citation” function. It was relatively easy to find “Chapter 90: Protection of Trade Secrets” within Title 18 by browsing, though a simple

keyword search for “trade secrets” brought up more hits than desired. Users can also bookmark sections of the *U.S.C.* or e-mail it to themselves.

Developer Fitz Collings has taken a different approach, breaking the *U.S.C.* and *Code of Federal Regulations (C.F.R.)* down into its 50 titles and selling them each as individual apps. Each title of the *U.S.C.* or *C.F.R.* costs \$.99 but the functionality is basically the same as that on Bayern’s *U.S. Code* app. Unless one is trying to save space by storing one title instead of the entire *U.S.C.* on one’s device, there’s little reason to favor these over Bayern’s app.

Cliff Maier has made a bigger splash in the legal research app market by offering a few individual titles of the *U.S.C.* as apps, sometimes under the brand Waffle Turtle. He also offers selected sections of state codes and regulations, individual sets of rules (like the *Federal Rules of Evidence*), and similar apps on specialized areas of law. These tend to be even more expensive (Title 18 of the *U.S.C.* was \$8.99), but they are a

bit easier to use. Maier’s interfaces are not only cleaner, but the search function also allows simple Boolean operations. Meier’s apps feature the same browsing functions as the others, as well as bookmark and e-mail options. That wasn’t really enough to justify the price premium in this relatively easy-to-solve research question, but a user specializing in federal criminal practice might get his or her \$9 worth.

Since this was a relatively simple legal topic to research, I was fortunate to have a number of options. A question involving regulatory instead of statutory law would have been more difficult. Nevertheless, there are a growing number of ways to perform legal research on this particular line of smartphones, and new legal research tools are being released for these devices all the time. It won’t be long before my students can complete most of their homework for my class “on the go.” ■

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