

***THE LAW WORKBOOK: DEVELOPING SKILLS FOR LEGAL RESEARCH AND WRITING*** by S. Gordon & S. Elkhadem (Toronto: Emond Montgomery, 2001)

***LEGAL PROBLEM SOLVING: REASONING, RESEARCH & WRITING*** by M.F. Fitzgerald, 2d ed. (Toronto: Butterworths, 2001)

***LEGAL RESEARCH AND WRITING*** by T. Tjaden (Toronto: Irwin Law, 2001)

***GUIDE TO ELECTRONIC LEGAL RESEARCH*** by A. Zivanovic (Toronto: Butterworths, 2001)

Over the past eighteen months four new texts related to legal research in Canada have been published. This review will comment briefly on these texts in light of their particular utility as teaching and learning supports for legal research skills in a first-year legal research program.

The most basic approach to building legal research skills is taken by Gordon and Elkhadem in *The Law Workbook: Developing Skills for Legal Research and Writing*. The workbook moves from the more general and elementary aspects of research to more specific and applied exercises. The workbook approach provides a generous number of exercises and examples, and will be beneficial to students who require more practice or a more detailed approach to legal research skills. The text would be improved if answer keys to certain exercises were provided — for example, to the exercise on providing names for statutes for which only a citation is provided, or for finding and citing statutes on specific topics. There are several well-laid-out and clear charts and figures throughout the text that present complicated information in an easy-to-understand fashion, as, for example, with the process for updating and backdating legislation. A significant portion of the text is devoted to the development of analytical and writing skills, and this may be of use in assisting some students to prepare for first-year examinations as well as for the overall development of writing skills. The chapter on online research presents basic overviews to three of the major online systems: Lexis, Westlaw, and QuickLaw. CD-ROM products are also discussed. The style of citation used in this text does not conform completely to the *Canadian Guide to Uniform Legal Citation* (4th ed.), so there may be some confusion if that citation style has been adopted locally.

The texts by Tjaden and Fitzgerald offer more of a text-based, theoretical approach to the development of legal research and writing skills and are of similarly excellent quality for teaching purposes. Fitzgerald's *Legal Problem Solving: Reasoning, Research & Writing* provides self-tests and sample exercises, and includes answers — making it a useful text in any program that incorporates a self-study component. *Legal Research and Writing* does not offer prepared exercises, but provides an equally thorough treatment of steps in legal research. Both texts have a chapter on legal writing and both provide a sample of a legal memorandum. Fitzgerald provides a sample research plan that takes the student through the research process, while Tjaden provides a hypothetical problem and provides a detailed analysis and approach to the research process needed to answer the problem.

Both texts cover electronic resources, although the approaches taken in presenting the material are somewhat different. Fitzgerald has a chapter on “Law Libraries, Disks and Databases,” and in subsequent chapters on secondary materials, statutes, regulations and cases includes sections on specific electronic sources. The outline presented for “Four Steps” in electronic research is admirable, but woeful experience indicates students are often less interested in efficiency than in convenience, and online sources are heavily preferred even when print is arguably the more efficient choice for certain kinds of research. Tjaden incorporates information on electronic sources in his chapters on legal resources, legislation and case law, and follows up with chapters on the Internet, CD-ROMS, and databases. He mentions a number of the smaller Canadian legal database providers such as SOQUIJ and Maritime Law Book, as well as the better-known QuickLaw, Lexis, and eCarswell systems.

One of the few notable differences between the content of these two texts is Tjaden’s Chapter 8: “Legal Research by Topic.” This is an excellent summary presentation of key resources in a variety of legal topics that will be extremely useful to any student, articling student, or new lawyer tackling an unfamiliar area of law for the first time. It presents concisely the key library subject headings, CED and Abridgement topics to check, and the leading Canadian texts on the topic. If it saves a legal researcher just one hour — or even less, depending on the billing rate — this chapter justifies the expense of purchasing the book. While the content will date over time, this information can be seen as having comparatively longer-term value when determining the choice of a text for students. Chapter 9: “Selecting and Acquiring Legal Resources” will also be of practical interest and value to any junior lawyer who finds him or herself responsible for the firm’s library, or for members of the library committee. Finally, Chapter 10: “Legal Research Malpractice and Research Adequacy” is a sheer delight to the heart of this librarian, and should be assigned reading for every law student.

*Zivanovic’s Guide to Electronic Legal Research* is a more detailed analysis and comparison of legal research using electronic sources. It presents general information about the Internet and searching the World Wide Web. While these first two chapters may not be of interest to many students, they will be of practical value to practitioners who are less familiar with the online environment. The tips on searching and browsing are helpful, and the section on the need to critically evaluate web information should be required reading for all web users. Chapter 3 is an extensive presentation of WWW sites related to legal research, with short scope notes about the content as well as the URL for each site. Chapter 4 presents an overview of Lexis, eCarswell and QuickLaw with numerous screen shots of what the online user will see on the monitor. Chapter 6 is a detailed exposition and comparison of the electronic citator service offered by each of the three vendors. This is a unique comparison, and goes into greater depth on these frequently used tools than any of the other texts reviewed here. It is well worth a careful review, and in particular the section on history phrases merits some consideration. This text makes clear that the different uses of the same word or phrase by various publishers is something of which a legal researcher must be aware.

In summary, each of these texts fills particular needs and niches, and a comprehensive library would want each one. A student who finds Tjaden’s or

Fitzgerald's text a challenge would be well advised to use and work through the Gordon and Elkhadem workbook. There are sections in Tjaden's text that a new lawyer or law librarian might find to be of more interest than a student necessarily would, but both Tjaden and Fitzgerald are excellent texts for a first-year program in legal research. Selected portions of Zivanovic would make useful supplemental reading, but in the interest of minimizing textbook expenditures for students, acquiring a few copies for reserve reading would be an adequate approach.

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