

# Environmental Law Series

A Legal Toolbox for Environmental Activists

## Finding the Law: Legal Research for Activists

Dean Wallraff

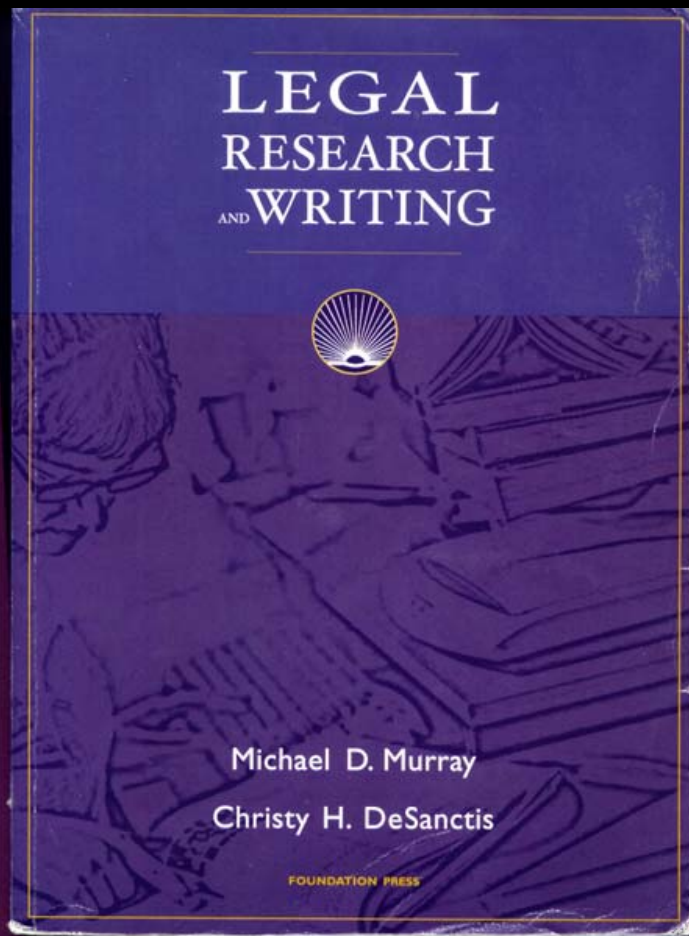


# Outline

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



# The Way In – A Legal Research Textbook

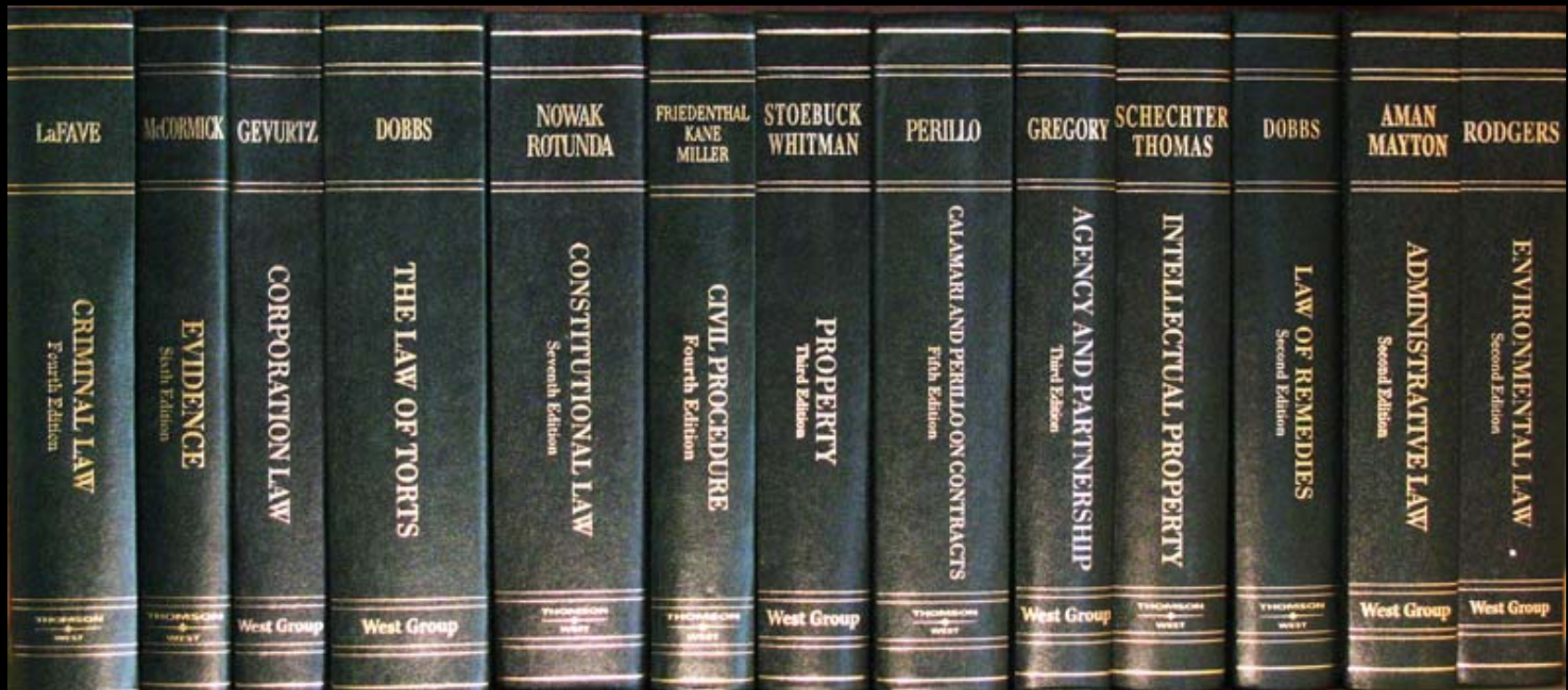


- Rules of law and legal reasoning
- Determining the law from cases and statutes
- Citation mechanics
- Primary sources
  - Printed / online
- Secondary sources
  - Printed / online
- Research strategies
- Writing

# Primary Law

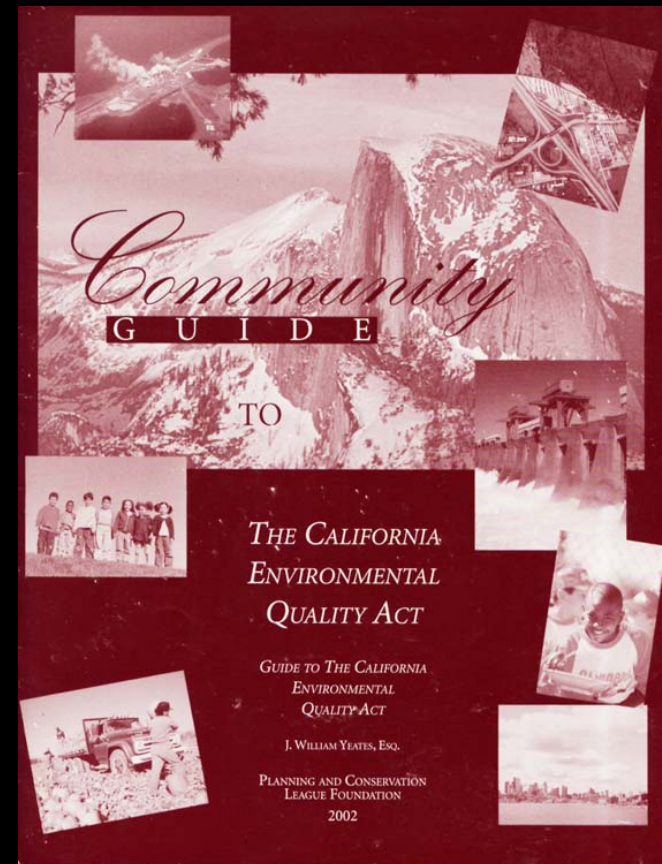
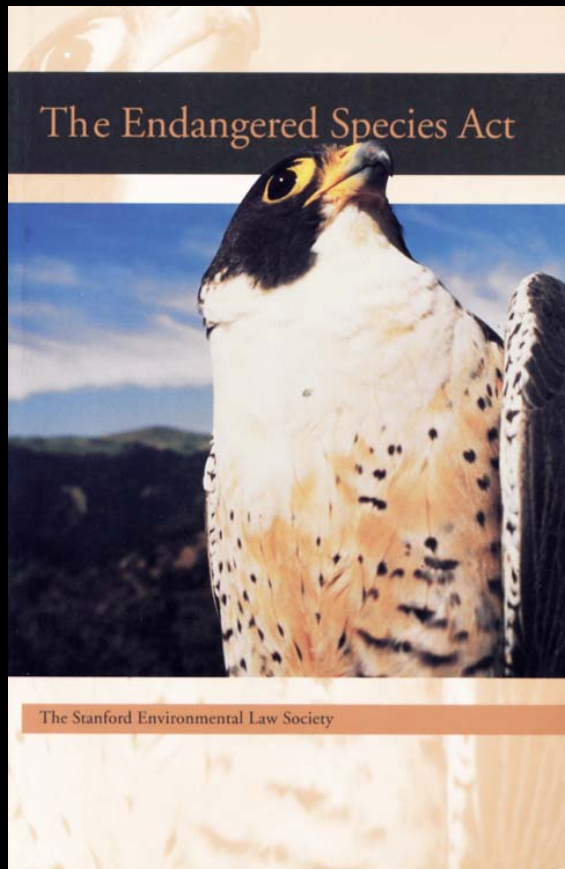
Federal	State	County / City
Constitution	Constitution	Charter?
Statutes	Statutes	Ordinances
Regulations	Regulations	
Federal and State Court Cases		

# Secondary Sources – Hornbooks and Nutshells



# Treatises

Some you can buy, some you won't want to.



# Secondary Sources in Law Libraries

## Federal

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

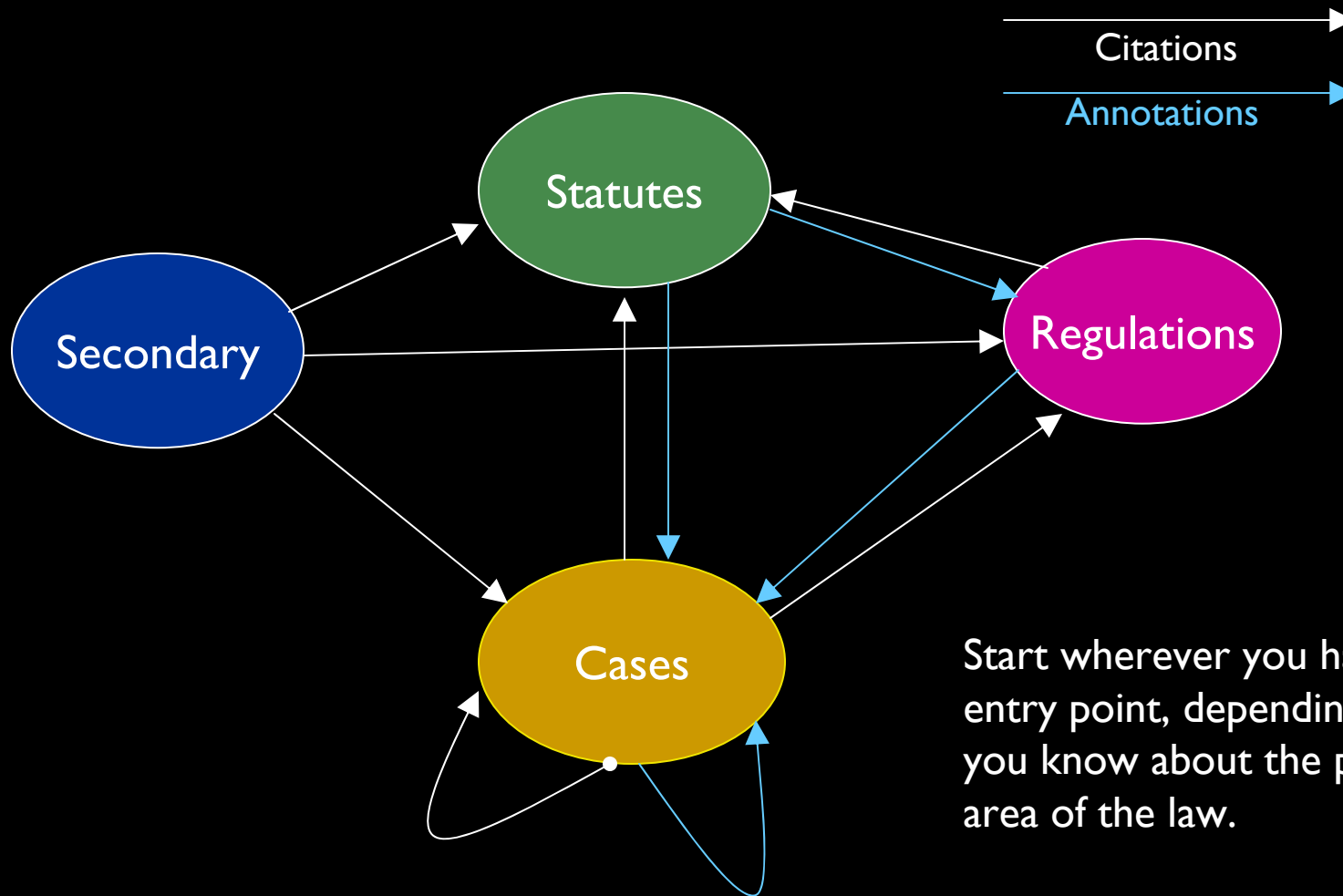
## In General

- Law Reviews

## California

- Legal Encyclopedia
  - California Jurisprudence (Cal Jur) \$4,813
- Super Treatises
  - Witkin Summary of California Law \$2,266
  - Miller & Starr California Real Estate \$1,548

# Starting Research – Where to Jump Into the Web of Law?



Start wherever you have an entry point, depending on what you know about the particular area of the law.

# Citations – Legal Hyperlinks

	Federal	California	L.A. County / City
<b>Constitution</b>	U.S. Const. art. III § 2	Cal. Const. art. VI § 3	Los Angeles City Charter
<b>Statutes (Code)</b>	16 U.S.C. §§ 1531-1544	Cal. Pub. Resources Code §§ 21000-21177	Los Angeles Mun. Code (Cal.) § 31.00(a)(1)(A)
<b>Regulations (Code)</b>	50 C.F.R. § 17.21	23 Cal. Code Regs. tit. 23 § 497.2	
<b>Cases</b>	<i>Sierra Club v. Froehike</i> , 534 F.2d 1289, 1292	<i>Sierra Club v. County of Napa</i> , 121 Cal.App.4th 1490	

# L.A. Law Libraries

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

# Online Law Libraries

- Free – Findlaw.com
  - Federal
    - Constitution
    - US Code
    - Code of Federal Regulations
    - Federal Court Cases
  - California
    - Constitution
    - Codes
    - Regulations
    - Court of Appeals 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)
  - Truly “law library in a box”