

Legal Research for the Non-Lawyer

Recommended Databases:

LexisNexis Academic An outstanding legal database containing full-text of statutory and case law at the state and national levels. It also covers news, reference, business and biographical information.

Westlaw Campus Research Campus Research is an online research service that provides a comprehensive collection of news, business, and law related information for students. News and business content includes newspapers, broadcast transcripts, and company information. Law content includes both analytical sources (like law reviews and journals) and primary sources (like U.S. Federal and state cases and codes, statutes, and regulations).

Understanding citations and abbreviations.

Most law books are cited in the order of **volume number, book, and page**. For example, **410 S.Ct. 113** would signify volume 410 of Supreme Court Reporter, page 113. Statutes are cited by **statute title and section number**, such as **42 U.S.C.A. 1983** for title 42 United States Code Annotated, section 1983.

Legal encyclopedias and dictionaries are a good starting point for getting an overview of a topic. Two general legal encyclopedias are: Corpus Juris Secundum (abbreviated **C.J.S.**) (Ref/KF/90/C6) and American Jurisprudence 2d (**Am. Jur. 2d**). Begin with the index; try under different **synonyms**. The text will contain many footnotes leading to further sources. Another good legal encyclopedia is West's Encyclopedia of American Law (Ref/KF/154/W47). Bell Library has both the 1998 and 2005 editions. This is a good source for the layperson. A good legal dictionary is Black's Law Dictionary (Ref/KF/156/B53).

Codes contain legal rules known as statutes, regulations and ordinances that are mandatory, meaning that courts must follow them. Codes are accessed through an index that refers the user to a numbered section. They are updated by supplements or **pocket parts**, or otherwise in looseleaf form. United States Code Annotated (abbreviated **U.S.C.A.**) (Ref/KF/62/A3), United States Code (**U.S.C.**) (Ref/KF/62/1988/A2/1989), or United States Code Service (**U.S.C.S.**) will be used if one is looking for **federal laws**. **Regulations** of federal agencies are contained in the Code of Federal Regulations (**C.F.R.**) found in the Government Documents area of the Reference Department. There is also an **index** to the regulations found on the microfiche cabinets near the regulations themselves. The Code of Federal Regulations is also available online through the **Lexis/Nexis Academic** database. Texas law may be found in Vernon's Texas Codes Annotated (Ref/KFT/1230.5/V4/A43) which has a General Index. All codes, including those from other states, can also be found in **Lexis/Nexis Academic**.

Reports or reporters contain **opinions** (sometimes called **decisions** or **cases**) written by courts to explain how and why certain legal rules were used to resolve disputes in particular lawsuits. These rules constitute "common law" and are followed by courts deciding later cases with similar facts and issues to be resolved. Decisions of a higher court will be mandatory, that is, must be followed.

Cases decided in the U.S. Supreme Court are reported in the United States Reports (**U.S.**) and reprinted in Supreme Court Reporter (**S.Ct.**) (Ref/KF/101/S9) and United States Reports, Lawyers' Edition (**L.Ed.**). Cases from the intermediate United States Courts of Appeals (also called U.S. Circuit Courts) are printed in Federal Reporter, first, second, or third series (**F.**, **F.2d**, and **F.3d**). Federal Supplement (**F.Supp.**) contains **district** court cases.

State appellate court opinions are printed in state reports in many states and reprinted in Regional Reporters, each containing several states, such as the South Western Reporter (**S.W.** and **S.W.2d**) (Ref/KFT/1247/S69/T4) in which Texas cases may be found. Texas also has its own Texas Cases (Ref/KFT/1247/S69/T4).

Reports are not indexed or arranged by subject. Often a reference may be found from encyclopedias, texts or footnotes of texts, or other cases. Annotated codes will list, following the text of a statute, cases that have cited that statute. If the above methods do not suffice, digests may be used to find cases. Digests are published for most states, Texas Digest, for example, (Ref/KFT/1247.1/T4) and Texas Digest 2d (Ref/KFT/1247.1/T42) and several of the regions that correspond to the regional reporters. The most commonly used digest

system, West's General Digest (Ref/KF/141/sup.), divides the law into about 400 topics. Each topic is subdivided into principles or points of law which are each assigned a "Key" number. Pigeonholed under each key number are brief paragraphs **abstracted** from cases, which summarize what each case says about that point, and citations to where each case can be found. The Descriptive Word Index is usually the best place to start in the digest.

Common words are used which lead to the right topic and key number. The digest also contains a Case Table, which can be used to look up a citation if only the case name is known. American Law Reports (A.L.R.) (Ref/KF/132) contains "annotations" which review a legal topic in depth, analyzing court cases from all jurisdictions on the subject. It can be used like a text or a finding aid.

Check supplements to be sure you are looking at the most current information. These sometimes appear as "pocket parts" inserted into the back covers of volumes to provide updates.

Check citators, of which Shepard's is the most common. This library has Shepard's Acts and Cases by Popular Names, Federal and State (Ref/KF/90/.S52). Citators are used to tell whether the validity of a case has been affected in some way, such as being reversed or overruled. Instructions for use and **lists of abbreviations** are at the front of each volume.

Manuals that give more detail on how to do legal research are:

Legal Information: How to Find It, How to Use It, by Kent C. Olson. Phoenix, AZ: Oryx Press, 1999. (Ref/KF/240/.O365)

Legal Research: How to Find and Understand the Law, by Stephen Elias and Susan Levinkind. Berkeley: Nolo Press, 2002. (Main Collection/KF/240/.E35)

Find the Law in the Library, A Guide to Legal Research, by John Corbin. Chicago: American Library Association, c1989. (Ref/KF/240/.C63)

Source used for this handout:

How to Research a Legal Problem, A Guide for Non-Lawyers. Chicago: American Association of Law Libraries, 1993. (Leaflet.)

For More Information

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