

Alexander Campbell King Law Library

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Internet Research Methodology

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Introduction

Certainly the Internet has revolutionized our perception of information and information access. Information is everywhere on the Internet, existing in large quantities and continuously being created and revised. Finding information on the Internet has been described as drinking from a fire hose. As lawyers, how can we assess how much and what type of reliable information is available on the Internet for legal research?

Debunking the Myth: Is Everything Available on the Internet?

Basically, everyone knows the pros and cons connected with Lexis, Westlaw, CD-ROMS, and book research. If you can afford it (and, with books, fit it in your office) you can access virtually everything needed for thorough, reliable, up to date legal research using almost any combination of these resources. Right now, the Internet does NOT provide a reasonable alternative for all types of legal research. Because of copyright, costs and many other reasons, not everything is on the Internet. There are, however, many good Internet legal resources that are searchable and easy to use. Federal and state governments are increasingly relying on the Internet to provide information. However, it is simply impossible to access on the Internet all of the materials necessary for all legal research projects. I find that the Internet is particularly helpful for finding specific or discrete pieces of information but not always as reliable when I'm trying to conduct in-depth case law research. The Internet is particularly useful for finding current information and historical information. You can very easily find the text of the Declaration of the Independence or the latest bill proposed in the Georgia Assembly. It is much more difficult to try to find something in between the two ends of the spectrum. Many

materials written before the 1980s have not migrated to the Internet. And sometimes, the Internet is the only place where you will find some primary materials, for instance, lower court/trial level decisions (U.S. District Court decisions not yet published or that will never be published in the Federal Supplement).

One of the most important tasks of this Internet Legal Research CLE is to inform you of exactly what types of major legal resources you can expect to find on the Internet and to equip you with the skills to evaluate the information that you do find on the Internet.

Assessing the Quality of Legal Information on the Internet

Who coined the phrase “*Question Authority!*”? Look at five or six different web sites and you might get six or eight different answers. Honestly. The quote has been attributed to Timothy Leary, Socrates, Unitarian Universalists and even a bumper sticker.

The Internet is perhaps the ultimate vanity press. Anyone can publish anything. Few costs are incurred and little expertise is required. Unlike traditional print resources, even web resources sponsored by reputable organizations rarely have editors or fact-checkers. Currently, no web standards exist to ensure accuracy, and there is no organized system of peer review for sites in most disciplines. Consequently, each individual user of Internet resources must assume responsibility for ensuring the authenticity, accuracy, currency, and completeness of information obtained from Internet sources. I am not suggesting that you cannot rely on legal information that you find on the Internet. I am also not suggesting that you must spend a substantial amount of time evaluating of every web site that you visit. I am suggesting that you must always remain alert and assess the quality of legal information that you locate on the Internet.

When conducting Internet legal research, one of the first questions you should ask yourself is: Am I in the right place? If you are searching for cases, you should be at the web site for the court that originally published the opinions. If you are searching for statutes, go to the web site for the state or federal legislature. Do not use secondary sources for material that is readily available online from the actual source. If you are not searching a web site that is the authoritative source for the information you are seeking, you must assess the authenticity, accuracy, currency, and completeness of information you have located.

Authenticity

To judge a web site's authenticity, you must judge its credibility, reliability or believability. In accessing the authenticity of information on an Internet site, you must often employ extensive investigation skills to locate information about the source of information. The first step is to read any site documentation that you can find. To locate site documentation:

- Look under links with titles like "More about us", or "About this site."
- Go to the home page of the site sponsor if the documentation is not evident on the page you enter the site.
- If you cannot determine the author or publisher of a site, you can always try to examine the html code of a web site to look for clues about its development. This method is similar to REVEAL CODES in WordPerfect. In both Netscape and Internet Explorer, under the VIEW pulldown menu there is an option for web page's SOURCE. Oftentimes an author or web develop's identity will be revealed in the source of the document.

- If you cannot determine the author or publisher of a site, examine the structure of the web address. Many web addresses are readily identifiable by their extensions. For example: gov = government, edu = educational institution, org = nonprofit organization, com = commercial organization. Similarly a web address with a tilde (~) is primary evidence that the web page is an unofficial, unauthorized or personal page.

Once you find documentation or clues about a web site's origin, there are a number of useful questions to ask:

- Who is the author and publisher of the site? What are the credentials of the author and publisher of the site? What gives the author the "authority" to write?
- Does the author provide an email address, snail mail address, telephone number , a mailto: link or other contact information ?
- Is there a statement of authority included in the site's documentation?
- Does a government entity, a university, a legal institution, a law firm, an attorney, a party to a pending case, a private vendor, or an individual sponsor the site?
- What are the sources of the data provided? Who provided it and in what format?
- Does the site documentation include some sort of guarantee of content authenticity?
- Is there a stated criterion for inclusion of information?

Accuracy

In trying to determine the accuracy of information provided on an Internet site, you will of course apply much of the same scrutiny that helps you ascertain authenticity. You want to access the authority of the author or creator of the site. Ask yourself:

- Do you recognize the name of the publisher or author? If not, does the publisher provide verifiable evidence of its competency?
- Are there citations to other published works, a corporate profile, and information about editorial standards?
- If you have never heard of the author, does she supply an autobiography or curriculum vita containing verifiable evidence of her authority on the subject?
- Examine the names of individuals or groups responsible for information supplied by the site. A credits and conditions statement might offer this information.

In assessing the accuracy of information, you must always try to determine the **objectivity** of the source. Information pretending to objectivity but possessing a hidden agenda of persuasion or a hidden bias is among the most common kind of information in our culture. Although lack of objectivity does not necessarily mean a source provides substandard information, you must always beware of partiality. Try to locate and read the source's purpose statement. Take into consideration the appearance of advertisements touting the site or other means of persuasion. Try to judge the extent, if any, of editorial enhancements. Try to identify the reason the web site was created. Is the main purpose is to inform, to persuade, or to sell you something? And here is an important, if difficult, question to ask: What is not being said?

If you are familiar with print sources that supply related information, ask yourself how the Internet site compares with those sources. Try to determine if the content of the Internet site is as reliable as its printed counterpart.

Check for errors or omissions in the documents. Look for misspellings and grammatical errors. If you spot more than a few typos on a web site you should be very skeptical. An occasional split infinitive or comma in the wrong place is not unusual, but more than two or three spelling or grammar errors is cause for caution. Visit links provided on the web site to see if they are current, relevant and accurate. If you revisit a site, try to remember to check the stability of the information provided.

Finally, and most important, **verify** all information on which you choose to rely. If you are unsure of the accuracy of data you have located, attempt to find the same data on a reputable web site.

Currency

Information can be timeless (for example Aristotle or Plato) or timely (for example, the latest biogenetics development). You must first decide if timeliness or currency is relevant to your research. Old information is not necessarily bad. However, in general, timeliness is very important for more aspects of legal research.

One particular value of all online information sources is that they can be continuously updated much easier than traditional research sources. However, just because such updating is possible, does not mean that it is done. When you visit a site, look to ascertain the source's creation and revision dates. Very often each individual page of a site will have a

creation/revision date or copyright date beneath titles or at the bottom of the page. If the site has been revised, see if you can determine what the author/publisher modified. Try to determine if the resources are maintained and how often they are updated. Many sites provide a currency declaration which details updating schedules or at least articulates the site manager's commitment to ongoing maintenance and stability. Always record the date on which you review information from an Internet source. This is important to include when citing to Internet resources because of their transitory nature.

Completeness

When you obtain information from an Internet source always question its comprehensiveness or coverage. One of the biggest disadvantages of Internet legal research resources is the lack of comprehensiveness. The most comprehensive primary legal research materials available are the U.S. Supreme Court decisions and unannotated federal and state statutes. There is no free comprehensive Internet database of the remaining federal court decisions or any state court decisions.

Many sites provide only "selected" data. Be aware of this and look for statements that give clues of this. In addition, review a site carefully for an indication of the dates it claims to cover. Once again, if you are familiar with print sources for the same information, it is a good idea to compare the coverage of an Internet site with that of the print source.

Conclusion

Always bring your skills of critical judgment with you when you visit Internet sites. There is a great deal of valuable, reliable information online; however, there is also a lot of junk. Try to develop an approach to research using the Internet. Become familiar with a few sites and search engines - it is always good to know what web site you'd like to begin your search with, and if that site doesn't hold an answer to your question, what search engine to use to find relevant sites.