



## **Book Review: A Guide to Electronic Legal Research by A. Zivanovic (Markham Ont.: Butterworths Canada, 2001)**

**David H. Michels\***

Writing a guide to electronic legal research is no simple undertaking. First, one must try to encapsulate a large and ever changing body of information into something usable by a diverse group of readers with differing technological skills. Second, one must accomplish this feat quickly since these systems and resources being presented refuse to remain static. The effort in itself is noteworthy.

There are 250 pages in this book though the reader will soon discover that 28 of these are appendices, and pages 59-120 are an annotated list of websites. The book is arranged with a table of contents, introduction, five chapters, two appendices and a glossary. The level of detail in the table of contents partially defeats the purpose of a quick reference. Perhaps future editions might delete much of this detail and place it instead in a subject index at the back, a feature presently missing.

There are four general questions that I had as I approached this work. The first is "what does the author purport to do in this book?" Second, I asked, "who is this author?" The author claims to be an expert and I want to know the basis of that claim. Third, I asked "why this book?" With limited budgets, one needs to know why this book should be on the purchase list and not another. The fourth question, "for whom was this book written", will be an important test of the usefulness of this work.

### **Introduction**

Ms. Zivanovic's motivation for writing this book is suggested in the first line of her introduction, "The Internet and World Wide Web (WWW) are resources that are becoming increasingly valuable to the global community at large."<sup>1</sup> Her intention is that this book meets the need for instruction in information seeking via the Internet. The reader should be aware that electronic resources such as CD-Roms are not considered.

The brief author description on the back of the book states that Ms. Zivanovic possesses a LLB (Civil) and LLB (Common) and that she teaches the legal research and writing course at the University of Windsor.<sup>2</sup> Ms. Zivanovic addresses the issue of "why this book" in her introduction. She admits that there are "plenty of books addressing legal research with a section, or chapter perhaps, discussing electronic media."<sup>3</sup> A quick search of the National Library of Canada's online database<sup>4</sup> indicated that there were more than 500 works in Canadian libraries indexed under the same subject headings as this present volume. Though most of these works are from the U.S., U.K. or Australia, some are Canadian. I found it interesting to note that another member of the University of Windsor, David Johnson in 1968, produced the earliest Canadian work.<sup>5</sup> Fourteen works have been produced within the past two years in this subject area; four specifically dealing with Internet legal research. Two of these caught my attention: *Legal electronic database systems: guides* and *Computer manual for University of Windsor law students*. These appear to cover some of the material that Zivanovic

handled and were produced by the University of Windsor Law Library. Perhaps this is an area where collaboration would be useful.

Zivanovic writes, "what is missing is a source explaining how to approach legal research on the Internet by displaying various options and how they may interconnect for the benefit of the researcher."<sup>6</sup> This may be arguable; but if her intent is to create such a resource from a completely Canadian perspective (she implied it but did not say so) then she has made a compelling argument. She addresses the question of audience very briefly. She wanted to produce a quick resource book, presumably with the lengthy website list. She also sought to produce a more detailed guide for individuals desiring to learn how to do legal research on the Internet. There is no specific indication of the skill level that the reader must possess. Her later discussion seems to assume the ability to use Windows and Internet browsers suggesting a level of computer literacy. However, her explanation of the WWW and Internet suggests she is writing for a novice searcher.

## Chapter One

The reader needs to be prepared to wade through 54 pages of the book before the topic of legal research is raised. The first thirty pages of this book are entitled "Introduction to the Internet and World Wide Web" and are exactly that. This chapter is written for one with little experience with the Internet and covers the basics such as "what is html?" and "What is a URL?" She discusses the difference between the web / Internet and means of communicating information such as newsgroups, FTP and Listservs. The remainder of the chapter is devoted to the intricacies of the web. As Zivanovic states herself, there is a wealth of books<sup>7</sup> (and websites<sup>8</sup>) that provide excellent instruction about the Internet. I wonder why she feels it necessary to include this information here when she is limited by space and printed text. In addition we find discussion of protocols such as Gopher and Archie which have been largely replaced by the WWW.

## Chapter Two

This chapter is entitled "Searching the World Wide Web" and although again much of this information is not law specific and available elsewhere, there are valuable insights here. She begins with three categories of users: Beginner/Intermediate/Expert though there was no indication how she determined these categories. I was concerned that throughout this and the previous chapter there is no reference to any other sources to support her assertions.

The discussion of Boolean searching as well as the surfing / browsing tips were particularly useful and the reader will want to make note of pages 40-52. An excellent section that was not given the coverage it deserved was section VI on evaluating web-sites. A concept being increasingly discussed in academic research libraries is that of information literacy<sup>9</sup>. An essential part of information literacy is the ability not only to access information but also to evaluate it. This is particularly relevant for the legal researcher, as Richard Danner of Duke Law School discusses in an article, "Law Schools face challenges posed by students' reliance on online materials." <sup>10</sup>

## Chapter Three

This chapter is a collection of Internet sites arranged by subject and jurisdiction. Zivanovic gathers a list of sites relating to law and policy, "essential websites of legal interest for Canada, United States and International."<sup>11</sup> The criteria that she established to evaluate sites for inclusion are important to note:

- 1. Information on the web site (or provided by links) should relate to a general issue of law.
- 2. Websites stemming from governments, universities and courts are considered to

be the most authoritative on the WWW.

- 3. The web site should have extensive links to other legal-related sites.
- 4. A narrow site is only chosen if it stems from an authoritative site and a broad web site could stem from a private site.<sup>12</sup>

About half the sites listed include an annotation describing the nature of the site. Those without annotation generally are obvious: (<http://www.lawsocietyalberta.com>). These annotations often offer search tips and site organization insights. The difficulty with producing a print directory of an electronic resource is that one cannot account for the fluidity of the electronic medium. Many a researcher has discovered a "file not found" message when attempting to link to a page bookmarked just last week. The department of Justice will likely remain "canada.justice.gc.ca" for some time. However, when one attempts to link several pages into a website, problems may occur. I selected one of Zivanovic's sections that I thought might be problematic: "F. Provincial Courts"<sup>13</sup>. There were ten provincial courts links. Of these ten, three were no longer correct (a fourth "Nova Scotia: <http://www.gov.ns.ca/just/services.htm> was missing the domain name ".ca" in the book but worked after this was added.) This will give the reader a sense of how fast sites can evolve. Perhaps a solution to this problem would have been to construct a companion website to the book which could be kept current. An example of such an approach would be *International law, chiefly as interpreted and applied in Canada* by Hugh Kindred<sup>14</sup>. Having said that, the compendium on websites is impressive. Zivanovic's claim, in the introduction, to having created the first exhaustive list of legal resource websites seemed somewhat grandiose considering how many law schools / law libraries maintain links pages. However, these are not overlooked in her collection. There are links to many other links pages that strengthen her list. A few significant omissions should be noted: <http://www.canlii.com>, the Canadian Legal Information Institute for Canadian cases and legislation, and <http://www.austlii.edu.au>, the site of the Australasian Legal Information Institute. If Ms. Zivanovic can address the issue of currency, then this list can be an extremely valuable resource for Canadian researchers.

## Chapter Four

This chapter is intended to provide an overview of online legal databases. Three were selected: *Lexis/Nexis*, *eCarswell*, and *Quicklaw*. My assumption was that *Westlaw* was omitted since the focus was on Canadian materials, and that *Maritime Law Book's* database was not included since it contains only case law and not legislation.

The presentations of these three databases are illustrated with images of the various search windows. This is very helpful for visual learners. It was unfortunate that the illustrations are of varying quality and size, making some very difficult to read. Ms. Zivanovic notes in the introduction to this chapter that she intends this to be a "bird's-eye view of how to do legal research using three online legal databases."<sup>15</sup> She states that each service has its own training guides and this chapter does not attempt to replace them. However, the level of detail included (proximity connectors, truncation etc.) was far more than is necessary for a "birds-eye view". I found that it was more difficult to get a good overview with that much detail. There are no specific comparisons made between products and I was left to make these evaluative judgments on my own. For the reader looking for a one-stop guide to using online databases this maybe useful but be aware that this is not a comparable replacement for the products training materials.

## Chapter Five

This chapter compared electronic citators found on *Lexis*, *eCarswell* and *Quicklaw* and was a good guide to noting-up cases electronically. The introduction stated that Kelly Waywell and Nancy Claridge of Butterworths wrote this chapter. I initially was uneasy about representatives from one vendor comparing the three products but I was pleased to find that the coverage seemed very balanced. There is a handy reference chart provided on p. 186 that compares features of the three services such as: "forms of access" or "full text links". There are many illustrations of search screens

used in this chapter which I found helpful and the quality of images is greatly improved here. The glossary of history phrases used by each service ("abandoned", "affirmed" etc.) is also particularly useful. Again, each service has their own materials that cover their product but this chapter provides a good overview and would be valuable to determine which product is best for your research need.

## Appendices

There are several appendices that list materials available on each service, and another that list abbreviations used on the Internet although most won't be encountered except in newsgroup or chat sites. The glossary is helpful.

My general impression is that the publishers did the author a disservice by publishing this book before it was ready. This is seen in the poor quality of illustrations and the uneven quality of the chapters. There are very helpful sections such as pp. 40-56 on web searching which would be beneficial for a novice researcher who wished to improve their searching skills. The list of web links in chapter three would provide a good resource for anyone wishing to develop their own collection of bookmarks and was uncertain how to begin. Chapter five provides a good overview of citators that would be perhaps most useful for a legal professional deciding which service is best for them since outside of the law school environment, few practitioners would have access to all these services. These are strengths that need to be developed in a later edition. A sample research problem and the resulting process could have been used to tie the various parts together and would have better demonstrated the rationale in choosing one tool over another. It is my hope that this book can be revised to build on its strengths since there is a need on the Canadian legal landscape for such a resource.

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\* [Back](#) Public Services Librarian, Sir James Dunn Law Library, Dalhousie University.

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<sup>1</sup> [Back](#) At 1.

<sup>2</sup> [Back](#) She co-authored with P.J. Visser a case comment entitled "Discrimination in Admission Practices Unfair and Unconstitutional", 9 *Educ. & L. J.* 307.

<sup>3</sup> [Back](#) At 2.

<sup>4</sup> [Back](#) <http://amicus.nlc-bnc.ca>.

<sup>5</sup> [Back](#) D. Johnson, *Computers and the Law Conference* (Queen's University, 1968).

<sup>6</sup> [Back](#) At 2.

<sup>7</sup> [Back](#) For example: J.R. Levine, C. Baroudi. M.L. Young, *Internet For Dummies* ®, 7th Edition Starter Kit, CD included, (Foster City, Calif.: IDG Books, 2001).

<sup>8</sup> [Back](#) For example: <http://www.learnthenet.com/english/animate/animate.htm>.

<sup>9</sup> [Back](#) *Information Literacy Competency Standards for Higher Education*, online: Association of college and research Libraries <<http://www.ala.org/acrl/ilintro.html>> (date accessed: 12/05/01).

<sup>10</sup> [Back](#) R. Danner, (2000) 22 *Nat'l L. J.* 47.

<sup>11</sup> [Back](#) At 60.

<sup>12</sup> [Back](#) At 60-61.

<sup>13</sup> [Back](#) At 78.

<sup>14</sup> [Back](#) H. Kindred, et al., *International Law Chiefly As Interpreted and Applied in Canada*, online: <<http://is.dal.ca/~wwwlaw/kindred.intllaw/>> (date accessed: 01/01/02).

<sup>15</sup> [Back](#) At 121.