



Finding Legal Analysis and Commentary on the Internet and Identifying the Best Authorities on the Web

Prepared by:
Mark Giangrande
DePaul University

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Finding Legal Analysis and Commentary on the Internet

No centralized edited free index exists for law review articles and other scholarly materials. The subscription/commercial alternatives include LegalTrac from Gale and the Index to Legal Periodicals and Books database from the H.W. Wilson Company, both of which may be accessible for use when visiting a law library. Use a free database such as Google Scholar to generate search results from relevant journals and books for materials that exist on the web.

Google Scholar will link to online items that are free and many that exist behind a pay wall. One of the advantages of Google Scholar is that it automatically limits search results to academic or scholarly materials. There are no results for general web material, commercial sites, and no ads. Free items should be available through the provided link. Content that requires payment for view will at least include a snippet from the results, a list of authors, a citation to the document, and a link to its source if purchasing the document is an option. That information means a researcher can find the document through other sources such as a law library. Scholarly items available via Google Books will appear in search results as well. Placing search terms in a title search tends to limit the number of results to a manageable number.

Law review associations are placing recent issues and creating archives of past issues with the full text of articles on their websites. Individual law review sites will place abstracts and summaries of articles on their sites at the very least. The trend and most desirable format for law review content are that available as PDF documents, though some sites make the text available as HTML formatted pages (or both). [Findlaw](#) has a comprehensive set of links to law reviews on the Internet. Another source is the [University Law Review Project](#). The American Bar Association has a page for [Free Full-Text Online Law Review/Journal Search](#).

Treatises are available in one form or another through search via [Google Books](#), and [Amazon](#). Microsoft had at one time a service called Windows Live Book Search, but the company abandoned its efforts around May of 2008. Any books Microsoft had scanned up to that time will appear as general search results via its search engine. The other remaining web services allow searching within the text of books, but due to copyright restrictions, the amount of a book the researcher may see is limited. Nonetheless, a researcher can identify relevant books accurately and locate print copies in local libraries.

Free legal encyclopedias on the web give the barest of overviews of legal issues compared to the thorough treatment in print encyclopedias from legal publishers. See [Legalview](#) as an example. Wikis however, offer potentially more substance on legal topics, though they usually go no further than somewhat detailed overviews. These sites still have value by helping to establish a context for the legal issue they cover. They are useful when determining how the law may be organized in unfamiliar areas.

Commentary from law firm sites and blogs

Law firms are now writing current awareness newsletters and making them available through their web sites. These can be valuable when looking for recent developments in law and litigation. They usually document significant legal developments along with references to very recent cases. Legal blogs fill the same role though they tend to be more casual in their coverage of the law. Many blogs are devoted to single and sometimes narrow topics. Most search engines have a separate blog search link. These search indexes tend to be updated within hours at a time for the most up-to-the moment search results. One advantage of researching through blogs is that they usually link to copies of very recent primary documents in postings about a legal development. [SCOTUSblog](#), for example covers developments at the U.S. Supreme Court.

Publicly Accessible Databases

There is a lot of information in government databases. Government units conduct studies, issue reports, and create any number of miscellaneous documents. These are made publically available for the most part on the sites of the agencies that created those documents. It is important to note that not every document an agency produces will be available in print or via the web. Parts of the content of these databases usually do not show up in search engine results.

Specific web sites, online indexes, and tools

Most (but not all) federal government documents are printed and distributed through the Government Printing Office. GPO has an extensive web site ([FDsys](#)) where document are organized by source and type. There is a searchable catalog for documents produced by the federal government with links to those that are online. Heavily accessed materials include the Federal Register, the Code of Federal Regulations, Presidential documents, and Congressional reports and hearings from 1995 to the present. Some material is unique to the FDsys, such as the electronic CFR. This site merges the current CFR with changes published in the Federal Register to within three days of current.

The Library of Congress manages the [Congress.gov](#) web site which tracks federal legislation and links to any associated documents related to bills and public laws. Comprehensive coverage began with the 104th Congress (1994-1995) though some archives such as the bill text extend coverage to the 1970s.

The [National Archives and Records Administration \(NARA\)](#) is the official repository for all of the government's legal and historical documents of significance. The Archive notes that this consists of 1% to 3% of the documents created in the course of business by the government. The site is useful because it contains databases that index the Archives

collection. The online collection is large but the site is most useful for historical documents produced by Congress and the executive branch. Documents identified in the index searches are usually *not* available online.

The government conducts research and regulates dangerous or health-threatening conditions across industries. Some of this research is stored in free public databases. Here are some examples:

- National Library of Medicine hosts [MEDLINE](#), which is an index to articles and other scholarship on medical and health topics.
- OSHA regulates industrial sites and offers listings of hazardous chemicals and other related material.
<https://www.osha.gov/SLTC/hazardoustoxicsubstances/hazards.html>
- The Consumer Product Safety Commission maintains a database of items recalled by manufacturers. <http://www.cpsc.gov/en/Recalls/Recalls-by-Product/>
- The Food and Drug Administration has databases of [medications](#) and [medical devices](#).
- The Commerce Department places current and historical census information online at [Census.gov](#). The department publishes the Statistical Abstract of the United States, which covers most aspects of business and society in the United States. http://www.census.gov/library/publications/time-series/statistical_abstracts.html (Note: The publication ceased in 2013 and was picked up by a commercial publisher for subsequent editions.)
- The [Bureau of Justice Statistics](#) publishes current and historical crime data for state and federal jurisdictions.

The FDsys web site has links to a large number of these databases in the [Browse Government Publications page](#). The list is substantive, but not necessarily comprehensive. Any number of agencies may have similar or additional databases for items within their responsibility.

Another way to search for government information is to use the central portal for the United States government, [USA.gov](#). The site is also known as FirstGov, its previous name when it first appeared online. The Reference Center and General Government page has links organized by general subject and then by sub-categories. Expect to browse several links deep before getting to usable information. Keyword search provides broad results for government information. Add the word “database” to a subject search to bring up relevant online collections.

Web sites for foreign law, international law, and treaties

Foreign and international law is available on the Internet with exceptions. Developed nations have placed a fair amount of law from all branches of government on official web sites. The free legal collections vary in types of documents online, the depth of the collection, and the time coverage. Language is an issue when researching foreign law. Not every foreign database contains English versions of documents. The European Union translates most of its documents into the several languages of the member states. Countries such as France, Brazil, China, and others serve documents mostly in their native languages. Translation features available in most search engines can help thought these translations are not authoritative.

Developing countries are represented on the web but may not have useful or substantial legal content pages. Print versions of codes may be available at selected libraries. Keep in mind that many libraries, even academic libraries, do not collect foreign law from all countries. Consequently, the options for locating text, even official text, of some law are limited.

[Hieros Gamos](#) has a comprehensive directory to [available online foreign law](#) organized by country. It links to government sites where available and to sites with commentary on the country.

The [Guide to Law Online – Nations](#) is provided by the Library of Congress. The Library lists nations in alphabetical order and keeps the list of available resources current.

The [World Legal Information Institute](#) is a joint project between national law institutes in several countries. It provides keyword search and directories organized by country.

Treaties are available via [Thomas with links to the full text](#). This includes treaties that are still pending. Note that Thomas is the predecessor site to Congress.gov. Thomas may disappear in favor of Congress.gov at some point. Some academic sites such as Yale's [Avalon Project](#) contain the full text of major historical treaties. Treaty research is a bit specialized, and a researcher should become familiar with how a treaty is negotiated and enters into force.

The process, at least in regard to the United States, produces very specific documents and very specific points in the process. In summary, the executive branch forwards a Treaty Document to the Senate, which refers it to the [Committee on Foreign Relations](#). That committee may hold a hearing on the treaty. At the very least it produces an Executive Report which recommends passage or not. The executive report may include conditions or understandings of interpretation should the treaty pass the Senate. As noted, these documents are available through Congress.gov.

WorldCat

WorldCat is a bibliographic database of library holdings for thousands of libraries throughout the world. WorldCat contains over 2 billion individual records of cataloged items in over 400 languages and a variety of formats. References to books, magazines, newspapers, maps, audio, video, and other materials collected by libraries are noted in WorldCat. It does not search the content of these materials, only their bibliographic descriptions. There are two versions of WorldCat. One is free located at <http://www.worldcat.org/>. The second version is usually available at online public access computers in most public and academic libraries. The major difference between the two is the interface. The version available in libraries offers more precise searching by expanding the number of access points to an item record. The public version, though, covers the most useful search fields for most general searches.

A central library catalog is useful because not everything is available on the Internet. Commentary from commercial sources is usually in proprietary databases that are either not indexed in a search engine, or require a subscription for access. WorldCat can not only identify relevant research materials, it can identify which libraries hold that material. The database also links to local catalogs when possible which helps to determine the location and status of an item within a collection.

WorldCat can be searched in Google, Yahoo!, and other search engines by adding the words "site:worldcatlibraries.org" or "find in a library" (include phrasing quote marks for the latter) along with other search terms. More information on searching and using WorldCat is on the links for pages called Other Ways of You Can Use WorldCat and About WorldCat. These are available through menus or links on the main WorldCat page.

The Wayback Machine and the Internet Archive

The Internet Archive is located at <http://www.archive.org>. It is an interesting and eclectic site for popular culture that is mostly in the public domain. One of the real gems on the site is the Wayback machine, named for the fictional time machine used by Mr. Peabody and Sherman (from the Rocky and Bullwinkle Show of the 1960s) to visit past times.

Type a URL in the search box under Web and you'll see a list of results with accessible snapshots of how that web site appeared at an earlier date. By the archive's count, the Wayback machine holds about 469 billion pages.

The utility of the site should be obvious. Should you need to find a page as it may have existed, the Wayback machine is the most comprehensive source for that ephemeral content. As noted earlier, some government sites may have featured documents or

other information that has since been deleted. The Wayback Machine is a strategy for locating the document, or at the very least, information about the document.

Identifying the “best” authorities on the web

The authority of the source of information is important in determining the accuracy of a document and its authenticity. The United States Supreme Court, for example, makes a number of its official bound reports, United States Reports, available as PDF files. By the Court’s own statement, should there be any possible conflict in the online text, the print version’s text is controlling. As these electronic copies are prepared by the Court’s staff and come from the Court’s own web site, they are considered highly reliable. Text of the same opinions from other sites may also be reliable depending on the source of the information.

Government information from government sites is as reliable as its print counterpart and usually more up to date. Third-party sites from universities or public societies that collect the same information tend to be reliable and generally well edited. The problem with this material is that, while accurate, it is not necessarily citable in a legal brief or memo. Information, whether or not it comes from the Internet, still needs a stable citation that is acceptable to a court. Many courts still do not cite to the Internet unless it is the only place the information is available, or as a convenience after an official cite is used.

Zimmerman’s Research Guides

Zimmerman’s is known among librarians as an authoritative set of links organized by topic to commentary and primary materials. Lexis liked it enough to bring the guide under its aegis, and even better, to keep the content free. Unfortunately, the site is not [defunct](#). The Internet Archive and the Wayback Machine with host the archived content. From the [ZRG Blog](#):

The [Internet Archive](#) will host archived editions of the Guide. To find the archived text, click [here](#) and put <http://law.lexisnexis.com/infopro/zimmermans> into the Wayback Machine.

Standard file formats and readers

Some note should be made of the general file formats for materials on the web. The most basic form of information is presented as standard text appearing on a web page. Documents may be available in .doc (or .docx) format, which requires Microsoft Word to open. The most desirable form of a document is PDF as it is nearly identical to its print counterpart. Adobe Acrobat Reader is a free program that displays and prints PDF files.

Legal information is taking new forms that have no standard print counterparts. Law schools and other academic sources are placing items such as PowerPoint presentations, webcasts or podcasts of lectures, speeches, seminar materials, or other educational events online. These aren't necessarily citable information but can retain value to a researcher by informing about aspects of a legal topic or law related social issue.

