

www.canlii.org

practice
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An excellent Internet source for free legal research

Traditionally, books published by legal publishers were the sole vehicle by which primary legal materials were created and circulated. With the advent of the Internet, there has been a major shift in user preference and reliance on electronic rather than print resources. The Web now offers researchers a wide range of legal materials and law-related resources, both free and fee-based.

Your starting point for free access to Canadian case law and legislation should be the Canadian Legal Information Institute or CanLII site – www.canlii.org (pronounced “can-lee”). This site is the result of an initiative by the Federation of Law Societies of Canada to create a public and free Canadian virtual law library. It provides access to Canadian primary legal materials (including statutes, regulations and case law) from the federal government and all provinces and territories.

The CanLII site is simple and intuitive to use. On the home page you will find a listing of the “collections” available on CanLII, by jurisdiction and type (statutes, regulations, case law by court level etc.). The middle part of the home page has a simplified search interface which enables you to do a global search of all CanLII’s collections.

The advanced search page gives you the ability to narrow your search by choosing one or more collections in one or more jurisdictions, the language of the documents to be queried, etc.

For those that want to hone their search skills, the Help page provides an excellent tutorial on how you can more quickly find the information you are looking for by narrowing your search and using Boolean logic with the advanced search feature.

The scope of the decisions included in each case law collection is clearly specified on its initial page. Given that most courts have only recently started working with electronic versions of their decisions, in many provinces the case law on CanLII only goes back four or five years. This should not create major concerns as lawyers appear to use decisions that are less than five years old about 80 per cent of the time.

CanLII has limited case law in the family and young offender areas as the courts have not released electronic versions of these decisions for privacy reasons. At present you can only update federal level decisions on CanLII. The ability to update provincial level decisions will be added in the future.

Many courts are now recognizing CanLII as an official source. The information in

CanLII’s collections is being actively added to and updated, for both ongoing and older decisions. As the CanLII collection grows, it will become an even more valuable resource.

CanLII is one of your best options for fast and free access to recent case law and legislation. If you are not already using CanLII, set some time aside to familiarize yourself with it, and keep it in mind next time you need fast access to a recent case.

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