Do I need this guide?

Yes, legal research skills are highly desirable and valuable for securing a training contract or pupillage and excelling in your legal profession.

A good legal researcher will understand the fundamentals of court structures, law reporting, how and where to look for relevant case law and legislation, how to identify good law, and understand how to utilise technology to ensure their time is used efficiently.

This handbook is therefore designed for current law students, to help you learn and improve your legal research skills and stand out from the crowd when applying for your training contract or pupillage.

So, whether you are a law student working towards your LLB, LLM, GDL, BPTC, LPC or similar law degree, this guide is designed to help you during your university life and beyond.

How to use this guide

When reading this guide it is recommended that you are signed in to JustisOne, or have access to our accompanying user guide that can be downloaded from the Justis website: www.justis.com.

Use the document guide to show you which parts of the booklet will provide you with knowledge, help you learn practical skills and more.
Will this guide help me?

This guide will cover the fundamentals of legal research and teach you how to conduct legal research using JustisOne.

Why JustisOne?

Firstly, many law firms and chambers already use JustisOne when conducting research. For over 30 years Justis products and services have been trusted by government organisations, leading international law firms, barristers’ chambers, academic institutions, public companies, and sole practitioners from over 40 countries.

This includes over 150,000 legal professionals and educational users from over 185 top law schools. Knowing how to use JustisOne will help you stand out as a candidate that can easily adapt to organisations across the world.

Secondly, JustisOne acts as a single point of entry for your research. Rather than spending time searching multiple databases, you can locate content on other sources, including Westlaw, LexisNexis and BAILII, all at once. This will enable you to be more efficient in your legal research, and spend less time searching and more time learning about the law.

If you are still unsure, take a look at what the experts say, and visit the Justis website to learn more: www.justis.com

What do law students say?

"JustisOne is a great place to start your legal research as it will allow you to search across multiple resources at once thanks to the legal indexing tool."

LLB graduate from the University of Aberdeen

What do law librarians say?

"Being able to use technology is an invaluable tool for a legal career. Besides the immediate utility, technology skills demonstrate an aptitude for learning and a willingness to adapt to changes. Students need to be able to do more than just find cases—they need to be able to understand and analyze how cases relate to each other."

Legal Information Librarian, Boston University School of Law, Massachusetts

What do barristers say?

“The Justis Precedent Map is an excellent tool for seeing at a glance where an authority has been considered. Equivalent deliberate search would take up to a few minutes and is not really possible on some platforms."

QC and Barrister, Quadrant Chambers, London
Meet **JustisOne**

JustisOne, our flagship legal research platform, gives you access to the most comprehensive collection of common law cases, alongside advanced legal technology.

This unique combination of information and technology allows you to access more cases, and conduct efficient and thorough legal research.

JustisOne’s advanced technology is used to categorise content to help you find related cases, visualise the treatment of a case, identify the most quoted passages of a judgment, and connect cases across multiple jurisdictions.

**JustisOne is an advanced legal research platform enabling you to access case law from over 25 jurisdictions, reported series, legislation, and EU law.**

For more information visit: www.justis.com

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**What do law students say?**

“JustisOne is a great place to start your legal research as it will allow you to search across multiple resources at once thanks to the legal indexing tool.

You can search using the intelligent search bar with as broad or as niche a term as you would like, and we will bring up the relevant results. You can also search across multiple common law jurisdictions at once, even if your university does not subscribe to them, be able to see if a case exists under your search, and use the links provided to access it where it is available.

Once you have found the case you need to explore, the case analysis tools make it simple to pinpoint the area of law that you are looking for within each case, saving you time on research tasks both in practice and as a student.”

LLB graduate from the University of Aberdeen
1. Let’s start

The judicial system & law reporting

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The judicial system & law reporting

England & Wales

- Criminal and civil cases are decided on an adversarial, not inquisitorial, basis. This is in contrast to the civil law systems used in European countries.
- The ultimate source of law is the legislation or statutes passed by Parliament in Westminster or the Scottish Parliament.
- There is a legal duty to comply with EU Law, and the courts must apply EU law where there is a conflict between the two.
- European Convention on Human Rights was built into UK Law in 1998 and it is binding on public authorities and courts.

Northern Ireland & Scotland

- The system in Northern Ireland is broadly similar to England & Wales, with the Lord Chancellor as highest officer in the judicial system, and the Secretary of State responsible for criminal law and policing.
- Scottish Parliament makes laws on matters devolved to it, with a Minister for Justice responsible for civil and criminal law and justice.

What is precedent?

Precedent in the judicial system means that a court is bound by the decisions of a court of higher standing and, usually, by a court of equivalent standing. Superior courts are able to overrule decisions of lower courts, and sometimes their own decisions.
What is a law report?

A law report is a record of the judge’s reasons for a judgment in a dispute. In England and Wales, only a proportion of cases decided by courts are reported. In most report series, the cases are selected for publication by law report editors – not the courts. The layout of a report has consistent elements, such as the names of the parties, the dates of judgment, the judge’s name, etc.

To be reported a case must: Raise a point of legal significance; materially modify an existing principle of law or settle a doubtful question(s) of law; may include questions of interpretation of statutes and important cases which illustrate new applications of accepted principles.

What are primary and secondary sources?

Primary sources are direct sources of law - e.g: legislation, treaties, law reports (or case law), parliamentary papers, etc. While secondary sources include opinions, commentaries, articles, discussions, blogs, etc.

Reported Vs unreported

While law reports are important, they only cover around 20% of higher court cases, and many precedents go unreported due to financial and resource constraints, plus many online case law providers restrict your searches to their content. This can result in missing important persuasive and binding cases.
Which reports should be used?

Sometimes a case located online will have parallel citations to different report series. If there are several versions of a case in several report series, use and cite authorised or best versions of reports. Authorised versions are written by barristers, read and signed off by a judge(s).

- The Law Reports, established 1865, are closest to a set of ‘official’ reports (there is a Practice Direction at [1998] 1 WLR 825).
- If a case is not reported there, then cite the All England LR or the Weekly LR; beyond that, no further series are identified.

Cross jurisdictional searching

If your goal is to work for a global law firm, or you are studying International Law, you can use JustisOne as a legal citator to find information about cases heard in different jurisdictions. Regardless of your subscription, use the jurisdiction settings in JustisOne to select those that you are interested in and search as normal. You will be able to see the parallel citations for each reported version of the case as well as access links to alternative resources where you can find the full text.

As JustisOne has content from a range of common law jurisdictions, you can also see how those jurisdictions have influenced each other from the list of cited and citing cases. Once you have opened a case, you will be able to see the list of titles which have been mentioned within the Judgment or that have subsequently mentioned the case you are looking at. You can order the list of cases by jurisdiction, so you can see how the other common law systems have approached and used the same point of law.

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What do law librarians say?

“Being able to use technology is an invaluable tool for a legal career. Besides the immediate utility, technology skills demonstrate an aptitude for learning and a willingness to adapt to changes.

Students need to be able to do more than just find cases—they need to be able to understand and analyze how cases relate to each other.

JustisOne’s browse feature allows students to find a group of cases on a particular topic. Once a case is selected, the citing cases are color-coded, allowing the researcher to begin by focusing on negative citations.

The Precedent Map allows a student to visualize the citing cases and the cases mentioned in the case at hand. Seeing a case in this way leads to a deeper understanding of its connections to other cases and how those cases might affect its continuing validity. Being able to switch from a list view to a graphical view serves different types of learners. It also allows a researcher to switch from a global to a granular view to see the problem from a different perspective.”

Legal Information Librarian
Boston University School of Law, Massachusetts
Nicola Stephenson from the Justis training team discusses how she used the unique search and analysis tools in JustisOne to stay up to date with case law when studying for her LLB in Scotland.

**Why is JustisOne important for law students?**

Many law students will know JustisOne. For those who do not, it’s an intelligent legal research platform that provides access to case law and legislation. It’s a useful tool to stay up to date with case law, especially the areas of law you are studying, without spending too much time sifting through irrelevant information to do so. It’s also really helpful during essay time!

When I was a student it was important to keep up to date on big cases or important developments in the areas of law I was studying, to see if it changed the application of the law. Being up to date ensured I was always confident that the cases I used were still good law.

**What makes JustisOne different?**

JustisOne uses an algorithm to tag different practice areas which relate to any one case. This means it is easier to find important and related cases that might come under different practice areas. Firstly, I would conduct a simple search on JustisOne to find the most recent UK cases on contract law, having studied this practice area during my LLB along with corporate finance and corporate insolvency.

I can instantly see that the most recent case for these practice areas was also tagged with ‘Banking and Finance’ and ‘Bankruptcy and Insolvency’, as shown above, therefore it was one that I would find useful. The case is a hearing from the Queen’s Bench Division regarding a dispute over the liability of an unpaid council tax bill, which opens a whole range of legal issues then discussed by the judge and would give me lots of valuable material to use in my essays and studies.

**What if you are only looking for leading or authoritative cases?**

Another way I would keep up to date with the law would be to look at leading cases and recent developments in the areas I was studying.

To do this, I would use the ‘categories’ tab at the top of the case overview screen. I would select ‘contract law’ from the list of categories and select a relevant case, such as Hedley Byrne & Company Ltd v Heller & Partners Ltd followed by opening the list of citing cases. I could then use the sort filter to arrange the list by year, bringing the most recent to the top. Straight away, I could see cases which had referred to the case I was looking at.

Having a Scottish LLB, I would have instantly been drawn to cases with the Scottish flag. It is easy to see that this Scottish case was important under the current context as JustisOne had picked out seven references to Hedley Byrne & Company Ltd v Heller & Partners Ltd. I could then easily view these citations in context, and get an idea of the main points of the case without reading the full document.

Staying up to date on any area of law can be done quickly and easily on JustisOne. With key information displayed in a clear way, I can quickly determine if I need to read a case more closely.
2. Let’s get practical
Getting started on research

Good advice

Think about what are you being asked

- Clarify a request/legal research question
- List keywords/key concepts
- What sources to use?

Choosing resources

- Which databases are available?
- What content is available on each database?
- How can you use each database to your advantage?
- Use reputable sources

Record your research

- Avoid duplicated effort and always keep an eye on time spent.

A quick time-saving tip

JustisOne allows you quickly repeat searches using the History feature. Click on any of the searches to run the search again. Depending on when you conducted the original search you may see different results each time. This will be primarily due to new content being added to JustisOne, as it is updated with over 1,000 new cases each month. When repeating a search, ensure your jurisdiction settings are the same as when you originally conduct the search.
Suggested steps

When approaching a legal research question:

A) Identify and analyse

- Objective of research
- Facts and issues
- Relevant area of law
- Classify in legal terms
- Develop keywords

B) Find information

- Know the structure of literature
- If available - use the law library/staff and use IT skills to locate info
- Select relevant information, via tools such as indexes within legal materials
- Use citations, abbreviations, style guides and always check currency
- Construct a list of sources consulted, but remember - sometimes there is NO answer, NO relevant case law, NO useful precedent, BUT you will only know that having gone through the basic steps

C) Evaluate information

Identify the source: Who is providing the information? Who owns the domain; learn about web spoofing; read About Us and author biography; check links to and from the site.

Source’s expertise: Is the source an expert or an authority? Examine spelling, try to verify credentials independently, has the person published in legal reviews etc?

Determine level of objectivity: Does the source provide a balanced viewpoint? Is the writing style trying to be persuasive or objective? Does advertising influence the content?

Establish date of publication: Is the information current at time of publication? Examine creation and revision dates – don’t rely on search engine dates! Review facts and analysis in historical context. Undated information should be avoided.

Verify what is claimed in the information: Try to find two or more reliable sources providing the information. Use primary sources for facts. Secondary sources should provide cited references. Reliable sources meet quality criteria.

D) Present results

- Organize logically, and use good layout structure. Use correct spelling, grammar and syntax. Summarise, paraphrase and attribute correctly
- Apply law to the facts
- Provide clear advice or conclusion
- Acknowledge materials cited (if asked)
- Construct a list of sources (if required)
Go beyond your reading list

It is often expected that you will look beyond the list of cases supplied by your lecturer or faculty. Researching relevant cases, in addition to your reading list, allows for a more in-depth analysis of an area of law.

JustisOne has unique features which can significantly reduce the amount of time needed to find related cases and understand the relationships between those cases.

**Precedent Map**: As shown right, is the perfect way to see at a glance how cases are related to one another, select the most binding and recent cases, as well as understanding how other cases have treated or been treated by the selected case.

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**Why is this important?** When you start a training contract you’ll no longer have access to reading lists. When you start searching for cases in a specific area of law, the Precedent Map can help you find other similar cases, which agree on a point of law.
Building a strong argument

When constructing an essay or argument for a mooting competition, it is important to ensure that your supporting material has not been overruled and that the specific point you are using to support your argument remains good law. In JustisOne this is easy to check.

Notifications: We display a notification on cases if they have been heard in a higher court or overruled.

CiteLine: If you click on the button within JustisOne labelled All Citing Cases, you will be shown here within subsequent cases the current case has been quoted. This allows you to swipe through each passage to see how they have been treated, as shown right.

Citations in context: Use our list of cited and citing cases, as this will show you where within a judgment another case has been mentioned, and if it was treated in a positive, negative or neutral way. The button next to each title, as shown below, will display the number of mentions of that case within the judgment. To highlight exactly where they have been mentioned, simply click on the button. You can even clearly see if the case has been cited in other jurisdictions.

What do law students say?

“Sometimes I want to use a case to support an argument, but can see that it has been subsequently doubted or distinguished; in such circumstances I have to ensure that the treatment is for a different point of law or an unrelated issue which does not impact the relevant point for me or the overall status of the case. This task is easily possible because of the CiteLine feature, which provides the key parts of a case and how that part has been subsequently used in other cases as well.”

LLB student from The City Law School, City, University of London
A useful feature for essay writing

Key Passages: JustisOne's Key Passages are a really useful feature for revision and essay writing. The Key Passages show you the most commonly cited passages of a case. Why is this useful?

If you are looking at cases that have formed the basis of a legal test for a point of law, the Key Passages will often be the legal test itself, since this is the part of the judgment that is most commonly cited:

In this way, the Key Passages feature is a great way to quickly identify legal tests and the most important part of the case. As judgments can often be thousands of words long, the Key Passages feature essentially condenses the entire judgment into a couple of sentences, in order to decide if the case is relevant to your studies.

What do law students say?

"Writing essays during your LLM can be a daunting process. One of the main challenges can be, how do you convince your reader that your argument or view has merit? In this regard, JustisOne's Key Passage feature certainly gave me confidence.

This feature provided me with specific text of what others cited the most, in most cases, it was a crucial part of the judgment. I could also see where throughout the judgment other parts had been cited. I was able to see this information instantly, without reading through the entire judgment. However, you need to remember that sometimes reading an entire judgment is advisable. The Key Passage features is a great guide to find what others find most useful within a judgment, but you will still need to understand the context of the case!

I used this information to support my own argument by either 1) citing/quoting the paragraph directly or; 2) finding a case or judgment which cast doubt on that often cited part. While it is often quick in most online services to see who and how a case has been cited. This feature provides context to what is actually being cited. It is a useful tool to help understand the strengths and weakness of an argument, but to also navigate to other cases that may be of value."

LLM Student from The City Law School
City, University of London
Leading and recent cases

**Category tabs:** It is likely that as you progress through your legal studies, you will be expected to include your own analysis and opinion in your work. JustisOne can help you to expand the legal authorities in which you are using by offering you a simple link through to the leading cases as well as the most recent cases from a particular category of law.

Once you have selected a case, use the ‘Categories’ tab from within the case to open a list of the top areas of law will appear related to the case you are currently looking at. Select one of the categories to bring up the leading cases, most recent cases and important legislation on the subject, as shown right.

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**Category usage**

As a student, you will often be given information and asked to analyse it in an essay. In order to give a fair and detailed critique, it is essential that you conduct further research to ensure that all of your points are still valid and applicable in the current precedent. JustisOne will provide up to date information around particular areas of law so that you can view the leading cases, most recent cases and any important legislation surrounding it.

Changing your jurisdiction settings will allow you to view the cases under multiple common law countries and view the trends under each jurisdiction.

Next to the leading cases, as shown below, JustisOne will display a graph showing category usage over time. If you are researching the history of a particular area of law, you can see which years are likely to be of high importance. Select any of the years from the graph to search for results of cases within that year.
Looking for a search term?

Sometimes it is difficult to see how a case relates to the terms you originally used within your search. To locate any word from your search criteria within the full text of a case, simply click the pen icon located at the top of the judgment. This will highlight all terms within the judgment that were included in your original search.

Legislation

Through JustisOne, you can access legislation from both the UK and Ireland, but you can also see how this legislation has been used and interpreted by other common law jurisdictions. For example, many judges from the Caribbean refer to UK statutes when deciding the outcome of the case they are hearing. On JustisOne, you can view a list of those cases, as well as cases from any of our other jurisdictions, side by side with the legislation.

You can use our multiple view feature to view legislation side by side with the cases that you are working with, saving you having to navigate between multiple open tabs on your browser.

Why law students like the multiple view feature?

“The multiple view feature is one of the most useful tools available on JustisOne. It allows the user to organise their thoughts while viewing cases/legislation side by side.

As a student, writing an essay or answering a problem question in preparation for a tutorial is always a constant battle between all the tabs I have open on my browser. No matter how organised I am, I still find myself clicking on each of the tabs in turn to find the reference I am looking for. The JustisOne multiple view tab takes this problem away, keeping all of my cases in one handy drop down within the one tab, and allowing me to view two or three simultaneously or side by side with the legislation.

I think that the feature will also be particularly useful after my studies, as it will allow me to conduct my research and build a case very easily. It is so simple to compare judgments on JustisOne and I never have to worry about finding the correct tab to find a particular case.”

GDL graduate from BPP University

Where can I see these features? View our user guides online or watch our video guides here: www.justis.com/justisone-videos
Test yourself

Olivia and Jack, both aged 37 have been married for seven years and live with their three children in London. They have twin girls, Sophia and Amelia, aged 6 and one boy, George, who is 4. When the twins were born, Jack (working as a vet) had a higher income and the couple decided that Olivia, who was a secondary school teacher, would remain home to take care of their three children. As George was about to start school, Olivia was planning on going back to her previous job and had started to tutor in the afternoon to get back into the routine of teaching.

Over the past year, Jack has been working overtime and spending less time at home. As a result, Olivia has been relying on an old school friend, Harry, to help her with childcare while she tutors. Olivia and Harry have been growing closer over the past month and last night, Olivia admitted to Jack that her and Harry were having an affair and she was going to move in with him. She wanted the children to live with her and Harry in his home and sell her property with Jack so that Harry and she might buy a larger home together. The house is in joint names and valued at £300,000, with a remaining mortgage of £60,000.

Olivia will be on a new income of £38,000 per year when she returns to work next month, and Jack has an annual income of £45,000 plus overtime. Jack would like the children to stay with him and asks for your advice on the following:

1. On what grounds can he end the marriage?
2. How will their assets be divided?
3. What will the court take into account when deciding with whom the children should live?

Learn how to approach these questions
Nicola Stephenson from the Justis training team and LLB graduate, shows you how to approach these questions using JustisOne.

**On what grounds can he end the marriage?**

1. To find the appropriate answer to this question, I used the intelligent search bar found at the top of every screen on JustisOne. As the property is in England, I first set the Jurisdiction settings to the UK. To do this, I used the Settings menu to select one or more jurisdictions. The Settings menu can be found on the bottom-left of the screen in the navigation bar.

2. To begin with, the question specified “ending of marriage”. I ran a search using this term, which at the time returned just under 40 results (a good manageable number to skim through!). Over 1,000 new cases are added to JustisOne each month, so this numbers may change in the future.

3. JustisOne’s search results are ordered by relevance, which considers the number of times a case has been subsequently cited, number of negative and positive treatments and the level of court a case has reached. This ensures that the most relevant and leading authorities are at the top of your results. Therefore, when I ran my search for “ending of marriage”, I chose to view the first few result on the list as I was confident they would be the most authoritative and relevant.

4. On one case I opened, the key paragraphs highlighted in purple on the overview page informed me that the case was regarding similar points of law as our example.

5. I then used the ‘cited legislation’ tab. Here I found the Matrimonial Causes Act 1973. I clicked on the Act name to open the legislation within JustisOne.

6. After learning about the law surrounding the grounds on which a marriage can be ended, I used the list of ‘citing cases’ to find other examples of the legislation in practice. Within the list of citing cases, I could see the flags of each jurisdiction, and quickly find relevant cases from the UK.

7. Using this list of UK cases that had cited the relevant legislation I was able to explore relevant cases, locate the appropriate precedent for this question, and authorities to back up my answer.

Using the tools in JustisOne I was able to quickly link between documents to and find the relevant documents that I needed to read to prepare the final answer to this question.
Question 2

The second question regarded dividing the jointly owned assets. To answer this question, I decided to use JustisOne's Advanced Search tool to research dividing assets upon divorce in the UK.

How will their assets be divided?

1. Using the navigation bar, located on the left-side of the screen, I clicked on the Advanced button, to open our Advanced Search form.

2. The Advanced Search form in JustisOne can be used to search specifically for Cases, Legislation and EU law by selecting the corresponding tabs. As I was unsure about the legislation and cases on this point, I searched using the ‘All’ option as a starting point.

3. For this question, I typed ‘divorce’ and ‘assets’ into the full-text search, which produced around 2,000 results. The full-text box in the Advanced Search form can be used to find any words in a document.

4. To reduce the number of results I decided to focus on finding precedents in this area. I returned to the Advanced Search, and using the ‘Cases’ tab, I added ‘Supreme Court’ to the court field, and ‘divorce’ and ‘assets’ into the full-text field again. This returned 23 results at the time of searching, which provided me with a much more manageable starting point for this legal research.

5. By looking through the results, I saw each case has associated categories on each results card. On the second page of results I see there a few cases tagged with ‘Divorce’.

6. Opening one of these cases, I can use the pen tool, to highlight to the terms in the search bar, which was Category[Divorce assets] Court[Supreme Court]. This tool therefore allowed me to see where in the judgment these terms appeared.

Using the tools in JustisOne I was able to find a few specific cases as a starting point for my reading into this area, that would eventually lead me to the answer for this question.
Question 3

Finally, to address the child custody issue, and identify what information is relevant to the courts making this decision I used JustisOne's Browse feature.

What will the court take into account in deciding with whom the children should live?

1. Firstly, I used the navigation bar, located on the left-side of the screen, to open JustisOne's Browse feature. This feature can be used to search for cases by category. For this question, I selected Family Law, then narrowed the search by selecting Children followed by Custody and Contact. As I am interested in what the court will take into consideration, I also select Application for Custody before searching using the 'Find Cases' button.

2. I opened the first case within the results, which at the time was Payne Vs Payne, and saw from the Key Passages that the case had discussed factors of applications as well as their weightings. It was obvious that his case was a great starting point for my research.

3. Next, I opened the Precedent Map for Payne Vs Payne, using the button in the upper right corner. I select to see the positive and negative treatments. As the Precedent Map is ordered chronologically from left to right, I instantly see that this case has recently received a negative treatment in 2015.

4. By double-clicking on the negative citing case, the Precedent Map shifted its focus on the new case: Re C (Internal Relocation). By selecting the title at the top of the Precedent Map, I was taken straight to the case where I could view the full-text judgment.

5. Using the 'Cited Cases' tab, I found Payne Vs Payne and selected the corresponding citations in context button showing me the 18 mentions of the case within Re C (Internal Relocation). I could then read the relevant paragraphs and analyse them within my answer.

Using the results from my initial search, the Precedent Map, and the list of Citing and Cited cases, I continue to explore these relevant cases to find authorities that will help me answer my question.
Are you ready?

When applying for a vacation scheme or mini-pupillage, you’ll often be looking for ways to make your application stand out from the crowd.

Being able to use legal technology to conduct research significantly reduces the amount of time spent on one problem and can be a really useful skill to have in the eyes of hiring firms or chambers. Many of the biggest UK firms are now offering training contracts with elements of legal technology built into them, showing the importance of this to recruiters.

Justis offer free certificated proficiency tests that can be taken online and used on your legal CV to show prospective employers that you are skilled in this area. If you achieve over 90% in your first sitting, you will receive a pass with distinction, which will look great on any legal application.

Take the test here for JustisOne: www.justis.com/test

Training available

Did you know, Justis offer online training to all customers? Each training session last approximately one hour, depending on your training needs.

Training sessions are conducted online so that your colleagues, staff or students can join the session remotely. We can also offer in-person training in some parts of the UK and Ireland, and can provide special training sessions for JustisOne’s Admin Portal.

If you would benefit from a training session on JustisOne, please contact your law librarian.
Acknowledgement

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About Justis

For over 30 years Justis products and services have been trusted by government organisations, leading international law firms, barristers chambers, academic institutions, public companies, and sole practitioners from over 40 countries.