LAW STUDENT INFORMATION SEEKING AND UNDERSTANDING OF CITATION, COMMON KNOWLEDGE, AND PLAGIARISM

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What Does This Study Examine

- This study analyzes how previous information literacy training (what grade level, where received), law student gender, age, and previously obtained education affects first, second, and third year law students' selection of information sources, their understanding of common knowledge, and their decision of whether or not to give attribution to these sources.
Impetus For This Study

Plagiarism

Current research suggests plagiarism occurs at high rates in academic settings, and that more people view plagiarism as an acceptable behavior. For example, McCullough and Holmberg (2005) examined 210 electronic master’s theses. Approximately 27% of these theses contained some form of plagiarism.

Additionally, Austin et al. - undergraduate student plagiarism in four separate Canadian colleges - self-reported - 80% of the respondents self reported committed plagiarism at least once in their academic career.

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Research Questions

- **RQ1**: How does first, second, and third year law students’ predicated information literacy training (how much and from where did they receive their information literacy training), age, gender, and previously obtained education level affect their understanding of the concept common knowledge?

- **RQ2**: Affect their decision to give citation to a source?

- **RQ3**: Affect the information sources they seek (e.g., do they seek primary, secondary, or tertiary sources)?
Guiding Theories

- Zipf (1949) postulated humans in general tended to complete the least amount of work possible to complete presented tasks – Principle of Least Effort

  - Attorneys seek out information due to overt causes. These overt causes consisted of wanting to obtain a quick and efficient outcome of a case; appeasing clients, colleagues, and court demands; providing good customer service; and reducing potential liability.

- Meyer (2009); and Haruna and Mabawonku (2001) postulated covert factors shaped attorneys and law students’ actions and source selection. Thus, attorneys’ job roles and tasks remained static and could not be changed by other factors such as client demands, customer service, and fears of liability. Instead, these researchers found law school pedagogy predetermined attorneys’ work roles and work tasks.

- Cole and Kuhlthau’s (2000) research
  - Experience matters

[Image: "It's a simple model... but it works for me..."

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Methodology

• Triangulation
  • Online Survey
    • Piloted
    • Cronbach's alpha (0.7 - .9 construct validity)
    • Twenty-four questions total
    • 244 responses, snowball effect
    • Distributed to four law schools: STCLH, A&M, Thurgood Marshall, Baylor

• SPSS
  • one way between-groups multivariate analysis of variance
  • Post hoc tests

• Focus Groups
  • Six focus groups
    • Card sorting technique
    • Thematic analysis
  • 3 law schools, A&M, Baylor, Thurgood Marshall
This study utilized law schools ranked in 4 separate tiers by the *United States News and World Reports*

- 1. Baylor Law School
- 2. Texas A&M University School of Law
- 3. South Texas College of Law
- 4. Thurgood Marshall School of Law

Main factors used to rank:
- Reputation according to academic peers and judges
- Post-graduation employment for students
- And school endowment

Statistically Significant Differences - Citation

• Citation
  • Age
    • Older law students and second and third year students may understand citation better
    • Statistically significant difference manifested regarding understanding of citation and citation behavior between 18-24 year old law students and 25-34 years old law students: n = 217, F(2, 62) = 4.039, p = .019; Tukey HSD = .014
  • Year in law school
    • Upper level law students may understand citation better
    • Statistically significant difference between first year law students and second year law students: n = 217, F(3, 61) = 5.560, p = .004; Tukey HSD = .047; and between first and third year law students: n = 217, F(3, 61) = 5.560, p = .004; Tukey HSD = .007
    • Both of these findings may support Cole and Kuhlthau’s (2000), research that experience matters

• No statistically significant difference regarding law school attended

• Supports Cole and Kuhlthau’s (2000) research - Experience matters
Citation and law students

• Know how to cite print materials and understand why it is important to cite.
  • “if you do not give proper credit, it is plagiarism.”
  • Subsequently, another law student opined “it gives you more strength to your argument,”
  • and another conveyed “it shows our arguments are soundly based.”
Citation and digital sources

• Avoid citing, and confusion about citing digital sources.
  • Wikipedia
  • Websites
  • Social media
  • Listservs
  • Other digital sites
• They perceive citing such sources equal to losing credibility
  • “I think it just ruins your credibility, citing social media and digital sites.”
  • “you cannot really cite a blog,” and “I would not cite a listserv, Wikipedia, or a blog.”
  • “I am not sure. How do you cite snapchat?”
• CC BY http://cliparts.co/confused-person-clipart
Citing Digital Sources and a Generational Gap

• “for judges who are reading these documents, half of them don’t even know what Twitter is, and the other half don’t consider it reliable or good at all.”

• CC BY http://www.fallongrace.org/2012/02/i-dont-want-to-be-a-grumpy-old-man/

• “people think law and think stuffy old men, honestly. And it is pretty much true. It’s changing because people get older and younger people are coming up.”
Blatant Disregard for Citation

- **Citation is contextual and calculated.** If you do not get caught, go for it.
  - “I know if I copied and pasted something and give it to my professor, and say this is mine, then I’m going to be in danger of plagiarism. But if it’s not in danger of plagiarism, I feel like it’s a lot easier for us to be like that’s okay I’m not going to figure out how to cite this. Then it is easier to be like this is common knowledge when there is no danger of plagiarism, especially when the stakes are lower.”
  - If it is not graded --- “I am defiantly erring on the side of not citing.”

- Supports Zipf’s (1949) theory that humans, in general, take the path of least resistance to save time.
Motivated by Fire and Brimstone

• “I think I received adequate training, but I think it depends on the amount of punishment your institution puts toward punishment. In undergrad a lot of people went before the board and were punished. I think if people knew they would face those consequences if they plagiarize, they would want to find out more about how not to plagiarize.”

• “Probably starting in eighth grade, turnitin.com to make sure we didn’t plagiarize. All that did was terrify me of plagiarism, but didn’t really teach me how to actually cite it, except for change enough words where it doesn’t look like (plagiarism)... So, all through eighth grade on, I’ve just been scared of plagiarizing. It’s definitely about fear.”
Google is the preferred information source

• Efficient
• Saves time
• Ease of use
• Free
• Provides quick access
  • “Google delivers an abundance of information quickly and conveniently,”
  • “my supervising attorneys instructed me to commence research with Google first, and then if I could not find the necessary information to use a resource like LexisNexis, Westlaw, or another commercial database.”
  • “because it saved the law firm money.”
  • Zipf’s model that states in general, people choose the easiest route to complete a task that will save them time and money.
Statistically Significant Differences

Common common Knowledge

• Common knowledge
  • Year in law school
    • Upper level students may have a better understanding
    • Statistically significant differences were found in regard to common knowledge between first year law students and third year law students: \( n = 232, F(3, 72) = 5.700, p = .004; \) Tukey HSD = .003
    • This supports Cole and Kuhlthau’s (2000) research that conveys experience matters
  • Law school attended
    • Texas A&M > Baylor and Thurgood Marshall School of Law
    • Statistically significant difference manifested between law students’ understanding of common knowledge at Thurgood Marshall School of Law and Texas A&M University School of Law: \( n = 232, F(4, 71) = 4.904, p = .003; \) Tukey HSD = .003

• CC BY https://en.wikipedia.org/wiki/Statistical_significance
View plagiarism and common knowledge as contextual

• Geographically

• Culturally
  • Russia - krugovaya poruka
  • Macedonia and Greece
    • “Communism was valued and everything was collectively owned...,” and therefore “during her education they did not make much point of plagiarism.”
    • “I don’t think there was any instruction in Greece either, where half of my family lived.”
View plagiarism and common knowledge as contextual

- Studied undergraduate work in Mexico, and “no one ever mentioned plagiarism.” He further conveyed “I want to add I think plagiarism is cultural.” He further stated that there was never any instruction about how not to plagiarize in Mexico. He also stated “I think Mexico is different with plagiarism because the legal system in America is based on precedents. We base decisions of what the higher court decided. We only know about it if we cite it.”

- Supported by the research completed by Meyer (2007) who utilized interviews and observations of a sample of 155 Russian speaking students and discovered these Russian students adhered to krugovaya poruka, or collective cheating.
  - Further supports Zipf – Principle of Least Effort and
  - Meyer (2009); and Haruna and Mabawonku (2001) – covert impetuses

- Classroom to classroom
Results confirm previous research

- Zipf (1949) Principle of Least Effort - Humans and law students take the path of least resistance.
  - Google or another readily available digital source, do not cite if no negative consequences, use the Internet first, citation is contextual

  - E.g., cannot cite digital sources, time, proceed with the cheaper route, plagiarize

- The fact that law students are mimicking behavior learned in school and on the job supports previous research regarding information behavior performed by Meyer (2009); and Haruna and Mabawonku (2001)

- Cole and Kuhlthau’s (2000) research
  - Experience matters
Future Research

• Why specifically law students shy away from citing certain digital information sources when they extract information from these sources and use it in their law school assignments?

• What other granular reasons exist as to why law students prefer Google?

• Is it a format or type of document problem (e.g., Wikipedia or digital sources)?

• Why law students never cite Wikipedia when they admit they take information from the Wikipedia site?

• Juxtaposing whether students are motivated to offer proper citation due to receiving solid information literacy instruction due to a fear of the potential consequences of being caught committing plagiarism.
Conclusion

- Law students do exhibit some differences in understanding of citation and citation behavior based on age and their year in law school. They also exhibit some differences regarding common knowledge based on their year in law school, where they received their information literacy training, and where they attend law school.

- There were no statistically significant differences regarding citation and information source selection between the four law schools analyzed.

- The MAJORITY seemed to prefer to choose Google first.

- They understand the importance of citation, but are motivated more by fire and brimstone warnings to cite than by simply knowing the proper rules for citation. Some may never cite if the cards are in their favor.

- Confusion exists regarding citing digital information sources.
Conclusion

• Law students vehemently avoid citing Wikipedia and other digital sources such as websites, social media, and listservs because they perceive citing such sources equal to losing credibility.
  • Support for covert influences - Meyer (2009), and Haruna and Mabawonku (2001)

• Law students view plagiarism and common knowledge as contextual.

• Finally, the results of this study support Zipf (1949); Meyer (2009), and Haruna and Mabawonku (2001); and Cole and Kuhlthau (2000)
References


References

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References


References


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Questions?