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Book Review of The Process of Legal Research, 6th ed.

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Kunz, Christina L., Deborah A. Schmedemann, Ann L. Bateson, Matthew P. Downs, and Susan L. Catterall. *The Process of Legal Research.* 6th ed. New York: Aspen Publishers, 2004. 489p. $55.

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¶26 This is the latest edition of *The Process of Legal Research*, first published in 1986.[11] Although the book has evolved over time, its basic structure remains the same. The authors describe legal research as a process and introduce hypothetical research problems, while holding historical and bibliographic details to a minimum. *The Process of Legal Research* contains reprints of sample pages and screen shots from various sources and includes problem sets at the end. The main difference between this book and earlier editions is its expanded treatment of computer-assisted legal research (CALR) and abridged or eliminated coverage of certain print sources. For example, the authors condensed their discussion of the case reporter systems and eliminated coverage of the print version of *Shepard's Citations.*

¶27 Although the authors claim that lawyers are the target audience, *The Process of Legal Research* is clearly more suitable for students. At the outset, the reader is presented with a hypothetical legal problem and the authors proceed to demonstrate

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10. Richard K. Sherwin, *Lawyer's Bookshelf: Distorting the Law: Politics, Media and the Litigation Crisis*, N.Y.L.J., Nov. 23, 2004, at 2.

11. CHRISTINA L. KUNZ ET AL., THE PROCESS OF LEGAL RESEARCH (1986).

how a researcher might use various sources to find legal authority relevant to the problem. A step-by-step description of the research process includes mechanical details such as terms found in indexes, sample online search queries, and lists of search results. This approach may be pedagogically justified, but can be somewhat tedious reading—rendering the book less attractive for experienced researchers.

¶28 *The Process of Legal Research* covers secondary sources, case law, enacted law, legislative history materials, administrative materials, rules of procedure, and rules of ethics. After each type of source, the book explains how to use a citator to update the source (if applicable) and how to cite it using both *Bluebook* and ALWD citation formats. Although the book emphasizes federal sources, it also offers some coverage of state sources and a very brief discussion of municipal law. Foreign and international materials are not covered at all. Unlike the original edition, which covered CALR in a separate chapter, this edition discusses CALR in conjunction with print sources throughout.

¶29 The book's strong points include an interesting comparison of the inherent strengths and weaknesses of print research versus CALR, an excellent discussion of how to read and assess case law, an insightful analysis of how cases can become bad law, and an informative, easy-to-read description of how laws are enacted at the federal level. The discussion of free Web sites is also a plus.

¶30 Unfortunately, the authors seem to have misjudged the relative importance of different types of secondary sources. Practice guides and form books, which are heavily used by practitioners, are covered in a single paragraph, while an entire chapter is devoted to the *Restatements*. In fact, the authors devote more space to the *Restatements* than to any other type of secondary source. The discussion of print encyclopedias and treatises is sparse by comparison, and information on electronic versions of encyclopedias and treatises is almost entirely omitted.

¶31 Other missteps include the curious title "Mini-Libraries" for the chapter on loose-leaf services. The authors explain that since loose-leaf services are now available online without the binder, the authors will use the term *mini-library* instead of *loose-leaf service* (p.308). Students who refer to loose-leaf services as mini-libraries are apt to be misunderstood by anyone other than the authors of this book.

¶32 Despite these flaws, *The Process of Legal Research* is a well-designed book suitable for first-year law students. Attorneys and other experienced researchers who desire a legal research reference book on legal research will probably prefer a more advanced source such as *Fundamentals of Legal Research*[12] or *Specialized Legal Research*.[13]

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12. ROY M. MERSKY & DONALD J. DUNN, FUNDAMENTALS OF LEGAL RESEARCH (8th ed. 2002).
13. SPECIALIZED LEGAL RESEARCH (Penny A. Hazelton ed., 1987–).