

Tips For Summer Associates – A Digest of Great Ideas

The first rule of legal research is to *Find Somebody Who has Already Done the Work For You*¹, and in that spirit, this guide will summarize the advice of colleagues who have shared their best advice with prospective summer associates in the past:

Georgetown Law Library's Cost Effective Research:²

- Learn the price and value of all the firm resources and services available to you
- Get to know the library staff and treat them well
- Exhaust local free resources before spending money
- Check the internet – especially for recent administrative, court decisions, congressional documents
- Learn your assigning attorney's and client's special preferences
- Learn how the firm is billed or Lexis and Westlaw
- Plan your search before you go online
- Choose the smallest relevant database
- Make use of segment, field searches; use proximity connectors wisely
- Don't search when you can use Find, Get a Document, Shepard's or Keycite
- Keep up on new additions, enhancements; know database content

Surviving Summer Research Assignments³, prepared by Mary Whisner, Marian Gould Gallagher Law Library, University of Washington School of Law, for the May 2005 Bridge the Legal Research Gap Program

- Keep a log with notes about who assigned the project, when it is due, etc
- Keep a calendar and plan your time
- For every assignment, find out when it is due, how to and can you contact the requestor, and who else in the office knows about the project. What format is final product to be in? How much time should you spend? How should cost be charged? ASK QUESTIONS!
- Before you jump in, plan your research: What is the issue you need to answer? What jurisdiction? Key words to search? How much time do you think it will take?
- Plan your research strategy based on what you already know or don't know about the subject field or issue. Do you need to start with a good secondary source? Did the assigning attorney give you a starting place such as a relevant statute? Check for relevant authority and be sure to update

¹ The use of the rule in this context is itself an example of it: Known as Berring's First Rule of Legal Research, and explored fully in the video series *Commando Legal Research*, created by Prof. Robert C. Berring (Legal Star Communications 1989) Find this set in our library collection at KF240 .B533 (Reserve)

² See the Georgetown University Law Center Cost Effective Research page at <http://www.ll.georgetown.edu/guides/cost.cfm>

³ View Mary Whisner's tips in full at <http://lib.law.washington.edu/ref/resassg.html>

- Take great notes
- Stop researching when you keep finding the same answer, when you have checked all appropriate sources, when you are confident about your results, when your supervisor says you've done enough, when you run out of time
- Communicate results according to the requirements of the project

Cost Effective Research,⁴ Cindy Carlson, LLRX Notes from the Technology Trenches, March 15, 2004

- Plan your research strategy
- Keep an open mind about resource options
- ASK, ASK, ASK someone who may know better
- Use the ten minute rule: If the search strategy isn't getting you anywhere in ten minutes, stop and re-evaluate your approach
- Think strategy before you think source
- Check sources that are most likely to answer your issue first, then expand if necessary
- Know your online and print tools
- Know relative costs of the databases
- Use the smallest database that will answer your question, but search broadly. Then use Locate or Focus to narrow your results
- When possible, start with in-house resources that are available to use without charge to the client
- Use digests and indexes, whether print or online: full-text searching is often inherently inefficient

How to Crush Research and Writing Assignments⁵

- Recognize the importance of what you are doing: solving client problems
- Receiving the assignment: come prepared, exhibit enthusiasm, take notes, ASK QUESTIONS, say "thank you" – make sure you understand the nature of the final assignment, goals, time frame, administrative details before you leave the office
- Do all of your research with the goal of finding an answer for the client in mind
- Think about the problem before you plunge into research
- Don't reinvent the wheel: ask for forms, templates, firm's brief bank, firm "form book" or "go-by"
- Ask the firm librarian for advice on where to start
- Don't expect easy answers
- Learn how to gauge which questions to ask and which you should research on your own

⁴ View Cindy Carlson's tips in full at <http://www.llrx.com/columns/notes68.htm>

⁵ Kimm Alayne Walton, *How to Crush Research and Writing Assignments*, in *WHAT LAW SCHOOL DOESN'T TEACH YOU, BUT YOU REALLY NEED TO KNOW* (Harcourt Legal and Professional Pub., 2000) at 337. Find a copy in Room A066 the Law Library at KF297 .W344 2000

- Before going on-line, do your strategizing and basic book research first, use the Internet; make sure you have taken training on the most efficient ways of searching Lexis or Westlaw
- Recognize situations where there is no substitute for online research
- Immediately notify assigning attorney if your research is turning up something unexpected
- Meet deadlines
- If you are stuck, try thinking outside the box, go back to secondary sources, ASK for help
- UPDATE
- At the writing stage: write from an outline, analyze, be clear and brief, THERE IS NO SUCH THING AS A DRAFT, make sure your written product is perfect and complete

Legal Research and the Summer Job...Advice from the Law School and Advice from the Law Firm⁶

- Talk with a librarian at the law school about resources for the type of law you will be working in
- Find out what resources the firm has for you, including any limitations on use of fee based databases
- ASK QUESTIONS! ASK FOLLOW-UP QUESTIONS!
- When starting with a new project, start with a secondary source: ALR annotation, law review article, treatise
- For heavily regulated areas, ask about a looseleaf publication in the subject field
- Update all primary sources
- Don't start with Lexis or Westlaw unless you have permission
- Never turn in a "rough draft"
- Before turning in a document, let trusted peers, mentors review it
- Go the extra mile
- Ask a librarian for help
- Typical assignments:
 1. Wild Goose Chase (The firm thinks this is a case of first impression, but doesn't tell you because they think it will limit your research): Record every source, term and strategy you use in a journal. Submit memo detailing your thoroughness
 2. Survey (How the 50 states handle a particular issue): Find out first if there is already a published survey on the topic

⁶ Nazareth A. Pantaloni III, Louis Sirico Jr., and Ellen M. Callinan, *Legal Research and the Summer Job...Advice from the Law School and Advice from the Law Firm*, 7 Perspectives: Teaching Legal Research & Writing 110 (1999); reprinted in Best of Perspectives: Teaching Legal Research and Writing 78 (2001) Find this on the Base level of the Law Library : K16 E73

3. Update my... (book, article, seminar outline, etc) Use LexisNexis or Westlaw citation checking and retrieval utilities to identify new decisions, statutes, regulations you need to add. Conduct a well-designed subject search
- Start your strategy at the time of the assignment: Collect information from the requestor including all the essentials relative to jurisdiction, useful tips, scope of research, terms of art, acronyms, sources, key cost constraints
 - Put your research in context
 - Use serendipity
 - Don't reinvent the wheel
 - Open your mind to analogies
 - Browse annotations, but read full texts
 - Confirm the reliability of your source
 - Have a back-up
 - Record citations immediately when you find them!
 - Maximize the use of good sources
 - Have fun!

Ten Commandments of Memo Writing;⁷ advice from Paul Cane, partner at Hastings, Janofsky & Walter:

- Ascertain what kind of memo is needed: pros and cons, argumentative, find the cases, opinion letter
- Use good judgment
- Communicate with the assigning attorney about deadlines
- Do thorough research, but also adhere to time limits, check back with assigning attorney, don't reinvent the wheel
- Be concise: Avoid lawyerisms, passive voice, too many prepositions, "said" and "clearly"
- Consider the importance of facts
- Apply the law to the facts
- Remember THERE IS NO SUCH THING AS A DRAFT! Role of the supervising attorney is to take your best work and make it even better
- Honor the Bluebook
- ASK QUESTIONS

Making the Most of the Summer;⁸ tips from a partner and a practice support manager, including what you should research before you get there:

⁷ Paul Cane, *Ten Commandments of Memo Writing...Advice for the Summer Associate*, 4 Perspectives: Teaching Legal Research & Writing 83 (1996); reprinted in Best of Perspectives: Teaching Legal Research and Writing 84(2001) Find this on the Base level of the Law Library : K16 E73

⁸ Peter A. Walker and Jennifer White, *Making the Most of the Summer: Doing Research on the Firm, as Well as Requesting Assignments of Interest, Enhance the Experience*, National Law Journal, May 30, 2005 at p13.

- Review the firm's web site: practice areas, office locations, biographies, firms events, client lists, recent decisions, articles
- Review biographies of the lawyers in the firm, especially those who practice in the areas of most interest to you
- Research work handled by the firm
- Consult with past summer associates
- Know the dress code
- Bring proof of eligibility to work in the U.S.
- Observe law firm policies, include recording of time, office hours, nondiscrimination, harassment
- Explore as many practice areas as possible
- Take the initiative to find a mentor
- ASK QUESTIONS!

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