Current Trends in Research & Instruction
Spring 2013

LRC Reference Desk:
(619) 260-4612
lrcrefer@sandiego.edu
• Instructional & Research Support

• WestlawNext, Lexis Advance, Bloomberg Law

• The Bluebook Online

• Institutional Repositories for Faculty Scholarship
Instructional & Research Support

- **Research Assistant training**
  - Sunday, April 21 (1 p.m. - 4 p.m.)
  - How to find materials at the LRC and elsewhere
  - Researching cases & journals
  - Subject-specific materials

- **Research trainings for your paper classes**
  - Tailored to the needs of your students
What we will cover: sample training

- Finding items in the LRC’s collection and beyond
- Find journal articles: legal & non-legal
- Legislative & regulatory law research
- Statistics & Company Financials
- Citation styles
Flipping the Classroom

• Homework / classroom paradigm is “flipped”

• Students watch online lectures at home & do homework in class
Benefits of Classroom Flipping

- Increases class-time
- Professors can correct misunderstandings
- Students can go at their own pace
- Promotes active learning & collaboration
• **How 'Flipping' the Classroom Can Improve the Traditional Lecture**, Chronicle of Higher Education, Feb. 19, 2012

• **Gathering Evidence that Flipping the Classroom can Enhance Learning Outcomes**, EmergingEdTech, Mar. 10, 2013

• Jon Bergman & Aaron Sams, *Flip Your Classroom: Reach Every Student in Every Class Every Day* (ISTE 2012)

• **How to Teach a Blended (Hybrid) Course**, Norman M. Garland (CALIcon 2012)

https://flash.sandiego.edu:8443/ess/pres/ListPresentations.html
• **Our results:** students were engaged, & so were we!

• **Contact us!**
Overview of 3 New Legal Research Platforms

BloombergLaw, Lexis Advance, & WestlawNext
Registration

Not a law school user? Please click here.

Activation Code
What's this?
If you do not have an activation code skip this section.

First name: [ ]
Last name: [ ]
Phone number: [ ]
Law school email address: [ ]
Please re-type email address: [ ]
What law school do you work for or attend?
Select one
Which of the following best describes your current role?
Select one

Read the terms and conditions here.

I agree with the terms and conditions

Type the two words:

[ ]
[ ]
[ ]
[ ]
[ ]
[ ]
[ ]
Bloomberg Law and SCOTUSblog’s Supreme Court Challenge: Students, Do You Have What It Takes? Learn More >>

MARKETING & VIDEOS

- Northwestern Law Dean: Let Students Vote With Their Feet: Video
- Weekly Brief: Are Law Scholarships a Bait-and-Switch?: Video

RECENT ACTIVITY

- Volokh Conspir: The Supreme Court... 04/01/2013
- Gizmodo: Everything Wrong with ... 03/21/2013
- Fish & Richardson: Copyright Ale... 03/21/2013
- Volokh Conspir: The Supreme Court... 03/21/2013
- Topic: Match Any of The Follow... 03/21/2013

NEED HELP? Click here to learn about our all new BLAW capabilities

SUPREME COURT MARRIAGE CASES

- Live Blog: Wednesday’s Gay Marriage Arguments at Supreme Court
- Supreme Court Majority Casts Doubt on Federal Gay-Marriage Law
**Strengths**
- BNA commentary & analysis
- PLI content
- Dockets
- Market, financial, company news & info

**Weaknesses**
- Comparatively small secondary source collection
- Lacking public records, legislative history docs
Strengths

- Practice centers**
- Transactional materials
- Search – natural language or Boolean; can search all or specific source(s)

Weaknesses

- **Not all practice areas are represented
- Citator

Features
Pricing

- Flat-rate is all-inclusive
- More expensive than WL/LN for less content

Marketshare

- Content is insufficient to be sole legal research platform, but adoption is growing
Legal Search Market
* Bloomberg is estimated, based on BNA’s 2010 revenues
Legal publishing
WL & LN next generation & classic platforms
Content
- Business & News (ALM & Factiva)
- Matthew Bender titles
- Public records (Accurint)

Features
- Shepard’s
- Lexis for Microsoft Office (LMO)

Price
- By most accounts, less expensive than Westlaw
- No additional cost for Advance
Content
- Thomson, West, Rutter Group treatises

Features
- West’s digest system
- WLN search incorporates digest, KeyCite, crowdsourcing
- WLN came out 1\textsuperscript{st} and is beyond more of the growing pains

Price
- By most accounts, most expensive
- Surcharge for WLN
**Biggest difference: How you search**

**Classic platforms**
- Navigate to a specific database
- Compose a terms & connectors search or use natural language processing (NLP) (hit or miss)

**Next Gen platforms**
- Search all content
  **option to narrow by jurisdiction, type of content, or specific source**
- Enter a simple search which will be processed by a complex and secret search algorithm
- Post-search, filter results using facets
<table>
<thead>
<tr>
<th>Document Title</th>
<th>Jurisdiction</th>
<th>Court</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Amador Valley Joint Union High Sch. Dist. v. State Bd. of Equalization, 22 Cal. 3d 208</td>
<td>California</td>
<td>Supreme Court</td>
<td>September 22, 1978</td>
</tr>
<tr>
<td>... in accordance with the natural and ordinary meaning of its words. (In re Quinn (1973) 35 Cal.App.3d 473, 462 [110 Cal.Rptr. 881].) The literal language of enactments may be disregarded to avoid absurd results and to fulfill the apparent intent of the framers. (See Friends of Mammoth v. Board of Supervisors (1972) 6 Cal.3d 247, 259 [104 Cal.Rptr. 761, 502 P.2d 1049].) In re Kernan (1956) 242 Cal.App.2d 488, 491 [51 Cal.Rptr. 515].</td>
<td>California</td>
<td>Supreme Court</td>
<td>May 25, 2009</td>
</tr>
<tr>
<td>2. Strauss v. Horton, 46 Cal. 4th 364</td>
<td>California</td>
<td>Supreme Court</td>
<td></td>
</tr>
<tr>
<td>... enforce that measure, on the ground that Proposition 8 constitutes an invalid revision of the California Constitution. In Tyler v. State of California (1956) 46 Cal.2d 247, 259 [104 Cal.Rptr. 761, 502 P.2d 1049]. In re Kernan (1956) 242 Cal.App.2d 488, 491 [51 Cal.Rptr. 515].</td>
<td>California</td>
<td>Supreme Court</td>
<td></td>
</tr>
<tr>
<td>Egan and Baxt told that Proposition 8 harms the State of California and its local governments economically. Egan testified that San Francisco faces direct and indirect economic harms as a consequence of Proposition 8. Egan explained that San Francisco lost and continues to lose money because Proposition 8 slashed the number of weddings performed in San Francisco. Egan explained that Proposition 8 decreases the number of married couples in San Francisco, who tend to be wealthier than ...</td>
<td>U.S. Federal</td>
<td>California Court</td>
<td></td>
</tr>
<tr>
<td>... of Proposition 8 and shapes the basic issues in this case. The official argument in favor of Proposition 8, published in the Voter Information Guide, emphasized this distinction: &quot;Proposition 8 doesn't take away any rights or benefits of gay or lesbian domestic partnerships. Under California law, 'domestic partners shall have the same rights, protections, and benefits' as married spouses. (Family Code § 297.5.) There are NO exceptions. Proposition 8 WILL NOT change this.&quot; Voter ...</td>
<td>U.S. Federal</td>
<td>2nd Circuit Court of Appeals</td>
<td></td>
</tr>
<tr>
<td>... aspect of Proposition 8, other than the bail provision, that contributed to the drop off of votes as between the two propositions. We note, without deciding, that Proposition 4 concerning bail which passed by a larger number of votes than Proposition 8 may prevail only over those provisions in Proposition 8 relating to bail to the extent there is a conflict in the provisions of the two propositions. See Cal. Const. art. XVIII, § 4. California Constitution, article XVIII, section 4 ...</td>
<td>California</td>
<td>Supreme Court</td>
<td>September 02, 1962</td>
</tr>
<tr>
<td>6. Brosnahan v. Brown, 32 Cal. 3d 236</td>
<td>California</td>
<td>Supreme Court</td>
<td></td>
</tr>
</tbody>
</table>
• Classic platforms are on their way out
  ◦ Lexis: within 2–3 years; starting this summer you must login via LexisAdvance
  ◦ Westlaw: no date announced
• Boolean searching is still relevant
  ◦ can get better results even on nextgen platforms
  ◦ Newest kid on the block, Bloomberg, encourages Boolean
• Industry experts are still expecting Bloomberg will compete
The Bluebook Online

- Includes table of contents & index
- Searchable
- Create and share notes and bookmarks
- Access *The Bluebook* anywhere
Subscription

• www.legalbluebook.com
• Free 30-day trial subscription available
• Cost
  • 1 year  $32
  • 2 years  $42
  • 3 years  $50
  • Annual renewal  $15
Mobile Devices

• Available for Apple iOs devices only – iPad, iPhone & iPod touch
• rulebook app free
• Purchase Bluebook within rulebook for $39.99
Institutional Repositories

What are they
&
Why should I be interested?
An institutional repository is an organized and managed collection of digital content generated by faculty, staff, and students at an institution.

The content can be made available through integration with an institution’s website and other database systems.
IR’s Value Added:

- Showcase for the law school
- Wider outreach/distribution of your scholarship
- Response to Scholarly Communication crisis (buying back access to the research the institution funded)
- Preservation
- Efficiencies
Faculty Scholarship Repository

Forthcoming and Works in Progress

Recent Publications

Search Instructions

Questions or comments about the repository may be directed to Leslie A. Pardo, Repository Project Manager.
<table>
<thead>
<tr>
<th>Article Details</th>
<th>Author(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>An Essay on the Role of the Supreme Court in the Adjudication of Constitutional Rights</td>
<td>Michael Berch</td>
</tr>
<tr>
<td>The Use of International Sources in Constitutional Opinion</td>
<td>Dan Bodansky</td>
</tr>
<tr>
<td>Essay: A Brief History of the Adoption of the United States Constitution</td>
<td>Robert N. Clinton</td>
</tr>
<tr>
<td>Original Understanding, Legal Realism, and the Interpretation of “This Constitution”</td>
<td>Robert N. Clinton</td>
</tr>
<tr>
<td>Further Explorations in the Political Thicket: The Gerrymander and the Constitution</td>
<td>Robert N. Clinton</td>
</tr>
</tbody>
</table>
Tool for Academic Grey Literature

- preprints;
- working papers;
- theses and dissertations;
- research and technical reports;
- conference proceedings;
- departmental and research center newsletters and bulletins;
- papers in support of grant applications;
- status reports to funding agencies;
- committee reports and memoranda;
- statistical reports; technical documentation; and surveys.
Faculty Misconceptions re: IRs

1) Impediments to publication in a prestigious journal, whether the work is posted to the institutional repository prior to or after formal journal publication

2) Perceived low status from lack of quality control and peer review; also undermining of the current system of academic journal publishing

3) Intellectual property rights, particularly copyright, and information abuse

4) Added faculty workload to submit content

5) Cost to the law school