

# Law

## A new frontier in legal research: The specialized legal blog

**T**he Internet has made legal research simpler, faster and mobile, and lawyers are increasingly turning to a new resource for knowledge: Legal blogs.

Blogs (short for web logs) operate like a portal for easily obtaining information in a specific area that before was unavailable, says Paul Caron, a professor at the University of Cincinnati Law School and author of the TaxProf blog (<http://taxprof.typepad.com/>).

“To be an effective lawyer today, it would almost border on malpractice to not take advantage of this new technology,” Caron says. “I would encourage all lawyers to find a way to incorporate the use of blogs into their practices because it is such a valuable source of information and they shouldn’t deprive their clients of a real resource.”

Kevin O’Keefe, a former Wisconsin trial lawyer and current president of LexBlog and operator of Real Lawyers Have Blogs (<http://kevin.lexblog.com/>), says: “Thought leaders in every niche area of the law are having important discussions online that would be impossible to monitor without blogs.”



Doug Berman, a professor at Ohio State University and author of Sentencing Law and Policy ([http://sentencing.typepad.com/sentencing\\_law\\_and\\_policy/](http://sentencing.typepad.com/sentencing_law_and_policy/)), says, “I wouldn’t start with the blogosphere as the singular place for legal research, but it should definitely be a component of a lawyer’s resources. Blogs present the opportunity to get information quickly, see different perspectives and learn new things.”

Even if information gleaned from a blog provides background information, the tool is an important part of the legal research universe, Berman says, and reading the commentary after a post can often

enhance a lawyer’s understanding of a case or an issue.

Blogs offer lawyers real-time access to all types of legal information.

In early 2007, as the Employee Free Choice Act began moving through Congress, Richard Hankins began his EFCA Updates blog (<http://efcaupdate.squarespace.com/>).

“Things were happening so quickly,” says Hankins, a labor and employment partner at Kilpatrick Stockton in Atlanta, “that more traditional means like faxes and e-mails and newsletters weren’t letting us keep our clients informed.”

To save time and still get all the latest news, bloggers recommend that lawyers subscribe to RSS feeds for continuous updates from the blogs they visit, or use a website aggregator, a service that checks chosen blogs and posts

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their content on a single page.

A controversial use of blogs is when lawyers and judges cite legal blogs, Caron says.

While some attorneys might scoff at the notion that blogs can provide valuable insight or key information, consider this: In *U.S. v. Booker*, 125 S.Ct. 738 (2005), U.S. Supreme Court Associate Justice John Paul Stevens cited a blog in a footnote.

“Even the Supreme Court has recognized that blogs can provide access to material that would otherwise be unavailable,” says Berman, whose sentencing blog was cited in the footnote.

In the old days, lawyers had to wait months or longer for commentary on an important case in a law review journal.

These days, the wait could be a matter of days or even hours, Caron says, and while the speed and access of blogs is a

boon for attorneys, it also creates a “Wild West” of legal scholarship.

“Law reviews served a gate keeping function for reliable information and commentary, and people have to be careful which blogs they visit for information,” he says.

“People wouldn’t hesitate to believe what they read in the *New York Times*, but might question what they read in the *National Enquirer*,” Berman says.

### A few legal blog sites

- <http://kevin.lexblog.com/>
- <http://taxprof.typepad.com/>
- <http://efcaupdate.squarespace.com/>
- [http://sentencing.typepad.com/sentencing\\_law\\_and\\_policy/](http://sentencing.typepad.com/sentencing_law_and_policy/)