

CHECK IT OUT

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Casetext and CARA: An Alternative to the Premium Legal Research Services Worth Considering

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When performing legal research, law students have traditionally depended upon a few, very expensive services (Westlaw, LexisNexis and recently, Bloomberg Law) who try their best to be a one-stop-shop for the legal practitioner. Many times, students become victims of their own mental trap, believing that such services are the first and last option for completing the research function.¹ Depending

¹ It is good to remember that the first step in legal research may not involve signing onto a research database at all. That first step involves the thought process of spotting issues within your legal problem, finding and reading secondary sources (print or online) that can aid in a better definition of the issues and side issues that may be included. Also, after gaining a better understanding of the key issues and associated matters of your problem, you may want to rethink your prospective search argument and keywords so that you can achieve optimum results in your

upon a law graduate's job situation after graduation, these traditional legal database services may be widely used (such as in a major firm setting), or may be too expensive to be relied upon (such as in a solo practitioner setting) by the newly-minted lawyer.² If the premium services are not a viable option, there is a growing list of databases that are either free or low cost. One such database, which is the subject of this article, is Casetext.

Casetext, founded in 2013, is a legal research database service which provides primary resources at no charge to the

online research.

²See Robert Ambrogi's article in Law Sites, "Survey Finds Virtual Dead Head in Lawyers' Use of Westlaw, LexisNexis and Fastcase" at <http://www.lawsitesblog.com/2017/03/survey-finds-virtual-dead-head-lawyers-use-westlaw-lexisnexis-fastcase.html>.

public after signing up for a free account online. These primary legal materials currently include the following case law:

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LAW LIBRARY SCHEDULE

MONDAY-THURSDAY
7:00 A.M.-12 MIDNIGHT

FRIDAY
7:00 A.M.-10:00 P.M.

SATURDAY
9:00 A.M.-10:00 P.M.

SUNDAY
1:00 P.M.-12 MIDNIGHT



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All U.S. Supreme Court Cases

Federal Circuit Court Cases, 1925-current

Federal District Court Cases (published), 1925-current

Federal District Court Cases (unpublished), 2000-current

All State Supreme Court Cases, 1950 (or earlier)-present

All State Appellate Court Cases, 1950 (or earlier)-present

It includes the U.S. Code, Code of Federal Regulations, Federal Rules of Civil Procedure, Criminal Procedure, Evidence, Appellate and Bankruptcy Procedure. It also includes the state statutes for California, New York, Delaware, Florida

and New Jersey. According to the service, all of these materials are updated on a daily basis. They are all freely accessible and keyword searchable to anyone who signs up for an account.

“Insights”, another free feature of Casetext, is a product of crowd sourcing³ and provides annotations of the case, statute or regulation through contributions by members of the Casetext online legal community. For various reasons, this feature of Casetext may be its signature contribution to the online legal research community. It has become a means for attorney bloggers to obtain more

³What is crowdsourcing?

According Merriam-Webster (at <https://www.merriam-webster.com/dictionary/crowdsourcing>), it is “the practice of obtaining needed services, ideas, or content by soliciting contributions from a large group of people from the online community rather than from traditional employees or suppliers.” A high profile example of this practice is Wikipedia, where online contributors can edit or supplement entries throughout the database. In theory, the editing function of the widespread online community in the crowdsourcing function will allow improvement, correction and updating of text as time passes. Crowdsourcing can also impact information in a less direct way, such as reordering a list of results to a particular search query, based upon the number of times members of the crowd have chosen a item from that list.

exposure to the public in the legal market, but also a means for legal researchers to find blog content about a particular issue. Jake Heller, CEO of Casetext, said that “at the core of the platform’s intent is to remedy the traditional inefficiencies of blogging. Many of those stem from a writer devoting time and energy to a high-quality blog only to have it live in the dregs of the Internet, never to be seen by relevant readers. Casetext aims to remedy that problem by linking content to relevant cases and statutes, archiving them in its library of searchable legal context.”⁴ Such annotations are created by law students, teachers and attorneys using a Casetext feature called “LegalPad.” These annotations can be “upvoted” by readers of the annotations who believe that the commentary is particularly useful. In the instance where there is great interest in a case or statute, this can be a bonanza for the researcher to be able to read commentaries which have also been reviewed and approved of by other members of the community. However, if it is a case or statute of limited interest, the “crowd” annotating the primary

⁴Kenny, Juliana. Legal Research Tool Casetext Pushes Attorney Blogs Into the Spotlight, Law Technology News (Apr. 6, 2015).

law may be very limited or nonexistent, which, of course, dilutes the value of the feature.

In addition, Casetext provides in its free service the ability to access lists of computer-generated “citing cases” that could be seen as a thrifty man’s substitute for a premium product’s citator (such as Shepard’s or KeyCite). Through a program called WeCite, Casetext is encouraging the online legal community to help it establish relationships between cases, thereby helping it improve its citator services--again, using crowdsourcing. As a result, this service should improve with time. Even so, practitioners should question whether sole reliance upon such a tool is ethical or practical before going to court.

While the features mentioned thus far are accessible to free account holders, there is a fee-based version (reportedly \$149/month, though this is not specifically listed on their website) called “Casetext Pro”. This version provides all the features of the free service, plus additional features such as unlimited pdf printing, newsfeed of the latest legal news, advanced case summaries and “heatmap” case analytics. It also includes a new product called CARA, or “Case Automated Research Assistant,” a feature that allows researchers to upload a brief,

memo or other legal document for review by its computerized program. The question quickly arises why this service would be any different than Westcheck (Westlaw) or BriefCheck (LexisNexis). While those programs do a fine job in updating cases cited in the document, CARA goes further; this program actually finds cases not even mentioned in the document as suggestions for further research. CARA looks at the entire uploaded brief, noticing word patterns as well as cases and statutes cited to offer case law that may be pertinent. This service may also be particularly useful when analyzing an opponent’s brief as well. One step closer to having robots in the courtroom? Perhaps. But in the meantime, new resources such as these may be an aid in your future practice, both time wise and expense wise.

Recent Acquisitions

The Law Library subscribes to three of the Tax Management Series - U.S. Income; Estates, Gifts & Trusts; and Foreign Law. The individual titles are specialized and deal with all types of federal tax law. The titles listed below are part of the Foreign Law Series and outline business

operations in a variety of difference countries.

The print series is shelved in the Reference area, First Floor.

Davila Carbajal, Jorge.
BUSINESS OPERATIONS
IN PERU.
KF6289/.A1/T35/no.7288.

Kostakopoulos, G.S.
BUSINESS OPERATIONS
IN GREECE.
KF6289/.A1/T35/no.7142.

Ríos-Méndez, Edgar.
BUSINESS OPERATIONS
IN PUERTO RICO.
KF6289/.A1/T35/ no.7320

Sedlaczek, Michael.
BUSINESS OPERATIONS
IN AUSTRIA.
KF6289/.A1/T35/no.7020.

Vorlíková, Lucie.
BUSINESS OPERATIONS
IN THE CZECH REPUBLIC.
KF6289/.A1/T35 no.7098.



Ransomware

by Grace Simms,
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First - what is ransomware? A good definition is found on [TrendMicro's website](#):

"Ransomware is a type of malware that prevents or limits users from accessing their system, either by locking the system's screen or by locking the users' files unless a ransom is paid. More modern ransomware families, collectively categorized as crypto-ransomware, encrypt certain file types on infected systems and forces users to pay the ransom through certain online payment methods to get a decrypt key."

I have only seen a few instances of ransomware. Each time, the person with the infected laptop had clicked on and agreed to download something that seemed benign - an "Adobe Flash plug-in" is an example. Be very wary of any pop-ups while online. I recommend using a blocker. A good one to use is [Adblock Plus](#).

Occasionally - you'll run into a site that won't allow you to view content due to the blocker. The site can be whitelisted (if safe). This small annoyance is worth the protection.

If it's that easy, how do you protect your data? First, backup anything you care about it. There are many cloud options available now that are affordable. Take a look at the list from [PCMag](#).

If you do use a connected backup hard drive to back up your data, don't keep it plugged in all the time. Ransomware can quickly move from a computer to a connected drive. If possible, keep three backups on different forms of media and one of the backups should be kept offsite.

There is no perfect solution to keeping your data safe. Backing up data is step one. I like to say the second step is paranoia. Be extremely aware of attachments, links, pictures, etc. received via email and elsewhere. Even if you know the sender, it never hurts to confirm that the attachment was intended to be sent. Keep your OS updated, as well as any programs (browsers and others), and be sure you have a virus protection program and keep it updated.

Can Macs have ransomware? It could happen. Last year, KeRanger was discovered in a BitTorrent program. It was discovered early, and Apple was able to prevent it from being deployed. All that said, just because you have a Mac doesn't mean you shouldn't take the same precautions as PC users. More information on this subject is available at the [KeRangerweb web site](#).

Also on a Mac, I recommend enabling Gatekeeper. Go to System Preferences, Security & Privacy, General, and click the button next to Mac App Store for allowed applications. This may seem a bit frustrating at first as you will have to give permission

to install desired downloads from elsewhere - but it is worth it. View [Gatekeeper](#) for more information.

Ransomware is often distributed via macros in Word. If you have Office 2016, there is a [way to limit the abilities of macros](#) for documents obtained from the Internet. If you have Office 2010 or 2013 go [here for information on disabling macros](#).

Lastly, what do you do if your laptop installs ransomware? Options include: format the hard drive and move over backed up data; or pay the ransom (usually via BitCoin). If you do this, you are playing into the plans of the ransomware developers. That said, if you don't have a good backup anywhere, and the data is important, you may have to do so. This happens fairly often to businesses. The ransom can be anything from a few hundred dollars into thousands of dollars.

If you have questions or need help with this or anything else, please `contact me at` glsimms@samford.edu. (Grace L. Simms, Information Technology Librarian).

**Best of
luck with
finals!**

Welcome To New Librarian

Keta Harmon joined the Law Library Faculty on March 6, 2017, in the position of Acquisitions Librarian. She has a B.S. in General Business from The University of Alabama, and she received her Master of Library and Information Studies in December 2016, also from Alabama. She has worked at The University of Alabama School of Law, Bounds Law Library, since June 2006. Keta's many responsibilities include assisting the Law Library director in organizing and managing the Law Library budget and purchasing and receiving library material in all formats.

Keta is replacing our previous Acquisitions Librarian, Cherie Feenker, who retired at the end of February. Best wishes to Cherie, and a special welcome to Keta!



This is the last issue of **CHECK IT OUT** for this semester. Three issues will be published during the Fall Semester beginning in August, 2017. If you have any ideas or suggestions as to ways we can improve, contact Becky Hutto at rmhutto@samford.edu.

Director's Brief

By Gregory K. Laughlin,
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It is almost that time of the semester again when the Law Library temporarily modifies its hours and access policies to accommodate student needs for final exams.

If you do not have a sticker on the back of your student ID that is purple with a yellow sun and the word "NEW!" across the face, please stop at the front desk in the next few weeks and get one.

Law Library Extended Hours During Finals

Monday, April 24 to Friday, April 28:	7:00 am - Midnight
Saturday, April 29:	9:00 am - Midnight
Sunday, April 30:	1:00 pm - Midnight
Monday, May 1 to Friday, May 5	7:00 am - Midnight
Saturday, May 6:	9:00 am - Midnight
Sunday, May 7:	1:00 pm - Midnight
Monday, May 8 to Tuesday, May 9:	7:00 am - Midnight
Wednesday, May 10:	7:00 am - 4:30 pm
Thursday, May 11:	8:00 am - 4:30 pm
Friday, May 12:	8:00 am - 6:00 pm
Friday, May 12:	Commencement

All schedules are subject to change based on University decisions to close during times we currently list as open. If changes are made, they will be posted on the Law Library doors, on the Law Library web site, on the Law Library Facebook site, and by email to all recipients of this email.

The Law Library will be closed Easter Sunday, April 16, and the following Monday, April 17.

Restricted Access During Final Exam Period

Beginning at the opening of the Law Library on Tuesday, April 18 through the closing of the Law Library on Friday, May 12 the Law Library will be closed to all but the following patrons in order to accommodate the study needs of law students during their exam period:

1. Cumberland School of Law students, faculty and staff.
2. Samford University paralegal students.
3. Samford University faculty and staff.
4. Lawyers and other professionals who are routinely given access to the Law Library for their work.

The following will be permitted access only upon prior approval following a request made to the Law Library director:

Other Samford University students who need immediate access to an information resource that is only available within the Law Library.

IN ORDER TO ENFORCE THESE RESTRICTIONS, ALL PATRONS, INCLUDING LAW STUDENTS, WISHING TO ENTER THE LAW LIBRARY WILL HAVE TO PRESENT IDENTIFICATION BEFORE ENTERING.

YOU MUST ALSO PRESENT YOUR PATRON (STUDENT) ID TO CHECK OUT MATERIAL OR ROOMS. THAT IS LAW LIBRARY POLICY. ANY COMPLAINTS SHOULD BE DIRECTED TO THE DIRECTOR. THE DESK WORKERS ARE SIMPLY FOLLOWING MY POLICY IN THIS REGARD.

Do You Know a Librarian?

From the blog, Inside Higher Ed, author Regina Sierra Carter wrote an article entitled: [Hidden Figures: Librarians](#). Carter, a librarian at the University of Virginia, wrote: [L]ibrarians are one of the most underutilized resources on college/university campuses. She also listed five reasons students should be acquainted with a librarian:

1. Librarians are smart.
2. Librarians have intimate knowledge of services and resources the library offers.
3. Librarians are here to serve you.
4. Librarians can point you to prime real estate within the library (e.g. special collections, study spaces, technological equipment, etc.) and explain borrowing privileges.
5. Librarians are not your peers or professors, they are neutral professionals.

As finals approach, remember the librarians and library assistants here at Beeson Law Library are available to help! Just ask!

Librarian Update

Della Darby and Becky Hutto will be attending the annual meeting of the Southeastern Chapter of the American Association of Law Libraries, March 30-April 1, in Raleigh, North Carolina. Della and Becky will be presenting a program - Archives, Alumni, and Access.

