

Working Through The Research Plan

Legal Research Center Video Series



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Materials adapted from Amy E. Sloan, *Basic Legal Research: Tools and Strategies* (7th ed. 2018).

Basic research steps

1. Obtain preliminary information about the issue
2. Plan the steps in your research
 - a. An initial issue statement
 - b. A list of possible search terms
 - Journalism questions
 - PPPR
 - c. An outline of your search strategy
3. Execute your research plan effectively
4. Assess the information you find and update to ensure it is current
5. Revise your research plan as necessary and repeat steps as needed

Outline of search strategy

1. Review secondary authority
 - a. Get up to speed on the issue
 - b. Start collecting citations to primary authority
 - c. Update: check publication date or consult pocket part
2. Review primary authority
 - a. Locate relevant statutory sections & review annotations
 - b. Examine cases cited in secondary authorities and statutory annotations
 - c. Use Key Numbers & Headnotes to locate similar cases
 - d. Perform keyword searches as necessary
 - e. Use citators (Shepard's and KeyCite) for 2 purposes:
 - i. Locate cases that have cited to a case you've already found
 - ii. Make sure all your primary authority is still good law

Hypothetical

Pear, Inc., a California-based technology company, entered a contract with shipping company Neverbrown to have Pear's phones shipped from Malaysia to Pear's New York distribution center on Neverbrown's ship: the Never Taken. The parties agreed that they would be governed by the admiralty laws of the United States. The Never Taken's route took it through the Suez Canal, where a strong gust of wind blew it into the bank of the canal. The Never Taken was lodged in the canal bank for six days before it could be freed. During the collision and freeing, Pear's phones were jostled, and all arrived in New York with broken screens.

Pear wants to hire your firm to sue Neverbrown in federal district court in San Francisco for damage to cargo, but your supervisor is concerned that Neverbrown may be able to claim the gust of wind was an act of God, also known as force majeure, and wants you to do some research on the topic.

LRC Reference Desk

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