

LRC Research Training

# Corporate Innovation and Legal Policy Fall 2024

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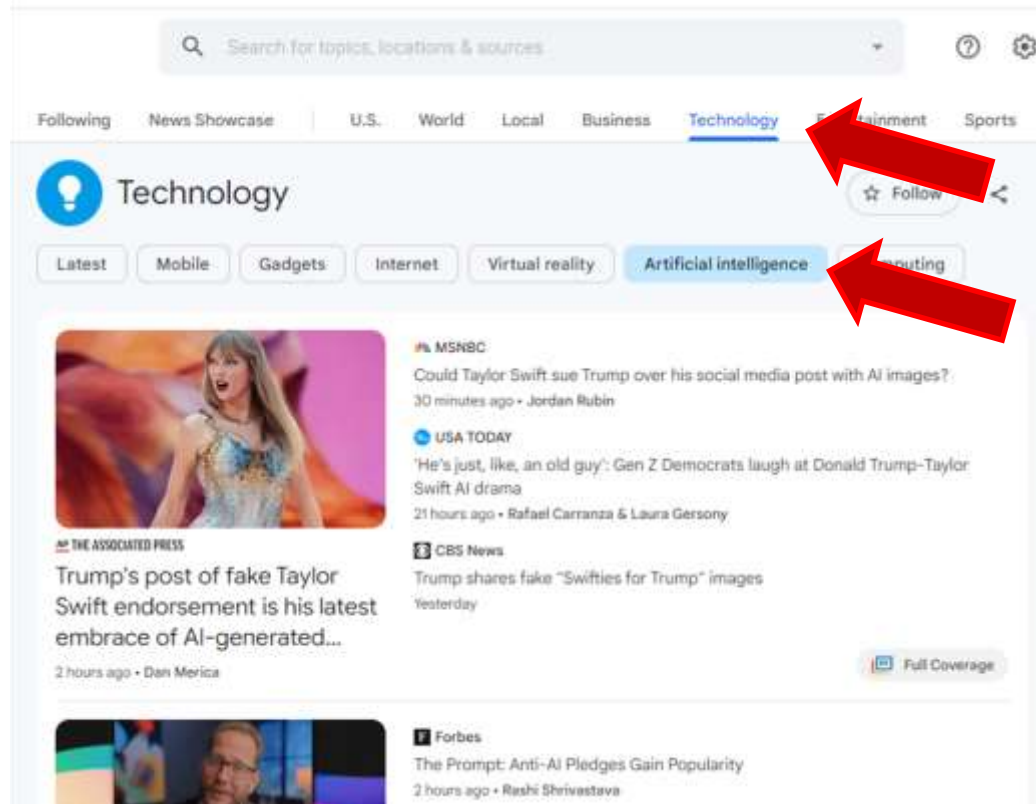
# What we will cover

- Finding a paper topic
- Literature review
  - Books & articles
  - Law and other disciplines
- Generative AI
- Note-taking tools and techniques

# Finding a Paper Topic

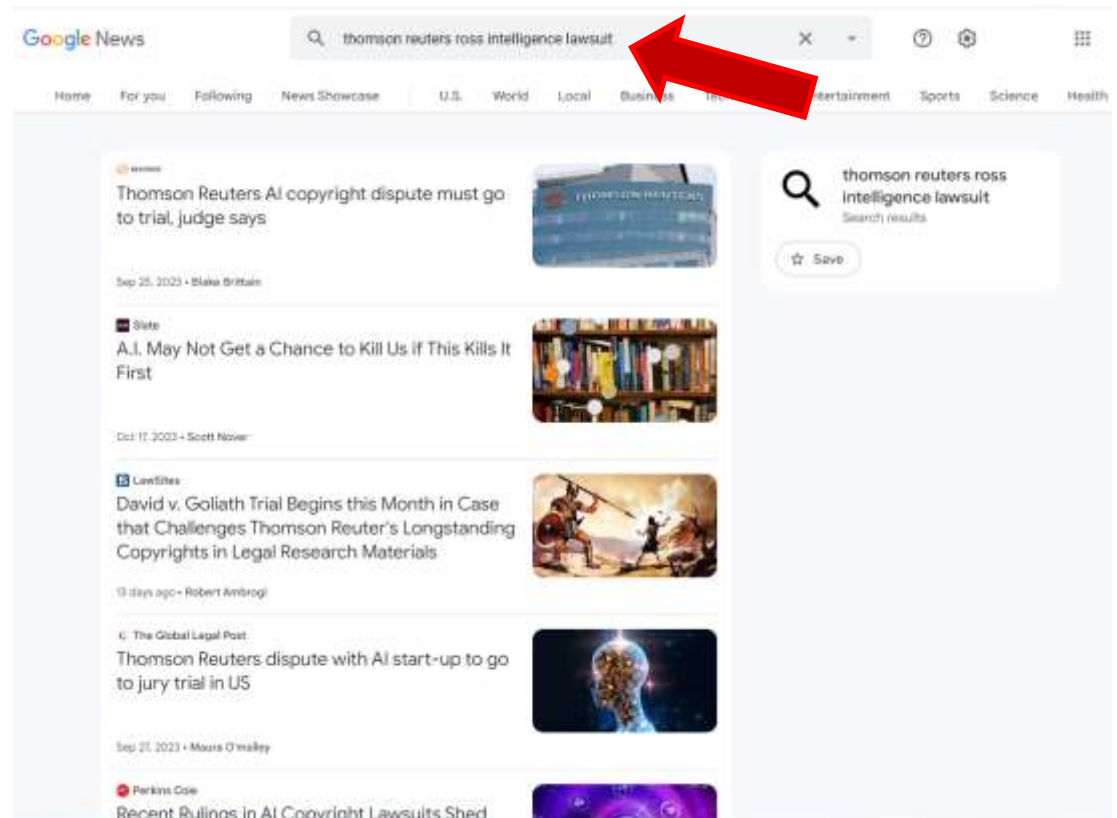
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# News

- [news.google.com](https://news.google.com)
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# Legal News Sources

- [Law360](#)
  - Practice area: [Competition](#), [Technology](#)
- [Lexis+ Legal News](#)
- [Westlaw Today](#)
- [Bloomberg Law News](#)
  - Practice areas: [Artificial Intelligence](#), [IP Law](#)

# Company research

News / Google

Lexis

Bloomberg Law

# Research Institutes, Law Blogs

- Examples:
  - Ethical Tech Institute, [Database of AI Litigation](#) (GW Law)
  - [AI Law Blawg](#)
  - [MIT Technology Review](#) (weekly newsletter on AI)

# Existing Scholarship

- Look at existing articles from relevant journal articles (law or another discipline) to see if the author(s) suggest other topics of exploration.
  - See what the author(s) says is outside the scope of the article or needs to be explored in more depth.
  - Often mentioned in introduction or conclusion.

# Literature Review

# What is a lit review?

- A survey of books, scholarly articles, and any other sources relevant to a particular issue, area of research, or theory.
- Helps you formulate your thesis and locate your arguments within the larger field of study.

# Reliable Sources

- Evaluate sources for:
  - **Authority** – author is identified, reputable, credentialed
  - **Objectivity** – fairness, lack of bias
  - **Accuracy** – provides references to sources, verifiable
  - **Scope** – relevant to your topic and argument
  - **Currency** – may vary by topic, but make sure you know the current state of thinking in your field (even if it's rooted in older writings)

# Legal Databases

# Bloomberg Practice Centers

Bloomberg Law

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- Securities
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### Litigation Intelligence Center

Access news, analysis, guidance, workflow tools, and reference materials...



### Practical Guidance Home

Find forms, checklists, and expert guidance on specific transactions...

## Popular Links

### SEARCHES

- All Legal Content
- Court Opinions
- Dockets
- Points of Law
- Litigation Analytics

### LAW SCHOOL RESOURCES

- BLAW Skills Center **New**
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- On-Demand Certification Courses
- Videos & Reference Guides
- Law Review Resources

### FEATURED

- Core Litigation Skills
- Brief Analyzer
- Contract Drafting
- Draft Analyzer **Enhanced**
- Lawyer Development

## Chart Builders

[State Data Breach Notification Requirements](#)

[U.S. State Overview - Privacy & Data Security](#)

[International Data Protection \(DLA Piper\)](#)

[GDPR Derogations](#)

[All Chart Builders](#)

## Ransomware Litigation

Read the 2024 Report Now



## News & Analysis

[Bloomberg Law Analysis](#)

[Privacy & Data Security News](#)

## Privacy & Data Security US & Global Developments



[Go To Tracker](#)

## Workflow Tools

[EDGAR Advanced Search](#) [Go to: Using Advanced EDGAR Search](#)

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## EDGAR Filings & Transactional Precedents

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[Form 8-K Material Cyber Incidents Filings](#)

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[Form 8-K Filings Mentioning Privacy/Data Security](#)

[Privacy & Data Security Clause Precedents](#)

[CCPA/CPRA Compliance Clause Precedents](#)

[GDPR Compliance Clause Precedents](#)

## Practical Guidance

[Privacy & Data Security Practical Guidance Library](#)

## State Privacy Resources

[Table - GDPR vs. State Comprehensive Consumer Privacy Laws](#)

[Table - State Privacy & Data Security Law Resources](#)

[Biometric Privacy Bill Proposals](#)

[Consumer Privacy Bill Proposals](#)

[California Privacy \(CCPA/CPRA\) Rulemaking](#)

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## My Favorites 2

Supreme Court Practice – Table of C...    Circuit Splits Reported in U.S. Law W...

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SEC Rulemaking

# Bloomberg “In Focus” — AI

## In Focus: Artificial Intelligence (AI)

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### Background

Artificial intelligence (AI) has existed for decades, but its more recently developed capabilities have begun to spur laws and guidance aimed at curbing potential harms. Affected practice areas include privacy, employment, health, IP, finance, securities, and the legal profession itself.

[Glossary - Artificial Intelligence \(AI\) Terms for Lawyers](#)

### AI LEGAL ISSUES Practical Guidance Toolkit



[Go to AI Legal Issues Toolkit](#)

### Legal Teams Rely Heavily on Current Vendors for Generative AI Tools Which describes your organization's current use of generative AI or LLMs?



Source: Bloomberg Law's Legal Operations and Technology Survey 2024, conducted from Jan. 16, 2024 to Feb. 27, 2024. Respondents were asked to select all that apply. 'Other' was also surveyed but not included in this graphic. Note: \* in the next 12 months

Bloomberg Law

[Learn More](#)

### State AI Laws & Regulations

Select a jurisdiction to find codified statutes and regulations related to AI, as well as searches for any relevant legislative proposals or rulemakings.

STATE



### EU AI Act

[Overview - EU AI Act FAQs](#)

[Overview - Implementation: A Guide to Risks and Timeline](#)

[Checklist - Assessing EU Artificial Intelligence \(AI\) Act Risks](#)

[Checklist - EU AI Act Core Compliance Areas](#)

[EU Artificial Intelligence Act \(EU/2024/1689\)](#) New

[European Commission \(EC\) - AI Q&As](#)

[EC - European AI Office](#)

# Lexis Practice Centers

The screenshot displays the Lexis+ web interface. At the top, the Lexis+ logo is on the left, and navigation links for 'Client: -None-', 'Folders', 'History', 'Help', and system icons (notifications, moon, sun) are on the right. The main heading asks 'What would you like to research today?'. Below this is a search bar with the placeholder text 'Enter a source name, a citation, terms or shep: [citation] to Shepardize®'. Two dropdown menus are positioned below the search bar, labeled 'All Content' and 'All Jurisdictions'. A white arrow points to the 'Explore' dropdown menu, which is open and shows options: 'Content', 'Federal', 'State', 'Practice Area', 'International', 'Sources', and 'Topics'. The 'Tools & Resources' section on the right includes 'View All', 'Case Briefs', and 'Pinpoint (Fact & Issue Finder)'. A vertical sidebar on the left contains icons for 'Legal Research', 'Practical Guidance', 'Litigation Analytics', 'Document Analysis', and 'Legal News Hub'.

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History



Help



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Case Briefs



Pinpoint (Fact & Issue Finder)

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Insurance Law

Securities Law

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International Law

Tax Law

Civil Procedure

Energy & Utilities Law

International Trade Law

Torts

Civil Rights Law

Entertainment & Sports

Labor & Employment Law

Trade Secrets Law

Commercial Law (UCC)

Environmental Law

Legal Ethics

Trademark Law

Communications Law

Equal Justice

Life Sciences/Pharmaceutical

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Legal News Hub

# Lexis Practice Centers

Enter a source name, a citation, terms or shep: [citation] to Shepardize®

Data Privacy & Cyberlaw

Search all sources on this page  Select sources to search

## Cases, Statutes & Regulations

### Group Sources

[U.S. Federal and State Cases](#)

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#### Law 360 Privacy News

[Nasdaq Seeks SEC's Green Light To Launch Bitcoin](#)

[Options](#)

Tue, 27 Aug 2024 16:58:01

[Google Privacy Class Action Delays Irk Discovery Judge](#)

[Options](#)

Tue, 27 Aug 2024 16:24:42

[Mich. Atty Says Brother's Email Hack Harming Clients, Firm](#)

[Options](#)

### Top Sources and Key Laws

[U.S. Code, Title 5, Chapter 51, Subchapter 4, Section 5312](#) [California Privacy Rights Act \(CPRA\)](#)

# Westlaw Practice Areas

Enter terms, citations, databases, questions, anything ... All Federal Search Tips > Advanced >

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# Legislative History & Current Legislative Materials

- Federal
  - [ProQuest Legislative Insight](#)
  - [Congress.gov](#)
- California
  - [LRC Guide to California Legislative History](#)
  - [California Legislative Information](#)
- Other states – talk to a reference librarian

# Books

# Searching the Library Catalog

- **USD's online catalog** will find items in both the LRC and Copley Library.
  - Print material
  - E-books
  - Materials in subscription databases
  - And more!
- The catalog was just updated to provide a more streamlined search experience.
- You can search [USD's online catalog](#) from LRC's homepage.

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The equality machine : harnessing digital technology for a brighter, more inclusive future

Lobel, Orly

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The Equality Machine : Harnessing Digital Technology for a Brighter, More Inclusive Future.

Lobel, Orly.

2022

Available at Legal Research Center LRC Reading Room (HF5549.5.M5 L59 2022) and other locations

Book reviews (1)

3



BOOK

Technology and Sustainable Development : The Promise and Pitfalls of Techno-Solutionism.

Sætra, Henrik Skaug.; Sætra, Henrik Skaug, editor.

2023

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- If you can't find an item at USD, we may be able to get it through interlibrary-loaned from another library
- For Fall 2024, this includes books available at San Diego Circuit Libraries (SDSU, UCSD, Cal State San Marcos, & the San Diego County & City Libraries)
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Create alert

[HTML] Licensing high-risk **artificial intelligence**: toward ex ante justification for a disruptive **technology**

G Malgieri, F Pasquale - Computer Law & Security Review, 2024 - Elsevier

... The **regulation** of **artificial intelligence** (AI) has heavily relied ... Licensing is an important tool of ex ante **regulation**, and should ... Under this ex ante model of **regulation**, AI developers would ...

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[HTML] sciencedirect.com

[HTML] The limitation of ethics-based approaches to **regulating artificial intelligence**: regulatory gifting in the context of Russia

G Papyshyev, M Yarime - AI & SOCIETY, 2024 - Springer

... As such, it may prioritize the interests of the developers of **innovative technologies** over the protection of broader society from AI's implications. It is critically important to investigate the ...

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[HTML] springer.com

Legal challenges of **artificial intelligence** and robotics: a comprehensive review

CU Akpuokwe, AO Adeniyi, SS Bakare - Computer Science & IT ..., 2024 - fepbl.com

... Flexibility in **regulations** and **laws** will facilitate effective responses to emerging challenges without stifling **innovation**. ... Encourage industry self-**regulation** and the incorporation of ethical ...

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[PDF] fepbl.com

THE IMPORTANT ROLE OF **ARTIFICIAL INTELLIGENCE REGULATION** IN PROTECTING PUBLIC INTEREST.

FR Nanik Alfiani, F Santiago - Journal of Social Science ..., 2024 - search.ebscohost.com

... **technologies**, so **artificial intelligence regulation** is still local. Although **regulation** of **artificial intelligence** ... and comfortable **innovative** environment, **regulating artificial intelligence** is not ...

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Keywords: Generative AI, Copyright, AI Office, Fair remuneration, Institutional design, Pan European structure
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Number of pages: 8 • Posted: 11 Apr 2024 • Last Revised: 22 May 2024  
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- Use multiple search techniques.
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  - Subject
  - Browse
- Ask a librarian!
- Build from the sources you've already found.
  - Look at sources cited by those sources .
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1. **THE RENEW DEAL: THE FALL OF REGULATION AND THE RISE OF GOVERNANCE IN CONTEMPORARY LEGAL THOUGHT**  
Minnesota Law Review - December, 2004 - 89 Minn. L. Rev. 342

Introduction. 343 I. The Spirit of Renewal in Contemporary Legal Thought. 350 II. The Push and Pull for Renewal. 355 A. The Competing Logics of the Renew Deal: Closing the Gap or Leading the Way. 355 B. External Push Factors: Law Follows the Political Economy. 356 C. The Internal Pull: The Directive of Legal Thought. 361 D. Cycles of Renewal. 367...

...principle or policy to a fact situation". See Cary **Coglianesse** et al., Performance-Based **Regulation**: Prospects and Limitations in Health...  
...be known as leading polluters in their communities. Id. . **Coglianesse** et al., supra note 189, at 705 (summarizing a workshop...

2. **A NEW GENERATION OF ENVIRONMENTAL REGULATION?**  
Capital University Law Review - 2001 - 29 Cap. U. L. Rev. 21

What are the prospects for a new generation of environmental **regulation** in the United States? The criticisms of the "first generation" system of centralized federal command-and-control **regulation** are by now familiar. It has been criticized on the grounds that it is unduly rigid, cumbersome, and costly; fails to accommodate and stimulate innovation...

...been used, it has been used comparatively few times. Professor **Coglianesse's** research indicates that negotiated rulemaking was used by federal agencies...  
...requirements, codified as 40 C.F.R. § 166 . See Cary **Coglianesse**, Assessing Consensus: The Promise and Performance of Negotiated Rulemaking, 46...

3. **ASYMMETRICAL REGULATION: RISK, PREEMPTION, AND THE FLOOR/CEILING DISTINCTION**  
New York University Law Review - December, 2007 - 82 N.Y.U. L. Rev. 1547

If the federal government has constitutional power to address a social ill, and hence has power under the Supremacy Clause to preempt state, local, and common law regimes, is there a principled rationale for distinguishing federal standards that set a federal floor or ceiling? At first blush, the two appear to be mere flip sides of the same federal...

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# THE RENEW DEAL: THE FALL OF REGULATION AND THE RISE OF GOVERNANCE IN CONTEMPORARY LEGAL THOUGHT

Introduction	343
I. The Spirit of Renewal in Contemporary Legal Thought	350
II. The Push and Pull for Renewal	355
A. The Competing Logics of the Renew Deal: Closing the Gap or Leading the Way	355
B. External Push Factors: Law Follows the Political Economy	356
C. The Internal Pull: The Directive of Legal Thought	361
D. Cycles of Renewal	367
III. The Organizing Principles of the Renew Deal Governance Model	371



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[sandiego.edu/library/](https://sandiego.edu/library/)

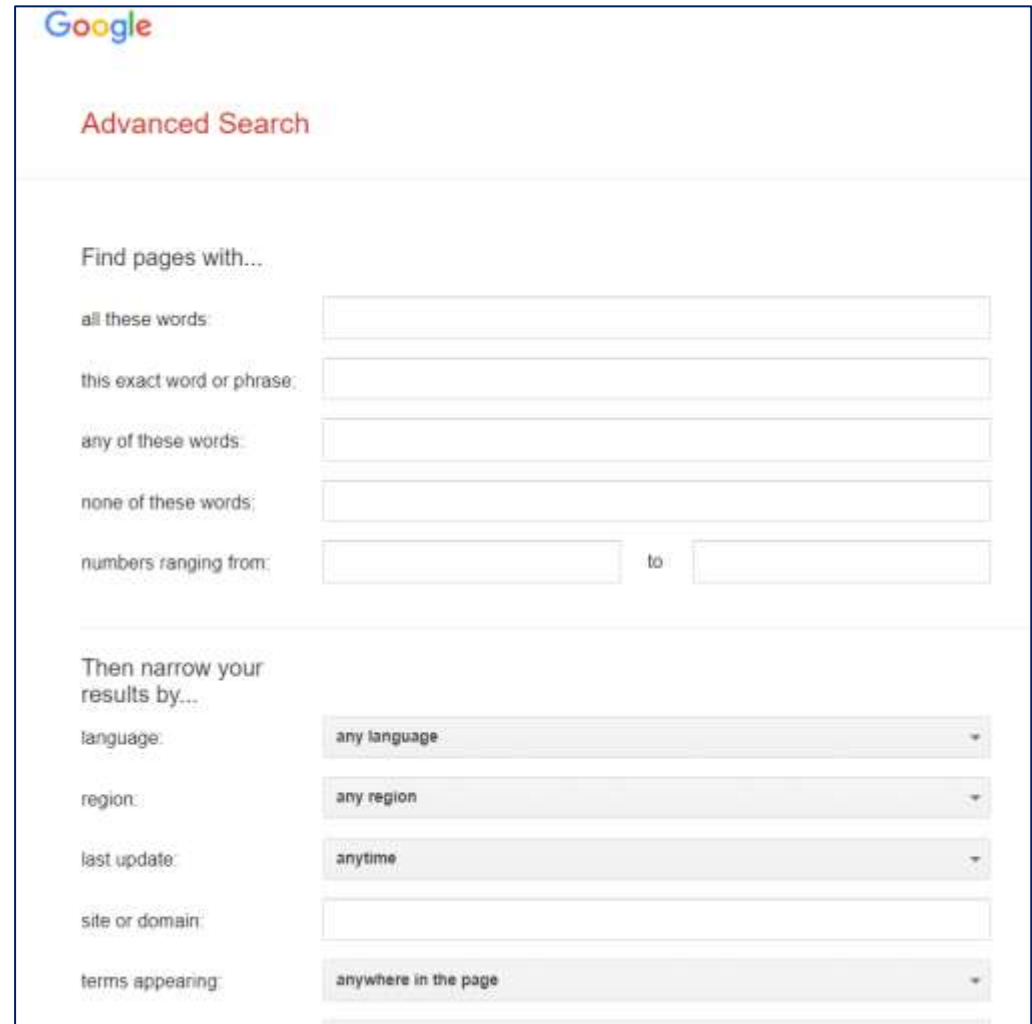
# Relevant Non-Law Databases

- Academic Search Premier
- JSTOR
- Sage Premier Journals
- ScienceDirect
- SpringerLink Journals
- Web of Science (index only)

# Google Advanced Search

[google.com/advanced\\_search](https://www.google.com/advanced_search)

- Approximate Boolean connectors
- Narrow by language, region, or date
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The screenshot shows the Google Advanced Search page. At the top left is the Google logo. Below it is the title "Advanced Search" in red. The main section is titled "Find pages with..." and contains five rows of search criteria, each with a text input field:

- all these words: [input field]
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# Generative (Gen) AI

# How do Gen AI tools work?

- Gen AI tools that produce text use large language models (LLMs) to simulate conversations.
- LLMs are trained on the internet but are not a search engine by themselves.
- LLMs predict what each word of a response should be based on training.

# How do Gen AI tools search?

- A gen AI tool can use a process called retrieval augmented generation (RAG) to couple an LLM with a search engine.
  - RAG works by turning a user's prompt into a search query. The LLM is then supposed to use the results of the query when producing its response.
  - The goal of RAG is to allow the gen AI tool to access sources of information beyond its training data, which may be proprietary or more current.

# Strengths of Gen AI for Research and Writing

- Pattern Recognition
- Large vocabulary
  - Conversational (some tools)
- Summarization

# Weaknesses of Gen AI for Research and Writing

- Confidence
  - You don't know what you don't know and neither does gen AI.
- Training limited in scope (content and time)
  - Or quality of connected search engine/  
database
- Inherent bias for training sources
- Hallucinations

# Gen AI Research Tasks

Find	Learn/Investigate	Create/Synthesize/ Summarize
<ul style="list-style-type: none"><li>· Find some starting cases on a topic</li><li>· Find cases matching query</li></ul>	<ul style="list-style-type: none"><li>· Learn about an area of law</li><li>· Identify the most relevant, timely, &amp; authoritative cases</li><li>· Ensure there is no authority going the other way</li><li>· Identify the relevant rule(s)</li></ul>	<ul style="list-style-type: none"><li>· Ensure you've found all cases on point</li><li>· Summarize the leading authorities</li><li>· Prune tangential authorities</li><li>· Harmonize authorities</li><li>· Reconcile authorities in conflict</li></ul>

Adapted from Rebecca Fordon, Cindy Guyer & Adam Lederer, From AND/OR to AI: Techniques for Prompting Generative AI Tools (May 21, 2024).

# Gen AI Writing Tasks

- Catching typos and grammar errors
  - But not for Bluebooking
- Modifying tone
- Brainstorming
- Summarizing specific, discrete pieces of text

# Principles of Prompt Engineering: RICE

- **R: Role** (assigning a role to the AI)
  - Some legal AI tools, including Lexis and Westlaw tools, do not require the prompt to include a role because the legal role is built into the tool.
- **I: Instructions** (specific tasks for the AI)
- **C: Context** (providing necessary background info)
- **E: Expectations** (clarifying desired outcomes)
  - Constraints/formatting the response should follow
  - Examples of how to complete the instructions

Sarah Gotschall, *A Legal Research Prompting Guide and Generative AI System Comparison Exercise*, AI LAW LIBRARIANS (July 17, 2024), <https://www.ailawlibrarians.com/2024/07/17/a-legal-research-prompting-guide-and-generative-ai-system-comparison-exercise/>.

# Evaluating AI-Generated Content

Usage: “Did I use the right tool?”	Input: “Did I use an effective prompt?”	Output: “Did the tool give an acceptable response?”
<ul style="list-style-type: none"><li>· Designed purpose of tool</li><li>· Scope of training and/or RAG</li><li>· Tool transparency</li></ul>	<ul style="list-style-type: none"><li>· Prompt engineering principles (RICE)</li><li>· Influence of follow-up interactions</li><li>· Missing perspectives from prompts</li></ul>	<ul style="list-style-type: none"><li>· Source &amp; accuracy verification</li><li>· Bias &amp; perspective in response</li><li>· Interaction dynamic between AI &amp; user</li><li>· Critical evaluation considering ultimate research objective</li></ul>

Adapted from Mary Ann Naumann, Re-Engineering Research: Integrating Generative AI & Prompt Engineering into Information Literacy Programs (June 30, 2024).

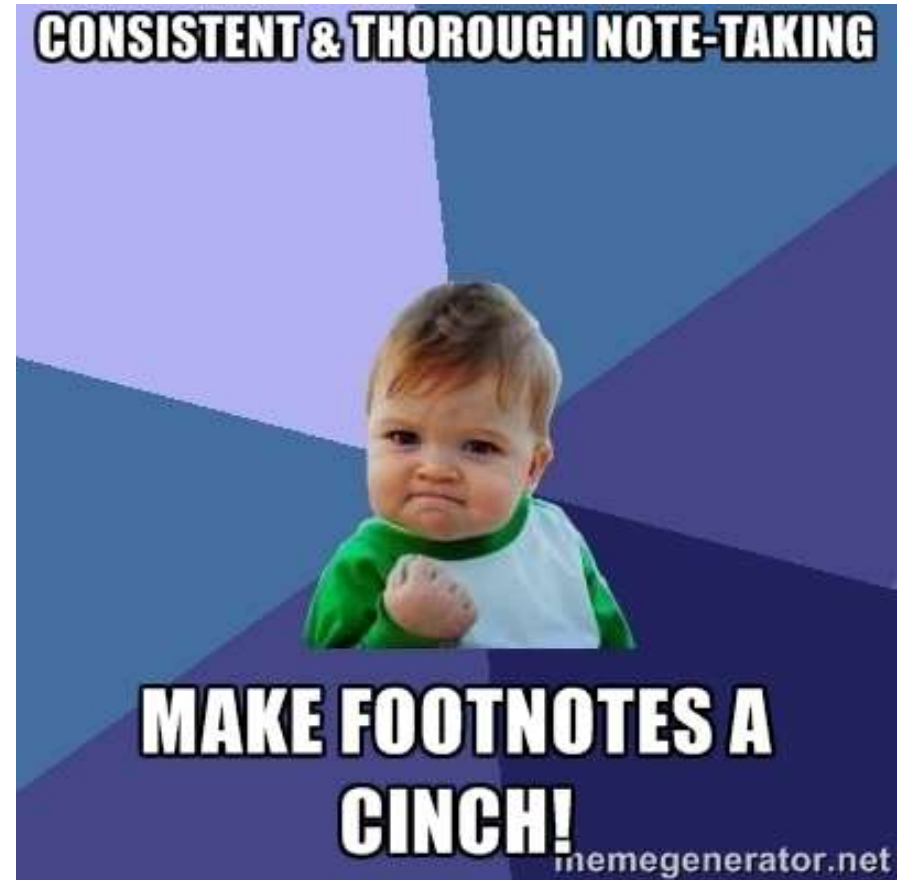
# Gen AI in Academic Writing

- Always follow all course and law school rules on use of AI
- Ask ahead of time if you're not sure whether you should or should not use a tool.
- [LRC Guide to Generative AI Tools for USD Law Students](#)

# Note-Taking Tools & Techniques

# Why good note-taking is important

- Bolster your argument
- Avoid inadvertent plagiarism
- Save yourself time and trouble when creating citations



# What to look for in a tool

- Reference manager
- Citation support for Bluebook style
- Organize and annotate PDFs, webpages, and other digital content
- Fits your research style--something you will use!!



# Note-taking apps



# Document AND citation management

**EndNote™**  
**zotero**



## Typical features include:

- Free or premium upgrade
- Web, client, mobile apps
- PDF storage & annotation
- Cloud & local storage
- Web content capture
- Citation style (“bibliographic utility”)

# Comparing Tools

- Comparing reference managers:
  - [U. Wisconsin-Madison Libraries: Citation Manager Comparison Chart](#)
  - [Yale Law Library: Choose a Research/Citation Management System that is Right for You](#)
- Setting up Bluebook style:
  - [U. Cincinnati Law Library: Citation Management Services](#)

# Citing the best source

- Don't rely on Source A to tell you what Source B says – go back to the original
  - Don't cite Scholar A to tell your reader what Scholar B argued
  - Don't cite a book or an article to tell your reader what a case held
  - Don't cite a case to tell you what the statute says

# Web citations

## Bluebook Rule 18

- Author (if any)
- Title of article or page
- Publication/Organization/Sponsor
- Date
- URL
- Archive of page (Perma.cc or Internet Archive)

When in doubt, more info is better!

# Archive Webpages: Perma.cc

## Sign up with Perma.cc

Perma.cc is available for use by anyone. Some types of users and organizations have special privileges and responsibilities. Select the affiliation that best describes you or your organization to learn more and get started creating an account. See **our documentation** for more about Perma.cc's affiliations and roles.

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### Courts >

Courts care about the accuracy, integrity and reliability of the citations in their opinions.

### Law Firms >

Law firms use Perma.cc to prevent link rot in their court filings and marketing materials.

# Example with an archive link

Rocio Gonzalez, *Puerto Rico's Status Debate Continues as Island Marks 61 Years as a Commonwealth*, Huffington Post (July 25, 2013, 9:00 AM), [http://www.huffingtonpost.com/2013/07/25/Puerto-rico-status-debate\\_n\\_3651755.html](http://www.huffingtonpost.com/2013/07/25/Puerto-rico-status-debate_n_3651755.html) [<http://perma.cc/C6UP-96HN>].

## **LRC Reference**

[lrcrefer@sandiego.edu](mailto:lrcrefer@sandiego.edu)

619.260.4612

Chat: [sandiego.edu/law/library](https://sandiego.edu/law/library)

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In-person

Mon – Thur: 9am-6pm

Fri: 9am-5pm

Sun: 12pm-4pm

## **Liz Parker**

[eparker-10@sandiego.edu](mailto:eparker-10@sandiego.edu)

619.260.7986

Book an appointment: [law-sandiego.libcal.com/appointments/eparker-10](https://law-sandiego.libcal.com/appointments/eparker-10)