

Environmental Law Series

A Legal Toolbox for Environmental Activists

Workshop III: CEQA, Global Warming & Endangered Species



Environmental Law Series

A Legal Toolbox for Environmental Activists

Finding the Law: Legal Research for Activists

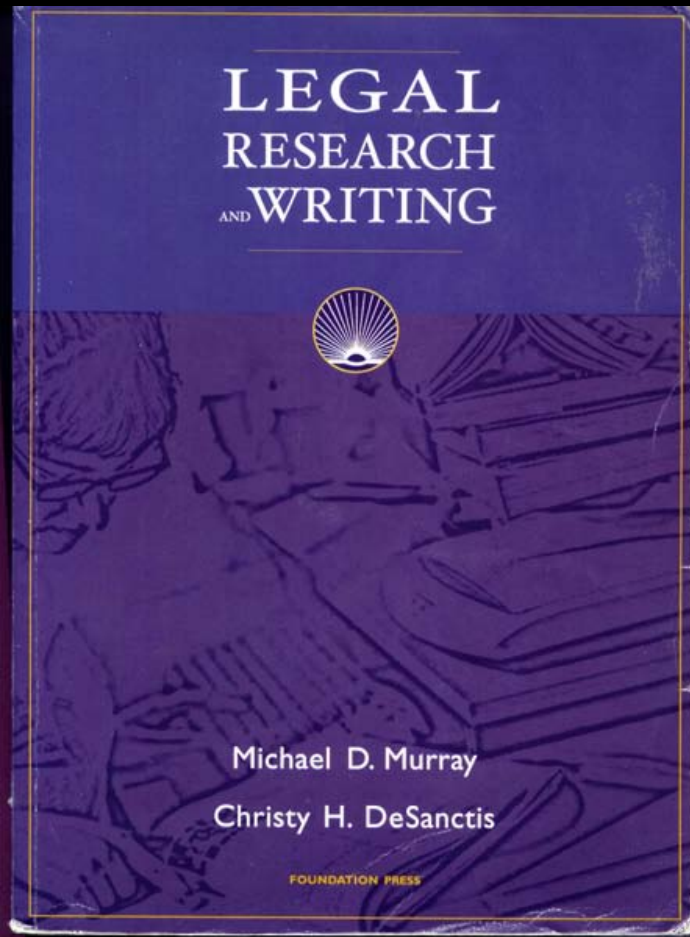
Dean Wallraff



Outline

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

The Way In – A Legal Research Textbook

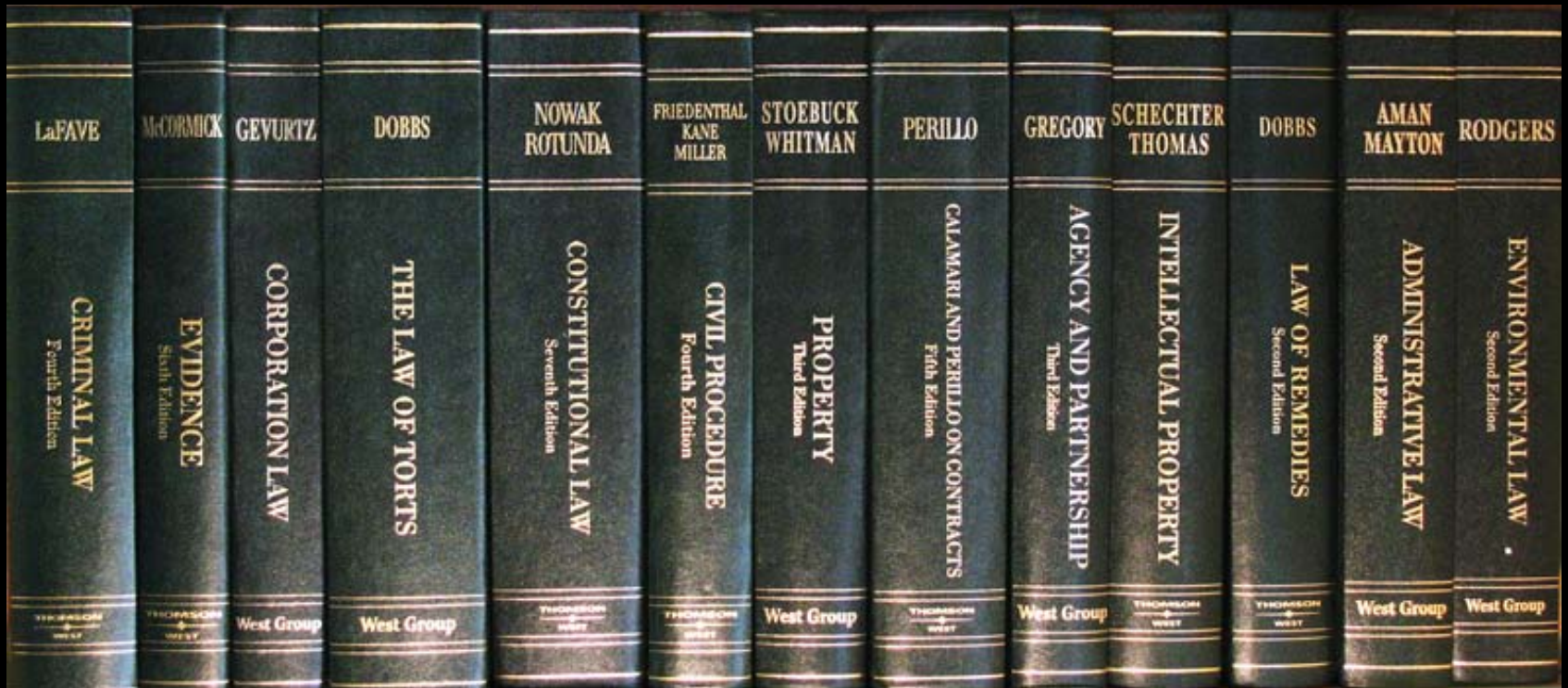


- Rules of law and legal reasoning
- Determining the law from cases and statutes
- Citation mechanics
- Primary sources
 - Printed / online
- Secondary sources
 - Printed / online
- Research strategies
- Writing

Primary Law

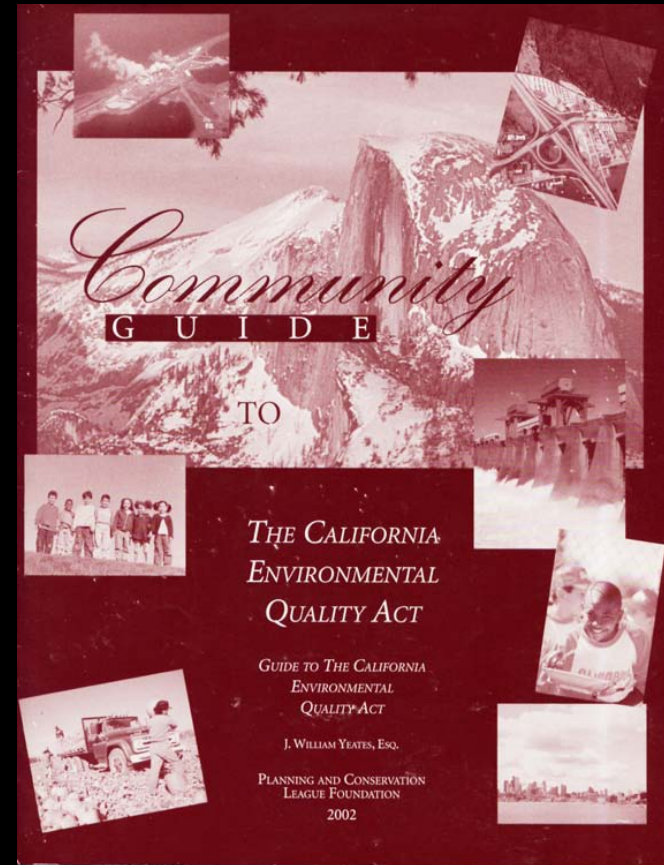
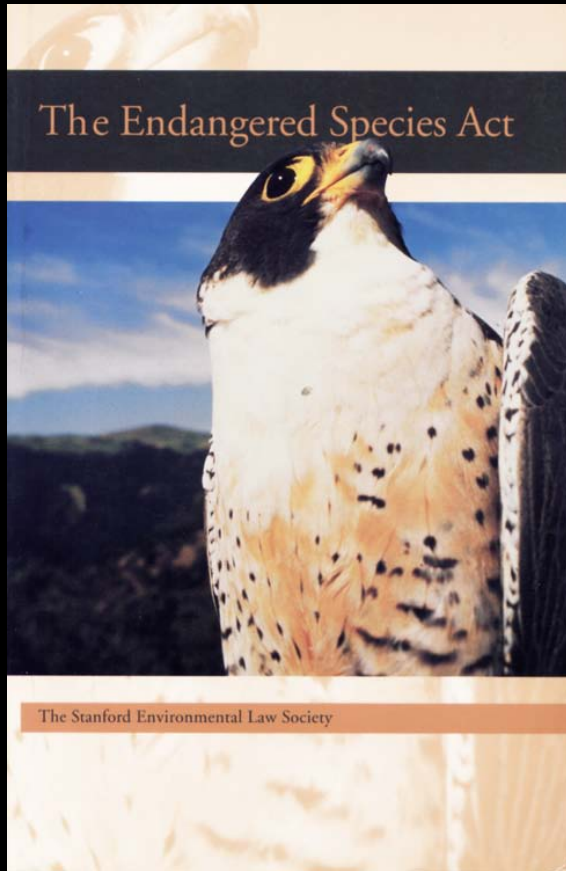
Federal	State	County / City
Constitution	Constitution	Charter?
Statutes	Statutes	
Regulations	Regulations	Ordinances
Federal and State Court Cases		

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)

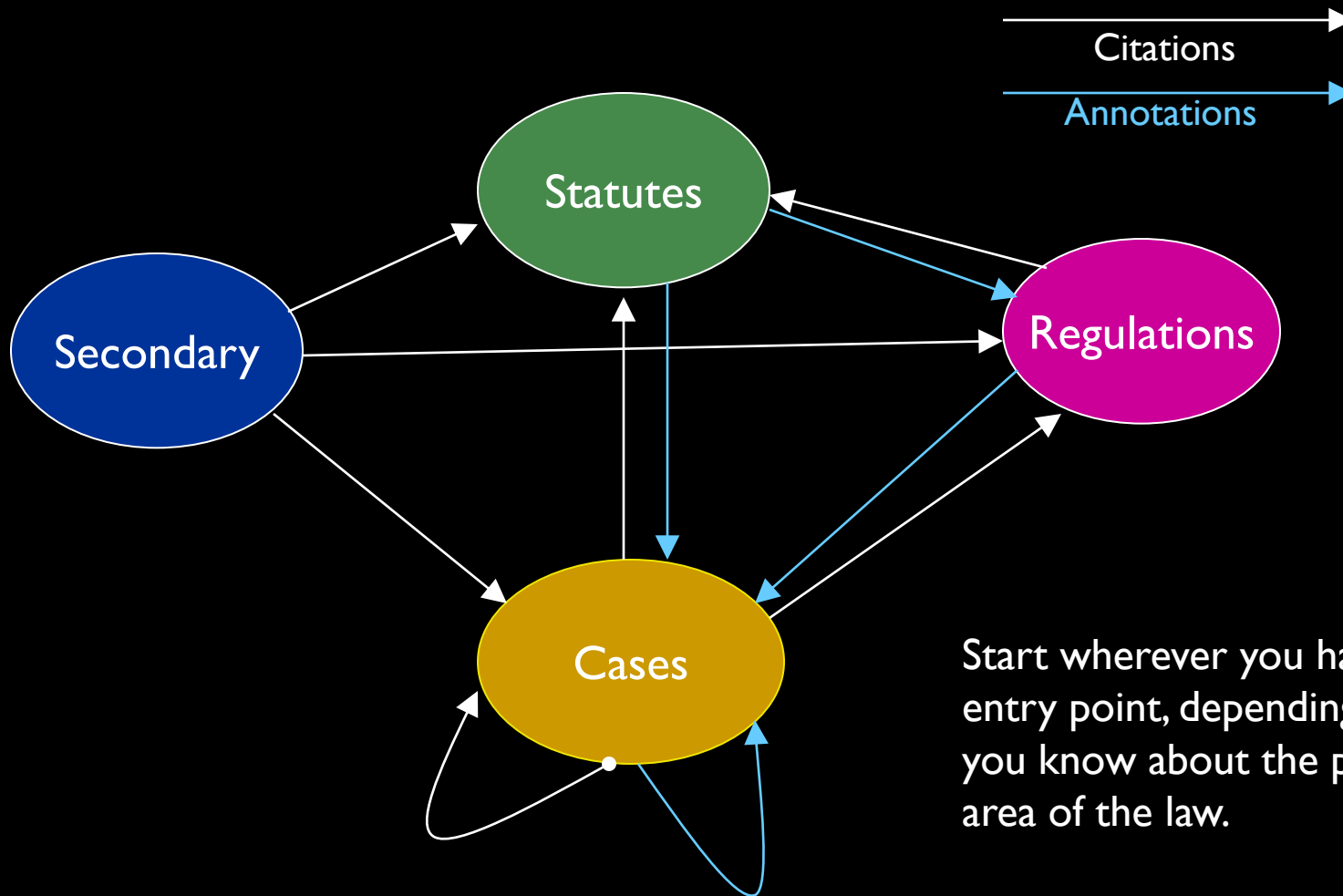
In General

- 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
Constitution	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. 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, Google Scholar
 - 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”