

Introduction to Legal Research, Part 1

Reference Librarian

*Please log in to your Westlaw and Lexis accounts.
We will be using both in class today.*



Video Lectures You Have Watched

- ❖ Introduction to the Legal Research Center
- ❖ Introduction to the Research Plan
- ❖ Navigating Lexis & Westlaw
- ❖ Legal Encyclopedias and ALR
- ❖ Treatises and Practice Guides
- ❖ Journals Online
- ❖ Researching Statutes

What We Will Cover

- Secondary Sources
 - Legal Encyclopedias
 - Treatises & Practice Guides
 - A.L.R. Annotations
 - Law Journals

- Primary Sources
 - Statutes (today)
 - Caselaw (next class)



Dog Show Stalker?



Jordan and Sydney are professional dog handlers in Southern California, well-respected for their showing of Weimaraners at famous events like the Westminster Kennel Club dog show. The two have always been friendly rivals, but after losing to Jordan last year, Sydney's behavior began to change.

- Four times when Jordan took his dogs to the grooming salon, Sydney's car was already there even though she lived nowhere in the area. Each time, she watched him and the dogs arrive, then drove away laughing.
- Around that same time, Jordan received 10 or 20 phone calls where the caller played audio of dogs angrily barking.
- Once the caller said in a quiet voice, "You'll never make it to Westminster again."
- After losing to Jordan yet another time Sydney yelled, "I will end this one way or another!" Another competitor overheard and told Sydney her comment was inappropriate, to which she replied, "What? It's not like I was threatening to kill anyone."

Did Sydney's actions amount to enough of a credible threat to constitute criminal stalking in California?

Pre-Research Steps

- Write Issue Statement
- Identify Jurisdiction
- List Search Terms
- Make Research Plan

Issue Statement

- Did Sydney's conduct amount to enough of a credible threat to constitute criminal stalking?

Jurisdiction and Search Terms

- **Jurisdiction**
 - California
- **Search terms**
 - Stalking, criminal, “credible threat”

Research Plan

- Begin in secondary sources
- Look at primary law citations found in secondary sources
- Expand your research (next class)
- Run citators (next week)

Class Exercise: Finding Secondary Sources on Westlaw and Lexis

Using either [Westlaw](#) or [Lexis](#), take 10 minutes to find a **secondary source** that would help you start to research this legal issue.

- Be ready to describe:
 - how you located your source;
 - one useful piece of information the secondary source tells you about criminal stalking in California, relevant to our hypo.
- If you start with a keyword search, don't forget to use the filters on the left to limit to Secondary Materials, by category, and by jurisdiction.

Takeaway Points: Secondary Sources

- Secondary Sources are **huge time-savers**. They give you a good overview of the law in a given area, often providing citations to get your research started.
- Types of Legal Secondary Sources
 - **Legal Encyclopedias:** Multi-subject legal books containing brief summaries of the general state of the law
 - **Treatises & Practice Guides:** Single-subject legal books, more in depth than legal encyclopedias
 - **American Law Reports (ALR):** Collected articles (“annotations”) summarizing cases from a variety of jurisdictions on very specific legal topics
 - **Law Journals:** Scholarly legal articles on very specific topics

Class Exercise: Statutes

Take 5 minutes to:

- Locate California's criminal stalking statute in [Westlaw](#) or [Lexis](#).
 - Hint: searching by citation or using the index is more efficient than keyword searching when looking for a known statute.
- Locate the Notes of Decisions and identify a relevant subheading and case for our hypothetical.
- Name one other tool Westlaw/Lexis provides to enhance your understanding of this statute.

Takeaway Points:

Statutes as a Research Tool

- Statutory annotations on Lexis and Westlaw can be a valuable research tool:
 - Notes of Decisions – case squibs (summaries) on important legal issues
 - Context and Analysis (Westlaw) and Research References & Practice Aids (Lexis) – can lead you to secondary sources
 - Currentness, History
 - Citators can tell you whether a statute has been amended or repealed, called into question by caselaw, etc. (We will talk more about citators next week.)

Video Quizzes

LWR Videos 2021-22 > Navigating Lexis & Westlaw



ording	🔍
Introduction	0:01
Lexis	0:16
Westlaw	5:04
Conclusion	7:55
📝 Quiz	8:13

Quiz Results: Quiz

You answered



questions correctly
What would you like to do now?

Retake Review Continue

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Search this recording



Details	What are they?	0:00
Contents	Legal Encyclopedias and ALR Online	1:21
Captions		
Discussion	<input checked="" type="checkbox"/> Quiz	12:02
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Quiz

4 of 5 X

Choose the two titles that are most likely ALR annotations

- a. Domestic pets as property; dogs and cats
- b. What is an "enterprise," as defined at 18 U.S.C.A. § 1961(4), for purposes of the Racketeer Influenced and Corrupt Organizations (RICO) statute (18 U.S.C.A. § 1961 et seq.)
- c. Generally; determining the character of a corporation
- d. Failure To Pay Creditors as Affecting Applicant's Moral Character for Purposes of Admission to the Bar

Explanation

B and D. B and D are actual titles of ALR annotations, and the first and third are legal encyclopedia entries. Remember that ALR annotations contain in-depth articles on narrow topics of the law whereas encyclopedia articles aim for a broader view of the legal issue. ALR annotations can involve federal or state law, and sometimes focus on a specific statute or case.

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What are they?

- Legal encyclopedias report on the general state of the law in different subject areas. You will usually use them to get background information on your topic and to locate citations to primary authority.
- There are two multi-state legal encyclopedias: American Jurisprudence (Am. Jur.) and Corpus Juris Secundum (C.J.S.). In addition, California has two state encyclopedias: California Jurisprudence (Cal. Jur.) and Witkin's Summary of California Law.

0:00

Legal Encyclopedias and ALR Online

1:21

Research Steps We Covered

- ❖ Pre-Research
 - ❖ Issue statement, search terms, basic research plan
- ❖ Secondary Sources
- ❖ Statutes and Statutory Annotations

Vehicular Burglary Assignment

- More practice with legal research!
- Please complete the sections on secondary sources and statutes for our next class session
- Full recap in class on Tuesday, Oct. 19



Video Lectures To Watch Before Next Class Session

- ❖ Researching Case Law, Part I
- ❖ Researching Case Law, Part II
- ❖ Key Numbers and Headnotes
- ❖ Advanced Search