Implementing A First-Year Research Assessment
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Table of Contents
Poster Abstract......................................................................................................................... 2
Purpose................................................................................................................................. 2
Design .................................................................................................................................. 3
  Preliminary Decisions........................................................................................................ 3
  Subjective Portion.............................................................................................................. 4
  Objective Portion............................................................................................................... 5
Execution .............................................................................................................................. 6
  General Set-Up & Testing ................................................................................................ 6
  TWEN Mechanics.......................................................................................................... 6
  Grade Books for Each Professor ...................................................................................... 11
  ADA Accommodations.................................................................................................... 12
  Communicating to Students............................................................................................ 13
Grading ................................................................................................................................ 13
  Master Grading Spreadsheet............................................................................................ 13
  Objective Portion............................................................................................................ 14
  Subjective Portion.......................................................................................................... 15
Reporting to Stakeholders ................................................................................................. 16
  Reporting Process.......................................................................................................... 16
    Quantitative.................................................................................................................. 16
    Qualitative................................................................................................................... 18
  Reporting to Students.................................................................................................. 22
Key Findings ........................................................................................................................ 22
  Librarian Presence ....................................................................................................... 22
  Lexis vs. Westlaw ......................................................................................................... 22

1 Digital Reference Librarian, University of Baltimore School of Law. Please note that the data in this report has been anonymized and reorganized so that professors’ classes are in random (and not alphabetical) order. Screenshots have been edited in Photoshop to remove names or other identifying data. This report is meant to accompany a poster presented at the 2017 Annual Conference for the American Association of Law Libraries in Austin Texas. The poster and this report are both available online at http://scholarworks.law.ubalt.edu/all_fac/1051/.
Poster Abstract

University of Baltimore Law librarians do not have a formal role in teaching legal research, but are frequent guest lecturers and recognized research experts. As such, we volunteered to administer UB’s first summative assessment in accordance with the recent implementation of ABA Standard 314. This poster shows the steps taken to design, execute, and grade this legal research assessment, as well as how we reported the results to stakeholders.

The assessment had an objective true/false and multiple-choice section, and a subjective essay question. The librarians selected objective questions considering the core legal research competencies identified by RIPS-SIS following the MacCrate Report. The objective questions were loaded into TWEN as a "quiz," and the subjective question was uploaded as an "assignment." We used TWEN to automate grading the objective section. Using a rubric, two librarians graded each subjective essay.

Finally, the library compiled a 55-page report detailing the qualitative and quantitative results. The data showed that classes with regular lectures from librarians did better on the assessment. Consequently, the librarians will teach at least four standardized 75-minute classes to each 1L section in the fall.

Purpose

The 2016-2017 academic year was the first year the new ABA Standard 314\(^2\) became applicable.\(^3\) This standard states, “a law school shall utilize both formative and summative

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\(^3\) Transition to and Implementation of the New Standards and Rules of Procedure for Approval of Law Schools 2 (Aug. 13, 2014), https://www.americanbar.org/content/dam/aba/administrative/legal_education_and_admissions_t
assessment methods in its curriculum to measure and improve student learning and provide meaningful feedback to students.” These assessments serve as one of the tools the dean and faculty of the law school will use to evaluate the law school’s program overall, in line with Standard 315.4 As a part of their response to Standard 315, the University of Baltimore School of Law senior administration have decided to assess one core class each year for a seven year rotation. In line with this plan, the law library volunteered to administer the first year’s assessment in legal research.

For additional context, legal research is not an individual class at the University of Baltimore. Instead, it is one component of the Introduction to Lawyering Skills class, commonly referred to as ILS. This class covers the traditional 1L concepts of legal reasoning, research, and writing. ILS is worth 3 credits, but each section is integrated with another 1L class, such as Torts, Evidence, or Criminal Law. The students have the same professor for both classes, and the other class’s subject matter is the basis for any ILS research, reasoning, or writing exercises. There were 208 first year students enrolled for the 2016-2017 school year.

Design
Preliminary Decisions

The law librarians with teaching responsibilities (Director Adeen Postar, Associate Director for Public Services Joanne Colvin, David Matchen, and me) began to plan and draft the research assessment in June, 2016. We decided to break down the overall assessment into two portions—an objective portion consisting of true/false and multiple-choice questions, and a subjective essay portion that would require active research in databases. We also knew that we wanted the objective portion to be timed and relatively short so it would not drastically interfere with the students’ general workload. Additionally, this would actually assess what they had learned, as opposed to what they could look up quickly.

First, we examined which platform we should use to host the assessment. We knew that we would need the platform to grade the objective portion automatically in order to mitigate our workload. We also wanted to integrate an Honor Code and have the platform manage the timing for the objective section. Joanne emailed our CALI representative to see if that would be a possibility while I explored TWEN’s functionality. CALI, unfortunately, did not meet all of our needs. Meanwhile, I spoke with our Westlaw representative and discovered that in addition to automatically grading the objective portion, TWEN would allow me to have multiple gradebooks within one TWEN class. Therefore, I could have several ILS classes take the assessment over the same period, but on the back end, each professor’s class would have its own grade book.

__o_the_bar/governancedocuments/2014_august_transition_and_implementation_of_new_abastandards_and_rules.authcheckdam.pdf_

Each student’s work would automatically file into the appropriate grade book, allowing for easier reporting. This is illustrated in “2. Execution” on the poster, which has been replicated below.

Having settled on TWEN as the platform, we next drafted the assessment materials. Joanne, David, and I drafted the objective section while Adeen drafted the subjective portion and the rubric we would use to grade it.

**Subjective Portion**

The subjective portion had the potential to be a tricky subject. As mentioned above, each ILS class focuses on a different core 1L subject. Furthermore, evening students do not finish all of their “1L” subjects until their second full year of part-time study. Therefore, we did not want to draft a question that would either benefit from or require extensive knowledge of any specific 1L subject area. Furthermore, the question had to be narrowly written so that there was only one real “correct” answer. Fortunately, Adeen was familiar with the history behind Maryland’s Slayer Rule and knew that there was only one statute, one truly on-point code section, and a handful of cases on the subject. Essentially, in 2013 Maryland was one of the last states to enact a statute prohibiting a person convicted of murder from inheriting from the victim. While there was a common law rule against a murderer inheriting from their victim, the legal proceedings in those cases often took time and were not resolved until after the assets had already been spent.
Adeen drafted the fact pattern, which was substantially similar to the Ann Sue Metz case that led to the implementation of the Slayer statute. She also drafted four, two-part questions. For example, question 1(a) asked students to find a statute on point and cite it in correct Bluebook format. Question 1(b) asked students to briefly explain the research strategy that allowed them to answer question 1(a). All four questions followed this pattern, with part (a) asking for an answer and part (b) asking for a brief research log. In the rubric, model answers were broken down into three categories—exemplary (worth 2 to 2.5 points), Competent (worth 1 to 2 points), and Developing (worth 0 to 1 point).

Objective Portion

For the objective portion, we started by reviewing legal research assessment exercises that had been used previously. Joanne Colvin had drafted some of the exercises, while UB Law professor Eric Easton had drafted others. Professor Easton was a director of the Legal Skills program from 1993 to 2011. We also knew that we wanted to cover all of the vital legal research concepts. To help with this, we consulted the Core Legal Research Competencies report created in 1997 by AALL’s Research Instruction Caucus.

Once we had highlighted each topic we wanted to cover in at least one question, we knew we would need more than the 25 questions we had originally intended. We decided to go with 40 questions so that we would be able to cover more topics. Additionally, 40 questions would still allow for ease in the final grading. We knew we wanted the objective portion to be worth significantly more than the subjective portion, since the subjective portion had a greater potential for possible errors. With 40 questions, we could easily make each question worth two points of the final total grade, with the subjective portion making up the final 20 points. This would give us a final score of 100 points, with 80% of the grade from the objective portion and 20% of the grade from the subjective portion.

To determine the timing of the objective portion, we decided to follow the lead of the Bar Exam and the LSAT and have the maximum time be about 1.8 minutes per question. With some rounding, this gave us 75 minutes as the standard amount for the timed portion.

With the topics and timing settled, we sat down to select questions to use from the previous exercises. While this gave us many of the questions we would need, we still had to

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7 This group was the predecessor to today’s Research Instruction and Patron Services Special Interest Section (RIPS-SIS).

8 I say “standard” because we did set up alternative timers for students with ADA accommodations, discussed below.
draft new questions in order to fully cover the topics we wanted to assess. We drafted the questions and answers and reviewed them among ourselves before settling on the final 40. We also added a bonus question concerning what would happen if there were a 4-4 split in a Supreme Court decision if there were only eight Justices. This was not a topic covered in class, but with the extended conversations in the news about the Supreme Court vacancy following Justice Scalia’s death and the nomination of Merrick Garland, it felt like fair game for a bonus question.

We completed the drafts of both sections by mid-July, and Adeen sent the draft to the ILS professors for review and comment.

When reviewing these results, one should consider that the impact of the assessment on students’ grades was at the discretion of the instructor. This was also by design, to not infringe on the ILS professors’ autonomy. For example, some classes were told the assessment would be 10% of their final grade for the class, while others were told it would not affect their grades at all. This may have affected students’ participation in the assessment, with those whose grades would be more affected spending more time and energy on the assessment.

**Execution**

**General Set-Up & Testing**

In conjunction with the ILS professors, we decided to offer the assessment over two separate weekends. The professors determined which of the two weekends their class would utilize. One factor for consideration included when the assessment would minimally conflict with other academic priorities, especially the ILS Open Memo assignment and outlining for final exams.

As we developed the assessment, I created a test TWEN class for the library. I created dummy quizzes and assignments, and my fellow librarians agreed to be my test subjects. The librarians each submitted their quiz under different scenarios, such as letting the timer run out on the quiz or shutting down their computer. This experimentation was how we discovered potential pitfalls, including that the timer for the objective section would continue to run once it started, even if the web browser was closed or the computer restarted.

**TWEN Mechanics**

We had discussed the mechanics of the assessment with Kyla Shank, our Westlaw representative, and she offered to have her 3L student representative help with the creation of the site. The student stopped by my office and received a personal, identifiable physical copy of the objective section draft. She input the questions into a TWEN quiz for the Test Session and then returned her physical copy to me. This was a very valuable time saver for me, since I could then save the quiz to my quiz library and import it into another TWEN class.

I then created the TWEN class for Session 1, which was the primary session for Professors A, B, C, F, & I. To limit any possible confusion, I stripped out all of the left sidebar navigation apart from the “Assignments & Quizzes” link. I added the quiz the 3L Westlaw student had created from my quiz library, double-checked the content, and modified the settings so that it would be timed for 75 minutes and only available during the assessment period:
I also modified the advanced options in the Quiz Generator so that students would not be able to resubmit the quiz and would be required to agree to an Honor Code before taking the quiz:
The language for the Honor Code can be modified for each TWEN class by selecting “Manage Honor Code” under the “Grade Book Navigation” dropdown option once you are in the Grade Book:
The Assistant Dean of Students provided the text for the Honor Code. While adding the language to TWEN, I set the Honor Code to be automatically applied to all assignments and available to all quizzes.

With the objective portion and the Honor Code now in place, I added the subjective question as an “assignment” so the students could upload a Word document of their answer. I copied and pasted the language from Adeen’s final draft and set the parameters so the question would only be visible during the 57 hours of the session. We did allow late submissions, in case a student was in the process of submitting the assignment when the clock ran out. These “late” submissions were noted in red in the Grade Book, with the specific submission time.
Now that all of the substantive material was in place, we wanted to have a student test the design. Amy Sloan, the Associate Dean for Academic Affairs, offered her 3L research assistant as a test subject. Under the “Course Information” page, I added a password that only I knew so that other students could not add it as one of their courses. I then manually added the research assistant to the TWEN page as a “Full Participant.” I temporarily modified the quiz and assignment settings so that they were visible and open to submissions. He “took” the assessment that evening and provided me with his feedback via email. I “took” the assessment as well, to double check the functionality.

Once testing was complete and I had restored the visibility and submission date settings, I made a copy of the Session 1 class and labeled it Session 2. I made superficial changes to the Session 2 homepage, such as the professors’ names and the due dates. Session 2 also had a
different, unique course password that only I knew, to prevent anyone from adding themselves to a session. Otherwise, Session 2 was identical to Session 1.9

Academic Affairs provided me with an Excel spreadsheet of all the 1L students, their ILS section, and their email address. I sorted the spreadsheet by professor’s last name, then student’s last name and used this information to add each student to the appropriate session. I also used this Excel spreadsheet as the basis for my grading compilation sheet.

Grade Books for Each Professor

Creating a grade book for each professor was the most tedious part of the set-up process, but I am convinced that it saved more than enough time to make up for that on the back end. First, I created additional grade books, one for each professor in that session.10 I renamed the grade books for each of the professors. Then, I clicked on the “Assign Users” button for Professor A’s grade book:

This showed me a list of all the students in Session 1. I used my Master Grading spreadsheet with the data from Academic Affairs to correctly assign Professor A’s students to

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their grade book. I then repeated this process for each professor in the session. I repeated this process for Session 2.

**ADA Accommodations**

ADA timing accommodations were only applicable to the 75-minute objective portion of the assessment. The subjective portion was not timed, but the directions suggested that students spend no more than four hours on it. In actuality, we expected the subjective portion to take about an hour to an hour and a half for the average student. Each session of the assessment ran from 1 p.m. on Friday until 10 p.m. on Sunday—a total of 57 hours. The students were permitted to complete the assessment at any time during those 57 hours, though it was made very clear to the students that due to the mechanics of the timer on the objective section, that portion would have to be completed in one sitting:

Unfortunately, if we only used two TWEN classes for the two weekends, we could not alter the time limit of the objective portion for select students with ADA accommodations without altering it for everyone. To solve this, I cloned Sessions 1 and 2 again to create five other sessions. Again, this enabled me to make superficial changes to the sessions’ home pages and due dates. I was also able to modify the timer on the quiz portion without altering the timer for the primary session. The multiple grade books from Sessions 1 and 2 copied into the new sessions when I cloned the primary sessions, saving me from having to repeat that work. Now I could assign the appropriate students to the ADA sessions and delete them from the primary session for their class. Again, each ADA session received a password that only I knew to prevent students from adding themselves to the class.
I received a list from the Office of Academic Affairs that only gave the ADA students’ names and their timing modifications (e.g., 1.5x the standard timing period). In accordance with FRPA, I was not told why the student had an accommodation. Additionally, because each TWEN class was stripped down to only allow students to see the “quiz” of the objective section and the “assignment” of the subjective section, students were unable to see a roster of the individuals in each session, which could have unintentionally disclosed the students with accommodations.

Thus, the seven separate TWEN classes were as follows:

<table>
<thead>
<tr>
<th>Session 1</th>
<th>1pm 11/11/16 – 10pm 11/13/16</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Profs. A, B, C, F &amp; I)</td>
<td></td>
</tr>
<tr>
<td>Session 1A</td>
<td>1pm 11/11/16 – 10pm 11/13/16</td>
</tr>
<tr>
<td>(ADA accommodations for Session 1)</td>
<td></td>
</tr>
<tr>
<td>Session 1B</td>
<td>1pm 11/11/16 – 10pm 11/13/16</td>
</tr>
<tr>
<td>(Different ADA accommodations for Session 1)</td>
<td></td>
</tr>
<tr>
<td>Session 2</td>
<td>1pm 11/18/2016 – 10pm 11/20/16</td>
</tr>
<tr>
<td>(Profs. D, E, G &amp; H)</td>
<td></td>
</tr>
<tr>
<td>Session 2A</td>
<td>1pm 11/18/2016 – 10pm 11/20/16</td>
</tr>
<tr>
<td>(ADA accommodations for Session 2)</td>
<td></td>
</tr>
<tr>
<td>Session 2B</td>
<td>1pm 11/18/2016 – 10pm 11/20/16</td>
</tr>
<tr>
<td>(Different ADA accommodations for Session 2)</td>
<td></td>
</tr>
<tr>
<td>Session 3</td>
<td>8am 12/8/16 – 5pm 12/10/16</td>
</tr>
<tr>
<td>(Professor-Approved Reschedule/Make-ups)</td>
<td></td>
</tr>
</tbody>
</table>

Communicating to Students
The students received information about the assessment directly from their ILS professors, as theoretically this would increase the students’ motivation to complete the assessment. However, during the first weekend we did have at least one student claim to have technical difficulties with TWEN. To help counter this for the subsequent sessions, we drafted a step-by-step visual guide on how to take the assessment in TWEN. This procedure memo is also available as an additional document at http://scholarworks.law.ubalt.edu/all_fac/1051/.

Grading
Master Grading Spreadsheet
As discussed above, Academic Affairs provided me with an Excel spreadsheet of each student’s name, email address, and ILS professor. I saved a copy of this spreadsheet as my “Master Grading Spreadsheet,” organized first by Professor’s last name, then student’s last name. I added columns for the objective grade, subjective grade, and combined total grade. I also added another column for any notes I would need, like whether I would need to find that student in one of the ADA sessions or if a submission had been late. I later used this Excel data
to analyze and create graphs we used in the reporting process, which were on other pages in the Excel workbook. I used an anonymized version of my Master Grading spreadsheet for “3. Grading” in the poster:

### 3. Grading

![Grade Sheet]

**Objective Portion**

As TWEN automatically graded the objective portion, this part of the grading process was very easy. Clicking the blue “Grade” link next to the quiz in a professor’s grade book showed a roster of each student assigned to the class and how many of the 41 questions they got correct.
I copied that raw score into column F (Grade- Mult. Choice Raw) of the Master Grading spreadsheet, which is hidden in the screenshot on the poster. I then multiplied that score by 2 to give me the total objective score in column G (Grade- Mult. Choice Total). After triple checking my data and incorporating the students from the ADA and makeup sessions, I repeated this procedure for each grade book and session.

Subjective Portion

As discussed later, 198 students completed the subjective portion of the assessment. TWEN provides a coversheet for each assignment submitted showing the student’s name and the time the assignment was submitted. As some students had not written their names on their papers, I printed out physical copies of each coversheet and answer, creating a small packet for each student. I organized these in the same way as the Master Grading spreadsheet—first by professor, then by last name. In case any papers got out of order later, I also wrote a number in the upper right hand corner of the first page of the packet. The number correlated to the line number for that student in my Master Grading spreadsheet; for example, according to the “3. Grading” screenshot in the poster, Student 3 in Professor D’s class would have had a “54” in the upper right hand corner of their paper. I split the student packets, in numerical order, into 4 piles of about 50 packets each. Adeen, Joanne, David, and I each received one of those piles held together with a very large binder clip.
In early December, we met to go over the specifics of the grading process. We graded four students’ packets together committee-style to ensure we were all on the same page. We also decided to grade in pairs. We would grade our initial stack of 50 and then trade with our partner. Any discrepancies were then discussed and resolved between partners. This way each question was reviewed twice. Adeen was paired with David, and I was paired with Joanne. We wrote the scores and any notes we had directly on the physical copies I printed out. I then went through and added the final scores (out of 20 possible points) into column H (Grade- Open) of the Master Grading spreadsheet.

**Reporting to Stakeholders**

**Reporting Process**

In general, the reporting process took place in two parts. We provided the ILS professors with the quantitative results in December, and during the last week of March we presented a more in-depth report to senior staff and the ILS professors for the upcoming school year. This in-depth report was ultimately 55 pages long, and each participant was given a copy of the report the week before the meeting.

**Quantitative**

We had to give our quantitative data-- the grades-- to the ILS professors before the close of the semester so that the professors who had decided to incorporate the assessment into their final grade could do so. I created column I (Total Grade) in the Master Grading spreadsheet, which combined column H (Grade- Mult. Choice Total) and column G (Grade- Open). After that, I saved a copy of the Master Grading spreadsheet as a “Tinkering” spreadsheet so that I could work with the data without potentially compromising the Master Sheet.

In my Tinkering workbook, I made a new three new sheets—one for the objective section, one for the subjective section, and one for the total score. For each sheet, I listed the professors’ names at the top—one professor for each column. I then copied and pasted the students’ grades under the appropriate professor and reordered the set from smallest to largest. This made using Excel’s scatter plot tool very easy. I put the scatter plot on the same sheet as the data, off to the side. I repeated this process for each of my three new sheets.

To make it easier for the ILS professors, I sent each of them an individualized copy of the Tinkering workbook with a copy of only their class’s portion of the Master Grading spreadsheet as the first sheet of the workbook. Each professor’s workbook also had the rest of the contents of the Tinkering workbook—the subjective scatter plot, the objective scatter plot, and the total grade scatter plot—as well as a copy of the original Master Grading sheet.

The quantitative data was later incorporated into the final 55 page report discussed below. After summarizing my data compilation process and results, I recreated the three scatter plots with accompanying tables showing the average score, median score, and percentage of students.
with grade greater than or equal to 80% correct. I also showed the breakout for day students and evening students, and data for all of the 1L class as a whole. The chart for the All-Class comparison for the total score scatter plot and the table of the percentage of students with total grades at or above 80% have been recreated in my poster under “4. Reporting to Stakeholders”:

### 4. Reporting to Stakeholders

The chart for the All-Class comparison for the total score scatter plot and the table of the percentage of students with total grades at or above 80% have been recreated in my poster under “4. Reporting to Stakeholders”.

For ease of reading, I then recreated the tables and scatter plots for each professor individually. This is a table and the first scatter plot for Professor A’s class:

<table>
<thead>
<tr>
<th>Professor</th>
<th>Objective</th>
<th>Subjective</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prof. A</td>
<td>47.8%</td>
<td>17.4%</td>
<td>34.6%</td>
</tr>
<tr>
<td>Prof. B</td>
<td>20.8%</td>
<td>42.7%</td>
<td>16.7%</td>
</tr>
<tr>
<td>Prof. C</td>
<td>81.8%</td>
<td>36.4%</td>
<td>59.1%</td>
</tr>
<tr>
<td>Prof. D</td>
<td>74%</td>
<td>60.9%</td>
<td>69.8%</td>
</tr>
<tr>
<td>Prof. E</td>
<td>26.1%</td>
<td>47.8%</td>
<td>21.7%</td>
</tr>
<tr>
<td>Prof. F</td>
<td>52.2%</td>
<td>17.4%</td>
<td>43.5%</td>
</tr>
<tr>
<td>Prof. G</td>
<td>26.1%</td>
<td>13%</td>
<td>13%</td>
</tr>
<tr>
<td>Prof. H</td>
<td>32%</td>
<td>35%</td>
<td>32%</td>
</tr>
<tr>
<td>Prof. I</td>
<td>76%</td>
<td>55%</td>
<td>60%</td>
</tr>
<tr>
<td>Day</td>
<td>47.9%</td>
<td>41.8%</td>
<td>38.8%</td>
</tr>
<tr>
<td>Evening</td>
<td>50%</td>
<td>17.4%</td>
<td>39.1%</td>
</tr>
<tr>
<td>Total</td>
<td>48.3%</td>
<td>36.5%</td>
<td>38.9%</td>
</tr>
</tbody>
</table>

In March, the library provided the legal research professors and senior staff with a 55-page report on the assessment. It included charts like the one above and an in-depth qualitative discussion. The library also created a 30 minute video review of the research assessment for students. It presented ideal answers and addressed common mistakes.

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12 As with the Total Grade chart above, the red dotted line shows the 80% correct mark (objective raw score of 32 correct).
After these class-specific sections, I also recreated the tables and scatter plots for just the day students and just the night students.

Qualitative

*Objective Portion*

Again, TWEN made compiling qualitative data on the objective portion very easy. TWEN allows instructors to print off reports showing the percentage correct for each quiz question. First, click on “Grade” next to a quiz in the grade book.
Then click on the “Quiz Results” button:

Redacted student grades and metadata
Next, click on the “Reports” button.\textsuperscript{13}

This will show you a breakdown of how students answered each question, with the correct answer noted by an asterisk:

\begin{table}
\centering
\begin{tabular}{|c|c|c|c|}
\hline
Question & Type & Answers & \\
\hline
1 & True/False & True: 24 & False: 15* \\
2 & True/False & True: 4 & False: 20* \\
3 & True/False & True: 13 & False: 9* \\
4 & True/False & True: 18 & False: 9* \\
5 & True/False & True: 41 & False: 6* \\
6 & True/False & True: 35 & False: 7* \\
7 & True/False & True: 27 & False: 7* \\
8 & True/False & True: 22 & False: 9* \\
9 & True/False & True: 6* & False: 21 \\
10 & True/False & True: 2 & False: 10* \\
11 & True/False & True: 10* & False: 6 \\
12 & True/False & True: 10* & False: 1 \\
13 & True/False & True: 6* & False: 8 \\
14 & True/False & True: 2 & False: 10* \\
15 & True/False & True: 8 & False: 9* \\
16 & True/False & True: 8* & False: 14 \\
17 & True/False & True: 8 & False: 9* \\
18 & True/False & True: 6* & False: 8 \\
19 & True/False & True: 40* & False: 17 \\
20 & True/False & True: 56 & False: 51* \\
21 & Multiple Choice & A: 9 & B: 2 & C: 0 & D: 9* \\
22 & Multiple Choice & A: 3 & B: 2 & C: 93* & D: 9 \\
23 & Multiple Choice & A: 2 & B: 2 & C: 34 & D: 68* \\
\hline
\end{tabular}
\end{table}

\textsuperscript{13} Disclaimer: The scores showing a 4 and a 9 in this graphic are Amy Sloan’s research assistant and me testing the system. I did have to tinker with the reporting sheet to remove us from the data later, and if I had to do this process over again I would have had us work in my Test class, and not on an actual Session.
Note that this report shows all of the students in the TWEN class/session, not just in the grade book we selected. This saved me from having to compile data across the different grade books. I printed two versions of this report—one for Session 1 and one for Session 2—and added it to an appendix of the faculty report along with a copy of the questions as they appeared in TWEN.

In the qualitative portion of the final report, I discussed the questions where the students generally struggled. Session 1 had issues with four questions, and Session 2 had issues with those four and another two questions as well. I recreated the percent correct/incorrect/unanswered information from the TWEN report and the text of the questions and answers. In the future, we may want to redraft these questions, or these may be indicative of topics we need to address more thoroughly in classes.

**Subjective Portion**

Compiling qualitative data for the subjective portion was more complex. From the Master Grading spreadsheet, I knew that the grades ranged the gamut. 212 students were asked to take the Research Assessment. Fourteen students did not submit an answer. One student attempted the assignment, but received no credit for his work due to the quality of the answers. Three students received a perfect score (20/20), and eleven students received near-perfect scores (19.5/20). I included the text of the question as-posted in the appendix to my report, as well as three student answers: one that scored 20, one that scored 4.5, and one that scored 7.5. The 4.5 answer exemplified jurisdictional issues, and the 7.5 answer exemplified a student being unable to find the correct statute and our attempts to give partial credit (both discussed below).

We had a rough idea of some of the common issues students had from our experiences grading the assessment. I went back through each of the student packets and tabulated data concerning:

1) Whether librarian presence in the ILS classrooms correlated to results
2) Which platform the students reported using
3) If there was an issue recognizing jurisdiction (since the problem was obviously Maryland-specific)
4) Whether students showed clear confusion about the differences between primary and secondary sources
5) Usage of Google
6) Usage of Wikipedia
7) Issues finding the statute
8) Conflating legislative history with general legal history (e.g., that the issue had been dealt with by common law before the statute was enacted)

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14 I did not compile hard data on this point until I was preparing this poster report for an outside audience. This point was discussed among the librarians, and the law professors and librarians both knew whether there had been librarians in the classes and how often.
9) Citation/Bluebooking issues

After tabulating, I summarized my results. Significant portions are replicated below in the “Key Findings” section.

Reporting to Students

Finally, we wanted to report our qualitative findings to the students as well. We created a 30-minute presentation and recorded it using one of the classrooms with Panopto recording equipment. We discussed the ideal answers and addressed some of the common mistakes discussed in the “Key Findings” section below. The assessment review was posted on the law library’s blog at https://ublawlibrary.wordpress.com/2017/01/17/1l-research-assessment-review/, which was then publicized on Twitter, Facebook, and the law library’s main web page.

Key Findings

Librarian Presence

We found a moderate correlation to librarian presence in the ILS classrooms and success on the research assessment. It is not a perfect correlation; some professors may be more comfortable or experienced with teaching legal research and therefore do not request librarian sessions.

<table>
<thead>
<tr>
<th>Librarian Sessions</th>
<th>Percentage of Students with Grades ≥ 80%</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Objective</td>
</tr>
<tr>
<td>Prof. A</td>
<td>1</td>
</tr>
<tr>
<td>Prof. B</td>
<td>0</td>
</tr>
<tr>
<td>Prof. C</td>
<td>2</td>
</tr>
<tr>
<td>Prof. D</td>
<td>5</td>
</tr>
<tr>
<td>Prof. E</td>
<td>3</td>
</tr>
<tr>
<td>Prof. F</td>
<td>1</td>
</tr>
<tr>
<td>Prof. G</td>
<td>1</td>
</tr>
<tr>
<td>Prof. H</td>
<td>4</td>
</tr>
<tr>
<td>Prof. I</td>
<td>1</td>
</tr>
</tbody>
</table>

Lexis vs. Westlaw

Of the 198 students who attempted the subjective question, 99 reported using Westlaw, 55 reported using Lexis Advance, and 44 reported using both platforms. There were some distinct correlations between professor and platform choice:

<table>
<thead>
<tr>
<th></th>
<th>Westlaw</th>
<th>Lexis</th>
<th>Both</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prof. A</td>
<td>9</td>
<td>9</td>
<td>4</td>
</tr>
<tr>
<td>Prof. B</td>
<td>12</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td>Prof. C</td>
<td>16</td>
<td>2</td>
<td>4</td>
</tr>
</tbody>
</table>
On average, students who exclusively used Lexis Advance scored slightly lower on the subjective question. The students who used both platforms scored marginally higher than students who exclusively used one platform; additionally, students who used both platforms had far fewer incidences of not being able to find the statute or finding the wrong statute. Students who exclusively used Lexis had a higher correlation of mistaking a bill for the statute.

<table>
<thead>
<tr>
<th></th>
<th>Average Score (out of 20)</th>
<th>Median Score (out of 20)</th>
<th>Couldn’t Find Statute</th>
<th>Wrong Statute</th>
<th>Bill, Not Statute</th>
</tr>
</thead>
<tbody>
<tr>
<td>Westlaw</td>
<td>13.77</td>
<td>15</td>
<td>5</td>
<td>14</td>
<td>2</td>
</tr>
<tr>
<td>Lexis</td>
<td>11.54</td>
<td>11.5</td>
<td>5</td>
<td>14</td>
<td>8</td>
</tr>
<tr>
<td>Both</td>
<td>13.89</td>
<td>14.5</td>
<td>3</td>
<td>5</td>
<td>5</td>
</tr>
</tbody>
</table>

Jurisdiction

Twenty-one students had some sort of issue determining jurisdiction for this exercise. Six students included secondary sources that were not Maryland-specific. The remaining fifteen students had more trouble determining the proper jurisdiction for the question:

- Another 6 students either mentioned including “all related federal cases” or “4th Circuit” in their search filters.
- 3 students cited to federal cases.
- 1 student cited to a Tennessee statute, 1 student cited to a West Virginia statute, and 1 student cited to a Mississippi case.

Confusion about Primary vs. Secondary Sources

Eleven students wrote answers that displayed clear confusion about the differences between secondary and primary law. In response to Question 4(a) asking for secondary sources:

- 6 students cited to case law
- 2 students cited to bills
- 2 students cited to statutes

One student answered Question 1(a), asking for a statute, by citing to a secondary source (the Maryland Legal Encyclopedia).
Google

Twenty-four students confessed to consulting Google during their research. Most students used Google appropriately to brainstorm and find the “slayer rule” or “slayer statute” terms of art before running more in-depth searches in Westlaw or Lexis. A few even found semi-appropriate sources, like local lawyers’ blogs discussing the details of the Ann Sue Metz case. However, one student used Google to find and cite the Wikipedia article, and one other student seems to have inappropriately relied on the Google/Wikipedia result. Both of these students scored poorly overall (5/20).

Use of Wikipedia/“Corruption of Blood”

Six students either admitted to using Wikipedia to answer the subjective question, or had answers centered around “Corruption of Blood” and a dearth of explanation as to how they arrived at that conclusion. It must be noted that some students discussed corruption of blood and likely did not consult Wikipedia, as several pre-2013 articles, including a piece by Tara L. Pehush,15 discussed the corruption of blood concept. Students who referenced an article that discussed the corruption of blood concept were not included in the count above.

Coincidentally, the Maryland section of the Slayer Rule page on Wikipedia has not been updated since 2011, before the 2013 implementation of the statute.

Issues Finding the Statute

As reported in the “Lexis vs. Westlaw” discussion above, 13 students couldn’t find the statute or said there was no statute, 33 students found an incorrect statute, and 15 students cited to a bill instead of a statute. When students found the wrong statute, most often it was because their initial search was too broad, too specific, or focused too heavily on the insurance policy the murdering husband would inherit in the fact pattern. For example, one student only searched “insurance fraud,” while another searched for “collecting insurance proceeds for a death caused by homicide” and then narrowed the results by the Maryland jurisdiction, secondary sources, and the term “life insurance.”

Additionally, these students often did not consult secondary sources as a part of their initial search strategy and instead relied heavily on the “Google-bar” functions of the search platforms. The incorrect statutes cited most commonly were Md. CODE ANN., EST. & TRUSTS § 1-209 (Issue Defined) and Md. CODE ANN., EST. & TRUSTS § 3-102 (Spousal Share), though various insurance statutes were also cited.

Unfortunately, due to the progressive nature of the question, when a student used the incorrect statute for Question 1(a), they often lost points for subsequent answers. The librarians tried to give partial credit where possible in accordance with the rubric.

Legislative History vs. History of the Law

Question 2(a) asked students what the law in Maryland had been before the statute in question was enacted. Ideally, we were looking for a discussion of how common law and statutory law interact. Twenty-two students answered Question 2(a) by referring to the bill history or redlining of the bill instead of discussing the common law as intended. Two students copied and pasted the redlined version of the bill as their answer to Question 2(a). This led to some initial confusion, as the “redline” formatting did not transfer over, leaving doubled words and phrases (e.g., “This section may not be construed to prohibit a court trier of fact, in the absence…”).

There was a correlation between platform and confusion on this question. Out of the twenty-two answers, the platform breakdown is as follows:

<table>
<thead>
<tr>
<th></th>
<th>Lexis</th>
<th>Westlaw</th>
<th>Both</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>8</td>
<td>13</td>
<td>1</td>
</tr>
</tbody>
</table>

Some of the confusion seems to stem from the fact that in Westlaw there is a “History” tab at the top of the page. Students appeared to think this meant the entire history of the legal concept, rather than the history of the statute/bill. In Lexis, many students reported clicking on “Bill Tracker,” which could indicate confusion about the question itself or the interaction of common law and statutory law, rather than a misunderstanding of the labeling.

Citation

The librarians were very lenient when it came to grading answers for Bluebook format. Failing to add the publication year or the correct publication year for an online resource was a common issue with Question 1(a). Fifteen students included citations that were particularly concerning; these occasionally resulted in the librarians failing to understand what source (or which portion of a source) was being cited. Others merely showed an unfamiliarity or lack of concern with correct Bluebook format. Some examples:

<table>
<thead>
<tr>
<th></th>
<th>DISTRIBUTIONS, AE MD-CLE 10-1</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>30 U. Balt. L. f 64</td>
</tr>
</tbody>
</table>
Next Steps

In advance of our April meeting, Adeen Postar circulated the 55-page final report to the ILS faculty for the upcoming school year and the appropriate senior staff members. She also made suggestions on how to “close the loop” and demonstrate how the law school would respond to the findings. She suggested that the law librarians (with feedback from the ILS professors) develop a standardized curriculum for four class presentations covering case law, statutes and codes, secondary sources, and a review class. These classes would include in-class exercises and homework to be turned in for credit. On top of this, professors can request additional sessions outside of the four baseline sessions—such as administrative research or federal legislative history research classes.

This proposal was discussed and accepted during our April meeting, and the law library is currently developing the standardized curriculum. We intend to reuse the objective portion of the assessment at some point during the 2016-2017 school year to assess the students’ progress and analyze the efficacy of our teaching.16

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16 For this reason, we are not releasing the actual text of the questions.