

NO NEED TO LOG IN TO LEXIS OR WESTLAW? WHAT GENERAL-PURPOSE GENERATIVE AI TOOLS CAN DO NOW FOR ANYONE INCLUDING STUDENT LEGAL RESEARCHERS AND LEGAL CREAC WRITERS

Robert Truman

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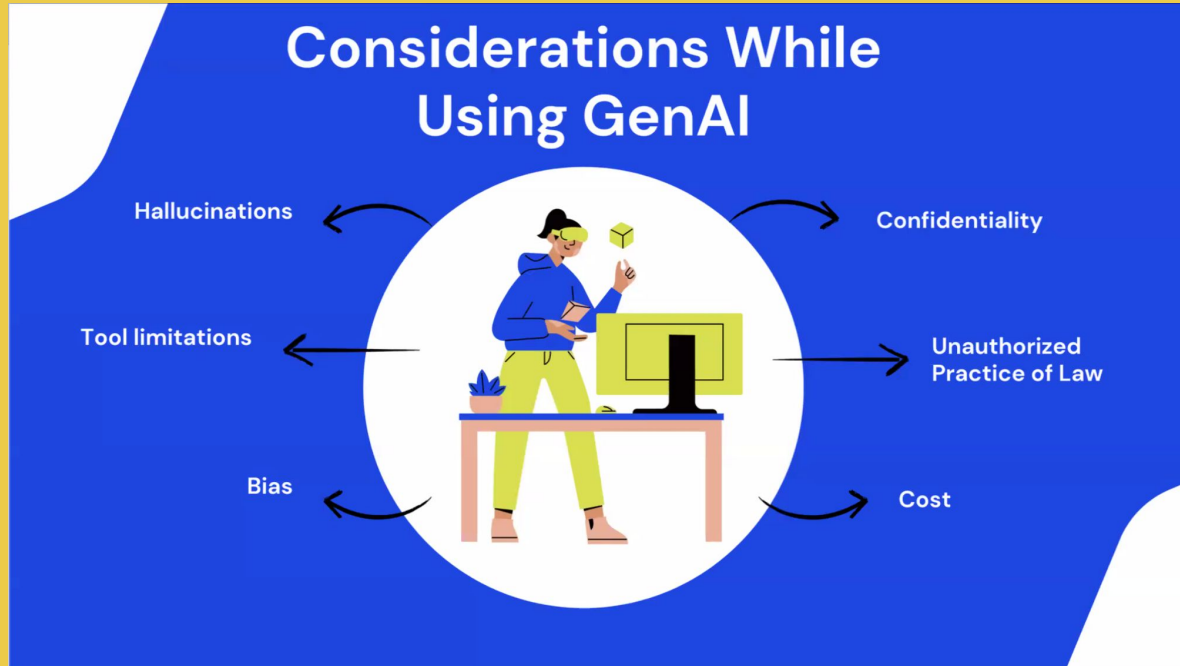
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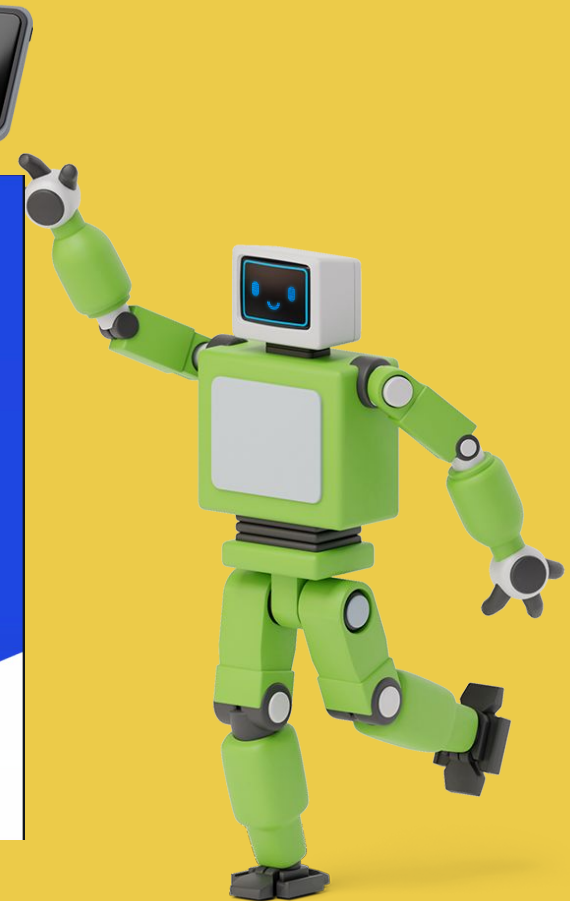
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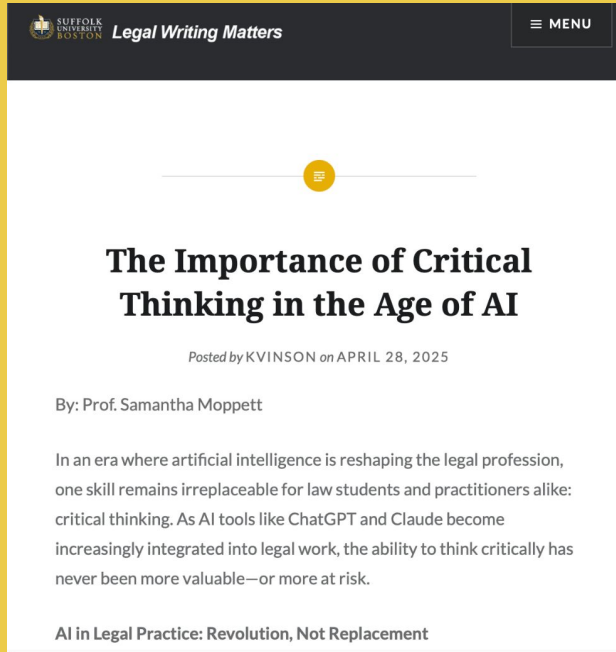
ALL THE DISCLAIMERS



Credit: Prof. Michelle Rodenburg, *Looking Beyond Research and Writing: Practical Uses of Generative AI* | AALS Section on Technology, Law & Legal Education (05/28/25)



OK, ABOUT LEGAL RESEARCH



Credit: Jennifer Case, *AI Was Supposed to Democratize Legal Research. What Happened?* (LawNext, 05/14/2025), <https://directory.lawnext.com/library/ai-was-supposed-to-democratize-legal-research-what-happened/>



Credit: Prof. Samantha Moppett, *The Importance of Critical Thinking in the Age of AI*, Legal Writing Matters (Suffolk U., 04/28/2025), <https://sites.suffolk.edu/legalwritingmatters/2025/04/28/the-importance-of-critical-thinking-in-the-age-of-ai/>

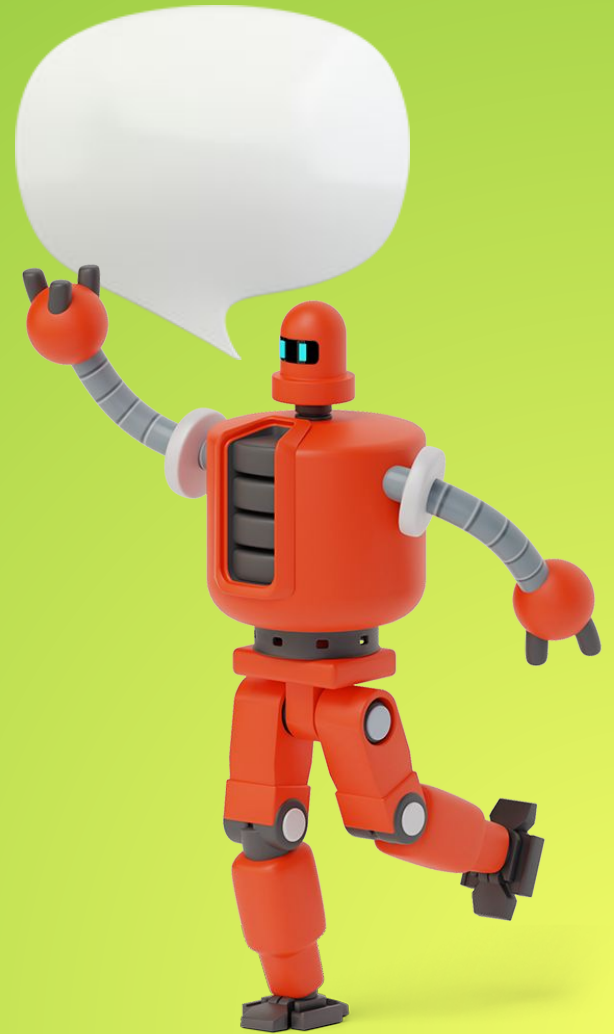
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1. LEGAL RESEARCH



LEGAL RESEARCH USE CASES

- Brainstorm
 - No idea of what kind of law?
- Preliminary Analysis
 - Factual analysis
 - Generate expanded search terms
 - Bonus: Generate a Boolean Search for your platform
- Provide recommended starting points



You are a new lawyer visited by a group of neighbors to discuss the nearby solid waste landfill. They are concerned over the release of methane and other gasses, worried about potential health effects and possible dangers. They believe that they should be able to get the Environmental Protection Agency to take some action under the Clean Air Act to alleviate the risk and protect them. They ask you to help.

Your Tasks

Provide a list of beginning research terms in the following areas (if applicable):

- Who
- What
- Where
- When
- Legal issues
- Relief Sought

Provide only the list of beginning terms and add in synonymous and expanded terms. Do not fully research this problem and present a brief or any other product. This is only to tackle the very first step of the legal research process.

Who

- Environmental Protection Agency (EPA)
- Local residents OR neighbors
- Solid waste landfill owner
- State environmental agency
- Local government OR city

What

- Methane emissions OR landfill gas emissions OR hazardous gas release
- Solid waste landfill operation
- Air pollution from landfill
- Landfill gas monitoring
- Public health concerns
- Environmental nuisance

When

- Ongoing emissions OR continuing
- Recent complaints OR releases
- After landfill expansion OR closure
- Post-closure phase (if applicable)
- Relevant federal rulemaking

Legal Issues

- Clean Air Act regulation of methane and landfill gas
- EPA enforcement authority under the Clean Air Act
- Citizen suit provision under Clean Air Act (42 U.S.C. § 7604)
- Applicability of New Source Performance Standards (NSPS) for landfills
- Emission Guidelines (EG) for existing municipal solid waste landfills
- Federal vs. state regulatory jurisdiction

Using the format of Westlaw Precision, formulate a good starting Boolean Search (Westlaw calls this a "Terms

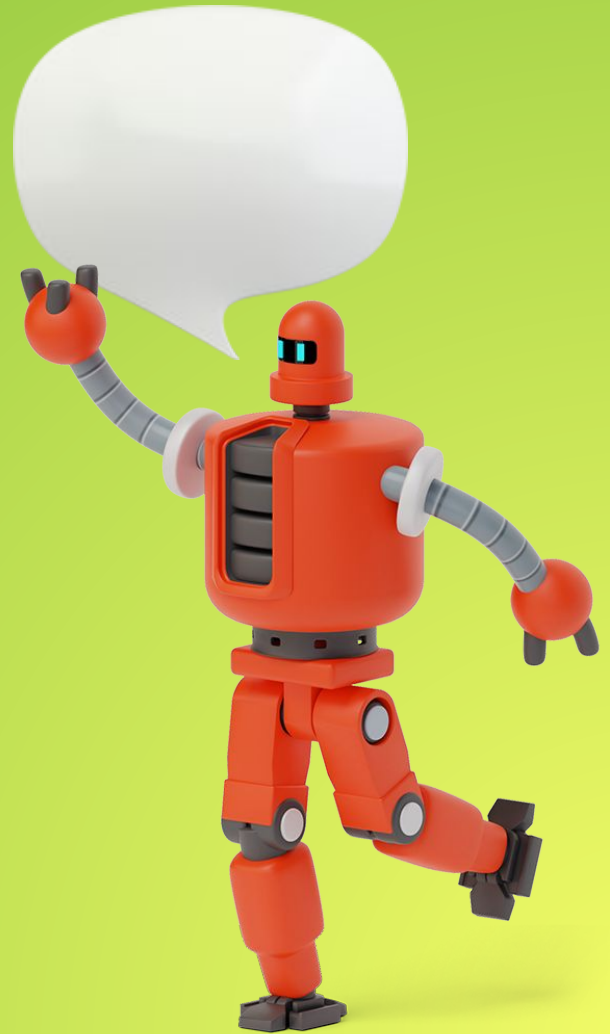
Here is a strong **Westlaw Precision "Terms and Connectors" Boolean search** to begin researching legal issues related to landfill gas emissions and potential EPA action under

("solid waste landfill" OR landfill OR "municipal waste landfill") AND ("methane emissions" OR "landfill gas" OR "hazardous air pollutants" OR "air emissions") AND ("Clean Air Act" OR "CAA") AND ("EPA enforcement" OR "regulatory action" OR "emission standards" OR "New Source Performance Standards" OR NSPS OR "Emission Guidelines" OR EG) AND ("citizen suit" OR "public health" OR "community exposure" OR "environmental harm") AND (injunct! OR enforc! OR "civil penalties")

Here are **five authoritative legal secondary sources** that are excellent starting points for researching EPA regulation of landfill emissions and community action under the Clean Air Act:

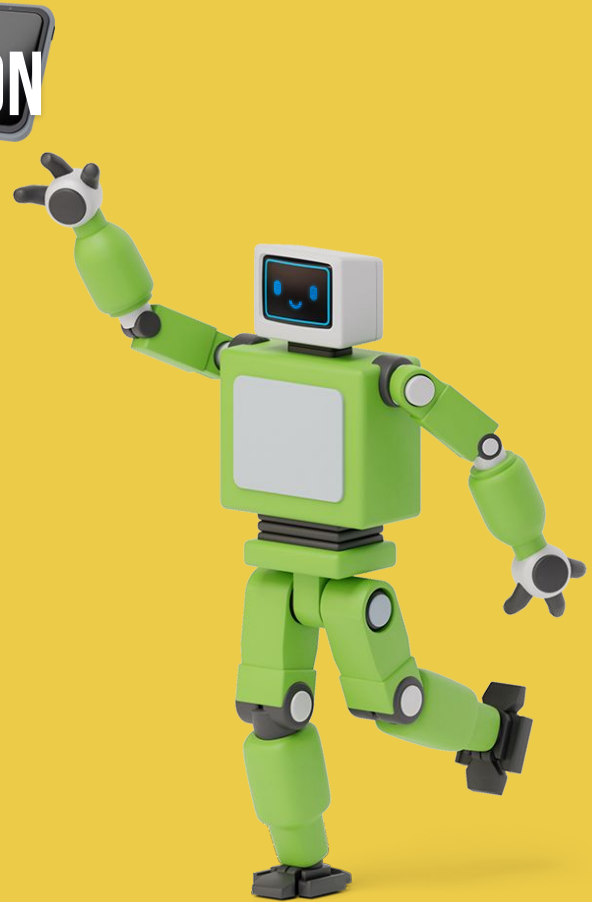
1. **Environmental Law and Practice Guide (Thomson Reuters)**
2. **Law of Environmental Protection by ~~Rodgers & Burleson~~ (West)**
3. **Clean Air Act Handbook (ABA Section of Environment, Energy, and**
4. **Environmental Law Practice Guide: State and Federal Law by Michael B. Gerrard (LexisNexis)**
5. **American Law of Zoning by Patricia E. Salkin (Thomson Reuters)**
 - Especially useful for exploring local government regulation of landfills and air

2. CONCEPTUAL UNDERSTANDING



UNDERSTANDING COMPLEX INFORMATION

- Simplify complex doctrines and case holdings



UNDERST

Explain the Erie Doctrine in plain language, like you're talking to a first-year law student who's struggling to understand it.

■ Simple how



Okay, imagine you're a first-year law student, and you've just learned about federal courts and state courts. You know they're separate systems, right? But what happens when a case that *could* be in state court ends up in federal court? That's where the Erie Doctrine comes in, and it can be a real head-scratcher at first.

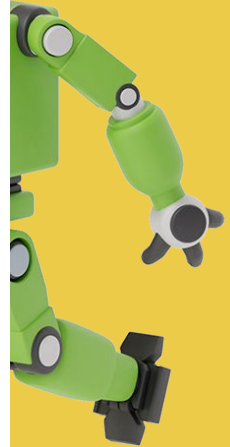
Let's break it down, plain and simple:

The Core Problem:

Sometimes, a lawsuit involves people from different states (that's called "diversity jurisdiction"), and because of that, the case can be heard in a federal court instead of a state court. The problem is, state laws and federal laws can be different. If the federal judge applies federal law when the state court would have applied state law, it could completely change the outcome of the case. That doesn't seem fair, does it?

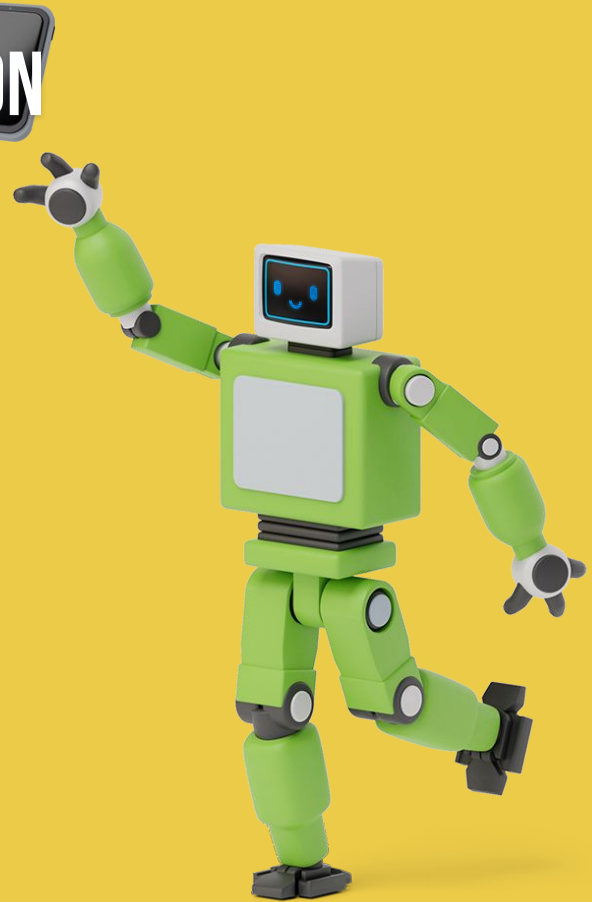
Before Erie (The "Bad Old Days"):

Before the *Erie Railroad Co. v. Tompkins* case in 1938, there was a rule from a case called *Swift v. Tyson*. That rule basically said that federal courts, in diversity cases, could apply their own "general common law" instead of the state's common law.



UNDERSTANDING COMPLEX INFORMATION

- Simplify complex doctrines and case holdings
- Summarize and review readings, student's own summary, ask what's missing
- Create hypotheticals on a topic, have GenAI review your analysis
- Socratic Tutor (aka Study Buddy)



I am a 1L law student preparing for class. Let's engage

Let's engage in a Socratic dialogue about 'proximate cause'. Here's a hypo: A person negligently starts a small fire. The fire spreads unexpectedly due to a

Good. Let's begin by unpacking the elements.

First:

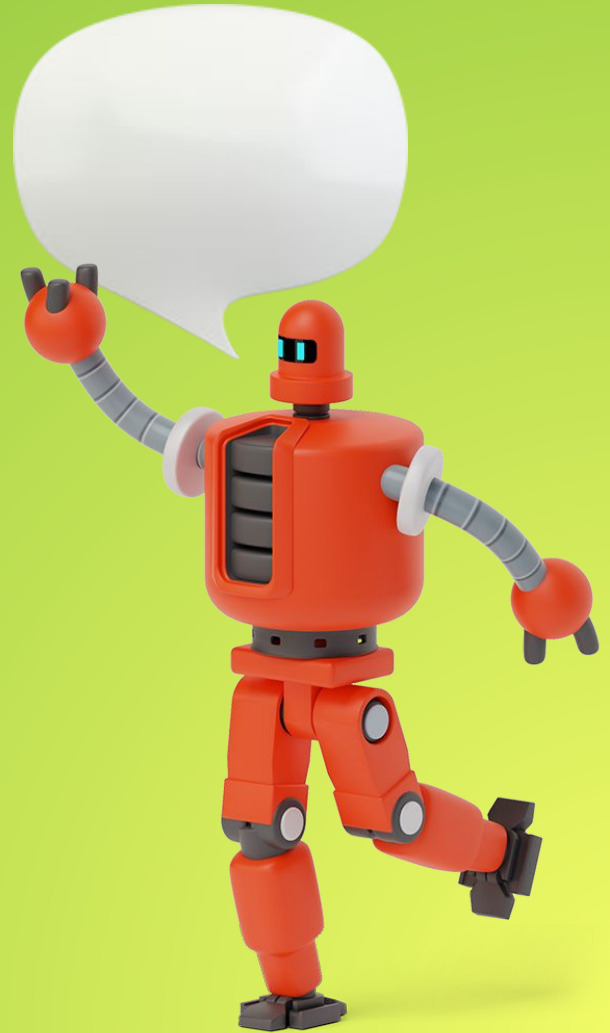
What is the purpose of proximate cause in tort law? Why do we ask whether something is the "proximate" cause rather than just whether it was a "cause"?



- Socratic Tutor (aka Study Buddy)



3. STUDY AND CLASS PREPARATION



STUDY AND CLASS PREP

- Create flashcards or Q&A study aids

Create flashcards for the following torts: battery, assault, false imprisonment. Include the definition and elements for each.

STUDY AND CLASS PREP

- Create flashcards or Q&A study aids
- Black-letter law review

Create 10 multiple-choice questions with answer keys and brief explanations testing basic principles of consideration in Contract Law



1 / 10

Which U.S. Supreme Court case establishes personal jurisdiction?

- A. Pennoyer v. Neff
- B. World-Wide Volkswagen Corp. v. Wood
- C. International Shoe Co. v. Washington
- D. Shaffer v. Heitner

Show hint ▾

9 / 10

Plaintiff, a resident of Oregon, sues Defendant, a corporation incorporated in Delaware with its sole manufacturing plant in Texas. The lawsuit alleges that Defendant's product, purchased by Plaintiff while on vacation in Texas, caused an injury when Plaintiff returned to Oregon. Defendant has no sales or advertising presence in Oregon. Can Oregon courts exercise specific personal jurisdiction over the Defendant?

A. Yes, because the Defendant could foresee that its product might end up in any state.

✗ **Not quite**

While foreseeability is a factor, it must be foreseeability that the defendant would be haled into court in that forum, not just that its product might travel there. This aligns with the 'stream of commerce plus' or 'purposeful availment' requirements.

B. No, because the Defendant did not purposefully direct its activities towards Oregon.

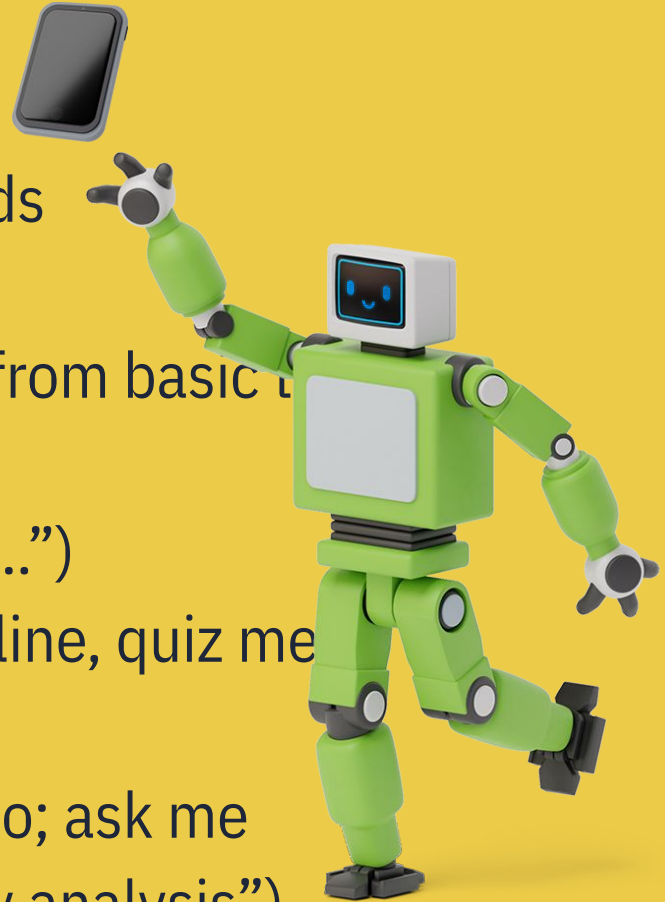
✓ **Right answer**

The defendant's product was purchased in Texas and the defendant has no activities directed at Oregon, meaning there's no purposeful availment of the Oregon forum.

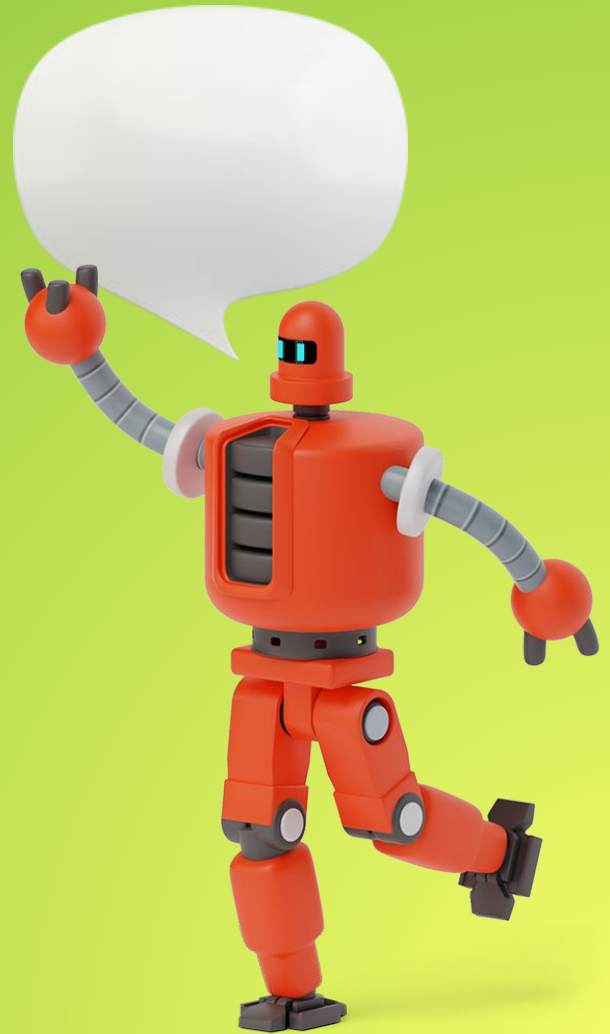
C. No, unless the Defendant has a registered agent in Oregon

STUDY AND CLASS PREP

- Create flashcards or Q&A study aids
- Black-letter law review
- Progressive questioning (scaffold from basic to complex)
- Mini drills (“Give 15 T/F questions...”)
- Self-testing (“here’s part of an outline, quiz me on these rules...”)
- Issue spotting (“here’s a short hypo; ask me open-ended questions to guide my analysis”)

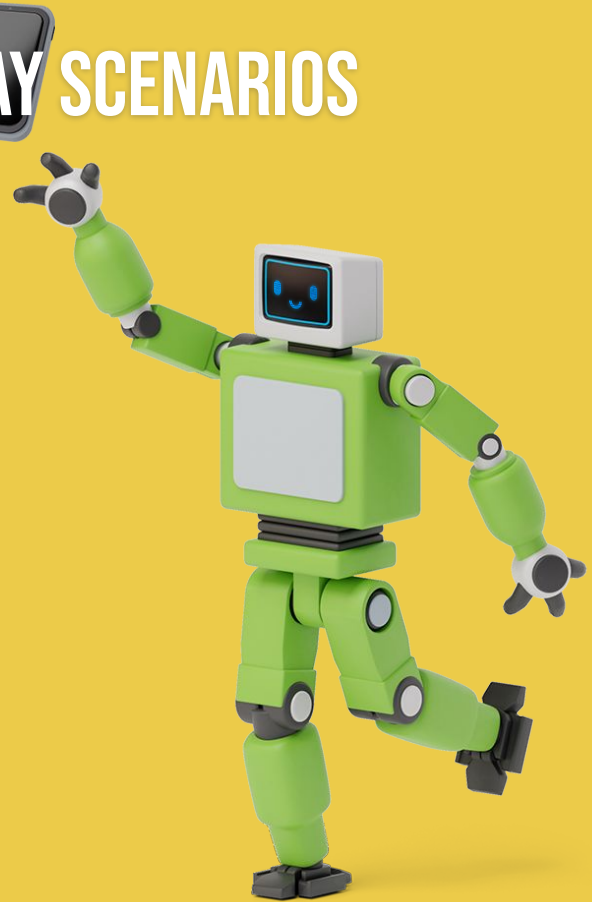


4. ROLEPLAY



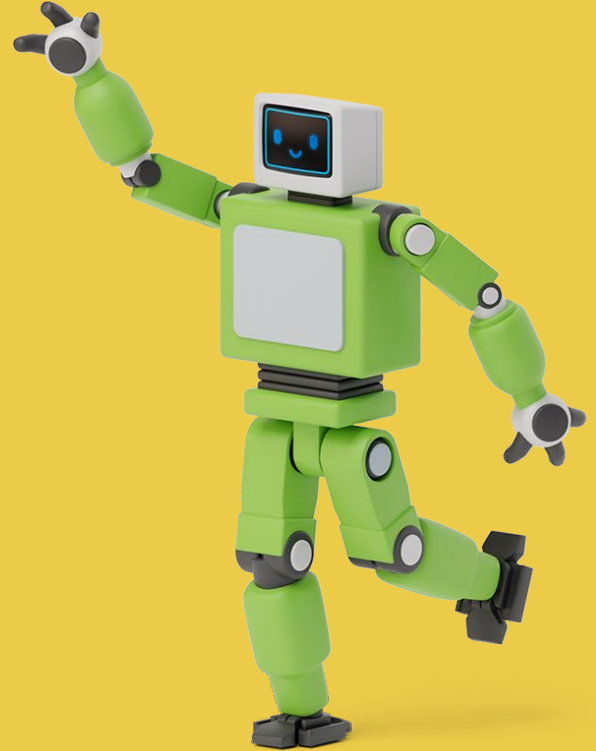
USE GENERATIVE AI FOR LEGAL ROLEPLAY SCENARIOS

- interactive exercises to act out legal scenarios
- build practical skills, deepen legal understanding, and develop professional judgment in a low-risk, interactive environment



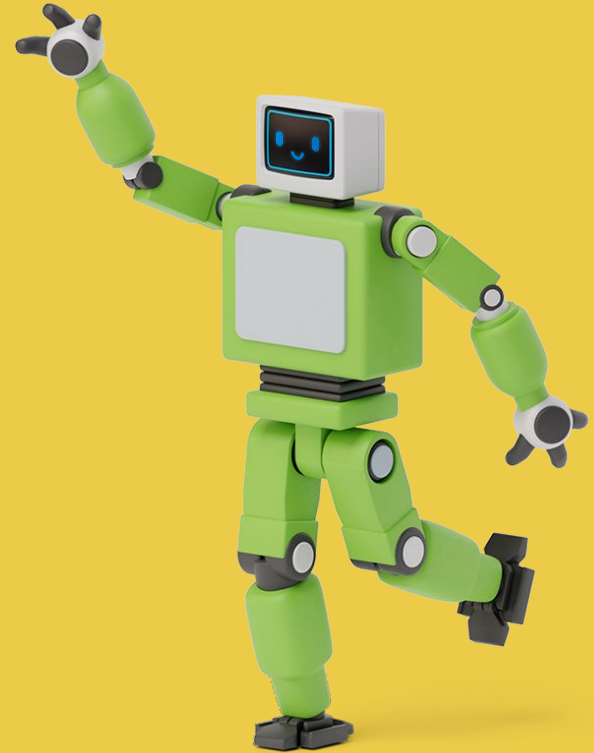
USE GENERATIVE AI FOR LEGAL ROLEPLAY SCENARIOS

- Client interview practice
- Deposition preparation
- Interview preparation
- Client counseling roleplay
- Witness preparation
- Negotiation roleplay
- Client intake
- Conflicts check



USE GENERATIVE AI FOR LEGAL ROLEPLAY SCENARIOS

- Judge role in Moot Court or **Oral Argument**



Simulate a panel of three appellate judges hearing oral argument in a case involving qualified immunity under the Fourth Amendment. I will act as counsel for the appellant.

Each judge should have a distinct questioning style:

- Judge 1: Aggressive and skeptical challenges assumptions and interrupts frequently.
- Judge 2: Neutral and analytical asks clarifying questions and focuses on legal reasoning.
- Judge 3: Sympathetic but detail-oriented appears receptive but presses on factual nuances.

Begin the simulation by briefly announcing the case and asking if I'm ready to begin. As I present my argument, interject naturally with realistic appellate-style questions. Interrupt occasionally, especially when you detect a weakness or ambiguity in my reasoning. If my answer is incomplete or evasive, follow up or rephrase your question until you get a clear response.

After I finish, pause and provide a constructive critique covering:

1. My command of the legal doctrine and precedents
2. Responsiveness to judicial questioning
3. Clarity, structure, and persuasiveness of my presentation
4. Courtroom demeanor and professional tone
5. Specific suggestions for improving future oral arguments

Finally, ask me 2-3 reflective questions to prompt self-assessment. For example:

- Which judges questions challenged you the most, and why?
- What part of your argument do you feel was weakest or most vulnerable?
- How would you adjust your approach if you had another chance?

[Courtroom simulation begins.]

CLERK: The United States Court of Appeals is now in session. The next case is *Johnson v. Officer Rivera*, docket number 24-1325. This matter involves a claim of excessive force under the Fourth Amendment and the application of qualified immunity. Counsel for the appellant, are you ready to begin?

(Please proceed with your opening statement. The panel will begin interjecting naturally as you present.)



The courtroom is quiet as the three judges take their seats. Behind them, the seal of the United States Court of Appeals is emblazoned on the wall.

Chief Judge (Judge 1): Good morning, counsel. We have before us today the case of *Smith v. Officer Jones*, an appeal from the district court's grant of summary judgment based on qualified immunity.

He looks directly at you.

Chief Judge (Judge 1): Counsel, are you ready to proceed?

Case No. 24-1847 Smith v. Officer Johnson *Appeal from the United States District Court*

CHIEF JUDGE MARTINEZ: Good morning, counsel. We have before us today the appeal in Smith v. Officer Johnson, involving the district court's grant of summary judgment on qualified immunity grounds in a Section 1983 excessive force claim under the Fourth Amendment.

I am Chief Judge Martinez, joined by Judge Thompson to my right and Judge Chen to my left.

Counsel for appellant, you have twenty minutes for your opening argument, with time reserved for rebuttal if desired. The court has read your briefs and is familiar with the basic facts of the case.

JUDGE THOMPSON: Before you begin, counselor, let me make sure I understand your position. You're arguing that Officer Johnson used excessive force when he deployed his taser on your client during what was essentially a routine traffic stop, correct? And that the law was clearly established such that qualified immunity should not apply?

JUDGE CHEN: And just to clarify the procedural posture - we're reviewing the district court's grant of summary judgment de novo, so we're looking at the facts in the light most favorable to your client, Mr. Smith.

Are you ready to proceed, counsel? Please state your name for the record and begin when ready.



David Colarusso

@davidcolarusso.com

Friendly amendment to make it "before AI (misuse) temptations and before the development of considered societal norms and strategies for proper use." I feel like we should be moving toward notions like, "LLMs are secondary sources once removed" and what exactly that means for how we approach them.

June 2, 2025 at 10:12 AM

ANY QUESTIONS?

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- lawlib.lclark.edu



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