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Good, Bad and Ugly: Finding Intelligence Online

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Good, Bad and Ugly: Finding Intelligence Online

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Internet Legal Research CLE
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Introduction

Searching for information about people and businesses ranges from beguilingly simple to exceedingly frustrating. Search engines are wonderfully powerful tools, but the vast web makes it difficult to glean quickly the relevant and valuable bits from the unrelated clutter. A better title for this paper might have been “the good, the bad, and hope that you’re lucky.”

Investigative Intelligence for Your Clients

While investigators are aided by the still-trending fascination of people with many social media sites and the still-improving search engine algorithms, two other trends compete to reduce the likelihood of successful online searches. First, general concerns about privacy, identity theft, and business client poaching are making some people, firms, and legislatures more protective about personal and business information. Second, entrepreneurs increasingly are monetizing pockets of the public information market, making these bits harder to find.

Finding Contact Information for People

If you only need to find contact information, the best starting points are free telephone directory databases. These sites rely on a mix of public records, commercial sources, and publicly-available information (both online and off-line). Since they rely partially on business records and account billings, some of the information can be very dated. Also, individuals can remove listings easily so be prepared for failed searches. Another caution is to beware of any cell phone directories promoted online. By default, mobile phone numbers are not publically available. Would-be providers won't have access to resources beyond general search engine searches and social media sites.

Social media sites are another great starting point for finding people. After all, a principle goal of social media is to facilitate connections and sharing, so the most successful sites have excellent tools for finding people and companies. Furthermore, according to a Pew Research Center study, nearly 65% of all adults in the United States have social media accounts, and the number increases with socioeconomic status and educational attainment to 76% for college graduates and 78% for households earning more than \$75K.¹

- **Zaba Search-** Premium service is free, but requires a log-in through a Facebook account. Does not consolidate information into one database but rather collects it from multiple sources so harder to remove a profile (set up a “block”).
<http://zabasearch.com>
- **Anywho, YP People Search, White Pages-** Anywho and YP are part of the Intelius, Inc. databases. White Pages is a separate group. All offer only basic contact information for free but are quick and easy to use.
<http://anywho.com> & <http://people.yellowpages.com/whitepages>
<http://yellowpagesgoesgreen.com/whitepages>
- **Infobel-** Born from files of traditional print and CD-ROM phone directories in Europe. Continues to expand and includes directories for over 200 countries.
<http://www.infobel.com>
- **Social Searcher-** Performs aggregated searches of social media sites, however the results lists can be very overwhelming and are displayed without reference to specific social media site or an attempt to group similar profiles. Once you find someone, though, you can set up alerts to track changes.
<https://www.social-searcher.com/>
- **County Property Tax Rolls-** No consolidated state-wide search capability, so only efficient if county of residence is known and if the location is not a rental property. <http://gaassessors.com/>
- **LexisAccurint and Westlaw PeopleMap.** Both of these subscription services provide investigative research tools for finding people through public and publically-available records.
<http://www.lexisnexis.com/en-us/products/accurint-for-legal->

¹ Andrew Perrin. “Social Networking Usage: 2005-2015.” Pew Research Center. October 8, 2015. Available at: <http://www.pewinternet.org/2015/10/08/2015/Social-Networking-Usage-2005-2015/> [Accessed: December 14, 2016].

[professionals.page](#) & <http://legalsolutions.thomsonreuters.com/law-products/westlaw-legal-research/peoplemap>

- **TLO for Legal Professional-** Offers services tailored to the legal professional that are a reasonable alternative to hiring investigative services to perform basic investigative research. TLO provides basic contact information for difficult to find people, including all past emails and address. <https://tlo.com/legal-professionals/>

Confirming Birth, Death, and Marriages

The ability to order official certificates varies by jurisdiction and by record type, but one constant remains: if a record is not available through a state-supported site, it is not available electronically. No commercial site will be able to deliver beyond what each state allows so do not pay to repeat your search. Genealogical sites and local news outlets offer excellent resources in cases in which one need only verify a birth or death or uncover the dates without an official certificate. For recent events, general search engine searches should be a first check.

- **VitalChek-** A LexisNexis company that provides vital record online services to qualified parties for less than \$50 (contains records for every state but Wyoming). <https://www.vitalchek.com/>
- **Ancestry.com-** Among other genealogical tools, Ancestry offers access to the *Social Security Death Index, 1935-2014* openly without the need for subscription. <http://search.ancestry.com/search/db.aspx?dbid=3693>
- **National Obituary Archive-** Compiled by funeral directors, news organizations and the Social Security Administration, 2000-present. <http://www.nationalobituaryarchive.com>
- **General internet searches-** All major search engines crawl local newspapers online and their fuzzy-logic searching accommodates variation in names. <https://google.com> & <https://bing.com>
- **Social media sites & Social Searcher-** Noteworthy events might be documented by participants and other interested parties with photographs and commentaries. <https://www.facebook.com/> & <https://www.linkedin.com/> & <https://twitter.com/> & <https://www.social-searcher.com/>

Finding Business Information about People

Professional associations and specific offices within the executive branches of state governments administer professional licensing. In Georgia, the Secretary of State compiles professional licensing permits and the UCC filings of corporations. Other states also provide free basic search capabilities to their database and some fee-based versions with improved functionality. Be aware that many states will charge a fee for access to pdfs of documents.

- **Georgia Secretary of State-** This office grants professional licenses in Georgia and provides a platform to run searches by name or professional area. <http://verify.sos.ga.gov/verification/>
- **Georgia Bar Directory-** Most state bar associations offer open-access member directories with expanded search capabilities. The Georgia Bar has an especially good one that allows searching by personal name, by firm, and by city. Profiles include details of bar actions and resolutions. <https://www.gabar.org/membership/membersearch.cfm>
- **BRB Publication, Inc. State Occupational Licensing Boards-** A portal of occupational licensing boards for over 8,000 job titles and businesses. <https://www.brpublications.com/freeresources/pubrecsitesOccStates.aspx>
- **Hoovers People Search-** Provides links to find business executives across the United States in one search. Basic search to retrieve a person's position and company is free. Other services are available to subscribers. <http://www.hoovers.com/>
- **GISearch-** A networking site for servicemen and women, who voluntarily create profiles for themselves. <http://gisearch.com/>

Finding Prior Litigation and Bankruptcies

Attorneys can use familiar online resources such as Fastcase, WestlawNext and LexisAdvance to find litigants in civil cases at the state appellate and federal levels. Georgia Bar members have free access to the current documents for federal bankruptcy courts in every state through Fastcase. Online access to local courts in the southeastern

United States, however, is simply not available in any aggregators although some individual courts do host dockets on their websites.

- **Fastcase-** Access available with membership to the Georgia Bar Association. Pulls together primary law from as many state and federal courts along with news archives searchable into one integrated database. <http://www.fastcase.com/>
- **FindLaw for Legal Professionals-** An open-access tool available for federal courts, including bankruptcy courts, and for state supreme courts and courts of appeals. <http://lp.findlaw.com/>

Checking for Criminal Records

Drawing a complete picture of legal encounters of individuals remains challenging. Be prepared to pay for access to these files whether in dollars or in hours. From the perspective of convenience and full disclosure, it would be quite a boon if the suite of tools known collectively as the National Crime Information Center (NCIC) were to be opened for general searching. However, the NCIC remains exclusively an asset for law enforcement and criminal justice agencies and under tightly-controlled conditions to other government officials.²

Attorneys directly involved in cases are entitled to access criminal histories of parties in an action. In criminal cases, remember that *OCGA 35-3-34(a)(2)* permits an attorney to obtain criminal history records for a client, other defendant, or witness. In civil cases, counsel may view felony conviction criminal history.

- **Federal Bureau of Prisons Inmate Locator-** Contains records of people who have been incarcerated in a federal prison since 1982. <http://www.bop.gov/inmateloc/>
- **Dru Sjodin National Sex Offender Public Website-** A free national database of people convicted of sex offenses since 1996. Searches require

² Federal Bureau of Investigation. "National Crime Information Center." <https://www.fbi.gov/about-us/cjis/ncic> [Accessed December 16, 2016].

exact match on first and last name, so it is important to know the name used in the criminal record for reliable results. Reports include photographs of the person as well as charge information, current residence, vehicle make/model/license plate, and location of current place of employment.

<http://nsopw.gov/>

- **Georgia Felon Search-** Offers the most comprehensive but pricey state-wide tool. Relies on the Georgia Federal Bureau of Investigation Crime Information Center data. Each search, even unsuccessful ones, incur a charge of \$15, and each record viewed from the results adds to the tab. One can very quickly amass quite a bill if the query data doesn't exactly match the name on file. The reports typically include known aliases, photographs, all Georgia arrests, all court depositions, and all sentences.
<http://gta.georgia.gov/georgia-felon-search>
- **Georgia Department of Corrections Offender Query-** Offers a generous advanced search interface that retrieves partial matches in results. Searches can retrieve all offenders convicted in a given county or of a given offense, allowing users to skim through a list of all names and photographs. The records also include a list of all prior sentences and incarceration history and a photograph. The site does not publish records of offenders that were convicted and completed their sentence under Georgia's First Offender act.
<http://www.dcor.state.ga.us/GDC/OffenderQuery/jsp/OffQryForm.jsp>

Finding an Expert Witness

The perceived drama around medical and forensic science makes for popular entertainment in movies and television. Given the enigmatic and sometimes subjective nature of this evolving field, the careful selection of authoritative and compelling experts is an important part of a negotiation or trial. A recent study quantitatively indicates that expert witnesses and their testimonies can tip a verdict, judgment or settlement.³

- **Google Scholar-** A quick and robust, but not comprehensive search, for scholarly articles, books, and case law to find out what an expert has written or said in the past and how to prepare your own expert witness.
<https://scholar.google.com/>
- **National Clearinghouse for Science, Technology & the Law (NCSTL)-** Brings together resources for members of the legal and scientific communities to

³ Koehler, Jonathan J.; Schweitzer, N. J.; Saks, Michael J.; McQuiston, Dawn E. Psychology, Public Policy, and Law, Vol 22(4), Nov 2016, 401-413.

better understand forensic science. Includes directories for and general guidance on selecting and confronting expert witnesses.

<http://www.ncstl.org/education/Digging%20Up%20Dirt%20for%20Experts>

- **ALMExperts-** A promotional tool in which experts purchase levels of exposure (similar to a yellow page ad). Includes hundreds of subject area specialties and a convenient state filter <http://www.almexperts.com/>
- **WestlawNext Expert Materials-** A subscription-based suite of tools to find expert witnesses by expertise, jurisdiction, and trial experience. Includes trial transcripts, and affidavits, and depositions with flags for any negative treatment. <http://legalsolutions.thomsonreuters.com/law-products/westlaw-legal-research/litigator/profiler>
- **LexisNexis Expert Research-** A subscription-based suite of tools that includes ALMExperts and JurisPro directories along with Expert Witness Verdicts and Settlements, a database of case summaries since 1981, searchable by expert witness. <http://www.lexisnexis.com/en-us/products/expert-research-on-demand.page>

Finding Information about a Property or Area

Geographic Information Systems (GIS) are revolutionizing the amount of detail available from a laptop for any particular physical location. Partnerships between NASA and other major scientific organizations in industries from agriculture to transportation are mounting web-based tools to explore and monitor our world. Tools, like GoogleEarth, have revolutionized the way we can see the planet, although they are not a substitute for making the drive to see current, actual views. Government agencies, like the Bureau of Census and the Center for Disease Control, have also made available huge databases of aggregate information about affluence, health and general wellness of the population of an area.

- **Google Earth-** Birds-eye and street view of locations around the world updated every one to three years. <https://www.google.com/earth/>
- **Google Earth Engine-** Contains extensive satellite imagery and time-lapsed video of the Earth from the mid-1980s to present for tracking major population

and landscapes trends and environmental changes.

<https://earthengine.google.com/timelapse/>

- **NETR Online-** Offers a powerful portal with links to tax assessors'/collectors' site in each state, county clerks' offices, real estate information, environmental data, and historical aerial photographs. The environmental files enable users to see known environmental hazards within a specified radius of an address. The aerial photographs cover roughly a fifty-year span (1960s to 2013). The free viewing images are obscured but readable and clean versions are available for purchase. <http://publicrecords.netronline.com>
- **Center for Disease Control National Center for Health Statistics-** Consolidates various health statistics datasets that might be of interest in reviewing general wellness characteristics of inhabitants of a region or of a segments of the population. <http://www.cdc.gov/nchs/w2w.htm>
- **Bureau of Labor and Statistics Occupational Employment Statistics-** Compiles general standard of living statistics and market saturation data across the United States. Researchers may limit to specific cities or metropolitan areas (including four regional "nonmetropolitan" areas in Georgia), but the data is at least one year behind, updated each May. <http://www.bls.gov/oes/>
- **Census Data-** Provides an array of demographic data for tailored regions in the United States. In addition to exportable raw data, researchers may create well-formed informational graphics of target data that may be shared or embedded into web-based documents (under "Visualizations" and "Census Explorer"). <http://www.census.gov/>

Finding Information on a Business

As public entities, businesses have a life of their own. Some of it well controlled by their leaders and some of it beyond the leaders' influence. When developing an impression of a business, researchers should explore both the internally-propagated view, as found in a corporate website, and the broader reputation, as found in the news articles and commentary of outside parties.

- **Company websites & Internet Archive Wayback Machine-** Combining these sources provide current and past iterations of a website which might be indicative of change in focus, growth or retrenchment. <https://archive.org/web/>

- **Social media-** LinkedIn, in particular, is a networking site for professionals to discuss and post business-related experiences, but all social media sites have the potential for discussions of personal interactions with a business.
<https://linkedin.com/>
- **Bloomberg.com-** Provides market and business news stories and analysis updated continuously. Businessweek section combines a lot of general reporting on major corporations and global business trends. The Markets section tracks volatility and enables users to set up watch lists for stocks.
<https://www.bloomberg.com/>
- **EDGAR (US Securities and Exchange Commission)-**Contains more than 20 million filings, including annual reports and executive compensation, from 1994 to the present for public companies. Persons holding more than 5% interest in a company must also submit searchable documents.
<http://www.sec.gov.edgar.searchedgar/companysearch.html>
- **Better Business Bureau-** Rates businesses based on several criteria, including number of complaints, responses to complaints, and length in business. Provides basic information about a business along with any customer reviews and customer complaints. <https://www.bbb.org/>
- **Georgia Secretary of State-** The Secretary of State's Office also tracks annual corporate filings. Each corporation or LLC must renew its registration between January and April each year.
<https://georgia.gov/agencies/georgia-secretary-state>
- **BloombergLaw-** The subscription-based relative of Bloomberg.com. Build searches for type of companies, based on facets like industry, state of domicile, and various financial indicators. Also provides tools for tracking mergers and acquisitions and other major corporate transactions by industry, firm, and deal size. <https://www.bloomberglaw.com/>

Competitive and Business Intelligence for Your Practice

Moving from the work done to assist clients (investigative intelligence) to the work done to grow one's practice, this second section addresses how to manage your practice as the business it is. Competitive intelligence is purposeful and actionable information to advise strategic decision making. It involves question like, what are the best business practices that others are using, which clients do they serve, or which geographic and specialty areas do they serve? Common types of competitive intelligence projects at law

firms include biographical backgrounds and relationship profiles of prospective and current clients or hires, as well as industry or company profiles and their reputation histories.

Another key facet of strategic planning is “business intelligence,” which deemphasizes the practices of other professionals and asks what the potential client pool wants or needs. In law firms, common business intelligence projects are solicitations to clients to comment on quality and suitability services rendered and on assessment of the business relationship. It is also the review of business growth potential in a given market (defined by geography or specialization niche), and the internal monitoring of practice area successes and challenges. The emphasis is on learning from those people for whom the work is or will be done—and by whom the bills are paid. After all, maybe everyone else is doing this work inefficiently.

Finding Attorneys and Tracking Other Firms

In traditional competitive intelligence the prognosis would be to subscribe to industry blogs, read the major newsletters and magazines, and set up alerts on the web sites for key competitors. Search engines got very good at helping users set up these alerts and forward emails directly to investigators when a new post appeared, a new article of interest was published, or a firm updated its site. To avoid too much clutter, recipients must be vigilant and critically assess the posts that roll in and not over-subscribe to too many blogs or create too many broad alerts.

- **Competitive Intelligence—A Selective Resource Guide-** Contains listings of key industry news aggregators, newsletters, and blogs for anyone interested in setting up RSS streams directly into a blog reader or email account. <http://www.llrx.com/2015/12/competitive-intelligence-a-selective-resource-guide/#more-1035>

- **Company websites & Internet Archive Wayback Machine-** Many firms market their services and expertise online. The details the firm provides and how it promotes itself can be informative. The Internet Archive provides a way to view past versions of a website. <https://archive.org/web/>
- **Local news outlets-** Local and national newspapers provide archives that can be searched for press coverage. For searches requiring a broad scope (beyond the legal profession), researchers can start with a search engine “news” search for wider perspective and coverage (geographic, philosophical, and temporal, etc.).
- **General internet searches-** For situations when no resources are obvious, a general search can help provide some initial guidance and lead to better tools. <https://google.com> & <https://bing.com>
 - **Alerts-** When useful sites are found and will remain relevant, researchers should create email alerts to track any updates to a webpage (VisualPing.io) or to run automatic, periodic search engine queries for specific terms (Google & Bing Alerts live under “News” tabs).
 - **Advanced searches-** When confronted with a large site, use any “search in site” boxes (usually in top right) or run a search engine query limited by specific domain.
- **Martindale.com-** The digital descendant of the major directory of attorneys for over a hundred years. Martindale.com tracks data points, like firm size, practice area, geographic area, alma mater, year of graduation, and professional memberships for over one million professionals. The content is optional and self-reported. Individual profiles can be emailed and shared, but full results lists cannot be exported. <http://www.martindale.com/>
- **Westlaw Profiler-** In addition to the powerful searching of legal professionals, it has the ability to export parts of the data in Excel or csv. Provides courtroom analytics and direct links to cases of interest. Permits command line search queries for more complex search strings. <http://legalsolutions.thomsonreuters.com/law-products/westlaw-legal-research/litigator/profiler>
- **Mention-** A subscription-based upscale version of Google Alerts with analytics and a focus on social media conversations about the firm or person. <http://Mention.com>
- **Bloomberg Law Business Intelligence-** Although currently in beta, this tool enables users to create a watch list of companies, industries or people of interest that will track news and deliver it automatically to a dashboard for quick review. The suite of tools also includes litigation analytics, providing of five-year snapshot of major clients and case types. https://www.bloomberglaw.com/product/blaw/business_intelligence_center/

- **ALM Legal Intelligence-** ALM has been a major news publisher in the legal arena, producing such titles as *American Lawyer*, *Inside Counsel*, and *National Law Journal*). It provides data on largest law firms (AmLaw 100/200 and NLJ 350) and curates articles from national experts who contribute to its publications. Provides robust reports on individuals and firms with analysis and rankings of professional interest. Older stories are archived in LexisNexis. <https://www.almlegalintel.com/>

Analyzing Court Trends

Courtroom analytics have really taken off this year, with a variety of ways to prepare for judges and opposing counsel in state and federal courts. These tools tout the ability of past practices to predict future outcomes.

- **RAVEL Law-** This suite of products distills big data of courtroom practices into accessible findings and informative graphics. Includes: Court Analytics (“what makes each court unique”), Judge Analytics (“how judges think, write, and rule”), and Case Analytics (“focus on the language” of Law). Offers a seven-day free trial of each of its three subscription products <http://ravellaw.com/products/>
- **LexisAdvance’s Litigation Profile Suite and Westlaw’s Jury Verdicts-** Provide easy access to awards and decisions with charts and extensive details about counsel, judges, experts, and parties all hyperlinked to related cases. <http://www.lexisnexis.com/en-us/products/lexisnexis-profile-suite.page> & <http://legalsolutions.thomsonreuters.com/law-products/westlaw-legal-research/litigator/jury-verdicts>
- **Oyez-** provides transcripts and analysis of cases and general news at the United States Supreme Court. <https://www.oyez.org/cases/2016>

Monitoring Potential Legislative & Regulatory Impacts

Attorneys can stay abreast of the current legislative and regulatory landscape to anticipate changes and appropriately advise clients through a variety of freely available sources. The free tools can push breaking news to the user but leave the analysis to the recipient. For broader analysis and interpretation, attorneys can consult legal blogs and fee-based services like BloombergLaw.

- **Georgia General Assembly-** Viewers can review the legislative calendar and track floor debates and progress of proposed legislation.
 - Bill tracking- <http://www.legis.ga.gov/Legislation/en-US/Search.aspx>
 - Daily reports- <http://www.house.ga.gov/mediaServices/en-US/LegislativeReports.aspx>
- **United States Congress-**
 - Active Legislation (for both Chambers)- arranges bills by popular title and by subject area as well as bill number to facilitate tracking http://www.senate.gov/legislative/active_leg_page.htm
 - Congress.gov- find bills and treaties, and executive communications and set up email alerts to come directly to you when actions are made <https://www.congress.gov/quick-search/legislation>
- **Bloomberg Government-** A major area of interest within the BloombergLaw's subscription-based resources for monitoring actions of federal contract award, legislatures, and federal regulatory agencies. <https://about.bgov.com/>

Scouting for Potential Clients & Markets

Growing the client-base can be an individual person-to-person process or a major shift to a new area of practice or geographical region. Not everyone has a natural knack for being a rainmaker, but several tools exist to assist in portfolio building. Monitoring local news for major events and general networking efforts can help in identifying potential for relatively small-scale growth. For larger strategic decisions about whether to enter a new practice area market or how to anticipate needs of existing and future industries in a geographic area, a firm can consult larger aggregator databases.

- **Local news outlet sites-** Local and national newspapers provide online editions and archives that can provide historical background for trend-spotting and track current events and people of interest.
- **Census Business Builder-** A new free resource, released in 2016. Helps small businesses create market data reports. If you are mobile or thinking of expanding your office, this could elucidate key socio-economic factors and market saturation of a geographic area. <https://cbb.census.gov/sbe/#>
- **EDGAR-** Contains more than 20 million filings, including annual reports and executive compensation, from 1994 to the present for public companies. Persons

holding more than 5% interest in a company must also submit searchable documents. <http://www.sec.gov/edgar/searchedgar/companysearch.html>

- **Manzama-** A subscription-based tool that helps firms identify trends and find key predictors for the markets and industry in order to better anticipate potential clients and develop client relationships. <http://manzama.com/>
- **Monitor Suite-** A Thomson Reuters subscription-based tool geared to help firms zero in on legal trends of importance and on potential clients in a given practice area. <http://legalsolutions.thomsonreuters.com/law-products/solutions/monitor-suite>
- **Bloomberg Law Business Intelligence-** Although currently in beta, this tool enables users to create a watch list of law firms, companies or industries to track news and deliver it automatically to a dashboard for quick review. The suite of tools also includes litigation analytics, providing of five-year snapshot of litigation history by law firm or by client. https://www.bloomberglaw.com/product/blaw/business_intelligence_center/

Soliciting Comments from Current Clients

Cultivating the customer experience is important in any field that relies on repeat business. Frankly, it's better to have your business associates feel empowered to comment directly to you rather than vent on social media. Popular online survey tools make it easier to ask for and compile comments from clients, but be prepared to spend extra time developing and honing the questions to facilitate actionable and constructive comments. These tools help with the collection, but being successful also requires a commitment to read and follow-up on the feedback—the good and the bad.

- **SurveyMonkey-** Offers several levels of pricing, including a basic, free service. Provides users with many example surveys and templates to help jump-start the process. <https://www.surveymonkey.com/>
- **Qualtrics-** Offers several levels of pricing, including a basic, free service. The site provides a lot of tips and research on the benefits of customer feedback loops. <https://www.qualtrics.com/>

Conclusion

For investigative research, the internet is a helpful tool, but it is not a perfect or a complete toolkit. For a variety of reasons, not all types of questions can be found, and not all people or businesses have significant digital footprints. Social media sites, public databases, and search engines facilitate the kinds and success of research possible online. However, it remains important to know which tools offer what types of information and any limitations in accuracy and currency.