LL.M.2.Sem.

RESEARCH. METHODOLOGY. CHAPTER.E- Legal Research and computerized Research.

By.Banshlochan.Prasad.

The preface to E-Law research makes it clear that the main aim of the book is to assist the researcher in using the various pieces of legal research software now available. This is both its strength and its weakness. The growth in online publishing by legal publishers has necessitated a book such as this. Access to materials published electronically by the main publishers such as Butterworths and Thompsons is still difficult for those unfamiliar with their products. Like their hardcopy predecessors, navigating your way around the materials is not a straight forward and intuitive process but one that requires some initial guidance.

requires some initial guidance. Surendra Dayal's book offers such guidance. It is cram filled with practical information presented in a step–by-step fashion. The volume of information however makes it slightly indigestible at one sitting and new users would be best to tackle the book chapter by chapter in conjunction with time spent in front of their PC's.

Each chapter includes useful practice exercises and a summary of research tasks covered. Appendices include software prompt sheets, and a (limited) listing of useful internet addresses.

E-Law research, however, is almost exclusively focussed on Australian resources. Moreover, the book is heavily weighted towards publishers products at the expense of information available freely via the internet. Although the author does clearly define the narrow scope of the guide the narrowness of her focus is not clearly represented in the title of the book and this I believe will be misleading to some.

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In a book professing to be a guide to electronic legal research, the poor coverage of free access internet materials is a major limitation. Perhaps the chapter on Eudora's messenger services software could be omitted in place of better coverage of the free access internet materials? As it stands this guide is primarily useful to those who are subscribers to the various publishers' products covered (Butterworths Online, LBC Online, Lexis-Nexis, Scaleplus, and Eudora). If you are not subscribing to these products however, as would be the case for the vast majority of users in the Pacific Islands, this book is not recommended.

Traditionally, legal research was accomplished manually using a law library, books, periodicals, indexes, and digests. Manual legal research offers some advantages over computer-assisted legal research. When conducting manual research, manual indexes are used that have typically been written by attorneys, librarians, or experts in indexing. These expert indexers can create more focused indexes that computer searching cannot. In addition, manual indexes include not only the exact words of the text that is being indexed but also synonyms, cross-references, summaries, and other analysis that can help the user find what they are looking for. For legal researchers inexperienced in a particular area of the law, manual research provides features that give insight into doctrine, concepts, and analysis that computer-assisted legal research does not.

Computer-assisted legal research (CALR) uses computers to research and retrieve legal information. These services contain the full text of federal and state cases, statutes, and legal periodicals. Once connected to a legal research service, they must select a database and then enter a search query. A search query instructs the information service to search a specific database (i.e., cases, statutes, or documents) for the occurrence of certain words and combinations of words. The information service then retrieves all cases and documents that meet the request.

Two of the most common computer-assisted legal research service providers are WESTLAW and LexisNexis - both fee based user services. In WESTLAW and LexisNexis, users can either search the full text of documents (bypassing indexes or digests) or use headnotes (an indexing/digesting system). Cite checking can also be done using CALR methods. Cite checking means checking to see that a case or statute

checking means checking to see that a case or statute is still "good law" and that the decision or law has not been overturned or repealed. One of the advantages of CALR is that new cases usually are entered within hours or days of being handed down or decided.

While CALR can be faster, more convenient and less expensive than manual research, it is important to note that some studes have shown that when legal researchers use computer-assisted legal research, they have only retrieved 20-25% of the relevant material. In most circumstances, the best quality of legal research is accomplished by using a combination of manual and computer-assisted legal research methods.

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