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This guide provides an overview of legal research methodology and describes various sources that you will find useful when researching legal issues. The guide is divided into five major parts:

--Part I provides a suggested outline approach to the legal research problems you are likely to encounter in your legal career. While legal research often follows the same basic process regardless of the types of problems that you may encounter, you will want to develop your own methodology that works best for you.

--Part II provides a review of primary law sources as well as tools for finding these sources. Topics included in this review are case law research, statutory research, legislative history, and administrative law.

--Part III focuses on secondary sources, including various finding tools that can be used to help you identify and locate secondary sources pertaining to a particular topic.

--Part IV lists a variety of other legal research guides you may wish to consult if you have additional questions about legal research sources and strategies. The legal research guides listed in this part may be helpful for both general or specialized areas of the law (prime examples of specialized legal research being tax law research and compiling a legislative history).

--Part V lists some major web sites containing important legal information and documents. Given that there are no added costs associated with most of these legal web sites, they may prove to be worthwhile alternatives to the more costly, though complete, LexisNexis and Westlaw services.

When starting out at a new workplace, be sure to familiarize yourself with your workplace’s own library collection, including the online resources available to you. Ask your librarian (if your firm, organization, or agency has one) for an overview of the library’s collection. Also find out what limits may exist with respect to your ability to use fee-based resources such as LexisNexis and Westlaw. Be sure to ask questions: the people you work with, including your workplace’s librarian, can be excellent resources.
LEGAL RESEARCH METHODOLOGY: SUGGESTED STRATEGY

The following is a suggested methodology for analyzing and researching any legal issue. In addition, you may want to consult the general legal research guides listed in this guide beginning on page 33.

I. Preliminary Analysis

• Gather and analyze the facts.

• Identify and arrange the legal issues in a logical order.

• Prioritize your work so that you research the most crucial or threshold issues first.

II. Start With Secondary Sources

A. For most legal research problems, it is best to start with a secondary source before going to the primary authorities.

B. Objectives:

1. To obtain background information.

2. To learn terms of art and to focus your research. In some instances, you can miss finding relevant authorities if you fail to use specialized terms or terms of art in your research. This is especially true with online research.

3. To learn blackletter law – including basic statutory and case law.

4. To obtain citations to relevant primary authorities.

5. To avoid overlooking pertinent issues or authorities.

C. Sources: treatises, the various Witkin titles, legal encyclopedias (AmJur, CalJur), ALR’s, Restatements, CEB materials, Rutter Group materials, other practice materials, nutshells, hornbooks, looseleaf services, and law journal articles.
Many secondary sources are now available online and in print. On page 25 of this guide, we discuss a variety of ways in which you can identify potentially useful secondary sources.

III. Locate Existing Primary Authorities

A. Primary authorities include, among other things, court decisions, statutes, regulations, municipal ordinances, and court rules. They are either mandatory (i.e., controlling or binding) or persuasive in terms of their authoritativeness and effect. It is important to know and understand which authorities are mandatory for your research question and which are merely persuasive.

B. Sources for finding primary authority:

1. **Digests:** You can use digests to find cases via appropriate digest topics and key numbers gathered from (1) known cases, (2) descriptive word indexes, or (3) topic outlines (see pages 12-13).

2. **Statutory Codes:** Use the code index to find pertinent statutes. Always try to use the annotated versions of statutory codes, since they often contain cites to related cases, regulations, and/or secondary sources (see pages 14-16).

3. **Regulatory Codes:** Pertinent regulations can be found through (1) indexes to regulatory codes, (2) tables of statutory authorities, or (3) references obtained from annotated statutory codes (see pages 22-24).

4. **Secondary Sources** (see pages 25-32)

Before you jump into the primary sources, you should consider whether you wish to start with print or online resources. If going online, you should formulate search statements before logging on.

Think about taking advantage of any free legal web sites that relate to your topic (see pages 35-36), as opposed to LexisNexis or Westlaw, which are often charged to a client. Ask your librarian about available resources and for help with search techniques.
IV. **Update Research**

A. **Objectives:**

1. To ensure the validity of the primary authorities you have located.

2. To identify new developments or new authority.

B. **Sources:**

1. Citators (Shepard’s, KeyCite)

2. Westlaw/LexisNexis searching for the most current materials (these databases contain very recent cases and possibly the most current versions of statutory and regulatory code sections). When working online, be sure to click all updating links.

3. Check your pocket parts and supplements.

V. **Tips to Remember for Legal Research**

A. Research discrete questions separately.

B. Prioritize your work.

C. Never assume the absence of relevant statutes/regulations. Case law is not the end all and be all of legal research.

D. Be flexible and creative with respect to your search terms when searching indices and digests. When searching online, use synonyms, try both Natural Language and Terms & Connectors searching methods, and use field/segment restrictions when appropriate. Finally, if one search strategy (in print or online) is not working, stop and try a new approach.

E. Always read the primary authorities yourself (*i.e.*, don’t rely exclusively on secondary source descriptions).

F. Always try to find mandatory authority if it exists.
G. Check all appropriate supplements and pocket parts, and all updating links if working online.

H. Always consider the librarian as a resource to consult for assistance, guidance and suggestions.

I. Feel comfortable asking questions of the person who gave you the legal research problem, or of others who might be able to help you.
I. MANDATORY/BINDING AUTHORITY VS. PERSUASIVE AUTHORITY

Primary sources of law are either mandatory (i.e., binding) or persuasive as authority in a given legal situation. A source which is mandatory in one setting may be merely persuasive in another.

*Mandatory/binding authority* is that which must be followed by the court in a given jurisdiction; *persuasive authority* is that which can but need not be followed and which operates more as a form of guidance for the court. As an example, the constitution, statutes, and decisions of the highest court in a jurisdiction are binding upon and mandatory authorities for courts within that same jurisdiction.

When performing legal research, your goal is to locate mandatory/binding authority whenever possible.

II. CASE LAW RESEARCH

A. Federal Courts

- The **United States Supreme Court** is the highest level court.

  Cases reach the U.S. Supreme Court through various routes, including appeals from decisions of state supreme courts and the lower level federal courts.

- Intermediate appellate courts

  Federal courts are divided by geography and subject matter. There are thirteen different **United States Court of Appeals** “circuits,” twelve of which cover specific geographic areas (11 numbered circuits plus the District of Columbia (D.C.) Circuit).

  -- The U.S. Court of Appeals for the Ninth Circuit covers California as well as seven other Western states.

  -- The twelve geographic Court of Appeals circuits hear appeals from the federal trial level courts (District Courts) as well as from federal administrative agencies.
--The thirteenth circuit, the **United States Court of Appeals for the Federal Circuit**, hears appeals from various specialized courts (such as the U.S. Court of Veterans Appeals) and some federal agencies (such as the Patent and Trademark Office).

There are also some additional federal appellate courts with limited or specialized jurisdictions.

- **The United States District Courts** are the trial level federal courts.
  
  --They hear both civil and criminal cases.
  
  --There is a district court in every state (as well as in certain U.S. territories), and many states have multiple district courts.
  
  --In California, there are four district courts (Northern, Eastern, Central, and Southern Districts). Los Angeles is in the Central District.

- Additionally, there are a number of specialized trial level federal courts, such as the **United States Tax Court** and the **United States Bankruptcy Courts**.

- See Appendix (page 38) for an illustration of the federal court system.

**B. California Courts**

- The **California Supreme Court** is the highest court in California.

  The Justices of the California Supreme Court selectively hear appeals from decisions of the California Courts of Appeal and automatically hear all death penalty sentence cases.

- The intermediate appellate courts in California are the **Courts of Appeal**.

  These are divided geographically into six **districts**. The Courts of Appeal hear civil and criminal appeals from Superior Court decisions and verdicts.
Since January 2001, each California county’s **Superior Court** has jurisdiction over all trial level proceedings.

There is also an **Appellate Division of the Superior Court** in each county.

This court hears appeals in civil cases involving smaller dollar amounts and in criminal misdemeanor cases (i.e., the cases that used to be in the jurisdiction of the Municipal Courts).

See Appendix (page 39) for an illustration of the California court system.

**C. Finding Published Opinions**

In most states, including California, trial level cases are *not* published and are therefore *not* available in case reporters. In general, they have to be obtained from case files at the court itself. At the federal level, a very small percentage of trial level cases are published.

Both at the federal level and in California, only a small percentage of the Courts of Appeal(s) cases are published. Generally, an intermediate level appellate court case must change or clarify the law or otherwise be significant in some meaningful fashion in order to get published.

At both the federal level and in California, all Supreme Court cases are published and are available in case reporters.

**1. Case Reporters**

Case reporters contain published cases from a particular court or set of courts (in roughly a chronological arrangement).

*Official* case reporters are those published or endorsed by the state itself. For some courts (such as the lower federal courts), there has never been a true official case reporter. Many of the reporters published by West have been endorsed as “official” by states that no longer publish their own reporter.

Advance sheets are paperback or pamphlet versions of the case reporters and contain the most recent opinions available. Eventually, advance sheets are replaced by the bound volumes in the case reporter series (using the same volume numbers
and pagination). Until then, advance sheets can be used in much the same manner as any bound case reporter volume.

2. Federal Case Reporters

**U.S. Supreme Court** decisions are published in three different case reporter series, each by a different publisher. The text of the opinions will be the same in each of the three case reporters; only the editorial enhancements in each will vary.

- *United States Reports* (abbreviated as U.S.) (Official)
- *Supreme Court Reporter* (abbreviated as S. Ct.) (West)
- *United States Supreme Court Reports, Lawyers’ Edition* (1st and 2d series; abbreviated as L. Ed. and L. Ed. 2d) (LexisNexis)

All decisions of the U.S. Supreme Court are published in each of these three case reporters, although they are published on a much more timely basis in the two unofficial reporters (from West and LexisNexis).

**U.S. Court of Appeals** decisions are published in only one case reporter:

- *Federal Reporter* (1st, 2d, and 3d series; abbreviated as F., F.2d and F.3d) (West)

There is no official case reporter for U.S. Court of Appeals cases.

The only cases included in the *Federal Reporter* since 1924 are those which the U.S. Courts of Appeals have ordered to be published.

**U.S. District Court** decisions are published principally in the following case reporters:

- *Federal Supplement* (1st and 2d series; abbreviated as F. Supp. and F. Supp. 2d) (West)
- *Federal Rules Decisions* (abbreviated as F.R.D.) (West)

F.R.D. contains U.S. District Court cases that pertain to procedural matters (i.e., the federal rules of procedure). Cases published in this set are not published in *Federal Supplement*. 
There are a number of specialty case reporters which publish the decisions of special federal courts. For example, *Bankruptcy Reporter* publishes decisions of the U.S. Bankruptcy Courts as well as those U.S. District Court decisions involving bankruptcy matters that do not get reported in *Federal Supplement*.

3. **California Case Reporters**

*California Supreme Court* decisions are published in three different case reporters:

- *California Reports* (1st, 2d, 3d, and 4th series; abbreviated as Cal., Cal. 2d, Cal. 3d, and Cal. 4th) (official)

- *California Reporter* (1st, 2d, and 3d series; abbreviated as Cal. Rptr., Cal. Rptr. 2d, and Cal. Rptr. 3d) (West, unofficial)

- *Pacific Reporter* (1st, 2d, and 3d series; abbreviated as P., P.2d, and P.3d) (West, unofficial)

*California Court of Appeal* decisions are published in the following two case reporters:


- *California Reporter* (1st, 2d, and 3d series; abbreviated as Cal. Rptr., Cal. Rptr. 2d, and Cal. Rptr. 3d) (West, unofficial)

There is only one official advance sheet for California cases (it covers both the Supreme Court and Courts of Appeal cases).

Note that *California Reporter* contains both California Supreme Court and California Court of Appeal cases. *(California Reporter* was created in 1959. Prior to then, both California Supreme Court and Court of Appeal cases were published in *Pacific Reporter*.)

4. **Regional Reporters**

Some states, like California, have their own case reporter(s). Many, however, do not and instead, rely upon the *regional reporters* that are part of West’s National Reporter System. Each regional reporter contains supreme and usually appellate court opinions from various states within a designated geographic area.
5. Special Publication Rules in California

The rules that govern the publication of court opinions in California are contained in the California Rules of Court (Rules 976-979).

As noted earlier, not all decisions of the California Courts of Appeal get published. Pursuant to Rule 976 of the California Rules of Court, cases may only be certified for publication if they: 1) establish new law; 2) apply existing law in a significantly different way; 3) modify or criticize existing law; 4) resolve or create an apparent conflict in the law; 5) involve an issue of continuing public interest; OR 6) make a significant contribution to the legal literature by their review of the judicial or legislative history of a common law rule or statute.

California has somewhat unique rules relating to the publication and citability of Court of Appeal cases when one of the parties has appealed to the California Supreme Court (i.e., has filed a “petition for review”) and the Court has agreed to hear that appeal by “granting review.” When this occurs, the Court of Appeal opinion, even if already printed in the advance sheets, no longer may be cited and will not be published in the bound volume of the official reporter unless the California Supreme Court thereafter orders that it be “published” (either in whole or in part). The grant of review is said to have “superseded” the order of certification by the Court of Appeal (Rules 976(d) and 977).

The California Supreme Court can also order a certified Court of Appeal opinion “not to be published,” even if it does not “grant review” in the case (Rule 976(d)(2)). The term depublished is often used to describe this situation. Depublished cases cannot be cited as well, and they will not appear in the bound volume of the official reporter, even if they have already been published in the official advance sheets.

Finally, if this isn’t complicated enough, California also allows the California Supreme Court to order uncertified opinions to be published (opposite of above). (Rule 976(d)(2)) and has procedures in place whereby anyone may request that appellate opinions be published or depublished, though that request can be denied by the Court(s) (Rules 978 and 979).)

The bottom line is that before citing to or otherwise relying upon a recent appellate level decision, you must check on its status. Online you can do this through Shepard’s and Keycite.
6. Using Digests

A digest is in effect a subject index of case law. Digests are based on a subject arrangement that divides the law and legal issues into an organized topical structure much like an outline. Almost all case digests in the United States are published by West. These digests follow the West Topic and Key Number System. In this system, there are broad topics (e.g., Contracts, Criminal Law, etc.) organized alphabetically, each of which has a host of subtopics. Each of the most specific subtopics is assigned a key number.

When case reporter editors create headnotes, they assign to each one a topic and key number that conforms to the topic and numbering system used in the related digest. Each headnote then also gets published in the digest under that same topic and key number. Thus, if you have a known case and would like to find other cases that are similar, you can use the topic(s) and key number(s) from the known case and look those up in the digest. Of course, you can still use the digest without a known case by consulting the digest’s Descriptive Word Index and/or the outline(s) at the beginning of the most relevant digest topic(s) to find out which topic(s) and key number(s) to look up in the set.

Keep in mind that just as case reporters are issued in series, so are digests. Each digest series covers a specific time period (usually at least 10-15 years of case law for that jurisdiction). Always remember when using a print digest to check all of the digest series if you want to do a comprehensive search for cases. Also, the most current series will have pocket parts and/or supplements to keep it up-to-date. Don’t forget to check these updating tools as well. You can also update your research by using the West topic and key number service on Westlaw.

a. Federal Case Digests

There are two digests which cover only U.S. Supreme Court cases. These are:

- *United States Supreme Court Digest* (uses the topics, key numbers, and headnotes contained in the *Supreme Court Reporter*) (West)

- *Digest of United States Supreme Court Reports, Lawyers’ Edition* (uses the topics, section numbers, and headnotes contained in the *United States Supreme Court Reports, Lawyers’ Edition*) (LexisNexis)
There is one digest which covers all reported federal cases:

- **West’s Federal Practice Digest**

  The 4th series of this Digest is the most current one, mainly covering cases from the mid-1980s to the present.

  The earlier series of *West’s Federal Practice Digest* (i.e., the 1st-3d series) should be consulted for cases decided earlier than the mid-1980s. Indeed, digest coverage of federal cases goes back as far as 1789.

b. **California Case Digests**

  The digest series containing headnotes from the official California case reporters (*California Reports* and *California Appellate Reports*) is no longer being updated. The best method is to use the digest series containing headnotes from the West version of California cases. These digests are:

  - *West’s California Digest 2d* (covering 1951 to present)
  - *West’s California Digest* (covering 1850-1951)

7. **Words and Phrases**

  This set covers over 350,000 words defined by court decisions. *Words and Phrases* acts as a comprehensive judicial dictionary by drawing on definitions from cases that have interpreted or defined certain words or phrases. *Words and Phrases* covers both federal and state case law and is updated with pocket parts. Many of the West digests also include a “Words and Phrases” component for the cases covered in those digest sets.

8. **Recent Cases**

  Both the LexisNexis and Westlaw online systems contain the full-text of all published court decisions. There can be a delay, however, before state court cases (including California Supreme Court and Court of Appeal cases) appear online. Additionally, in California, the *Daily Appellate Report*, which is a part of the *Los Angeles Daily Journal* (a legal newspaper), reprints the full text of new California decisions, usually within a day or so of their issuance.
9. Citators

Before you rely on a case in any way or cite to it, you must check its status in either Shepard’s or Keycite. In other words, you must determine whether or not the case remains “good law.” Has it been questioned or criticized by other courts, overturned on appeal, or overruled in a subsequent case?

III. STATUTORY RESEARCH AND COURT RULES

Statutes are the laws enacted by the legislative branches of government. In the federal system, the legislative branch is the U.S. Congress. In California, the legislative branch is referred to as the California State Legislature.

Statutes begin life as bills. Once a bill is enacted into law (i.e., the same version of the bill is passed by both legislative chambers and signed by the President or the Governor), it becomes a statute.

Statutes that are “general and permanent in nature” get codified in a subject arranged compilation (usually referred to as a code). Most codes contain the following features and research tools:

--general subject index (often the best place to begin)

--Popular Name Table (useful if you know the popular name of the law, e.g., “Clean Water Act,” “Americans with Disabilities Act,” etc.)

--annual pocket parts and/or softbound supplements, which incorporate the changes in the law that have taken place since the most recent bound volumes were published

Most commercially published statutory compilations are annotated, which means that they contain summaries of related cases, cites to related regulations, and/or cites to relevant secondary sources. If possible, always use an annotated code, if one exists for your jurisdiction. Particularly useful in the annotated codes are the case annotations (often referred to as “Notes of Decisions”), which summarize and provide citations to cases that have interpreted the code sections in question. If there are two annotated codes, it can be useful to consult both sets of annotations. While the text of the statutes will be the same in both sets, the annotations will differ somewhat. Also, remember to check for new annotations in the pocket part or softbound supplement for whichever bound volume you are using.
A. United States Code

The subject compilation of federal statutes in subject order is called the United States Code (U.S.C.). There are both official and unofficial versions of the federal statutory code. All of these versions contain the very same text of the code sections and also have subject indexes located at the end of the respective sets. What varies between the versions is the degree of editorial enhancements and annotations. The three federal code sources are:

- **United States Code** (abbreviated U.S.C.)

  This is the official version of the federal statutory code. This version is not annotated and generally is not as up-to-date as the unofficial versions. A bound supplement at the end of U.S.C. updates the entire set.

- **United States Code Annotated** (abbreviated U.S.C.A.)

  This is one of the unofficial (commercial) versions of the federal statutory code, published by West. The set includes the following:

  - annotations
  - a multi-volume softbound “General Index”
  - a separate softbound “Popular Name Table” volume

  U.S.C.A. is available on Westlaw (in the USCA database).

- **United States Code Service** (abbreviated U.S.C.S.)

  This is another unofficial (commercial) version of the federal statutory code, published by and available on LexisNexis. The set includes the following:

  - annotations
  - a multi-volume softbound “General Index”
  - a hardbound Tables volume containing a “Popular Name Table”

B. California Codes

In contrast to the federal codified statutory compilation (U.S.C.), which is one code divided into 50 titles, the California codified compilation consists of a series of codes, each of which covers a certain subject area (e.g., Civil Code, Penal Code, Government Code, etc.).
In California, there is no official statutory codified compilation, only two unofficial (commercial) sets. Both of these sets contain all of the California codes, which are arranged alphabetically (by the name of the code), and are annotated.

• **West’s Annotated California Codes**

This set includes the following:

--annotations
--a multi-volume softbound “General Index”
--a Popular Name Table at the very end of the last index volume

This set is available on Westlaw (CA-ST-ANN database).

• **Deering’s California Codes Annotated**

The set includes the following:

--annotations
--a single volume index, which includes a Popular Name Table in front

This set is published by and available on LexisNexis.

### C. Local Legislation: City and County Ordinances

*City and county ordinances* are legislative acts passed by local governing bodies (i.e., city councils, county boards of supervisors, etc.). For most local jurisdictions, there is a compilation (often called a municipal code) that arranges the local ordinances by topic (similar to the state and federal statutory code compilations). Usually there are subject indexes for the local codes. If a local jurisdiction is slow in updating its code, you may need to contact the city or county clerk's office to find recent ordinances. The internet may also provide an up-to-date version of a particular local jurisdiction’s municipal code.
D. Constitution

Constitutions are the supreme laws of the land, setting forth the parameters for governmental action and giving the governmental branches their authority to govern. In addition to the U.S. Constitution, each state has its own constitution.\(^1\) While constitutions are not statutes, they usually are reprinted in the statutory code compilations. Thus, you can find the text of the U.S. Constitution at the beginning of the federal code sets, and the text of the California Constitution in both the West's and Deering's sets of California Codes. If you are using an annotated set, you will find in it summaries of cases that have interpreted the various constitutional provisions. These annotations are particularly useful, since so much of constitutional law derives from the cases that have interpreted the various constitutional provisions.

E. Court Rules

Court rules regulate court operations, procedures, and litigation and the conduct of the litigants. Court rules cover such matters as the types of motions that can be filed, the proper format for briefs, time limitations, jury selection, and appellate procedures. There are two types of court rules: general rules, which apply generally to all courts in a particular court system, and local rules, which apply to one particular court.

Examples of general court rules are the Federal Rules of Civil Procedure, the Federal Rules of Criminal Procedure, and the California Rules of Court. Each jurisdiction has its own procedures for promulgating its general set(s) of rules. In some jurisdictions, these rules emanate from the legislature and in others, from the judicial branch. In the federal system, the general court rules are adopted by the U.S. Supreme Court. In California, they are adopted by the Judicial Council of California, a governing body established by the state constitution to help improve the California judicial system.

As with constitutions, general court rules for a particular jurisdiction usually can be found in the statutory code compilation(s) for that jurisdiction. The court rules generally are contained in separate volumes. In the annotated sets, you also will find summaries of cases that have applied and interpreted the various rules.

\(^1\) The document that establishes the governing authority at the local (city or county) level is referred to as the city or county charter.
In addition to being aware of the relevant general rules that govern in their jurisdiction (e.g., California), litigators also need to be aware of the local rules that govern in their particular court (e.g., Los Angeles Superior Court). Local court rules usually deal with routine “nuts and bolts” matters, such as filing briefs, time limitations, and specific settlement procedures. Each court adopts its own local rules.

Local rules for appellate courts often can be found in the statutory code compilations. Trial court local rules are not as readily available, but can be found in various other compilations. The following publications contain local court rules for state and/or federal courts in California:

- *Federal Local Court Rules, 3d ed.* (published by West)
  
  This set contains local court rules for all of the federal District Courts and Courts of Appeals in the United States.

- *California Rules of Court - Federal* (published by West)
  
  This softbound pamphlet contains local court rules for the federal District Courts and Bankruptcy Courts in California and the Ninth Circuit Court of Appeals. West publishes similar pamphlets for a number of states.

- *California Rules of Court - State* (published by West)
  
  This softbound pamphlet contains the *California Rules of Court* and the local court rules for the California state appellate courts. West publishes similar pamphlets for a number of states.

- *Court Rules* (published by Daily Journal Corp.)
  
  This looseleaf set contains local court rules for all California courts (both state & federal), including the local rules for all of the California state trial courts.
IV. LEGISLATIVE HISTORY

Legislative history refers to the events and documents surrounding the consideration and enactment of a particular legislative bill. Legislative history research consists of finding these documents, which can often be helpful in shedding light on the meaning or intent of a particular statute or of specific language contained within that statute.

The most important documents for determining legislative intent are bill texts and committee reports. Other documents, such as transcripts of hearings and debates, as well as Presidential statements, may also be relevant. All of these types of documents can be found in print as well as on Westlaw, LexisNexis, and the “free” internet.

This section focuses on federal legislative history. It is also possible to do legislative history research on state bills and laws, though the resources (particularly the print resources) to do this type of research are not usually as readily available.

A. Types of Legislative History Documents

1. Bills

The legislative process begins with the introduction of a bill by a legislator. By looking at the different versions of a bill as it made its way through the legislature, one may be able to infer what the legislature had in mind with respect to a particular provision.

Federal bill numbers begin with an “S.” (for Senate bills) or “H.R.” (for House of Representatives bills). In each Congress, the first bill introduced in the Senate and the House of Representatives becomes S. 1 and H.R. 1 respectively, and each subsequent bill during that Congress is numbered sequentially (i.e., S. 2, H.R. 2, S. 3, H.R. 3, S. 4, H.R. 4, etc.). Thus, in order to locate a particular bill, you have to know not only the bill number but also the particular Congress in which the bill was introduced (e.g., 104th Congress, 105th Congress, etc.).
2. Reports

Bills are referred to legislative committees. Bills that are viewed favorably by the committees get reported to the full legislative chambers, which then vote on them. If and when a bill is sent back to the whole house for consideration, it is usually accompanied by a committee report. These committee reports usually provide an analysis of the content and intent of the bill.

After a bill is passed by one house of Congress, it must be sent to the other house for approval. A conference committee is sometimes convened to settle disagreements between the two houses. The conference committee usually issues its own report, which is often the most useful report for purposes of determining legislative intent.

Senate and House report numbers begin with an “S. Rpt.” or “H. Rpt.” (e.g., S. Rpt. 104-22 or H. Rpt. 104-22). The first part of each report number designates the particular Congress in which the report was issued (i.e., the 104th Congress), and the second part designates the specific report issued in that particular chamber during that particular Congress (i.e., the 22nd report issued in the Senate and House during the 104th Congress).

3. Hearings

Legislative committees often conduct hearings on the bills. While some of these hearings are published, others are only published in part or not published at all. Published versions can consist of prepared statements delivered by witnesses, complete transcripts from the question and answer sessions, and/or exhibits.

As a source for legislative intent, transcripts from hearings are not as authoritative as reports. Comments made at hearings may represent only the views of individual legislators, individual witnesses, or special interest groups, and the comments may be contradictory.

4. Debates

Congressional debates on the floor of the House or Senate sometimes shed light on legislative intent, but as with hearings, remarks made during debates may represent only the views of individual legislators. Also, members of Congress may alter or supplement their remarks prior to publication.
Transcripts of Congressional floor debates are published in the *Congressional Record*. Citations to the *Congressional Record* include the volume number and page number where the remarks can be found in the set (e.g., 75 *Cong. Rec.* 11235 refers to volume 75, page 11235 of the *Congressional Record*).

5. Presidential Statements

The President may issue a statement when signing or vetoing a bill passed by Congress. These statements may include an interpretation of an ambiguous provision.

B. Finding Federal Legislative History Documents

1. Using Codes

It is often necessary to have the public law number of a statute in order to find legislative history documents. The federal code publications can be used to identify the public law number of the particular statute in which you are interested. The annotated versions of the code also often include citations to relevant House, Senate, and/or Conference Committee Reports.

2. Using Session Laws

In both *Statutes at Large* and *United States Code Congressional and Administrative News* (U.S.C.C.A.N.), you can find references to bill numbers, committee reports, and the *Congressional Record* for each public law. In U.S.C.C.A.N., you can also find the full text of selected committee reports and presidential statements in the volumes labeled “Legislative History.”

3. Sources of Compiled Legislative History Information

Sometimes, you will be able to find a source that brings together many of the relevant documents pertaining to a particular statute (or at least provides citations to and/or excerpts from these documents). Using the online catalog (for books) and/or a periodical index (for law review articles) are two ways to find if such a compilation exists for the statute you are researching.

An additional print resource that may be useful is *Sources of Compiled Legislative Histories*. Organized by Public Law number, this publication provides a bibliography of compiled legislative histories for selected public laws from 1789 to the present. The citations are to law review articles, government documents, treatises, and other publications. For each source cited, information is provided as
to the kind(s) of content provided in that source (e.g., citations to legislative history
documents, abstracts, discussions, full-text documents, etc.).

V. ADMINISTRATIVE LAW

A. Federal Administrative Regulations

The *Federal Register* and *Code of Federal Regulations* are two important
official publications that print federal administrative regulations. These are issued
by the United States Government Printing Office (the “GPO”). Both are accessible
in print, on LexisNexis and Westlaw, and through the GPO’s web site.

1. Federal Register

The *Federal Register* (Fed. Reg.) contains proposed and final rules of federal
administrative agencies. It also includes notices from agencies and presidential
documents (i.e., executive orders and executive proclamations). It is published
daily and is paginated consecutively throughout the year.

A citation to the *Federal Register* includes both the volume and page number
where the regulation can be found. Thus, a cite to **45 Fed. Reg. 11220** would refer
to page 11220 in volume 45.


The *Code of Federal Regulations* (C.F.R.) is a subject-arranged compilation of
currently in-force federal regulations. The C.F.R. is divided into 50 titles; however,
these titles do not always correspond to the 50 titles of the *U.S. Code*. Each title
further is subdivided into chapters, subchapters, parts, and sections. When citing
to a C.F.R. section, you use the title number and the section number. The first
portion of the section number (before the decimal point) always indicates the C.F.R.
“part” number. Thus, a citation to **26 C.F.R. § 300.1** refers to title 26, section 300.1
(the 300 indicating the part number).

There is a one-volume index that accompanies the C.F.R. set, which is
updated and revised each year. Included in this index is a “Parallel Table of
Authorities and Rules,” which lists the various C.F.R. parts according to the *United
States Code* sections that authorized these parts.

Once the relevant part of the C.F.R. is located, the outline at the beginning
of the part can be used to identify the most relevant section(s).
The following information is provided for every regulation published in the C.F.R.:

- **Authority information** - The “Authority” note provides the citation to the specific section of the *United States Code* that authorized the issuance of this regulation.

- **Source information** - The “Source” note tells where the regulation was first printed in the *Federal Register*. Since regulations, like statutes, can be amended over the years, the source information also provides the *Federal Register* cite to any subsequent amending regulation(s). The *Federal Register* is abbreviated as FR in these source information notes.

The print version of the C.F.R. is an annual publication. Since it only gets updated once a year, it is important to update your research online after looking up regulations in print.

**B. California Administrative Regulations**

California, like the federal system, has many administrative agencies that issue regulations. The major publication used to find regulations in California is the *California Code of Regulations* (also available in print, on LexisNexis and Westlaw, and on the internet).

*Barclays Official California Code of Regulations* (C.C.R.) is the subject-arranged print compilation of California regulations that are currently in force. Even though the C.C.R. is now published by West, it is viewed as the “official” publication for California regulations. The C.C.R. set is arranged into 28 titles and is published in looseleaf binders. Citations to a C.C.R. section, like U.S.C. and C.F.R. citations, include the title number and section number (e.g., 22 C.C.R. § 35000).

Two volumes provide access to the C.C.R. set:

- The “Master Index” volume at the end of the set includes:
  - a “Subject Index”
  - a “Table of Statutes to Regulations,” which permits the user to see what regulations relate to or were issued pursuant to specific sections of the California statutory codes
• The “Master Table of Contents” volume at the beginning of the set has a complete table of contents for all titles. Each C.C.R. title also contains its own table of contents.

As with the C.F.R., the C.C.R. provides a note after each regulation, indicating the authorizing statutory section. Citations to other related statutory sections are also provided. These are respectively referred to as “Authority cited” and “Reference.”

Because the C.C.R. is published in binders, the text of new regulations as well as recent amendments can be added fairly quickly to the set.
SECONDARY SOURCES

When embarking on legal research, it is often a good idea to consult secondary sources first because they contain general background information on a topic and extensive footnoting and cross-referencing.

Examples of secondary sources include legal encyclopedias, treatises, legal periodicals, annotations from American Law Reports, Restatements of the Law, directories, practice books, form books, and looseleaf services. Below, we discuss these categories of secondary sources along with some specific titles.

The best place to begin to find secondary sources in your library is the library’s catalog. Most catalogues are searchable by author, title, subject, keyword, or some combination thereof. Each source has a call number designating its location in the library. With the call number, one can often find other materials on that topic by browsing the surrounding books on the shelf.

The following resources are additional tools that identify secondary sources published on different legal topics.

• **LexisNexis and Westlaw**
  For a chart of the major secondary sources available on LexisNexis and Westlaw, turn to the Appendix in this Guide (pages 40-42). In addition to the online directories, the Search Advisor on LexisNexis and KeySearch on Westlaw can be particularly useful in helping you to identify relevant secondary sources for your topic.

• **Indexmaster**
  --online database containing the tables of contents and indexes from thousands of legal books and treatises
  --accessible from the USC Law Library’s “Online Resources and Research Links” web page if you are at the USC campus or using a USC account
  --may be available at your workplace if they have their own subscription

• **“Subject Guide to Secondary Legal Sources in the U.S.C. Law Library”**
  --copies available in print in the Law Library Reference Office and at the Law Library Service Counter
  --also available online through the Law Library’s web page, under “Law Library Publications” (part of the “Research Guide Series”)
I. LEGAL ENCYCLOPEDIAS

Legal encyclopedias summarize the law in narrative form. They usually set forth legal propositions, without detailed analysis or interpretive commentary. Legal encyclopedias, however, do contain numerous cross references and citations to primary authorities.

A. National Encyclopedias

• *American Jurisprudence 2d (Am. Jur. 2d)* (West)
• *Corpus Juris Secundum* (West)

B. California Encyclopedia

• *California Jurisprudence* (usually referred to as *Cal. Jur.*), now in its 3d series (West)

II. TREATISES

In California, many attorneys use the Witkin treatises. These treatises contain very good general introductions to California law on many topics and discuss relevant statutes and cases. The main Witkin set, *Summary of California Law*, covers broad substantive law topics, including tort, contract, and property law. Three additional Witkin sets cover California civil procedure, California evidence law, and California criminal law and procedure.

III. LEGAL PERIODICALS

Good sources for analysis of legal issues and discussions of emerging trends in litigation and other developments in the law include law reviews, bar association publications, commercial journals, legal magazines, newspapers, and newsletters.

To find periodicals on a specific topic, you can either use a full text periodical database or a periodical index.

Indexes are available in different formats, including print, CD-ROM, and online. The following are two common U.S. legal periodical indexes:
• **Index to Legal Periodicals (I.L.P.)**
  --may be made available at your workplace through Westlaw, LexisNexis and/or WilsonWeb (through a web-based subscription)

• **Current Law Index (C.L.I.) (a.k.a. LegalTrac)**
  --a newer index than I.L.P., but covering more periodicals
  --accessible (as LegalTrac) from the USC Law Library’s “Online Resources and Research Links” web page if you are at the USC campus or using a USC account
  --also available on Westlaw and LexisNexis (where it is referred to as Legal Resource Index)

The full text law journal sources/databases on LexisNexis/Westlaw may also be helpful when researching a specific legal issue. HeinOnline is another source for full text law review articles and is also available through the Law Library’s “Online Resources and Research Links” page. Many law firms also subscribe to HeinOnline.

IV. **AMERICAN LAW REPORTS (A.L.R.)**

*A.L.R.* is a hybrid resource published originally by Lawyer's Co-operative and now by West. *A.L.R.* publishes representative cases on select issues, accompanied by an annotated article (referred to as an annotation) that summarizes and cites to related cases from different jurisdictions. *A.L.R.* thus provides a good method of locating a substantial amount of case law on a specific topic from various jurisdictions throughout the United States.

Finding one good annotation in *A.L.R.* is often an expedient way to start case law research. The disadvantage of *A.L.R.* is that its annotated topics are narrowly defined. As a result, it often does not lend itself as well as encyclopedias to general introductory research. Also, often there is no *A.L.R.* annotation that addresses the issue one is researching.

V. **RESTATEMENTS OF THE LAW**

The Restatements of the Law, though not primary law, are highly respected and widely accepted secondary sources that are often cited by the courts. Restatements not only contain clear statements of the law but useful illustrations, case annotations, and references to other secondary authority as well. Each Restatement set covers a major field of law (e.g., *Restatement of the Law, Contracts*, or *Restatement of the Law, Torts*). The initial Restatements have been
subject to revision over the years with the publication of new Restatement series (e.g., *Restatement of the Law, Contracts, 2d*). The series is published by the American Law Institute (A.L.I.).

VI. **MARTINDALE-HUBBELL LAW DIRECTORY**

Directories provide locational and other important information about attorneys, courts and judges, state and federal agencies, legislators, and associations. The *Martindale-Hubbell Law Directory* is perhaps the most popular and widely used directory for information on U.S. attorneys and law firms. It is available in print as well as online on LexisNexis and at www.martindale.com.

The following are lesser known but potentially useful components of the *Martindale-Hubbell Law Directory* set:

- **Law Digests**

  This three volume set contains a topical survey of law for each state and an International Digest surveying the laws of other countries in the world. These digests serve as a great research starting point because they provide a brief summary of some of the major laws of each state and various countries (with citations to these states’ and foreign countries’ statutes/codes).

- **International Law Directory**

  This three volume set contains information on attorneys and law firms outside the U.S. The set is arranged by continent and country, and then by firm name. An index is located in the third volume of the set.

VII. **PRACTICE GUIDES AND FORM BOOKS**

A. **Generally**

Practice books are fairly up-to-date sources written for the main purpose of helping attorneys practice law. They act as instruction guides for specific areas of law, including a lot of information on important procedures that need to be followed as well as discussing substantive law.

The American Law Institute and Practising Law Institute publish practice books that are national in scope. There also are several practice book series that are state specific. Many of these are published by state bar associations.
Form books often are used by attorneys to aid in drafting legal documents. They contain sample or model documents either for transactional or litigation matters, including required language and legal elements. Contract and other types of transactional forms are often referred to as legal or business forms; forms used for litigation purposes are often referred to as "pleading and practice" forms.

Form books never should be relied upon automatically. Sometimes, the forms included should not be used due to a recent change in the law. Moreover, sample forms only are as good as their author and their applicability to your specific situation. Use care when consulting form books. They can be useful starting points, but your own analysis and the applicable facts and law should determine what language should be used when drafting a document.

Form books can be very general, such as West's Legal Forms, or they can be jurisdiction and/or subject-specific (e.g., federal district court forms or bankruptcy forms). Some treatises and practice books provide forms as well.

B. California-Specific Practice Guides and Form Books

1. California Continuing Education of the Bar (C.E.B.) Practice Guides

This series is published by the Regents of the University of California and the Board of Governors of the State Bar of California. C.E.B. books are excellent practice books covering a wide variety of subjects and written by experts in their fields. Their focus is on keeping California attorneys versed in the latest developments in both the substantive and procedural law, and they include many practice tips and checklists as well.

2. Rutter Group California Practice Guide Series

These are concise, “how to do it” books covering various California practice areas. They are very popular with attorneys because they serve as efficient research tools and like the C.E.B. publications, include practice pointers, strategic advice, and procedural checklists. The various Rutter Group titles are written by well-respected judges and attorneys expert in the fields of law concerned. In the California Practice Guide series, the titles are:

- Alternative Dispute Resolution
- Civil Appeals and Writs
- Civil Procedure Before Trial
- Civil Procedure Before Trial FORMS
• Civil Trials and Evidence
• Corporations
• Employment Litigation
• Enforcing Judgments and Debts
• Family Law
• Federal Civil Procedure Before Trial
• Insurance Litigation
• Landlord-Tenant
• Personal Injury
• Probate
• Professional Responsibility
• Real Property Transactions

Additional federal practice guides from Rutter that are not part of the California Practice Guide series are:

• Federal Civil Procedure Before Trial (9th Circuit edition)
• Federal Civil Procedure Before Trial (national edition)
• Federal Civil Trials and Evidence
• Federal Ninth Circuit Civil Appellate Practice.

3. California Forms of Pleading and Practice Annotated

Matthew Bender publishes this popular and widely-used multi-volume form book set which contains California-based litigation forms. This set is organized topically and covers a broad range of California law topics. In addition to sample pleadings and other documents, the set includes brief summaries of the applicable law, cross references to other secondary sources, and procedural checklists.

VIII. LOOSELEAF SERVICES

“Looseleaf service” is a term used to describe a specific type of secondary source, characterized by currency and consolidation of information. There are many subject-specific looseleaf services. Detailed indexes and other finding tools facilitate access to a wide variety of material in the looseleaf service.

Looseleaf services often contain primary law (full-text case law, statutes, regulations, agency rulings, etc.) as well as secondary source material (including analysis and commentary) for a particular area of law. Looseleafs also include a “current awareness” section devoted to recent changes to the law, proposed legislation, pending regulations, recent decisions, and other news.
There are two major publishers of looseleaf services: Commerce Clearing House (CCH) and Bureau of National Affairs (BNA). Both publishers make their looseleaf services available in print and through online subscriptions. Depending on where you are working, you may have access to looseleaves in print and/or online. Looseleaves are generally more useful for federal law research, but many do contain some information for the states as well.

Examples of CCH looseleafs include:

- Copyright Law Reporter
- Federal Securities Law Reporter
- Products Liability Reporter
- Trade Regulation Reporter

Examples of BNA looseleafs include:

- United States Law Week
- Labor Relations Reporter
- Environment Reporter
- Occupational Safety and Health Reporter

Using the print version of the CCH looseleafs can be challenging. The following are some common features of the print versions of CCH looseleafs, knowledge of which will make it easier to navigate these sets:

- Instructions: The main problem when using looseleafs is trying to figure out where things are located in the set. It is important that you read the “How To Use” instructions section in order to understand the arrangement. The instructions section is found in the front of the applicable looseleaf service.

- Indexes and Finding Lists: CCH looseleaf services contain a number of subject indexes. The general “Topical Index” often is the best place to start your research. Be sure to also check all of the more current indexes (e.g., the “Current Topical Index”) that precede and update the main “Topical Index.” The “Table of Cases” and other finding tools can be used when you already have a case name or specific document citation and you just need to find where the item is located or discussed in the looseleaf.

- Use any of the CCH looseleaf indexes by searching for a relevant subject heading. CCH indexes generally refer you to paragraph numbers.
IX. PATTERN JURY INSTRUCTIONS

A. Generally

In civil and criminal cases, jury instructions are read to the jury after the closing arguments and before the jury deliberations. These instructions inform the jury members on the law that they are to apply in the case at hand. They tend to be written in a way that an average lay person is likely to understand.

Pattern jury instructions are sample instructions that provide guidance to attorneys and judges who need to draft such instructions for their cases. Because they are designed to explain the law to individuals who typically do not have a legal background, attorneys sometimes find them useful in explaining the law to their clients as well. They are often written by groups of judges or bar associations. Each set of pattern jury instructions is designed for a specific jurisdiction (e.g., a specific state, federal circuit, etc.). Publications containing pattern instructions are considered secondary sources because they are not issued by a governing institution as “the law,” but rather, as an explanation of the law for the jury members.

Pattern jury instruction publications are usually broken up into sections, with each section containing one model jury instruction followed by commentary about the instruction and sometimes references to relevant cases and other related sources.

B. California-Specific Pattern Jury Instructions

The California Civil Jury Instructions (CACI) and California Criminal Jury Instructions (CALCRIM) are pattern jury instructions that were adopted by the Judicial Council of California in 2003 and 2005 respectively. Rule 855 of the California Rules of Court strongly encourages the use of these “official” instructions. Before the adoption of these official instructions, the standard instructions used in California were the Book of Approved Jury Instructions - Civil (known as BAJI) and the California Jury Instructions - Criminal (known as CALJIC). The official publisher of the CACI and CALCRIM instructions is LexisNexis and they can be found online on both LexisNexis and Westlaw.
LEGAL RESEARCH GUIDES

There are a variety of research guides both in print and on the web that are valuable when doing legal research. In addition to the general legal research guides listed below, we have identified guides for two specialized areas of legal research that are common yet challenging and require additional skills and information: (1) Federal Taxation and (2) Legislative History. Please note that one of the sources listed under “Federal Taxation”, Specialized Legal Research, also contains guides for a variety of other practice areas (see the description below for further information).

We have provided information for both print and online legal research guides. Where we mention guides available on the web, we provide the web site address.

I. General Legal Research

A. National

• Fundamentals of Legal Research, 8th ed., R. Mersky and D. Dunn (Foundation Press, 2002)

• Legal Research in a Nutshell, 8th ed., M. Cohen et al. (West, 2003)


• Zimmerman Research Guide (www.lexisnexis.com/infopro/zimmerman) (This is an online encyclopedia for legal research. It provides general reference and research guidance for a variety of topics of interest to legal researchers.)

B. State

II. Federal Taxation


- Specialized Legal Research, L. Chanin (Boston: Little, Brown, 1987- (looseleaf format))(ch.3) (This book is also a helpful resource for research in other particular substantive areas of the law. Other topics covered include: securities, UCC, copyright, federal labor and employment, environmental law and land use planning, admiralty and maritime, immigration, banking, and patent and trademark.)


III. Legislative History

A. Federal Legislative History

- Fundamentals of Legal Research, 8th ed., R. Mersky and D. Dunn (Foundation Press, 2002) (ch.10)


B. California Legislative History

LEGAL RESEARCH ON THE INTERNET

It is possible to locate primary authorities, government documents, directories and databases on the web. A lack of consistent structure or organization on the web does mean that much of this information may be hard to find or easily overlooked. Problems that researchers often face include finding pertinent information in an efficient manner and properly evaluating the information located in terms of its reliability and authoritativeness.

There are many useful sites that you can use as your starting point for web-based legal research. Once a web site is found, it is necessary to evaluate its credibility. One indicator of credibility is the authoritativeness or source of the information. For a list of selected legal internet resources, you can consult the USC Law Library’s “Legal Resources on the Internet” page (accessible from the USC Law Library’s web page (under “Online Resources and Research Links”)). Some of the web sites contained on this list are cited below.

Many legal web sites have their own search engines, with their own unique searching features. It is important to check a site’s “Help” or “Searching Tips” page(s) in order to make the most effective use of that web site. Also, don’t forget to check whether the information is current.

Useful Web Sites

• THOMAS (thomas.loc.gov)
  --contains federal legislative documents and information
  --includes summaries and the full text of Congressional bills, status information for recent bills, the Congressional Record, and links to Congressional committee web pages

• GPO Access (www.gpoaccess.gov) and FirstGov (www.firstgov.gov)
  --official federal government web sites
  --includes links to federal government agency web pages and administrative law sources (e.g., Federal Register)
• U.S. Courts (www.uscourts.gov)
  --provides links to each federal court’s web site
  --good source for federal court rules, forms and recent cases

• Legislative Counsel of California (leginfo.ca.gov)
  --official web site for California legislative information
  --provides the text of California bills along with status
  information and committee analyses

• California Courts (www.courtinfo.ca.gov)
  --web site for the judicial branch of California
  --provides links to California court rules, forms, opinions,
  and information about the California courts

• Hieros Gamos (hg.org), Findlaw (findlaw.com), and
  Cornell Law School’s Legal Information Institute (LII)
  (www.law.cornell.edu)
  --three comprehensive legal web sites/portals
  --contain links to federal and state primary and
  secondary material as well as international resources
APPENDIX
The United States Court System

Supreme Court of the United States

State Supreme Courts

State Appellate Courts

State Trial Courts

United States Courts of Appeals - 12 Regional Circuits (11 numbered circuits plus the D.C. Circuit)*

91 District Courts and 3 territorial courts: Guam, Virgin Islands, and Northern Mariana Islands

United States Tax Court

United States Court of International Trade

United States Court of Veterans Appeals

United States Court of Federal Claims

United States Court of Appeals for the Federal Circuit**

United States Court of Appeals for the Armed Forces

Army, Navy - Marine Corps, Air Force, and Coast Guard Courts of Criminal Appeals

* The 12 regional Courts of Appeals (particularly the D.C. Circuit) also receive cases from a number of federal agencies, as determined by enabling statutes.

** The Court of Appeals for the Federal Circuit also receives cases from the International Trade Commission, the Merit Systems Protection Board, the Patent and Trademark Office, and the Board of Contract Appeals.

Federal Courts, Judges and Clerks

Adapted From: BNA’s Directory of State and Federal Courts, Judges and Clerks
The California Court System

Supreme Court
(Court of Last Resort)
1 Chief Justice and 6 Associate Justices

Courts of Appeal
(Intermediate Appellate Courts)
6 Districts

First District
San Francisco

Second District
Los Angeles and Ventura

Third District
Sacramento

Fourth District
San Diego, San Bernardino and Santa Ana

Fifth District
Fresno

Sixth District
San Jose

*Capital cases are automatically appealed to the California Supreme Court

Adapted From: Want’s Federal-State Court Directory
### Secondary Sources on LexisNexis and Westlaw

#### I. Finding California Sources and Databases

<table>
<thead>
<tr>
<th>Type of Secondary Source</th>
<th>LexisNexis (“Look for a Source” Links)</th>
<th>Westlaw (Database Identifier or Directory Links)</th>
</tr>
</thead>
<tbody>
<tr>
<td>California Jurisprudence, 3d</td>
<td>not available</td>
<td>CAJUR</td>
</tr>
<tr>
<td>Witkin Treatises</td>
<td>States Legal - U.S. -- California &gt; Treatises &amp; Analytical Materials</td>
<td>California &gt; Forms, Treatises, CLEs and Other Practice Material &gt; Witkin’s California Treatises</td>
</tr>
<tr>
<td>CEB Publications</td>
<td>Secondary Legal &gt; Continuing Education of the Bar (CEB), CA &gt; Reference Titles</td>
<td>not available</td>
</tr>
<tr>
<td>California Practice Guides</td>
<td>not available</td>
<td>California &gt; Forms, Treatises, CLEs and Other Practice Material &gt; Rutter Group, The--California Practice Guides -- (specific title)</td>
</tr>
<tr>
<td>(The Rutter Group)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>CA Form Books</td>
<td>States Legal - U.S. -- California &gt; Treatises &amp; Analytical Materials -- California Forms of Pleading and Practice</td>
<td>California &gt; Forms, Treatises, CLEs and Other Practice Material &gt; West’s California Code Forms with Practice Commentaries (CACF)</td>
</tr>
<tr>
<td>CA Jury Instructions</td>
<td>States Legal - U.S. -- California &gt; Jury Instructions &amp; Verdicts</td>
<td>California &gt; Jury Instructions, Jury Verdicts &amp; Judgments</td>
</tr>
</tbody>
</table>
## II. Finding Federal and Multi-Jurisdictional Sources and Databases

<table>
<thead>
<tr>
<th>Type of Secondary Source</th>
<th><strong>LexisNexis</strong></th>
<th><strong>Westlaw</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(“Look for a Source” Links)</td>
<td>(Database Identifier or Directory Links)</td>
</tr>
<tr>
<td><strong>American Jurisprudence, 2d</strong></td>
<td>Secondary Legal -- Jurisprudence &amp; ALR</td>
<td>AMJUR</td>
</tr>
<tr>
<td><strong>American Law Reports (A.L.R.)</strong></td>
<td>Secondary Legal -- Jurisprudence &amp; ALR</td>
<td>ALR</td>
</tr>
<tr>
<td><strong>Law Journals</strong></td>
<td>Secondary Legal -- U.S. Law Reviews and Journals, Combined</td>
<td>JLR</td>
</tr>
</tbody>
</table>
| **Treatises and Practice Guides** | Secondary Legal > Area of Law Treatises  
Secondary Legal -- Matthew Bender > By Area of Law  
Secondary Legal > Aspen Publishers  
Secondary Legal > Practising Law Institute | TEXTS (to search all treatises and practice guides at the same time)  
Topical Practice Areas > (specific practice area) > Forms, Treatises, CLEs and Other Practice Material  
Treatises, CLEs, Practice Guides  
Treatises, CLEs, Practice Guides > Practice Guides and CLE Materials  
Litigation > Practice Materials |
| **Current Awareness** | Secondary Legal -- BNA  
Secondary Legal -- Mealey Reports & Conferences  
Secondary Legal > Individual ALI-ABA Materials | Topical Practice Areas (many of the practice areas will have links to BNA materials and/or other current awareness services)  
Treatises, CLEs, Practice Guides > Practice Guides and CLE Materials |
### III. Searching and Browsing Tools

<table>
<thead>
<tr>
<th>LexisNexis</th>
<th>Westlaw</th>
<th>Purpose of Tool</th>
</tr>
</thead>
<tbody>
<tr>
<td>Search Advisor</td>
<td>KeySearch</td>
<td>to help you to identify relevant legal topics and relevant secondary sources</td>
</tr>
<tr>
<td>Book Browse</td>
<td>“previous section” and “next section”</td>
<td>to enable you to browse subsequent or preceding sections or paragraphs in a particular source</td>
</tr>
<tr>
<td>Table of Contents (TOC)</td>
<td>Table of Contents</td>
<td>to enable you to view the Tables of Contents of particular sources</td>
</tr>
<tr>
<td>Focus</td>
<td>Locate in Result</td>
<td>to enable you to efficiently narrow your search results or find a particular term or set of terms in your documents</td>
</tr>
</tbody>
</table>