

Internet-Based Legal Research for the New Legal Services Attorney

By Michelle Nicolet

Imagine being able to access at the touch of a button the legal expertise of thousands of like-minded poor people's advocates. This is the power and the promise of the Internet. Numerous Web-based resources await new legal services attorneys seeking information, ideas, and support from their colleagues. Moreover, by sharing their own expertise, new advocates can leverage the power of the Internet to facilitate information sharing in the legal services community, thereby furthering our common mission to achieve equal justice for all.¹

The National Center on Poverty Law as a Clearinghouse for Substantive Legal Information

Since 1967, the National Center on Poverty Law has facilitated the exchange of substantive legal information in the legal services community. The Center has the largest and most comprehensive library of pleadings and case documents in poverty law cases in the nation. Over

500,000 documents in over 54,000 cases filed since 1967 are available through its Poverty Law Library. These include many historically significant cases, such as

- *Goldberg v. Kelly*,²
- *Shapiro v. Thompson*,³ and
- *Mathews v. Eldridge*.⁴

The Center collects pleadings in cases concerning civil rights, consumer issues, disability, education, employment and unemployment compensation, family law, food programs, health and mental health, housing, immigration, social security, and welfare. Pleadings and decisions are available from the Poverty Law Library in paper and electronic format.

The Center's bimonthly journal, CLEARINGHOUSE REVIEW, is the premier national periodical on poverty law issues. Each issue of the REVIEW features in-depth analytical articles, written by experts in their fields, on topics of interest to poor people's and public interest lawyers. The

¹ Claire Parins & Michelle Nicolet, *Information Management for the 21st Century: Do Computer Screens Really Reflect Up?* 33 CLEARINGHOUSE REV. 3 (May-June 1999).

² *Goldberg v. Kelly*, 397 U.S. 254 (1970) (Clearinghouse No. 1,799) (holding that procedural due process is applicable to the termination of welfare benefits).

³ *Shapiro v. Thompson*, 394 U.S. 618 (1969) (Clearinghouse No. 238) (invalidating a state residency requirement that denied welfare benefits to individuals who had not lived in the state for at least one year).

⁴ *Mathews v. Eldridge*, 424 U.S. 254 (1970) (Clearinghouse No. 11,466) (requiring the Social Security Administration to provide a disability benefits recipient with a pretermination evidentiary hearing).

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REVIEW also features abstracts of recent cases being litigated by legal services and other advocates nationwide. Once a year the Center publishes a REVIEW special issue devoted to a single topic, covering an emerging area of interest in legal services advocacy. Recent special issues have dealt with privatization of health care, subsidized housing, and social services; advocacy strategies for helping low-income workers; and the future of poverty law.

REVIEW readers are encouraged to offer input on article topics. The editors convene a quarterly telephone conference with selected readers to explore article ideas for future publication. Readers are also encouraged to submit pleadings in cases of interest to the Poverty Law Library. All case submissions are cataloged, added to the online collection of documents, and reviewed by the editors for possible publication in the case reports feature of the REVIEW.

A Gateway to Substantive Poverty Law Resources

The Center's Web site, www.povertylaw.org, is a legal services advocate's best online source for substantive legal information. The site features access to the Poverty Law Library, access to recent REVIEW articles, *Poverty Law News*, and links to other sites of interest.

Poverty Law Library. The Center's Web site has summaries of over 3,400 cases filed or decided since 1996. These include all cases reported in the REVIEW in the past five years as well as many cases available exclusively through the site. Documents in these cases are available in both paper and electronic (rich text and portable document) format. Over 5,800 case documents are available for immediate download through the site.

Cases are categorized according to the National Subject Matter Index developed by the Legal Services Extensible Markup Language Group. The index is a core vocabulary for indexing documents. The goal is to enable users to search across multiple legal services Web sites from one place for relevant documents located at the various sites.⁵ For an example of a cross-site search engine, see "Search All Legal Services Web Sites" at the bottom of the main search page on the Center's site.⁶

There are several ways to find relevant case law in the Center's online library. Users can browse the case library by subject heading and subheading in topical areas of interest.⁷ Cases are displayed within each topical area in reverse chronological order. Users can browse the ten most recently added cases to the library.⁸ Recently added cases are featured on the right-hand column of the Center's home page and the main Poverty Law Library page.⁹

Keyword searches of the case library are available.¹⁰ Cases are searchable by Clearinghouse number, case or party name, keywords, citation, attorney name, indexing term, or any combination of them. To begin a search, click on the "Search" button in the main navigation bar at the top of each page. Scroll down to "Advanced Search," and select the document type "Cases." For example, a user seeking *Westside Mothers v. Haveman*, a Medicaid case, can type "Westside" in the case-name field and "Medicaid" in the keyword field to find the case.¹¹ If more than one case in the library matches the user's query, the search-results page displays the headline, case name, and citation of each relevant case. Clicking on the headline of any case takes the user to that case abstract.

⁵ Hugh Calkins, Gwendelyn A. Daniels & Richard Zorza, *Can Technology Transform Legal Services from a 100-Pound Weakling into a Comprehensive and Integrated 3,000-Attorney Force for the Poor?* 35 CLEARINGHOUSE REV. 731 (Mar.-Apr. 2002).

⁶ See www.povertylaw.org/search/search/index.cfm.

⁷ See www.povertylaw.org/legalresearch/cases/cases.cfm.

⁸ See www.povertylaw.org/legalresearch/cases/recent.cfm.

⁹ See www.povertylaw.org/legalresearch/legalresearch.cfm.

¹⁰ See www.povertylaw.org/search/search/index.cfm.

¹¹ *Westside Mothers v. Haveman*, No. 01-1494 (6th Cir. May 15, 2002) (Clearinghouse No. 52,678).

The case abstract contains a short summary of the most recent developments in the case and links to all of the documents in the library for that case. For example, the case file for *Reese v. Miami-Dade County* includes the complaint, the motion to certify the class, and several memoranda, a sum total of eight documents.¹² The Center's Web site subscribers may download any or all of these documents. To download documents, users need only click on the Clearinghouse number and letter of the document desired. The user is then required to sign in with one's unique username and password. After successfully logging in, the user clicks to return to the case abstract and clicks the Clearinghouse number of the desired document a second time. Depending on the user's browser setup, the document is either downloaded to the user's computer or displayed directly within the browser.

Documents in the Poverty Law Library are available in two different formats: rich text format (RTF) and portable document format (PDF). The RTF is a standard format that can be imported into any word processor. The user can edit documents downloaded in RTF. The PDF is a standard created by Adobe Systems Inc. to facilitate the exchange of properly formatted text over the Web. In order to display PDF files, the user must first download and install free Adobe Acrobat software, available at Adobe's Web site.¹³ PDF files available through the Poverty Law Library can be viewed and printed but cannot be edited.

Users can track cases of particular interest by asking to receive e-mail notification when the case is updated. In the right-hand column of every case abstract Web page, a sidebar entitled "Notify Me When This Case Is Updated!" appears. The user simply follows the instructions within the sidebar; alerts on newly posted documents in that case will be sent to the user's e-mail address.

Users can choose to receive e-mail notification of all case abstracts added to the library within the users' practice areas. E-mail notification of newly added cases is sent to registered users each month.¹⁴

CLEARINGHOUSE REVIEW Articles. The Center Web site includes the full text of all REVIEW articles published since 1990. Articles published during the last two years are available only to REVIEW subscribers. Articles published before then are available to Web site subscribers. Users can find articles of interest by browsing by topical area. Articles are displayed in reverse chronological order. Users can also browse by date of publication.

Searching for relevant articles is easy. Simply go to the main search page, select "Clearinghouse articles" from the list of searchable databases, enter keywords or a query, and click "Begin Search."¹⁵ Search results are displayed in rank order (e.g., by relevance) and include the article title and a summary. Click on the article title to go to the table of contents for the REVIEW issue in which the article was published.

Articles can be downloaded just like case documents. Articles are posted in RTF and PDF. Once logged in, the user may download multiple documents (articles or case documents) in one session; the user is not required to reenter one's username and password.

Poverty Law News. The *Poverty Law News* feature of the Center's Web site has links to recent reports, briefs, and issue papers of interest to legal services advocates. Updated weekly, *Poverty Law News* is on the lower right-hand column of the Center Web site home page.

News items are listed under topical headings with short summaries. Clicking on the news item headline takes the user directly to the item. Most news items link to information available off the Center Web site.

Users can browse through the last week's collection of news items by simply

¹² *Reese v. Miami-Dade County*, No. 01-3766 (S.D. Fla. filed Mar. 4, 2002) (Clearinghouse No. 54,529); see www.povertylaw.org/legalresearch/cases/abstract.cfm?id=54529.

¹³ See www.adobe.com/products/acrobat/readstep.html.

¹⁴ More information on personalization options appears in section II.E. below.

¹⁵ See www.povertylaw.org/search/search/index.cfm.

clicking on the *Poverty Law News* button on the main navigation menu.¹⁶ Archives of news in specific topical areas are also available. News items are archived for ninety days.

The “More News” section of *Poverty Law News* features news clippings from the social policy news feed of *Moreover*, an online news clipping service. “More News” also features links to several other law- and legal services-oriented news sources, including the Brennan Center for Justice, *probono.net*, and *law.com*.

Users are encouraged to add news items to *Poverty Law News*. To do so, the user simply clicks on the “Submit News” button on the *Poverty Law News* navigation menu and fills out the form.¹⁷ Center editors review all news submissions.

The user may choose to receive a weekly e-mail version of *Poverty Law News*, with either all news items reported during the week or just those in the user’s selected practice areas. The e-mail consists of the full summaries of all relevant *Poverty Law News* items for the week and links to the underlying items. To sign up, the user fills out the personalization form described below in section III.E.¹⁸

Research Links. The “Research Links” section of the Center’s Web site is intended as a gateway to the best of the Web for legal services advocates.¹⁹ Over a thousand links, arranged by subject area, are featured in “Research Links.” They are links to national support centers, state support centers, local legal services programs, other advocacy organizations, state and federal courts, and state agencies and federal agencies.

Users are invited to add links to their own organizations’ Web sites, or sites they find particularly useful, by clicking on the “Add a Link” button in the right-hand side-

bar on the main “Research Links” page.²⁰ Center editors review all links submitted.

Personalizing the Center’s Web Site.

One of the most powerful features of the Center’s Web site is personalization. By simply filling out a form, individual users can change the way information is displayed to them on the site to target their jurisdiction and the subject areas of most interest.

To personalize the Web site, click on the “Personalize” button on the Poverty Law Library navigation menu.²¹ Choose up to five subject area preferences; these preferences control how *Poverty Law News* and recent case reports are displayed on your computer. For example, a user who selects “welfare” as a subject area preference will see the most recent welfare case reports in the “What’s New in the Library?” box on the Center’s home page, as well as the most recent welfare-related news items in the *Poverty Law News* box on the home page. Select a state to personalize the “Research Links.” For example, a user who selects “Illinois” will see Illinois-specific links in the right-hand margin of each of the “Research Links” Web pages.

Using the same form, users can choose to receive the weekly *Poverty Law News* or the monthly *Case Updates* via e-mail. *Case Updates* is sent in the user’s preferred subject areas of interest. Users may opt to receive the full text of *Poverty Law News* or news items only in the subject areas of interest.

Other Web Sites

Several other sites on the Internet offer substantive legal materials of interest to legal services advocates. A brief review follows.²²

National Sites Featuring Substantive Materials. Several national support centers

¹⁶ See www.povertylaw.org/pln/pln.cfm.

¹⁷ See www.povertylaw.org/pln/submitnews.cfm.

¹⁸ See www.povertylaw.org/legalresearch/personalize.cfm.

¹⁹ See www.povertylaw.org/legalresearch/links/links.cfm.

²⁰ See www.povertylaw.org/legalresearch/links/addalink_form.cfm.

²¹ See www.povertylaw.org/legalresearch/personalize.cfm.

²² All of the following sites can be found through the “Research Links” at the Center’s Web site, www.povertylaw.org/legalresearch/links/links.cfm.

Microsoft Internet Explorer window showing the National Center on Poverty Law website. The address bar displays: <http://www.povertylaw.org/legalresearch/cases/abstract.cfm?id=%2053176>

National Center on Poverty Law
founded 1967

Taking action to end poverty

Poverty Law Library

Navigation: Poverty Law Library | Advocacy | Poverty Law News | About NCPL | Search

Sub-navigation: Cases | Clearinghouse Review | Links | Illinois Welfare News | WomanView | Hotline | Personalize

Jones v. Nebraska

Available Documents for 53,176

Nebraska Rule of Two-Year Limit on Benefits from 90 Days After Application Held Unenforceable

Case Name: Jones v. Nebraska, No. CI 100-2771 (Neb. Dist. Ct. Lancaster County Dec. 12, 2001)

Contact information for plaintiffs' counsel: Plaintiff represented by D. Milo Mumgaard, Sue Ellen Wall, Nebraska Applesseed Center for Law in the Public Interest, Welfare Due Process Project, 941 O St., Suite 105, Lincoln, NE 68508 (402.438.8853)

Unique identifying number for this case in the Poverty Law Library: Clearinghouse Number 53,176

Case summary written by Clearinghouse Review editors: The court granted plaintiff low-income families' motion for summary judgment in this class action challenging a Nebraska Department of Health and Human Services' rule that had the effect of shortening the two-year limit on welfare cash assistance benefits. Plaintiffs alleged that the rule, which began the two-year limit on welfare cash assistance benefits ninety days from application filing, rather than from the signing of a self-sufficiency contract, violated the state's welfare reform act. Asserting that many recipients began to receive benefits before they signed self-sufficiency contracts, defendant argued that the rule was necessary to prevent recipients from delaying the signing of the contract and thereby extending the period that they are on benefits. The court found that, whether or not a recipient was already receiving cash assistance, the Nebraska legislature clearly stated that the two-year period commenced to run upon the signing of the contract. However, the court rejected plaintiffs' challenge to a second rule that required recipients to sign self-sufficiency contracts within ninety days of their application for benefits. The court held that the rule required both applicants and department to negotiate and execute a self-sufficiency contract in a timely manner, consistent with the intent of the statute.

Available Documents:

- 53,176A Class action [Format: RTF, size: 97kb]
- 53,176B Opinion [Format: PDF, size: 353kb]

Notify Me When This Case Is Updated!

NCPL will automatically notify registered users when this case is updated if you sign up for this service. [Click here to sign up.](#)

Help!

You must be logged into the Web site in order to download full-text documents or to subscribe to case notifications. Case notifications are free but require registration. Downloads require a subscription. [More information can be found here.](#)

PDF files require Adobe's free Acrobat Reader. RTF files should open in any version of Word or Wordperfect.

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A page from the National Center on Poverty Law's Web site.

maintain sites of varying size and depth. The Bazelon Center for Mental Health Law's Web site is an excellent source for resources on mental health policy and law.²³ Covered topics include Americans with Disabilities Act issues, aging issues, fair housing, mental health care, and psy-

chiatric advance directives. The National Health Law Program (Help) maintains another health-related site.²⁴ There advocates can find links to publications, analyses, *Federal Register* highlights, and legislative alerts on numerous health-related topics. Of particular interest, Help's

²³ See www.bazelon.org.

²⁴ See www.healthlaw.org.

Waiver Watch section tracks state initiatives to obtain waiver of federal requirements of Medicaid and those of the State Children's Health Insurance Program.

The National Employment Law Project (NELP) Web site includes information and resources from the program's immigrant worker, nonstandard worker, unemployment insurance safety net, welfare and low-wage worker, and work and family projects.²⁵ NELP sponsors, among others, several e-mail discussion groups on these topics.

The Food Research and Action Center (FRAC) Web site features current news and analyses, background information on federal food programs and hunger in the United States, and several publications on food security issues.²⁶ FRAC offers a weekly e-mail news digest of news clippings from around the country as well as the latest news from the organization.

The National Housing Law Project (NHLP) offers several packets of information on housing policy and advocacy through its Web site.²⁷ Recent packets addressed tenant participation in public housing, Section 8 home ownership, and preservation of federally assisted housing. NHLP sponsors the Housing Justice Network—a unique organization of housing advocates and clients focused on issues relating to public and subsidized housing, Section 8 assistance, single-family housing foreclosures, fair housing, the community development block grant and HOME (Home Investment Partnership) programs, the housing programs of the Rural Housing Service, and the federal budget. Members of the Housing Justice Network may participate in an online discussion area; registration is available at NHLP's Web site.

Numerous sites offer useful resources on welfare topics, ranging from research

on the effects of welfare reform to recent litigation to reports on and analyses of Temporary Assistance for Needy Families (TANF) reauthorization developments.²⁸ For example, the Welfare Law Center (WLC) Web site includes information on child care and welfare, disability and welfare, food stamp access, Medicaid access, and other resources.²⁹ WLC regularly posts case developments and dockets of welfare litigation, as well as articles from its quarterly publication, *Welfare News*. WLC's Low-Income Networking and Communications (LINC) project enables low-income grass-roots groups to use technology strategically to advance campaigns on economic security issues and to build their members' leadership and computer technology skills.³⁰

The Center for Law and Social Policy (CLASP) maintains another welfare-oriented site. Frequently updated, CLASP's Web site features many useful publications, links, and the full text of the monthly publication *CLASP Update*. CLASP is a cosponsor of the State Policy Documentation Project Web site, which tracks policy choices on TANF cash assistance programs and Medicaid in the states.³¹

The Center on Budget and Policy Priorities (CBPP) conducts research and analysis on a range of government policies and programs, with an emphasis on those affecting low- and moderate-income people. CBPP's Web site offers a wealth of publications and analyses on such topics as federal budget priorities, federal tax policies, federal welfare policies, state welfare and TANF issues, health policies, state fiscal policies, earned income tax credit policies, and poverty income trends.³²

Moving Ideas is the online magazine of the Policy Action Network (formerly

²⁵ See www.nelp.org.

²⁶ See www.frac.org.

²⁷ See www.nhlp.org.

²⁸ Michelle Nicolet, *Welfare Reform Resources on the Internet: An Update*, 31 CLEARINGHOUSE REV. 555 (Jan.–Feb. 1998).

²⁹ See www.welfarelaw.org.

³⁰ See www.lincproject.org.

³¹ See www.spdp.org.

³² See www.cbpp.org.

the Electronic Policy Network).³³ *Moving Ideas* posts links to analyses and resources available from several leading progressive research and advocacy organizations, including the Annie E. Casey Foundation, Brookings Institution, Children's Defense Fund, Economic Policy Institute, Institute for Women's Policy Research, Joint Center for Poverty Research, and National Center for Children in Poverty. *Moving Ideas* offers a weekly roundup of policy news releases via e-mail.

Families USA, the "voice for health care consumers," maintains a large and frequently updated Web site.³⁴ News and analysis are available on several health-related topics, including children's health, managed care, Medicaid, Medicare, prescription drugs, the uninsured, and communities of color.

The Urban Institute, a nonpartisan economic and social policy research organization, offers numerous research papers through its Web site.³⁵ Of particular interest is the institute's "Assessing the New Federalism" research project, which publishes analyses of the devolution of responsibility for social programs from the federal government to the states; the project focuses on health care, income security, job training, and social services. The project has a database of state-specific data on income security, health, child well-being, demographics, fiscal and political conditions, and social services.

Statewide Web Sites. Several legal services programs are or have begun developing Web sites designed to deliver news and substantive information to legal services advocates in particular states. In 2001, through its Technology Initiatives Grants (TIGs), the Legal Services Corporation funded twenty-nine states to develop statewide Web sites. Each statewide Web site funded in part with TIG monies will use, among other purposes, the Legal Services Extensible Markup

Language Group's National Subject Matter Index, facilitating cross-site searching for relevant documents. Other states are developing statewide Web sites without TIG monies.

For example, Pine Tree Legal Assistance in Maine has developed the HelpMeLaw site.³⁶ HelpMeLaw includes news clippings from Maine news sources, links to helpful organizations, a directory of Maine courts (including interactive court forms), and a legal library. Although primarily oriented toward clients' needs, the HelpMeLaw site contains resources of interest to advocates as well. Through the HelpMeLaw site, Maine advocates have access to an advocate resource library of pleadings, memos, and other documents.

Statewide Web sites to support legal services have been developed in other states, including Ohio, Minnesota, Michigan, and Illinois. The Ohio State Legal Services Association Web site has a library, a directory of legal services providers in the state, an events calendar, and a collection links to several statewide resources.³⁷ The site's domestic violence resource center is where advocates or clients can prepare and generate forms for civil protection and can send for other court documents online.

Minnesota's statewide Web site, hosted by the Minnesota State Bar Association at probono.net, features news, a calendar of events, a message board, and a library.³⁸ The library contains a volunteer attorney desk manual, housing law materials developed by the Legal Aid Society of Minneapolis, and family law materials developed by Central Minnesota Legal Services.

The Michigan Poverty Law Program has developed an extensive Web site to support legal aid programs in Michigan.³⁹ The site has information on statewide task forces, a calendar of upcoming training events, issue alerts, and a brief bank.

³³ See www.movingideas.org.

³⁴ See www.familiesusa.org.

³⁵ See www.urban.org.

³⁶ See www.helpmelaw.org. See also Calkins et al., *supra* note 5.

³⁷ See www.oslsa.org.

³⁸ See www.probono.net/mn.

³⁹ See www.mlapp.org.

The Illinois Technology Center for Law and the Public Interest has developed a Web site to train, support, and educate legal aid providers, pro bono attorneys, and the public.⁴⁰ The site has a legal aid directory, community calendar, discussion groups, legal news, and practice materials relevant to family and juvenile law, housing law, and public benefits law.

Sites Supporting Technology in Legal Services. Technology offers great opportunity for legal services advocates to leverage their work and serve poor people better.⁴¹ Several Web sites offer information on how to develop technology to serve legal services advocates' and programs' needs.

The Legal Services Technology Network (LSTechNet) Web site collects information on hardware and software, Web site development and design, case management systems, computer-assisted legal research, technology training, and technology planning, management, and funding.⁴² *LSTechie*, a quarterly journal, is available through the site.

The National Technology Assistance Project (NTAP) provides technology and management assistance to legal services programs, particularly TIG recipients, who are implementing technology initiatives benefiting clients.⁴³ NTAP has a consortium of technology and management experts who can provide one-on-one consultation, training sessions to programs or groups, written materials, and on-site assistance.

The Equal Justice Network's Web site includes several articles on technology planning, Web site innovation, and infor-

mation management in the legal services community.⁴⁴

Sharing

For many years, members of the legal services community have been sharing their work with colleagues through brief banks, publications, and newsletters. Now much of that information sharing (of the wealth of resources available to the new legal services advocate seeking information and expertise) is occurring on the Web.

But information sharing is a two-way street. New legal services advocates have a responsibility to share their own work as well. Advocates are encouraged to submit their case pleadings to the Center's Poverty Law Library so that advocates around the country can get ideas and learn from one another's work.

Simply e-mail documents to cases@povertylaw.org or fill out the form on the Center's Web site.⁴⁵ The submitted case will be cataloged, indexed, added to the Poverty Law Library, and considered for publication in the REVIEW. Consider submitting your work to the local statewide support center. And, when you develop expertise on a topic of interest to other advocates, consider writing an article for the REVIEW.

Technology has given new members of the legal services community even better access to the collective expertise of their colleagues. Together they can continue the tradition of sharing experience and expertise, thereby improving their collective work on behalf of the poor.

⁴⁰ See www.illinoislegalaid.org.

⁴¹ See also Parins & Nicolet, *supra* note 1.

⁴² See www.lstech.org.

⁴³ See www.ntap.org.

⁴⁴ See www.equaljustice.org/technology.htm.

⁴⁵ See www.povertylaw.org/legalresearch/cases/submit_form.cfm.