Interactive Ways to Teach Cost-Effective Research Using Google Scholar and LexisNexis

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With a push in the legal market to minimize research costs, law schools should teach students about free and low-cost alternatives to LexisNexis and Westlaw. This article discusses an interactive way to teach students about the content and features of Google Scholar and about its benefits and limitations. This article also describes an innovative way to teach students about the cost of researching on Lexis.com outside of the law school bubble and addresses how to integrate Google Scholar and Lexis.com while researching.

In my first-year legal research and writing course, I begin my presentation by explaining to students the different pricing options that LexisNexis and Westlaw offer to private firms and governmental agencies. I then show students how clients are generally charged for research costs. For instance, students learn that a cost is incurred on Lexis.com under many contracts each time an attorney searches a case law database, clicks “Get a Document,” or clicks “Shepard’s.” After discouraging students with the pricing of LexisNexis and westlaw, I offer them a free alternative—Google Scholar. I introduce Google Scholar by having my students visit its home page (www.scholar.google.com), click on “Legal documents,” and type some search terms in the search box. I then explain its content and features. The legal documents database contains reported cases from the United States Supreme court (since 1791), the United States courts of appeals and United States District courts (since 1923),

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Step away From the PowerPoint: Using Mirror Neurons to enhance Student Learning in the classroom

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your facial features and hands, and their mirror neurons will imitate that process because with mirror neurons, the students feel the same thing by watching your gestures as they would if they were executing the same action. By engaging the students and using visual cues that they can mirror, they will experience the first layer of the learning process for analogies and begin to embody what you did during that explanation.

whereas, with the PowerPoint example from the rushed professor, he most likely had the analogy written out on the PowerPoint and proceeded to take the students through the steps while looking at the screen. Both he and the students referenced what was written on the screen, and the students did not have the benefit of seeing his interaction with the material. The students have received all of the necessary information, but they have not had the benefit of building off of the instructor’s knowledge base through a mirroring effect. So, they must now understand that material through their own mechanisms. Using the fruit example, the PowerPoint professor showed them what a good apple looks like and how to identify it, but they did not have the sensory perception of seeing him eat a good apple and have a positive reaction. So, they must now taste the apple themselves and figure it out on their own. If they had seen the professor eat the apple, then they would have had the benefit of their neurons “firing”; instead, they will have to create the initial steps of the learning process on their own now.

Mirror neurons do not indicate that PowerPoint needs to be totally thrown by the wayside, but they do show that professors need to monitor their presentation of material when using a PowerPoint to ensure that they are still creating that connection with their students. To incorporate this new research in a classroom, professors should also think about how they will physically present the information: what hand gestures, facial gestures, and appropriate breaks will help students to mirror their knowledge base and develop a better understanding of the material through immediacy.


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and supreme court and intermediate appellate courts from all states (since 1950). It also has unreported federal and state cases (some are available within one week of being issued), but the breadth is unclear. Although Google Scholar does not maintain a database of legal articles, it provides links to articles hosted on other websites, such as the Social Science Research Network and HeinOnline.

After Google Scholar received a face-lift in May 2012, the “advanced scholar search” at the home page is now found as a drop-down menu by clicking the arrow embedded in the search box. The best way to search within particular courts, however, is to search the legal documents database at the home page and wait until the next page to limit the results, which can be narrowed to all federal or state cases or to a specific court (e.g., the Seventh circuit or the Supreme Court of Texas).

Google Scholar has a citation service, but a significant limitation of this service, like other alternatives to LexisNexis and Westlaw, is that it does not indicate the validity of a case. I teach this citation service by having students type “motions to dismiss” in the search box at the home page.

(These steps are best understood by following along on Google Scholar.) The leading Supreme court cases of Bell Atlantic Corp. v. Twombly and Ashcroft v. Iqbal should be the first and second results. The “cited by” feature at the bottom of each result will return subsequent authority that has cited the original authority (similar to Shepard’s or Keycite), and the subsequent authority is now organized based on the depth of discussion (instead of prominence) in that the first listed result has discussed the original authority in more detail than a later result. The depth of discussion is represented by horizontal bars next to each case name: the more bars, the greater the discussion of the original authority. In the example below, Webb has discussed Twombly in detail.

To show students how to limit citing results, I have them click “cited by” under Twombly. Using the options on the far-left column on the next page, the subsequent authority citing Twombly can be limited to specific courts (e.g., only Ohio courts citing Twombly) and limited by date (e.g., only cases citing Twombly since 2011). Last, I show students how to keyword search within the authority citing Twombly (similar to a FOCUS on a Shepard’s report). If students want cases citing Twombly and involving products liability claims, after clicking “cited by” under Twombly, they would check the box “search within citing articles” (articles includes cases) and type “products liability” in the search box.

Bell Atlantic Corp. v. Twombly

127 S. Ct. 1565, 550 US 544, 167 L. Ed. 2d 929 - Supreme Court, 2005 - Google Scholar

We address the issue of the proper standard for Tennessee Rule 12.02(6) motion to dismiss in light of the United States Supreme Court's decision in Bell Atlantic Corp. v. Twombly, 550 US 544, Cited by 19 - How cited - Related articles - All 2 versions

After demonstrating Google Scholar, I assign to students a short research problem where the client wants to bring a lawsuit against her neighbor for the death of her beloved dog. (The full assignment is set forth at the end of this article.) The client’s initial question is whether under Florida law she can recover damages for the emotional distress resulting from her dog’s death. To promote friendly competition, I offer an award to the first student who correctly answers the question with the proper authority. Students should conclude that emotional distress damages are not recoverable for simple negligence (Kennedy v. Byas) but are recoverable for intentional conduct (La Porte v. Associated Independents, Inc.).

About 15 minutes later, I ask students to research only on Lexis.com and answer the same two questions under Washington law so that students can compare the two services. My assignment is unique in that students must record each research cost incurred, which helps them grasp—and remember—the cost of using Lexis.com. (Of course, you could use a similar exercise for teaching Lexis advance or WestlawNext.) I provide them with the estimated costs to use several features. For example, a student who searches all Washington state cases would record a charge of $35 but would record no charge for clicking on any case returned by that search. Students should conclude that emotional distress damages are not recoverable for negligence (Pickford v. Masion) but are recoverable for intentional conduct (Womack v. Vardon).

At the end of class, my students answer a few self-assessing questions: (1) What are two or three benefits of using Google Scholar in comparison to Lexis.com?; (2) what are two or three limitations of using Google Scholar in comparison to Lexis.com?; (3) when researching with only Google Scholar, were you confident that you found the correct

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binding authority to answer the client’s question; and (4) what could you have done differently to reduce the cost of using Lexis.com? We then discuss their answers.

As to the first question, students agree that Google Scholar’s primary benefits are that it is free and familiar. Two additional benefits are that Google Scholar now organizes citing results based on the depth of discussion and that it may return relevant authority even when the researcher does not use the terms of art found in the relevant cases.

We then discuss the second question about Google Scholar’s limitations. A significant limitation that students fail to appreciate is that it discourages them from asking the threshold questions—what authority governs my client’s issues and where is the best place to start my research? Google Scholar, for instance, is a poor choice to start researching a statutory issue; its database contains no statutes. I prove this point to students by using it to research the question of dog damages under Tennessee law. Because a statute governs the recovery of emotional distress damages and because no case has cited the statute, students cannot answer the question using Google Scholar. Further, students recognize that Google Scholar’s citation service does not show whether a case is still valid or how subsequent courts have treated it. You should remind students that courts do not create the colorful signals on LexisNexis and Westlaw and that they must independently verify the validity of any authority cited.

As to the third question, many students were confident that they reached the right conclusions using Google Scholar. Because of their familiarity with Google searching, they have a false assurance that Google Scholar will return the most relevant authority. Familiarity, of course, does not equate to being right. You should inform students that Google Scholar is a good tool when the researcher understands the area of law and knows the specific authority that is needed. But a law student should not use it to start researching a new area of law. For example, Florida courts allow the recovery of emotional distress damages for gross but not simple negligence. My students did not catch this important distinction—likely because the first several cases returned on Google Scholar using my suggested search terms do not address gross negligence.

The fourth question springboards into a good class discussion on how students should integrate Google Scholar with Lexis.com to minimize research costs at their jobs. I explain that students can find cases on Google Scholar and then Shepardize them on Lexis.com. In addition, after Shepardizing a case, they could save the “Get a Document” cost by retrieving the returned cases on Google Scholar. Students can also reduce research costs on Lexis.com by searching a database with broad terms and then narrowing the results through the free FOCUS feature. Of course, this list is not exhaustive.

Before entering the real legal world, students should learn how to use Google Scholar effectively and efficiently. It is a great tool to reduce research costs—resulting in satisfied clients and partners. Once we teach students about the limitations of Google Scholar, they should be able to use it appropriately.

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