RESEARCH ON LEGAL TOPICS: GETTING STARTED

► What types of sources are there on legal topics?

You may come across a broad variety of both primary sources and secondary sources, when you research topics involving law.

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<th>Primary Sources</th>
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<td><strong>Legislative branch</strong> – statutes, codes, legislative histories</td>
<td><strong>Legal encyclopedias</strong> – general articles on legal topics</td>
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<td><strong>Executive branch</strong> – rules and regulations, administrative decisions, executive orders</td>
<td><strong>Law review articles</strong> – scholarly articles published in academic law journals</td>
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<td><strong>Judicial branch</strong> – case law</td>
<td><strong>Legal dictionaries</strong> – define legal terms</td>
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► Where should I start my research?

Secondary sources are a good starting point. For a broad overview of a legal topic, you can start with articles from a legal encyclopedia. Type “American Jurisprudence” in Gleeson Library’s Journal Finder http://www.usfca.edu/library/journalfinder to access American Jurisprudence 2nd in the LexisNexis Academic database. Law review articles are scholarly legal articles which examine legal issues and cases, in depth. They can be found through databases such as Hein Online http://www.usfca.edu/library/heinonline, LexisNexis Academic http://www.usfca.edu/library/lexisnexis, and the Index to Legal Periodicals and Books http://www.usfca.edu/library/legalperiodicals. Articles on law frequently use technical legal terms. Black’s Law Dictionary, Gleeson Reference KF156.B53 1999, is a legal dictionary that helps the user understand legal terminology.

► What kind of information on legal cases can I find?

**Understanding Case Law Resources.** There are two parallel court systems: state courts primarily handle issues of state law, while federal courts primarily rule on federal issues. Sometimes, state courts will address federal law issues, and those rulings can be appealed to the U.S. Supreme Court. You will find that most reported cases are decisions written by judges of appeals courts, both state and federal. It is often difficult to find trial court rulings, especially from state courts, or transcripts from completed trials.
Sources for cases. LexisNexis Academic (see above for link) is a comprehensive resource for finding published case decisions from both state and federal courts. Justia at [http://law.justia.com/cases](http://law.justia.com/cases), and Google Scholar at [http://scholar.google.com](http://scholar.google.com) (limit searches to “case law”) are free sites which also offer access to case law. There are many specialized resources for U.S. Supreme Court cases. FindLaw, at [http://caselaw.findlaw.com/court/us-supreme-court](http://caselaw.findlaw.com/court/us-supreme-court) maintains a database of Supreme Court decisions dating back to 1760. SCOTUSblog at [http://www.scotusblog.com](http://www.scotusblog.com), is an excellent source of information for cases pending before the U.S. Supreme Court, and provides legal analysis, links to submitted briefs and rulings, and live blogging of oral arguments before the court. Audio of oral arguments in U.S. Supreme Court cases dating back to 1955 can be accessed through the Oyez Project at [http://www.oyez.org](http://www.oyez.org) If you are looking for trial transcripts and state trial court rulings, typically these can only be obtained through the specific court involved.

► Where do I find statutes? How is this different from case law?

Most legal topics involve statutes, which are laws passed by legislative bodies such as the U.S. Congress and state legislatures. Codes are statutes arranged by subject matter rather than by chronology. Some areas of law continue to rely on common law which is judge-made law. Today, most case law involves judges’ interpretation and application of statutes to the specific facts presented by a dispute. The United States Codes at [http://uscode.house.gov](http://uscode.house.gov) compile federal laws passed by Congress. ProQuest Congressional at [http://www.usfca.edu/library/congressional](http://www.usfca.edu/library/congressional) and THOMAS at [http://thomas.loc.gov/home/thomas.php](http://thomas.loc.gov/home/thomas.php) can be used to track pending federal legislation and to find legislative histories. California codes and recent statutes can be accessed through the California legislature’s portal at [http://leginfo.legislature.ca.gov](http://leginfo.legislature.ca.gov) The Cornell Legal Information Institute (Cornell LII) at [https://www.law.cornell.edu/states/listing](https://www.law.cornell.edu/states/listing) provides links to the websites maintained by each state for their respective state constitutions, statutes, and legislative information. You can also search for statutory information for all 50 states using LexisNexis Academic (see above for link.)

► What are sources of administrative law?

Administrative law primarily consists of rules and regulations created by, or decisions of federal or state administrative agencies, which are given the power to do so by Congress or by state legislatures. The rules and regulations are compiled into the Code of Federal Regulations at [http://www.ecfr.gov](http://www.ecfr.gov) for federal agencies, and state equivalents such as the California Code of Regulations at [https://govt.westlaw.com/calregs](https://govt.westlaw.com/calregs). Rules and regulations for all 50 states can be found through LexisNexis Academic and the Cornell LII (see above for respective links.) Presidential executive orders are another source of administrative law, and can be found at the American Presidency Project at [http://www.presidency.ucsb.edu/executive_orders.php](http://www.presidency.ucsb.edu/executive_orders.php)

► What if I find a legal citation but don’t understand what it means?

A good place to start is the guide provided by the American Association of Law Libraries at [http://www.aallnet.org/chapter/scall/locating/ch2.pdf](http://www.aallnet.org/chapter/scall/locating/ch2.pdf)

- For further resources for business law research, please see Research on Legal Topics: Business Law Supplement