

Inexpensive and Free Research Resources for Lawyers

Prepared for the LESA Solo and Small Firm Conference
October 16, 2008 Edmonton
October 17, 2008 Calgary

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I. INTRODUCTION

Like everything else related to the practice of law, the cost of legal research has risen with the years. A sole practitioner may not always be able to reconcile his or her research requirements, or even just the need to keep up with legal developments, with the high cost of accessing the law in the “traditional” ways.

While the subscription-based electronic case law providers offer many bells and whistles with which, they say, your life is easier; it is possible in many cases to obtain the same information either free or at a fraction of the cost.

II. THE COST OF “TRADITIONAL” ON-LINE LEGAL RESEARCH

First, a ballpark look at what case retrieval can cost. (This is the **per-case** cost, and assumes that you have a case name and/or a citation and are looking for a known case):

The Internet	free
Maritime Law Book (NRS or Alberta Reports, etc.)	free/\$4
LexisNexis Quicklaw	\$3.00
WestlaweCarswell	\$3.50
Taxnet.pro	\$20.00

III. SECONDARY SOURCES

Of course, as any researcher will tell you, computer research is NOT the first stop in solving a legal research problem. Rather, you should begin with a good textbook. Why re-invent the wheel when somebody else has already spent the money and sweat to investigate the state of the law? Accessing a good textbook at the outset also makes sense from an economic standpoint because it will prepare you for a shorter, more efficient on-line research experience when you are ready.

Accessing secondary sources before going on-line accomplishes at least four valuable things:

- You access case names from which to start your electronic research -- usually the “seminal” cases in an area;
- The secondary sources will often reference the relevant legislation, if any, relating to your area;
- They may provide you with commentary on how the law is developing; and
- They will help you learn what the jargon might be usual in a particular area.

All of this information will see that you do not flounder around when you finally do take the step of formulating keyword searches and going on-line.

There are several lists of the premier, go-to texts by experts in a particular area of the law. The Law Society libraries offer such a list, called the “Essential Law Library”, on their website at: www.lawlibrary.ab.ca (click on “About Us” to access the drop down menu, then click on “Essential Law Library”). The List is based on the Alberta Law Society Libraries’ Information Resources Policy which, according to the website:

“... defines the minimum level of [Alberta Law Society Library] collections considered essential to the practice of law in Alberta, to the provision of legal research and information services by the libraries, and to the retention of an archival collection of Canadian law in print”.

The Essential Law Library list is made up of four sections -- reference, legislation, law report and textbooks.

Other lists can be found at:

- Doing Legal Research in Canada, Ted Tjaden (list of legal texts by topic and research guide) - <http://www.llrx.com/features/ca.html>
- Best Guide to Canadian Legal Research (list of core legal texts by topic) – <http://www.legalresearch.org/docs/gehlen.html>

V. FREE OR INEXPENSIVE LIBRARY RESEARCH SUPPORT

1. *The Law Society libraries*

www.lawlibrary.ab.ca

Leaving aside the issue of book-borrowing, the Law Society libraries are a good and inexpensive research resource, providing these and more services and time-savers:

- Reference questions are fielded at the reference desk, either over the phone (780-422-2342 (Edmonton) and 403-297-6148 (Calgary)) or through the website;
- For \$5.00 plus .50 per page, call the reference desk (780-422-2342 (Edmonton) and 403-297-6148 (Calgary) and have a staff person photocopy a case or article for you and fax it to your office;
- If you have a page reference, staff can also pull the text for you and read it to you over the phone;
- If you aren't sure a publication has what you need, a staff member can fax the table of contents to you;
- For a flat-rate of \$50.00, a staff member will perform electronic searches on a particular subject (fee includes printing and document delivery);
- For \$10.00 a staff member will note-up a case (multiple databases searched) or a statute;
- Free services include: noting up cases; verifying citations, searching statutes, noting up statutes, tracking bills, locating journal articles and reports, and accessing unreported decisions;
- Certain on-line databases are also available for use within some Law Society libraries, including Quicklaw, Westlaw eCarswell, Lexis Nexis, Hein OnLine and Alberta QP Source.

2. *The University libraries*

A. *John A. Weir Law Library, University of Alberta*

<http://www.library.ualberta.ca/subject/law/index.cfm>

For free access to databases like Quicklaw, LawSource (Westlaw eCarswell), the Dominion Law Reports Plus, the National Reporter System (Maritime Law Book), QP Source Professional (up-to-date, fully searchable database of Alberta legislation), CCH Online (LegalWorks, HRWorks and TaxWorks), and various e-books, for instance *Martin's Criminal Code*, one need only visit the University of Alberta John Weir Library. (Check the website – click on “Canadian Legal Databases Guide” -- for a complete list of the databases available.)

To take advantage of this service, get a CCID (Campus Computing ID) from the service desk (no charge – just present your photo ID) and use one of the library's terminals.

There are other links to resources available remotely by accessing the Weir library's website and clicking on “Selected Web Resources” at

<http://www.library.ualberta.ca/subject/law/websites/index.cfm>. All of these items are accessible from your office.

For a complicated case, the Weir library offers librarian assistance. To make an appointment, go to the library's web site and click on “Research Appointment” at

<http://www.library.ualberta.ca/appointment/book/index.cfm?librarianemail=law>. Once you have sent in the request a staff member will contact you to schedule an appointment.

B. *The University of Calgary Law Library*

<http://library.ucalgary.ca>

The U of C law library offers services similar to those at the U of A Weir library. That is, lawyers can attend at the library and obtain a library card – in this case a U of C Community User library card (with proof of Law Society membership). This entitles you not only to borrow books, but also to access the legal databases in person, from the library's terminals. (These

include Westlaw eCarswell, Lexis Nexis, CCH and others. Quicklaw is not, at the moment, available to community users. Follow the links on the library's web site for a complete list).

There is free reference help from library staff. Call 403-220-7274.

3. *The Legislative Library (Edmonton)*

<http://www.assembly.ab.ca/lao/library/index.htm>

Although the primary mandate of the Legislature Library is to provide support to Members and their staff, it is also open to the public free of charge. Lawyers interested in any legislative issue can call the reference desk (780-427-2473), send an electronic request for help (library.requests@assembly.ab.ca) or drop in to the library and ask for assistance from the reference desk.

4. *The Environmental Law Centre Library*

www.elc.ab.ca

The Environmental Law Centre (Alberta) Society ("ELC") was formed in 1982 to provide Albertans with an objective source of information about environmental and natural resources law. Its library contains environmentally-related resources like books, decisions (many unreported) and a hard copy clipping service. It is open to the public. Search the library's catalog at www.elc.ab.ca, click on "Library" and then "Search our Library". Services (all free of charge) include the reference services of a librarian and borrowing privileges. For out-of-town clients, you can borrow via snail mail for only the cost of returning the books when you are finished with them.

V. INEXPENSIVE, ALTERNATE WEBSITES AND SERVICES

1. *Magic Doors*

The point of this presentation is to draw your attention to the cheap, what we call “alternate”, websites for your research. You can find many of these alternate websites listed all in one place, with links directly to those sites. These are called “magic doors”, or portals. Through them you can enter and find links to just about all of the primary legal information you will need in your research – cases, legislation and other resources.

A. *The University of Calgary Law Library Portal*

<http://library.ucalgary.ca/branches/lawlibrary>

One of the best portals in Canada is the University of Calgary Law Library portal, which is constantly updated to make sure that the links are fresh and working. This expansive portal will take you to:

- Legislation
- Courts
- Legal databases
- Legal periodicals
- International Law
- Natural Resources, Energy & Environment
- Government bodies
- Law Reform Commissions
- Research Guides
- Legal Profession
- Law Publishers

This site is so valuable that it is the portal through which Barb Cotton begins all of her legal research, outside of the paid databases.

This portal will take you to the websites of “Government Bodies” across the provinces and territories, including the government websites and the websites of their legislatures. Perhaps more significantly, however, there are links under this heading to various key administrative agencies, boards and commissions.

This heading under the portal will also take you to the government websites of the United States, the United Kingdom, Australia and New Zealand, the European Union, and other portals across the world. The websites of national parliaments across the world can also be accessed in this manner.

B. The Law Society of Upper Canada Portal

<http://rc.lsuc.on.ca/library/research.htm>

This is another expansive portal, offered by the Law Society of Upper Canada. Frankly, however, it is not up to the standard of the University of Calgary Law Library portal.

C. Access to Justice Network (ACJNet Canada)

www.acjnet.org

The Access to Justice Network provides access to Canadian case law and legislation, as well as a link to the federal Parliament and the Department of Justice Canada.

There is an ACJNet Alberta link within the Access to Justice Network, which provides access to the Alberta statutes and bills, and to Alberta Justice.

The site also provides access to legal “news”, including leading stories from the Edmonton Journal and the Calgary Herald, as well as press releases from government agencies etc.

One of the major values of this site is that there is a handy link to City of Calgary “bylaws of current interest” and “bylaws of frequent reference”, available from the City of Calgary website. The bylaws for the City of Edmonton are also available on the Access to Justice Network through a link to the Edmonton City website.

Another significant feature of this portal is that it will lead you to the web sites of many administrative tribunals, both federally and in Alberta, by taking you to the “Sims Group, Administrative Tribunals in Canada” site [<http://www.simgroup.com/adminsearch.htm>].

This can lead you, for example, to:

- The Environmental Appeals Board of Alberta [<http://www.eab.gov.ab.ca>], where decisions are available,
- The Natural Resources Conservation Board of Alberta [<http://www.nrcb.gov.ab.ca/home/default.aspx>], where limited decisions are available,
- The Alberta Labour Relations Board [<http://www.alrb.gov.ab.ca>], where decisions are available,
- The Alberta Energy and Utilities Board (now the ERCB and the AUC) [<http://www.eub.ca/eub/index.html>], where decisions are available,
- The Alberta Human Rights and Citizenship Commission [<http://www.albertahumanrights.ab.ca>], and
- The Freedom of Information and Protection of Privacy Commission [<http://foip.alberta.ca>], where limited decisions are available.

The key federal tribunals accessible through the Network are:

- The National Energy Board [<http://www.neb.gc.ca>], where “regulatory documents” can be browsed, and
- The Competition Tribunal [<http://www.ct-tc.gc.ca/index.asp>], where there are decision summaries.

The ACJNet Alberta site is a project of the Legal Resource Centre, which works in association with the Faculty of Extension, University of Alberta. The Legal Resource Centre sponsors other projects available through the Access to Justice Network site, including:

- Laws for Landlords in Alberta
<http://landlord.landlordandtenant.org/llhome/default.aspx>
- Laws for Tenants in Alberta
<http://tenant.landlordandtenant.org/home/default.aspx>
- LawNow
<http://www.lawnow.org/home/default.aspx>

- Canadian and Alberta Legal FAQs
<http://www.law-faqs.org/topics.htm>
- Oak-Net (Older Adult Knowledge Network) re: abuse of older adults, and includes information with respect to making a will, a power of attorney and a personal directive, as well as some information about frauds and scams.
<http://www.oak-net.org>

There is also a section on the ACJNet Alberta for self-represented litigants, which includes the Canadian Judicial Council statement of principles and other helpful information regarding court procedures etc.

D. U.S. Government Portal

<http://www.usa.gov>

E. Legal Information Institute (Cornell)

www.law.cornell.edu

These are the two major portals to American law, although they do not provide the coverage, ability to note up cases, or expance that is provided by the paid databases of LEXIS and Westlaw.

F. European Union Portal

http://europa.eu/documents/eur-lex/index_en.htm

Eur-Lex provides direct free access to the European Union Law, including the Official Journal of the European Union as well as treaties, legislation, case law and legislative proposals.

G. World Legal Information Institute

<http://www.worldlii.org>

The World Legal Information Institute provides access to 891 databases from 123 countries and territories, including international decisions.

2. Free Access to Canadian Case Law

A. CanLII

www.canlii.org

The most significant free Canadian database for case law and legislation is CanLII, provided by the Canadian Legal Information Institute. The Institute is a non-profit society owned and funded by the fourteen member law societies comprising the Federation of Law Societies of Canada. CanLII provides free public access to Canadian statutes and case law, including decisions of selective administrative tribunals, and offers over 100 searchable databases in an extensive collection.

This should be a first stop for those looking for free access to Canadian case law and legislation.

B. Alberta Courts

<http://www.albertacourts.ab.ca>

An excellent way to access the judgments of the Alberta Court of Appeal, Court of Queen's Bench, and provincial courts is through the Alberta Courts website. There is other information on this site, such as frequently asked questions, Practice Notes of the Court of Appeal and the Court of Queen's Bench and publications and forms for each court.

The Court of Appeal offers a "subscription service" under which you can be notified of a Court of Appeal judgment the day before it is filed.

3. Free Access to Legislation and Regulations

There are several vehicles with which to access Canadian legislation and regulations. Always check on the currency of your search results, however, as not all services update their legislation at the same rate.

A proficient free way to access both federal and provincial legislation is through CanLII (www.canlii.org).

A. Federal legislation

i. Department of Justice. Search consolidated federal statutes and regulations through the Department of Justice website at: [<http://laws.justice.gc.ca/en/index.html>].

The Department of Justice site will also take you to:

- The *Constitution Acts* 1867 to 1982 [<http://laws.justice.gc.ca/en/const/index.html>];
- The *Canadian Charter of Rights and Freedoms* [<http://laws.justice.ca/en/charter/index.html>];
- A link to “Frequently Accessed Law”, for instance the *Criminal Code* and *Competition Act*; and
- Historical information about the federal statutes, including a chronological listing of amendments, repeal acts, years of enactment and responsible ministers [<http://laws.justice.gc.ca/en/publaw/index.html>]

ii. Canadian Parliament. Update your legislation search by checking the federal bills through the parliamentary website [<http://www.parl.gc.ca/common/bills.asp?language=e>]. For further information about the bills, including government press releases and backgrounders for the bills, legislative summaries from the Parliamentary Information and Research Service, important speeches at second reading and coming into force data access the LEGISinfo service provided by the Parliament of Canada at:<http://www.parl.gc.ca/LEGISINFO/index.asp?Language=e>

iii. Canadian Government. Information from the *Canada Gazette* is available from the Government of Canada [<http://canadagazette.gc.ca/index-e.html>]

B. Alberta legislation

i. Legislative Assembly of Alberta. Search the progress of Alberta bills through the Legislative Assembly of Alberta website [<http://www.assembly.ab.ca>]. For bills in the current legislative session see http://www.assembly.ab.ca/net/index.aspx?p=bills_home; and for bills from past legislative sessions see: http://www.assembly.ab.ca/net/index.aspx?p=bills_statusarchive].

For other legislative searches, go to: http://www.assembly.ab.ca/net/index.aspx?p=adr_home]

From this address, follow the links to the searchable Hansard debates (a helpful tool if you are interested in the legislative intent behind a law) and also to the searchable committee proceedings.

ii. Queen's Printer. The Queen's Printer maintains this site for sales of its office consolidations and other services. It is also possible to view and print/download Alberta legislation and to access the Alberta Gazette from this site (for Regulations) – all without charge: <http://www.qp.gov.ab.ca/index.cfm>.

C. Law Reform Commissions

Often it is very helpful to consult the Law Reform Commission sites to see if there is a paper produced by a commission relevant to your area of research or which perhaps has formed the policy basis behind the legislation that you are researching.

The Alberta Law Reform Institute [<http://www.law.ualberta.ca/alri>] has a list of publications which can be searched, including final reports, issue papers and reports for discussion [<http://www.law.ualberta.ca/alri/Publications/index.php>].

All of the other Law Reform Commissions across Canada can be accessed through the University of Calgary Law Library portal. The reports of other law reform commissions across the world are also available through this portal.

D. Uniform Law Conference of Canada

<http://www.ulcc.ca/en/home>

Often the work of the Uniform Law Conference of Canada is helpful in finding the policy origins of legislation across Canada or to see the direction in which the policy makers could possibly go. All of the uniform statutes can be accessed through this site.

4. *Free Access to Canadian Legal News*

A. *Jurist Canada*

<http://jurist.law.utoronto.ca>

This is one of a network of “jurist” sites -- there are also jurist U.S.A., jurist UK, jurist Australia, jurist EU, and jurist Portugal sites. The site is hosted by the University of Toronto Faculty of Law and primarily contains information as to law teaching jobs, articling and recruitment and “legal scholarship”. However, this site’s major feature is its legal news content: its news service tracks the leading law articles in the popular media.

The site also has a portal to take you to Canadian law databases and the websites of the various courts across Canada. It does not access the legislation in the fashion that CanLII does and merely takes you to the Queen’s Printer website.

B. *Access to Justice Network (ACJNet Canada)*

www.acjnet.org

This site also provides access to legal news, including leading stories from the Edmonton Journal and the Calgary Herald, and releases from government agencies etc.

5. *The kindness of strangers*

A. *Law firm websites.* There is a plethora of privately generated, free information available on the web. Sometimes a simple Google search is all you need to get started accessing the latest law in a particular area.

For instance, many law firms use their expertise in a particular field as a marketing tool to attract clients or inform existing ones. The benefit of that expertise is available, too, to anyone on the net. The administrators of the Legaltree.ca website (<http://www.legaltree.ca>) have picked up on this source of legal information. Part of the site contains a page from which you can perform a subject search of 500 law firm websites. The Legaltree administrators select those websites from sources like the Martindale Hubble Canadian Law Directory and the Canadian Law List.

Legaltree.ca also provides these resources:

- Links to and information about legal websites and paper-based research (including a “resources by subject area” list of secondary sources by law area);
- “User contributed content” representing articles and news on different legal areas, written and edited by Legaltree users; and
- Supreme Court case summaries (to which you can subscribe).

B. Subscription services. Other services will keep you up-to-date with regular e-mails telling you about new developments in the law. A good example is the Lang Michener’s Supreme Court of Canada [L@wLetter](#), which contains digests of the latest S.C.C. decisions. Subscribers receive this newsletter every Thursday for free. Also, once a year Eugene Meehan and his team issue a Supreme Court of Canada Year-in-Review publication.

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