**Consumer Law: Research and Resources**

February 27, 2014

Presented by Toni Aiello, Reference Librarian

1. **Overview of Research Guide**

* [**Consumer Law Resources: A Guide**](http://libguides.law.hofstra.edu/consumer_law)
* Intersecting areas of legal practice; multidisciplinary; emphasis on American consumer law; selective
* Treatises and Practice Guides (overviews, developments, guides to consumer areas)
* Journal Articles and Papers—beyond Westlaw, Lexis, and HeinOnline—scholarly, multidisciplinary
* Current Developments—Law, Regulation and Policy
* Statutes and Legislative History (note: like every tabbed page, this section lists resources in alphabetical order—read introductions and resource descriptions to select most relevant for your topic and research needs); locating codes, session laws, and legislative histories and documents for consumer legislation
* Government websites—2 sections—Federal and New York (selected agencies)—important resources—descriptions include agency area of responsibility. Many statutes and regulations (both proposed and final) are provided on agency websites or cited in articles. For finding regulations without a citation, or given only the authorizing statute, see Links and Tips handout.
* Consumer Organizations—very important in consumer research for studies, reports, statistics—valuable free materials.
* Email me with suggestions for additions and improvements!
* Ask a reference librarian for assistance locating or using a source

2. **Background and Analysis—Find a Good Book on Your Topic through LEXICAT**

* Online catalog includes Axinn and Law collections; links to print and electronic books, government reports and documents, treatises and guides in databases like WestlawNext. (not articles)
* Use LEXICAT from Library website home page (click on “More options” under Search Library Catalog) OR find under “Research and Instruction.”
* Sample paper topic: Mortgage Discrimination (racial discrimination in mortgage lending)

**Keyword search: mortgage discrimination**

131 results, sorted by relevance (could also change sort to “date” or “title” order)

See #6, #7—*The Color of Credit: Mortgage Discrimination, Research Methodology, and Fair-Lending Enforcement*. (2002) Both print and ebook versions. Look at CONTENTS section on catalog records. Look at TOC on print catalog record. Or browse through ebook.

Next, look at SUBJECT**:** Discrimination in mortgage loans – United States. (Click on this subject): 53 results

Look at #s 38 and 43 for historical background of problem.

Default sort is alphabetical. Change sort to: reverse year

Look at: #s 1, 2, 6, 8, 9, 12 (sources for more recent subprime and predatory lending developments)

1. **Recent papers and forthcoming articles—latest scholarship on your topic: SSRN**

* From Research Guide, Journal Articles and Papers tab, link to: Legal Scholarship Network (SSRN) OR link from Online Resources Subject List on Law Library website (under “Article Finding’)
* Types of papers and articles: working papers or think tank papers not to be published in a journal; articles forthcoming in journals at time of posting to SSRN; articles already published in journals, with citation; fewer articles “as published in a journal”, usually international journals.
* Locate in journal if published; otherwise, use suggested citation on SSRN
* Sample topic: student loans - dischargeability in bankruptcy

At welcome screen, click on “Search”

Type in box: student loan bankruptcy

Results: 26

Sorted by number of downloads (default), can change to date posted, title

**Examples**:

#2 *An Empirical Assessment of Student Loan Discharges and the Undue Hardship Standard*/ Jason Iuliano

Forthcoming at time of posting. Note: downloads, key words for extra search terms.

Has it been published in the American Bankruptcy Law Journal yet?

Go to HeinOnline (or WestlawNext, Lexis Advance, or use Journal Finder): for example, on HeinOnline, Law Journal Library: Under “A” titles, find American Bankruptcy Law Journal (coverage through #3, 2013); select “Advanced search”—select the title of the journal to limit search, and search—author/creator: iuliano—brings up 1 result—your article. Where has it been cited/discussed? Click the Scholar Check red checkmark: “Cited by 2” (searches in Law Journal Library, other HeinOnline libraries such as Bar Journal Library as well—Click “Print/Download” options. Review article.

# #12 *Undo Undue Hardship: An Objective Approach to Discharging Federal Students Loans in Bankruptcy/Taylor, Aaron A.*

From abstract: Working paper; never published in a journal

“Download this paper”—Use cite from SSRN; see: suggested citation.

1. **Current Developments: What’s happening with case law, legislation, regulations, Congress, and policy initiatives for your issue or topic**

* On Research Guide, selected key sources at the Current Developments: Law Regulation and Policy tab

Bloomberg BNA:

* **BNA Reporters and Resource Centers**—premium resource for coverage of Congress, the states, and the courts in specific areas of law; available as subscription databases from Law Library website; content also available on Bloomberg Law.
* Others not in Guide are available from Law Library website: Research & Instruction>Online Resources Subject List > BNA > Alphabetical List of Products.
* All BNA Reporters on the subscription platform are used the same way; same features. Most articles include at least one document link to case, report, etc. discussed.
* **Sample topic**: student loans—dischargeability of debt

Select from Alphabetical List of Products: Bankruptcy Law Reporter (part of Bankruptcy Law Resource Center)

Hot topics: student loans (lists only recent articles—last 6 months, year)

Search box: student loans discharge

Refine Your Results by: dischargeability of debt (52 results)

Can also refine results further by Agency

CCH Intelliconnect:

* **Consumer Financial Protection Bureau Reporter**

Link from Research Guide is to Online Resources page of Law Library website. At this page, click on CCH Intelliconnect.

Browse in left frame:

Consumer Financial Services > Consumer Financial Protection Bureau Reporter (drill down sections)

OR

Search/Browse: student loans (all content), in search box at top of screen

In “Narrow Your Results”: Click Consumer Financial Services; then Consumer Financial Protection Bureau Reporter

Results: 170 (in categories—be sure to “view all” results in a category)

**5. Consumer Organization Websites**

* First two organizations listed on this page of the Guide are membership organizations for academics and researchers—good for consumer research conferences, publication opportunities—limited access to publications and papers.
* Remaining organizations are educational, research, and advocacy organizations; these sites provide free access to papers, studies, statistics, Congressional testimony, issue briefs, news and other information.
* Examine tabs or headings at top of home pages. Look for “research,” “resources, “publications,” “reports” “policy” “laws/regulations” and similar headings.
* **Example: Center for Responsible Lending**

Heading: Issues: note: Student loans; Mortgage lending

Heading: Research and Policy: *The State of Lending in America & Its Impact on US Households* (select a chapter to read)

1. **Additional Resources**

* **Congressional Research Service (CRS) Reports**—nonpartisan, objective reports/historical overviews by career research experts employed by this branch of Library of Congress, written at the request of legislators, on policy issues; many made available to public in several online collections (See Links and Tips handout for online collections of CRS Reports)
* **Chronicle of Higher Education**

For topics and issues related to American higher education, this is a good source of daily news, analysis, and opinion from the academic perspective. Student loan policies, practices, proposed legislation and regulations, and analysis get considerable coverage, as do marketing and standards for profit and non-profit schools. (See Links and Tips handout for access information.)

Examples: [*Lawsuit Seeks Debt Relief for Students of Defunct Trade School* (Feb. 26, 2014)](http://chronicle.com/blogs/ticker/lawsuit-seeks-debt-relief-for-students-of-defunct-trade-school/73517?cid=at&utm_source=at&utm_medium=en)

[*Consumer Financial Protection Bureau Sues ITT as Predatory Lender* (Feb. 27, 2014)](http://chronicle.com/article/Consumer-Financial-Protection/145007/?cid=at&utm_source=at&utm_medium=en)

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**Appointments with Toni Aiello:**

Tues. – Fri., Law Library, Room 100G

To arrange a time, email: [toni.aiello@hofstra.edu](mailto:toni.aiello@hofstra.edu)