



Introduction to Legal Research

- **Where to Start**
- **Locating Statutes**
- **Locating Case Law**
- **Locating Regulations**
- **Electronic Searching**
- **Ask for help!**

Where to Start

You may feel overwhelmed when you first attempt to do legal research. Don't panic! Yes, there are many ways to tackle the problem and there is usually no right or wrong way to start. If you don't have a legal background or training, the variety of choices can be bewildering. This guide is intended to familiarize you with some of the basic tools and methods of legal research.

Note: This guide is not intended to be a comprehensive guide to legal research. It is not intended to be used by a novice to prepare for a court case or administrative hearing. It does not cover all the possible legal research tools.

The Library Catalog - 207.67.203.47/L20013/

You may find that there is a book on your topic. Legal treatises explain and analyze the law of a particular subject. The book will also provide you with relevant references to statutes, cases and regulations.

Periodical Indexes

Law journal or review articles can provide a good overview of an area of the law. They have lots of footnotes which can lead to cases and statutes.

The Index to Legal Periodicals is a paper resource that covers approximately 500 law journals from 1886 to the present. Articles from 1980 to the present are also searchable on the computer using Legaltrac. Remember, these are indexes, not full text. The library does not subscribe to all the journals indexed.

HeinOnline is available on the computer terminals in the library. It is a database of law journal articles that is searchable. While the number of journals is growing, this service provides access to journals that pre-date the coverage in Westlaw, Lexis, and Infotrac. Articles retrieved are full-text and may be printed.

Law journals are cited differently from other journals. The volume number is first, followed by the abbreviation for the journal, the page number, and the date. For example, 53 Tul. L. Rev. 603 (1977) refers to an article in volume 53 of the Tulane Law Review that begins on page 603 and that was published in 1977.

The journals are shelved in alphabetical order in two rooms along the corridor. If you cannot locate a journal, ask for help at the Reference Desk.

Legal Encyclopedias

There are two legal encyclopedias: American Jurisprudence, 2d, referred to as Am. Jur. 2d, and Corpus Juris Secundum, referred to as C.J.S. They are located in the Federal Wing. There is an index at the end of each set. These are very general statements of the law. They are not Louisiana specific, so they should be used with caution. Statements are heavily footnoted and may lead to relevant cases. There are also references leading into the West digest system.

ALR Annotations

This is another useful set that may lead into cases. Each annotation analyzes the law on a specific issue. There is a discussion of general principles and also differences between jurisdictions. There are summaries of cases cited. Use the Index to Annotations. ALR 3rd, 4th, 5th and Federal are located in the Federal Wing.

ALR annotations are also cited with volume number first, followed by the abbreviation for the set, and page number. There are pocket parts in each volume with updated material. Don't forget to look for and check the pocket part!

Locating Statutes

Another way to begin your research can be to look for relevant statutes or laws. Cases generally interpret statutes.

Bills are filed in the Legislature or Congress. If they pass both the Senate and House of Representatives, they become law unless vetoed by the President or Governor. At that point, they are sequentially assigned an Act number (Louisiana) or Public Law number (United States). It would be difficult to find anything in this chronological arrangement. Therefore, statutes are arranged in subject matter order in the Louisiana Revised Statutes and Codes and the United States Code.

Annotated statutes can have a variety of historical notes, law review references, and notes of cases that interpret the statute. Again, there will be pocket parts to look at. The pocket part will contain any amendments to the statutes as well as more recent case notes.

There are three versions of the U.S. Code: (unannotated) United States Code (U.S.C.) published by the Government Printing Office; United States Code Annotated (U.S.C.A.); and United States Code Service (U.S.C.S). Use the U.S.C.A. or U.S.C.S. The U.S.C. is also available on the Internet: www.gpoaccess.gov/uscode/index.html but be aware that it may not be as current as the books in the library. The U.S. Code is also available via Loislaw at the library computers.

There is a subject index at the end of the U.S.C.A. and U.S.C.S. There is also a Popular Name Table to look laws up by popular names, such as the Lemon Law or the Americans with Disabilities Act.

Use West's Louisiana Statutes Annotated (a/k/a the green books) to find Louisiana statutes. Two copies of the set are located in the reading room. Because of our civil law heritage, Louisiana has a variety of compilations: Revised Statutes (R.S.), Civil Code (C.C.), Code of Civil Procedure (C.C.P.), Code of Criminal Procedure (C.Cr.P.), Children's Code (Ch.C.) and Evidence Code (C.E.). The index to the set leads you into all of these compilations but be careful with the abbreviations. The session law service has recently passed acts that have not yet been incorporated into the pocket parts.

The library also has annotated statutes for the other 49 states. They are in alphabetical order by state in the State Wing.

Locating Case Law

Using the books: WestGroup publishes digests of case law. It uses a topical “key number system” to arrange cases by points of law. For example, cases placed under the topic “Divorce,” key number 215 deal with the amount of an award of temporary alimony. For recent Louisiana cases, use the Louisiana Digest, 2d located in the reference area. For Federal cases, the Federal Practice Digest 4th is located in the Federal Wing. Again, these are supplemented by pocket parts so don’t forget to check.

One of the great advantages of the key number system is that all West digests use the same system. For example, once you find a relevant Louisiana case, you can use the topic and key number in the federal digest or any other state or regional digest. Or, if you find a great case from another jurisdiction, you can look for similar Louisiana cases using the key numbers.

To use a West digest:

- Use the “Descriptive Word Index” volumes at the end of the set to look for cases by fact pattern. The index will refer you to one or more topics and key numbers where you will find summaries of cases on your issue.

- Browse the topics. West uses almost 450 topics in the digest system which you can use to find cases on a specific point of law. There is a detailed outline at the beginning of each topic which is useful to understand the variety of issues in an area of the law. Look for the general topic, then look at the outline for that topic to find the issues you are looking for.

- To find a particular case where you know a party’s name, use the Case Name Table or Defendant-Plaintiff Table volumes at the end of the set.

- To find cases that discuss the definition of a legal term, use the Words and Phrases volume.

Once you find summaries that look relevant, go to the case reporter and read the case in full.

Note: The topics in the West digest come from common law. They do not use legal terms that are used in Louisiana, e.g. obligations v. contracts, immovable property v. real estate. Therefore, it may be easier to use the Descriptive Word Index than to browse the topics.

The decisions or opinions of courts are published in sets called reporters. The citation format for cases is similar to the one for journal articles: name of the case, volume number, reporter name (abbreviated), page number, followed by court name and year of decisions.

Trentecosta v. Beck, 703 So.2d 553 (La. 1997) refers to a case in volume 703 of the Southern Reporter, Second series, beginning on page 553 written by the Louisiana Supreme Court in 1997.

The major reporters include:

Federal Courts:

U.S. or S.Ct or L.Ed 2d

United States Reports (Govt Printing Office); Supreme Court Reporter (West) - U.S. Supreme Court; Lawyer’s Edition Second Series

F. or F.2d or F.3d

Federal Reporter, Federal Reporter 2d series, Federal Reporter 3d services - U.S. Courts of Appeal

F. Supp or F.Supp 2d

Federal Supplement or Federal Supplement 2d series (U.S. District Courts)

State Courts:

West publishes state court cases in various “regional reporters.” Louisiana is in the Southern Reporter, along with Mississippi, Alabama and Florida.

A. or A.2d - Atlantic Reporter/Atlantic Reporter, 2d Series

N.E. or N.E.2d - North Eastern Reporter/North Eastern Reporter, 2d Series

N.W. or N.W.2d - North Western Reporter/North Western Reporter, 2d Series

P. or P.2d - Pacific Reporter/Pacific Reporter, 2d Series

So. or So.2d - Southern Reporter /Southern Reporter, 2d Series

S.E. or S.E.2d - South Eastern Reporter/South Eastern Reporter, 2d Series

S.W. or S.W.2d - South Western Reporter/ South Western Reporter, 2d Series

Sometimes you will see a case name followed by more than one reporter cite. These are called parallel cites meaning that is the same text in reporters issued by different publishers. For example, Allied-Bruce Terminix Companies, Inc. v. Dobson, 513 U.S. 265, 115 S.Ct. 834, 130 L.Ed.2d 753 (1995) was published in the U.S. Reports by the U.S. Government Printing Office, the Supreme Court Reporter, and Lawyers Edition, 2d Series.

Locating Regulations

Regulations are rules issued by various agencies to implement the statutes enacted by a state legislature or the U.S. Congress. As with statutes, regulations are issued by an agency and published chronologically in a ‘register.’ They are then placed in subject matter order in a code.

The Code of Federal Regulations (CFR) contains the current federal regulations. There are approximately 100 volumes that are published annually on a staggered schedule. To update the CFR, use the “List of Sections Affected” pamphlet and the Federal Register. The Federal Register is published daily. All these materials are in the Federal Wing.

The Louisiana equivalent is the Louisiana Administrative Code supplemented by the Louisiana Register. The Code is a multi-volume set shelved on Reference. The Register is issued monthly and is also on Reference.

Electronic Searching

You can use the Louisiana statutes, cases and administrative code at the public access terminals in the library. Use LOISLAW via the Internet.

The Louisiana statutes are on the internet for free. Portions of the Administrative Code and the Louisiana Register are available at: www.state.la.us/osr/osr.html. The cases of the Louisiana Supreme Court are posted at www.lasc.org. Some Louisiana Court of Appeals cases are available on the internet.

United States Supreme Court cases are available at various sites on the internet. Try www.findlaw.com or www.law.cornell.edu. These are also good beginning points for U.S. Court of Appeals decisions, the U.S. Code and the Code of Federal Regulations.

Ask for Help!

This guide should give you some ideas of how to begin your legal research. There are more resources than can be covered in the guide. Please ask us if you have questions.