

LEGAL RESEARCH

Finding the Law: Legal Research for Activists

Maria J. Mejia

Outline

- ▶ Introduction
- ▶ Legal Research Textbooks
- ▶ Primary Sources: “The Law”
- ▶ Secondary Sources: Books about the law
- ▶ Research Strategy & Examples
- ▶ Citations and Legal Hyperlinks
- ▶ Law Libraries: Physical and Online
- ▶ Conclusion

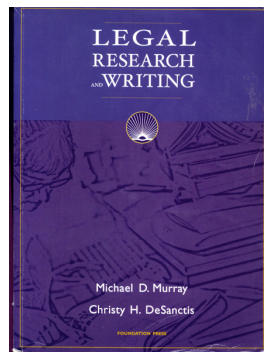
INTRODUCTION

Learning legal research helps:

- ▶ Plan in advance
- ▶ Assists in generating legal basis for objections to project developments
- ▶ Allows for the application of the law to particular facts
- ▶ Provides more than mere conclusions

A Way In - A Legal Research Textbook

MICHAEL D.
MURRAY & CHRISTY
H. DESANCTIS,
LEGAL RESEARCH
AND WRITING
(20xx)



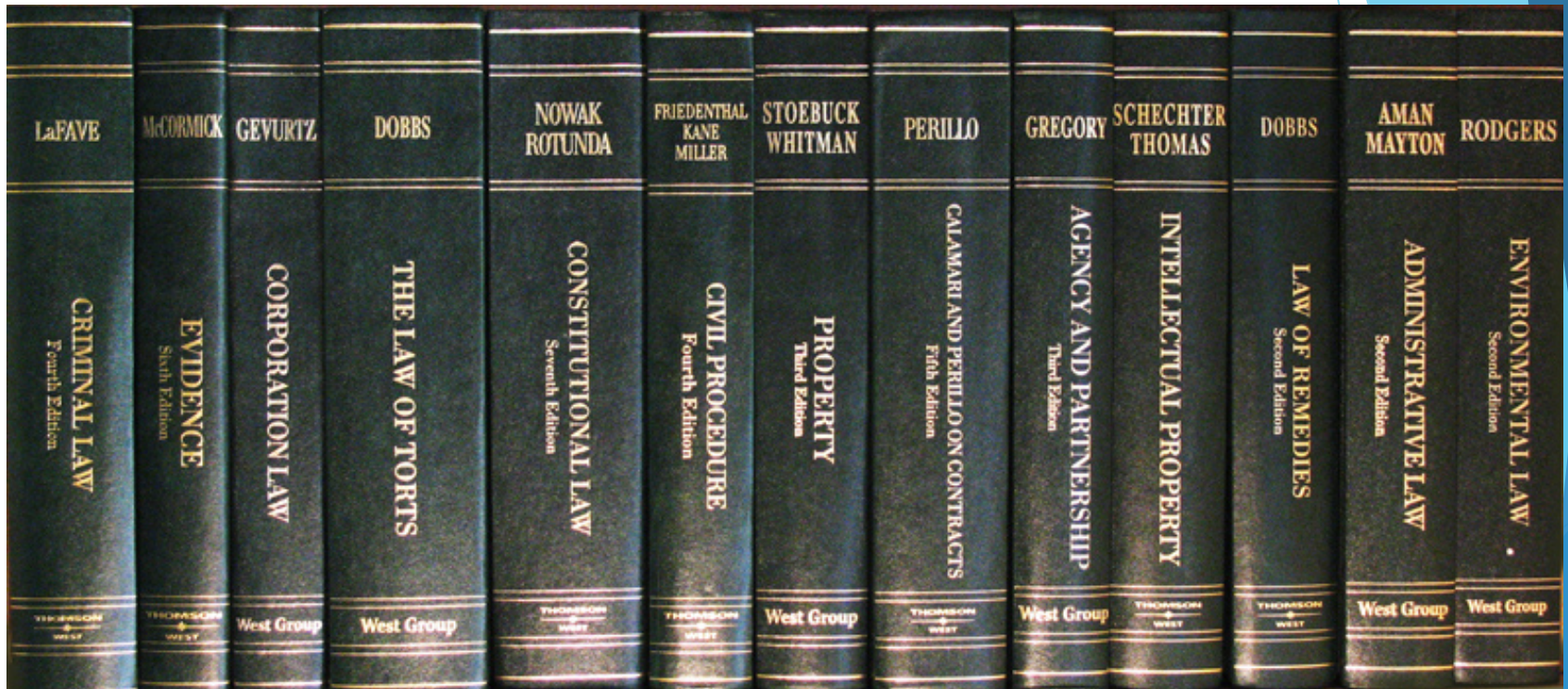
HELEN S. SHAPO ET
AL., WRITING AND
ANALYSIS IN THE
LAW (20xx)

- ▶ Rules of law and legal reasoning
- ▶ Determining the law from cases and statutes
- ▶ Citation mechanics
- ▶ Primary sources
 - ▶ Printed / online
- ▶ Secondary sources
 - ▶ Printed / online
- ▶ Research strategies
- ▶ Writing

Primary Law

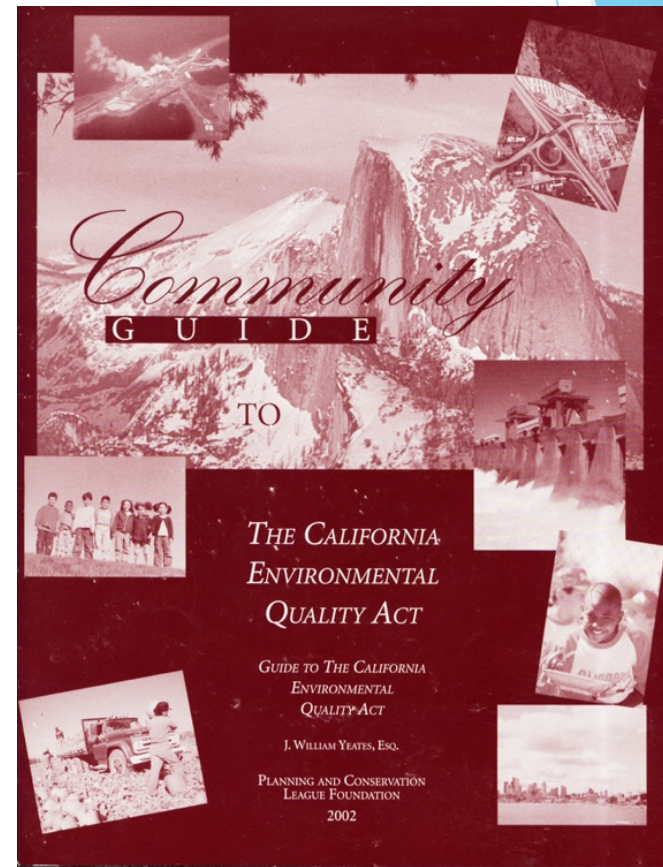
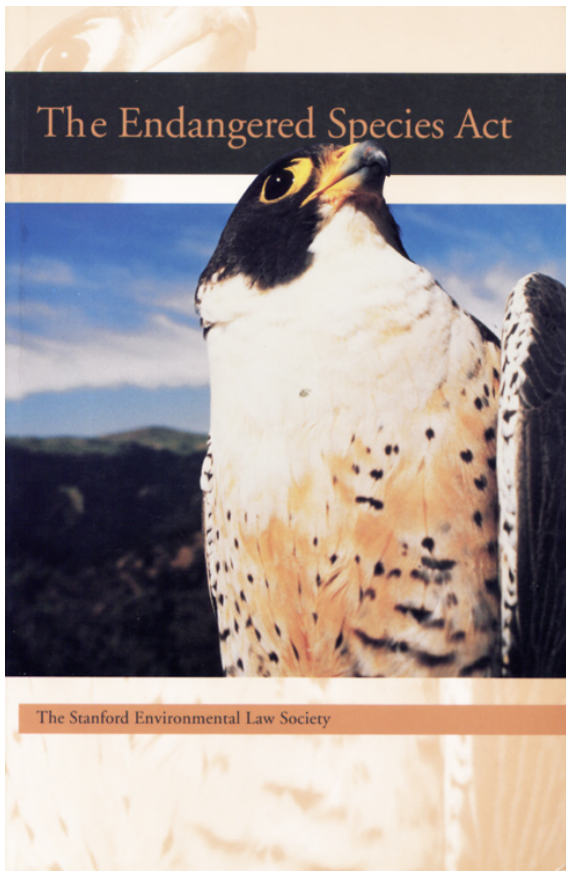
Federal	State	County / City
Constitution	Constitution	
Statutes	Statutes	
Regulations	Regulations	Ordinances
Federal and State Court Cases		

Secondary Sources - Hornbooks and Nutshells



Treatises

Some you can buy, others you will choose not to.



Secondary Sources in Law Libraries

Federal

- ▶ Legal Encyclopedias
 - ▶ American Jurisprudence (Am Jur)
 - ▶ Corpus Juris Secundum
- ▶ Annotations (ALRs)

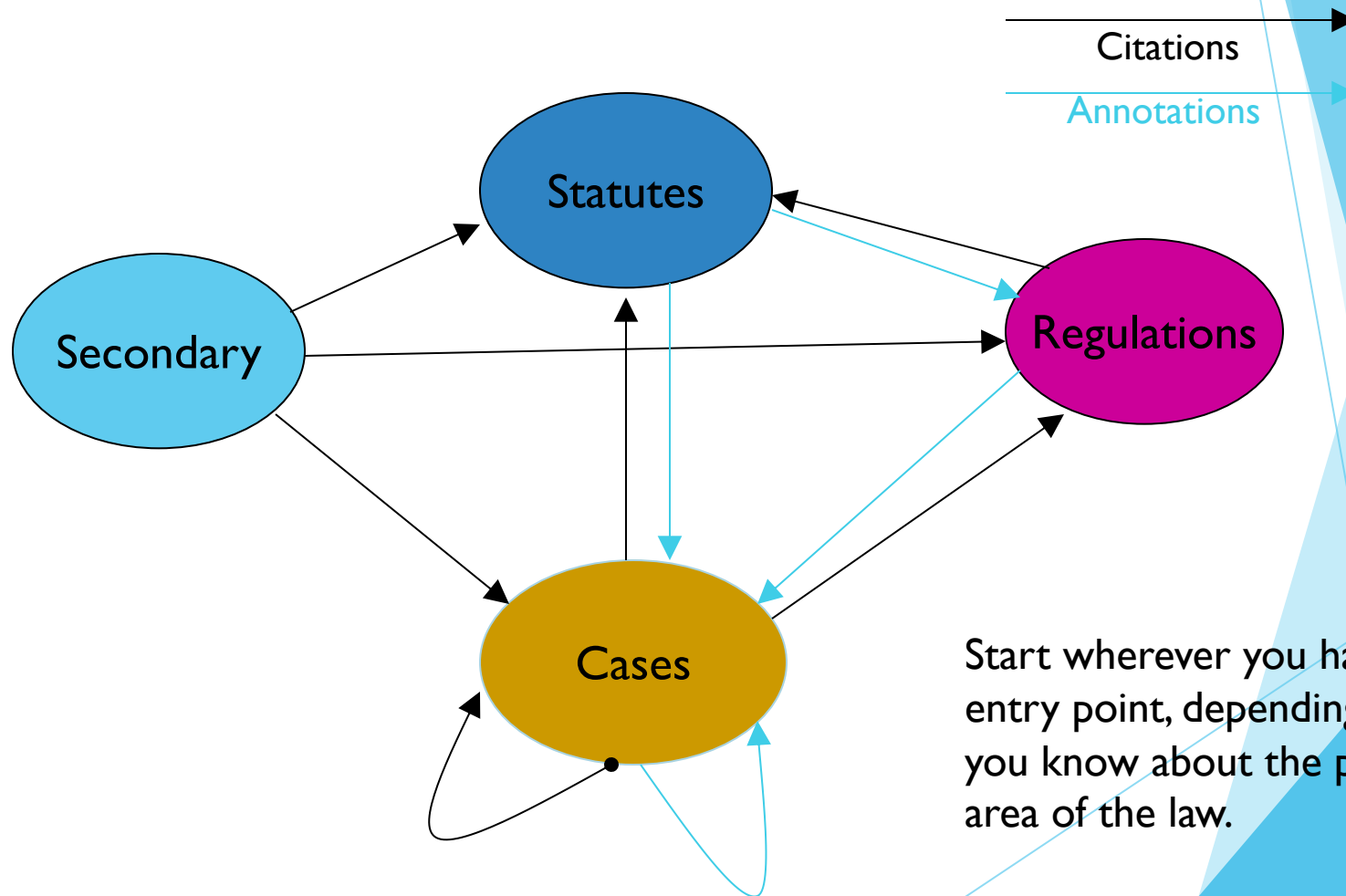
In General

- ▶ Law Reviews

California

- ▶ Legal Encyclopedia
 - ▶ California Jurisprudence (Cal Jur)
- ▶ Well-Known Treatises
 - ▶ Witkin Summary of California Law
 - ▶ Miller & Starr California Real Estate

Research and Strategy - Where to Start In the Web of Law?



Citations and Legal Hyperlinks

	Federal	California	L.A. County / City
Constitution/ Charter	U.S. Const. art. III § 2	Cal. Const. art. VI § 3	Los Angeles City Charter
Statutes (Code)	16 U.S.C. §§ 1531-1544	Cal. Pub. Resources Code §§ 21000-21177	
Regulations (Code)	50 C.F.R. § 17.21	23 CAL. CODE REGS., tit. 23, § 497.2	Los Angeles Mun. Code (Cal.) § 31.00(a)(1)(A)
Cases	<i>Sierra Club v. Froehlke</i> , 534 F.2d 1289, 1292 (1976)	<i>Mejia v. City of Los Angeles</i> (2005) 130 Cal.App.4th 322	

L.A. Law Libraries

- ▶ County Law Library (downtown)
 - ▶ Free Westlaw and LexisNexis
- ▶ Law Schools:
 - ▶ Loyola
 - ▶ Southwestern
 - ▶ U.C.L.A.
 - ▶ U.S.C.
 - ▶ Whittier
 - ▶ Pepperdine
- ▶ Pro
 - ▶ No need for computer
 - ▶ Easier to read hard copy
 - ▶ Free of charge
 - ▶ Physical browsing
 - ▶ Reference librarian
 - ▶ Some types of searches more difficult
- ▶ Con
 - ▶ Need to go there
 - ▶ Pay for printing copies

Online Law Libraries

▶ Free Sources

- ▶ Google Scholar
- ▶ Federal Sites
 - ▶ Constitution
 - ▶ US Code
 - ▶ Code of Federal Regulations
 - ▶ Federal Court Cases
- ▶ California Sites
 - ▶ Constitution
 - ▶ Codes
 - ▶ Regulations
 - ▶ Courts of Appeal and Supreme Court Cases

▶ Paid - Westlaw and LexisNexis

- ▶ Subscription (\$\$\$\$)
- ▶ Pay as you go document retrieval

▶ Advantages:

- ▶ Many more search options and hyperlinks
- ▶ Many more sources (esp. secondary)
- ▶ “Law library in a box”

CONCLUSION

Use legal research to:

- ▶ Plan in Advance
- ▶ Prepare
- ▶ Find bases to object to an illegal project development