

Introduction to Legal Research

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Your quick-reference guide to finding, analyzing, and using legal authority.

1. What Is Legal Research?

Aspect	Description
Definition	The systematic process of identifying and retrieving legal sources (statutes, cases, regulations, secondary materials) that illuminate a legal issue.
Purpose	• Support advocacy or counseling • Inform policy-making • Aid academic writing • Ensure compliance • Issue spotting
Core Skills	• Source identification • Critical analysis • Proper citation

2. The Legal Research Process (Step-by-Step)

1. Identify the Legal Issue

- Break the problem into facts and legal questions.
- Use “IRAC” (Issue, Rule, Application, Conclusion) as a mental checklist.

2. Develop a Research Plan

- List keywords, synonyms, and relevant jurisdictions.
- Decide on primary vs. secondary sources.

3. Locate Primary Authority

- **Statutes & Codes** – federal, state, local.
- **Regulations** – administrative agencies.
- **Case Law** – appellate decisions.

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- **Constitutions** – federal and state.

4. Consult Secondary Authority (to understand context & locate primary sources)

- Treatises, law review articles, practice guides, encyclopedias, annotations, Restatements.

5. Analyze & Synthesize

- Read the material, extract the rule, note exceptions, and assess relevance to your facts.

6. Update the Law

- Verify that the authority is still good law (no overruling, amendment, or negative treatment).
- Tools: citators (e.g., Shepard's, KeyCite), court websites, legislative histories.

7. Organize Findings

- Create a research memo or briefing note with headings: Issue, Relevant Authority, Analysis, Conclusion.

8. Cite Properly

- Follow the citation style required (Bluebook, ALWD, local court rules).

3. Types of Legal Sources

Category	Examples	Typical Use
Primary	• Statutes (U.S. Code, state codes)	Direct authority for legal arguments.
	• Regulations (CFR, state admin codes)	
	• Cases (U.S. Supreme Court, appellate courts)	
	• Constitutions	

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Category	Examples	Typical Use
	• Treatises (e.g., <i>Prosser on Torts</i>) • Law review articles	
Secondary	• Practice manuals (e.g., <i>Wright & Miller</i>) • Legal encyclopedias (e.g., <i>American Jurisprudence</i>)	Explain, interpret, and locate primary law.
Non-Legal	• News articles • Government reports • Statistical data	Provide background, policy context, or factual support.

4. Research Tools & Databases

Tool	Scope	Strengths
Westlaw	U.S. cases, statutes, regulations, secondary materials	Powerful citator (KeyCite), advanced Boolean searching.
LexisNexis	Similar coverage; strong news and business data	Shepard's-style citator (LexisNexisCite), intuitive interface.
Google Scholar	Free case law & scholarly articles	Quick, no-cost access; limited citator features.
GovInfo / Congress.gov	Federal statutes, bills, congressional	