FIELD GUIDE TO LEGAL RESEARCH

Second Edition

PAUL D. CALLISTER
DIRECTOR, LEON E. BLOCH LAW LIBRARY
PROFESSOR OF LAW
UNIVERSITY OF MISSOURI-KANSAS CITY SCHOOL OF LAW

TOVE KLOVNING
FOREIGN, COMPARATIVE, INTERNATIONAL LAW LIBRARIAN
LECTURER IN LAW
WASHINGTON UNIVERSITY IN ST. LOUIS SCHOOL OF LAW, MISSOURI

WEST ACADEMIC

Foreword

By Dana Neacsu

Before introducing this compelling and transformative book, I must disclose that my own approach to legal research instruction differs in significant ways. At Duquesne Kline School of Law, where I have taught Climate Change Law, Research and Writing for the past three years, I have championed an integrated model that fuses doctrinal knowledge, legal research, and legal writing into a single pedagogical framework. This approach requires instructors to master doctrinal subject matter while simultaneously nurturing a deep facility with legal research and writing—a demanding, dialectical vision of legal education.

Paul and Tove take a different path—one focused exclusively on legal research as a conceptual and strategic endeavor. Their approach is no less groundbreaking. It reimagines legal research instruction as an intellectually rich, construct-driven discipline in its own right. What follows is my foreword to their book: a work that is not only innovative, but paradigm-shifting.

This book is not just about legal research. It is about reclaiming the *why* behind what we teach and rethinking the *how* in the face of a rapidly shifting legal and technological landscape. It is also about teaching with intention—through what this work calls a **construct-based approach**—one that respects the complexity of law, the humanity of students, and the epistemological shifts demanded by our moment.

This is a unique book. It is co-authored by Paul, who understands Generative AI intimately, is a scholar in both doctrinal law and librarianship, and has practiced law. As such, the author is especially sympathetic to the realities of legal research under pressure. Tove Klovning, Paul's co-author, has many years of teaching legal research and a perspective unique being educated in both Norway and at the University of Illinois at Urbana-Champaign (for both her LL.M and M.S.L.I.S.) They know what it means to be asked to deliver both **precision** and **recall**, even when seasoned researchers know these two ideals often pull in opposite directions. While this book does not pretend that perfect balance is always possible, it acknowledges the **task of the associate**: to strive toward both with insight, context, and rigor.

The Introduction sets the tone brilliantly. It opens with an acknowledgment many legal educators will find refreshingly honest: the traditional way we teach

legal research is often too shallow, too rote, too procedural. The introduction challenges us to consider research not as a discrete skill set, but as a form of legal thinking—a process of orientation, discovery, and judgment. And it does so with clarity, humility, and urgency. This chapter alone can reinvigorate syllabi and spark faculty discussions about what it means to teach law, not just tools.

But what truly distinguishes this book is the **construct approach** it introduces and threads through every chapter. The idea is simple but radical: instead of reducing legal research to a checklist of platforms and sources, we build a conceptual scaffold that allows students—and instructors—to locate themselves in the process of problem-solving. Constructs are not shortcuts. They are coordinates. They help us map knowledge, not memorize it. And they adapt as the terrain changes.

Nowhere is that terrain shifting faster than in the world of artificial intelligence.

Chapter 1. Generative AI and Modern Legal Research Strategies. is where this book shows its courage. In a moment when educators are overwhelmed with hype and fear, this chapter steps in with insight and pedagogy. It does not reduce AI to a threat or a gadget. Instead, it situates AI as part of the evolving information environment—one that students must learn to navigate critically and ethically.

The chapter also models the kind of adaptive thinking we want to foster in our students. It gives educators a framework for discussing AI without abandoning rigor, and it invites students to ask questions about sources, authority, bias, and truth in a world where those questions can no longer be answered by citation alone. If you are a teacher looking for a way to integrate AI literacy into legal research without dumbing it down, this is your blueprint.

Chapter 2. Refreshing Your Research Skills. This chapter does not condescend. It reminds us that legal education is cumulative, and that even the most advanced learners benefit from recalibration. The Refresher is a scaffold, not a remedial loop. It is for students who might have learned research in fragments—across scattered first-year experiences, during summer work, or on the fly. It is also a gift to instructors, providing a structured recap that sets a common ground for deeper work ahead.

More importantly, the Refresher reinforces the book's core methodology: legal research is not linear; it is iterative. This chapter reintroduces the elements of good legal research—precision, process, source awareness—but it does so in a way that prepares students for the higher-level conceptual framework developed

in the later chapters. It also invites reflection: what do I already know? What assumptions do I carry into this process?

By grounding readers in both language and logic, Chapter 2 becomes a quiet but crucial pivot point. It enables students to move forward without insecurity and allows educators to introduce the construct-based model with confidence, knowing students will not be left behind. In short, this chapter restores dignity to the review.

Chapter 3. Working the Problem. This chapter shifts the paradigm. Rather than rushing students into databases or citations, it pauses on something more essential: how to understand the *problem* before searching for a *solution*. Legal research is too often taught as a reactive activity—a response to an assignment, a demand to "find something"—but this chapter corrects that impulse. It teaches that good research begins with curiosity, clarity, and the capacity to ask the right questions.

"Working the problem" here means identifying its dimensions: What kind of legal issue is it? Who are the stakeholders? What jurisdictional complexities are at play? Where might ambiguity live? These are questions that seasoned practitioners ask instinctively, but that students must be taught to see. The chapter builds this skill with practical strategies and thoughtful examples, encouraging students to slow down and engage with the law not as a static code but as a living structure.

For instructors, this chapter is a pedagogical goldmine. It promotes inquiry over formula, critical thinking over checklist-following, and prepares students to become problem-solvers, not just fact-finders. This is where the construct approach begins to feel transformative—because it demands that we understand the problem before navigating the process.

Chapter 4: Problem Typing. Building on the reflective tone of Chapter 3, this chapter introduces readers to the invaluable art of *problem typing*—the classification of legal research problems based on their characteristics, purpose, and scope. If Chapter 3 is about engaging the question, Chapter 4 is about identifying its form. What kind of problem am I dealing with? Is it doctrinal, procedural, policy-driven, comparative, or constitutional? Each type of problem carries with it distinct research implications, and this chapter teaches students to see those distinctions before choosing tools.

This is a deceptively powerful skill. When students understand what kind of problem they are working with, they can better tailor their search strategies, evaluate relevant sources, and avoid the trap of over-researching or misapplying

irrelevant information. This typology-driven approach also helps instructors train students to become strategic—not just methodical—researchers.

The construct-based method shines here, as the book maps out how each type of problem fits into a broader framework. Students are no longer just doing research—they are situating their questions in a conceptual field, choosing their tools accordingly. For teachers, this chapter opens the door to richer classroom discussions about judgment, methodology, and what it means to think like a lawyer—not just act like one.

Chapter 5. Understanding the Terrain of Legal Authority. In this chapter, the book shifts from problem-analysis to environmental awareness—and does so with remarkable clarity. "Understanding the Terrain" means more than knowing where to search; it means understanding the *legal ecosystem* in which your question lives. Is the problem rooted in federal or state law? Is it governed by statute, regulation, common law, or a mix? Are there institutional sources or specialized agencies involved?

Chapter 5 gives students the conceptual lenses to ask these questions early in the research process, thereby avoiding both information overload and under-informed shortcuts. It guides them to identify legal authorities within a structured hierarchy and introduces frameworks to distinguish primary from secondary, binding from persuasive, and jurisdictional from non-jurisdictional sources—not through rote memorization, but through situational awareness.

For educators, this chapter is a teachable bridge between doctrine and research. It encourages instructors to move beyond "find a case" assignments and toward context-based exercises. Students learn to appreciate the political, procedural, and institutional forces that shape legal sources—and in doing so, begin to grasp legal research as a map of power, not just a pile of citations. The construct approach comes alive here as students learn not just to search, but to *situate.*

Chapter 6: The Map—the Octants of Legal Resources. This chapter is where the book takes its boldest turn—and where some educators, including myself, may feel hesitation. "The Octants of Legal Research" introduces an ambitious and original model that organizes the legal research process into eight conceptual dimensions, or octants. It is intellectual, abstract, and unapologetically complex—and that is what makes it valuable.

For the regular teacher working within traditional formats, this chapter may seem "scary." It asks us to embrace multidimensional thinking, which I fully support. However, this chapter is more than asking the teacher to teach research

as a navigation of overlapping analytical zones. It offers a grid of "octants" to help students locate where they are in the process, what mode of thinking they are using, and what might come next. It is both a model and a mirror. I like the philosophy behind the chapter because this is the only working philosophy behind any legal research problem: teaching students controlled chaos.

The chapter is perhaps the most ambitious because it strives to provide direction and hope. Personally, beside controlled imagination supported by doctrinal knowledge and linguistic creativity, and backed by a rigorous understanding of each legal system, its sources of legal authority and the overarching legal ideal, I cannot fathom a legal research mapping of one's state of research mind. Paul does just that. The chapter's fearsomeness is worth commending, and follow through. Teachers may want to scaffold this chapter—teach it slowly, revisit it often, and use visual aids or classroom discussion to anchor the ideas. But the risk is worth it. Students who grasp this framework will leave your classroom not just with skills, but with a mental map of the discipline. And that is rare in any legal education.

Chapter 7: Construct of the Legal Research Process. This chapter is the architectural core of the book. If earlier chapters laid the foundation of understanding—from framing problems to mapping terrains—here we see the *construct* of the legal research process fully assembled. It is both a synthesis and a blueprint, offering a structured model that instructors can teach and students can internalize.

The chapter doesn't simply list stages or tools. It shows how different moments in the research journey require different cognitive moves—from interpretation and source evaluation to synthesis and conclusion-drawing. The construct model offered here encourages metacognition: students not only learn what to do next, but *why* they are doing it. For instructors, it is a liberating approach. Rather than teaching legal research as a tangle of platform instructions and citations, teachers can center the learning on purpose, function, and logic.

One of the strengths of this chapter is its flexibility. It can be taught in whole or in part, expanded across a semester or condensed into a workshop. Whether you are a doctrinal professor, a legal writing instructor, or a law librarian, this chapter gives you a pedagogical spine—one that integrates seamlessly with doctrine, process, and practice.

Chapter 8: A Deeper Dive into Resources. After the theoretical depth of earlier chapters, Chapter 8 delivers the pragmatic grounding many readers may crave—but it does so without retreating into old habits. This is not a "how to use

Westlaw" chapter. It is something more thoughtful: a curated, comparative, and construct-aware examination of *resources* as instruments of inquiry, not just databases to be mastered.

The chapter explores categories of legal sources—primary, secondary, procedural, interpretive—but situates them within problem types and research stages. This contextualization is what distinguishes the book's pedagogy from checklist approaches. For instance, students learn not just *what* a treatise is, but *when* it matters, *why* it's persuasive (or not), and *how* to use it effectively alongside other tools. The same goes for statutes, regulations, court rules, and administrative materials.

Importantly, the chapter also acknowledges the evolving information landscape. It provides guidance for using commercial platforms and open-access tools, and introduces evaluation criteria for AI-generated content, websites, and non-traditional sources. For students, it's empowering. For teachers, it's a toolkit—one that can be tailored to institutional resources, course objectives, and even individual student needs.

This is the chapter where theory meets utility—and it does so with elegance and intention.

Chapter 9: A Few Parting Words. The book radiates sincerity. It doesn't aim to tie everything up in a tidy bow—as I stated above, legal research is about chaos control. Paul and Tove's approach is different than mine, but here again, I see our similarities as legal research teachers. This chapter reflects on the teaching and learning journey the book has just mapped. There is humility in these "parting words," and also a strong invitation to reimagine the role of legal research in the law school curriculum and in professional identity formation.

What stands out here is the author's willingness to speak directly to both teachers and students. The chapter recognizes that legal research has been marginalized in many legal education settings—reduced to a service skill or siloed within legal writing courses. Paul does not say it, but I do: perhaps both the librarians and the clinical faculty teaching legal research as a group—have played an active role in this state of affairs. While we differ in the reasons behind this reality, I agree that legal research is where law becomes usable, which makes rethinking how to teach legal research so worthwhile. Indeed, legal research is the site where knowledge becomes advocacy, and abstraction becomes judgment.

For instructors, this chapter is an opportunity to reflect: What kind of legal thinker am I preparing my students to be? For students, it is an affirmation that their efforts to learn this craft matter. While the chapter may still be undergoing

revision, its voice is clear—it encourages us to keep asking better questions, to keep refining the process, and to never confuse a search bar with an answer.

Appendix: Answers to Select Questions

As a final gesture, this chapter proposes something generous: it engages directly with anticipated questions. The Appendix hints at what could become a practical and reflective FAQ, addressing everything from research misconceptions to pedagogical tensions. Done well, this Appendix has the potential to become a conversation between author and reader—one that affirms that learning (and teaching) legal research is iterative, personal, and deeply situational.

What is already promising here is the recognition that even the best frameworks will raise new questions. Should students cite AI-generated summaries? What if their "terrain" changes mid-project? How should instructors reconcile strict legal writing requirements with the open-ended nature of construct-based thinking? These are not peripheral questions. They are part of the evolving reality of legal research.

This appendix is a teaching companion or reflective teaching tool—one that reminds readers that expertise is not about having all the answers but about knowing which questions to keep asking. With continued revision and development, it can offer instructors practical insights and students some reassurance that complexity is not confusion—it's part of mastery.

Concluding this forward, I would add that this is not a conventional research manual. It is a teaching text with vision—courageous, methodical, and, above all, hopeful. It offers bold new grammar for legal research education: one built not around platforms or procedures, but around constructs, cognition, and curiosity.

Paul and Tove invite us into deeper engagement—with the law, with our students, and with the uncertain terrain ahead. Whether you are a law librarian rethinking your curriculum, a doctrinal professor weaving research into your course, or a student learning to make meaning from legal texts, this book offers more than tools. It offers a method, a philosophy, and a challenge.

Teaching legal research is hard. Teaching it well is even harder. But this book makes a case—compellingly and constructively—that we can do better. And that doing better means reimagining not just *what* we teach, but *how* and *why* we teach it.

May this book inspire new questions, deeper thinking, and the kind of legal research teaching that students—and the profession—truly deserve.