

A large, thick black L-shaped graphic is positioned on the left and bottom edges of the page, framing the central text.

LEGAL RESEARCH FOR THE REST OF US

Morgan Morrissette Wright

Fastcase

Legal Research – Why is it so expensive?

- Secondary Materials
 - *Writings about the law, legal theory*
 - Journal Articles
 - Jury Instructions
 - Treatises
 - (Academia \$\$)
- Making the law digestible
 - *Indexing, Organizing, Compiling*
- Other Editorial Contributions:
 - *Citators – Shepard’s, Keycite, etc.*
 - *Headnotes*
 - *Annotations*
- All of these supplements to the law require a significant amount of human labor.



In Short – Too Many People

- Often, large teams of highly-skilled individuals are needed to make the law more manageable and understandable.
- These costs are passed on to practicing attorneys that must do efficient research to serve their clients competently.
- Ultimately, the costs fall on clients.
- The more expensive legal services are, the more consumers will investigate alternative options before seeking out professional legal help.
- Does this system serve the public well?



Cherry Blossom Festival, 2016?

Do we have to live like this?

- For the most part, the law itself (primary law) is not protected by copyright and available for free online. Of course, the law belongs to everyone.
 - *Statutes*
 - *Acts passed before codification*
 - *Regulations*
 - *Case law*
- So what are you paying for?
 - *Practicing attorneys pay for legal research services because their time is valuable, there are not enough hours in the day to dig through multiple web sites (with varying degrees of usability) or visit the library on a regular basis.*



What's the alternative?

- We all know non-attorneys, sometimes to their own detriment, use free and low-cost alternatives to research online.
- Is this a viable option for attorneys?
- With a little bit of practice, common sense, and experience – yes!
- Attorneys tend to have the necessary skill set to determine what is a good and bad source, but just in case, here are some tried and true options . . .

Free, no strings attached, research.

Government sites – some aren't so bad! - Depends on the state, but good for researching legislation.

Google Scholar – Case law, some Journal Articles/Books

Casetext – Case law + free editorial contributions by lawyers

Justia – Case law

Oyez - Great Supreme Court resource w/oral arguments

Cornell's LLI – Statutes that look nice.

Firm Blogs – Use discretion, but an adequate replacement for more costly secondary materials at the beginning stages of the research process.

Public Library of Law – full disclosure, maintained by Fastcase, but free for all.

Fastcase App for iOS, Android, Windows Phone

Is it enough?

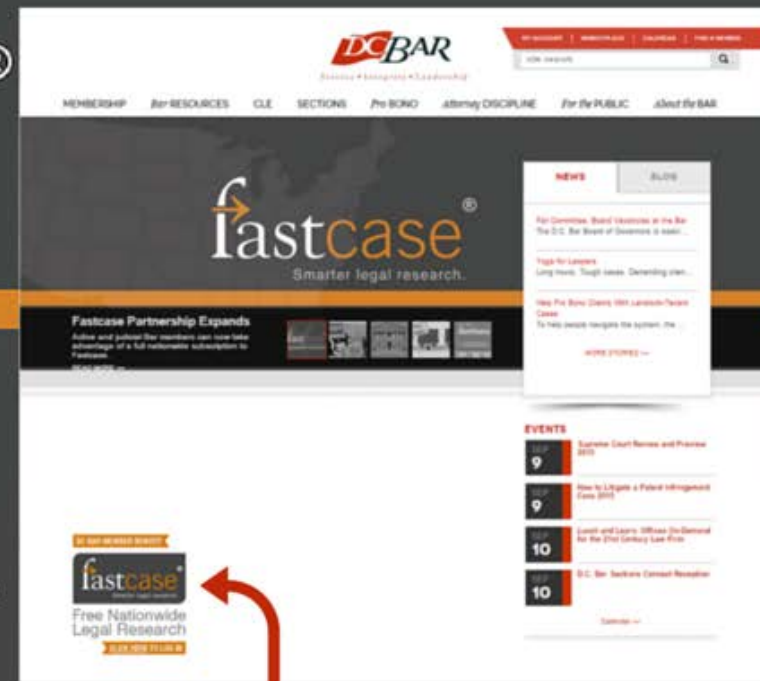
- What about tools that help speed up legal research – annotations, citators, smart searching and data visualization? For the most part these more sophisticated tools are not available to the general public for free.
- With enough skill you could probably get by with using only public legal research sites, but there are still other options – like legal research services provided by your bar association as a free member benefit.
- Enter . . . Fastcase!



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What is Fastcase?

- Founded in 1999 by two practicing lawyers – Ed Walters and Phil Rosenthal.
- (A tech company that survived the .com bust!)
- The mission was simple – create an alternative to Westlaw and Lexis for conducting research on primary law.
- This is not just a cheaper version of the big two, but something entirely different.
- We are now partners with 27 state bar associations and have over 800,000 subscribers.
- According to the ABA, lawyers use the Fastcase mobile app more than any other legal mobile application. It's free for all – remember?



Why is it better than other low-cost options?

- The principle behind Fastcase is a lot like Google
- More automation, less leg work.
- Researching on Fastcase is not like browsing through manmade indexes on 90's Yahoo.
- Fastcase eliminates the “luck” element of haphazardly finding an important case early in your research.
- Find cases on purpose instead.
- Fastcase's tools are smart because they are algorithmic and consistent. They are not driven by a hoard of human editors and the variables/costs that come with them.



Smarter tools, dreamed up by attorneys

- Sort the most cited cases in a list of results to the top. Find out which case is the talk of the town in a click
- Use Fastcase's Forecite feature to find cases that did not satisfy your search terms, but are frequently cited by cases those cases that do.
- See the law in a new way with visualizations of case data.
- Generate a list of cases that cited your case, and be alerted if your case has ever been cited with a negative citation signal, such as “overruled by”, using Bad Law Bot.
- Be alerted if new cases are published that match a search you ran in the past.



Let's see Fastcase Features in Action

Attend a Live Online Training Session with a Fastcase Attorney (also free)

Intro to Fastcase	Advanced Course	Boolean Searching
May 12 – 1 p.m.	May 19 – 1 p.m.	May 26 – 1 p.m.
June 2 – 1 p.m.	June 16 – 1 p.m.	June 23 – 1 p.m.
July 7 – 1 p.m.	July 14 – 1 p.m.	July 21 – 1 p.m.
August 4 – 1 p.m.	August 11 – 1 p.m.	August 25 – 1 p.m.

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