

RESEARCH GUIDE SERIES 3 – GENERAL LEGAL RESOURCES



Guide #3C - LEGAL ENCYCLOPEDIAS

Legal encyclopedias are a good source when beginning a search of the law in an unfamiliar area. They can provide background information as well as references to cases and other sources for continuing your research. Legal encyclopedias contain only summaries for a topic and should not be relied on as a complete or current statement of the law. While some courts cite to them for background information, they are not primary authority.

NATIONAL ENCYCLOPEDIAS

These works are aimed at providing a general overview of the law. They contain brief statements of the law with footnotes to cases supporting those statements. The topics covered are frequently very broad in scope and researchers must use the indexes for each set to pinpoint relevant sections.

1. *Corpus Juris Secundum* (CJS)(KF 154 C56), published by West, provides a comprehensive overview of the law with footnotes to cases from all states. It is meant to be used in conjunction with the first set, *Corpus Juris*.

Index - There is a three-volume general index for the set. Many volumes have a "title index" for the subjects covered within.

Footnotes - The editors attempt to be comprehensive in references to cases from all states. Some footnotes refer to earlier cases cited in *Corpus Juris*.

Other annotations - West "key numbers" are included for some topics.

Updating - The volumes may be supplemented by annual pocket parts or other bound volumes. Volumes are replaced when a major change in the law requires a total revision. When this happens, the index for the individual volume must be consulted.

Online Access – CJS can be accessed online through Westlaw.

2. *American Jurisprudence 2d*

(Am Jur 2d)(KF 154 A42) is published by Lawyers Co-operative and is meant to be used in conjunction with the publisher's other works. The editors are selective in referencing cases in footnotes in the belief that only major cases are of interest to researchers.

Index - The set includes five general index volumes. Each Am. Jur. 2d. volume also includes an index.

Footnotes - Entries provide references to major cases as support for text.

Other Annotations - Entries contain references to other sets by the publisher, restatements, federal statutes, uniform laws, court rules, and periodical articles.

Updating - The set is updated annually by pocket parts. Volumes are replaced when major changes in the law require total revisions. When sections on new topics are written they are initially included as pamphlets in the "New Topic Service" binder.

Online Access – AmJur is available on *both* Lexis and Westlaw.

3. American Law Reports (ALR) (KF 132 A5), is a selective annotated reporting service published by Lawyers Co-operative. The editors select major cases from all jurisdictions. Each case includes an annotation discussing the major topic of the case and citing cases from all jurisdictions as support and for comparison. It is therefore similar to a legal encyclopedia and serves as a useful starting point for a researcher. For further information on this set see the guide on "Using and Updating ALR." ALR is also available online, through both Lexis and Westlaw.

CALIFORNIA ENCYCLOPEDIAS

As with national legal encyclopedias, these are meant to provide a general overview of state law. They should only be used as tools for starting research and should not be relied on as complete or current statements of the law.

1. California Jurisprudence 3rd (Cal. Jur. 3d.) (PLAZA) is published by Bancroft-Whitney, a division of Thomson-West. This set provides a thorough discussion of all facets of California law with frequent references to both cases and statutes.

Index - There are six general index volumes for the set. There are separate volumes for the "Table of Statutes Cited" and "Table of Cases Cited." Each volume also has an index for subjects contained therein.

Footnotes - Entries contain references to major California cases with occasional descriptions of relevance.

Other Annotations - Entries provide references to California Code sections, *West's California Digest* key numbers, law review articles, and other Bancroft-Whitney and Lawyers Co-operative sets (e.g. ALR, Am. Jur. 2d., Cal. Practice, Witkin).

Online Access – CalJur is available online through Westlaw.

2. Witkin (Open Reserve). Bernard Witkin, a respected California legal scholar, authored several sets which researchers frequently use for beginning investigation of state law. They are similar to encyclopedias in that they offer a brief overview of California law with numerous references to cases and statutes. While not offering as thorough a discussion as *California Jurisprudence 3rd*, these sets are very useful for the busy practitioner who just wants a brief summary as an introduction to the topic. Each set is updated with pocket parts or softbound supplements. The current editions of these sets are found in Open Reserve, various copies and older editions are kept in B-2 on the basement level. They are also available online through both Lexis and Westlaw. The various sets usually referred to as "Witkin" are:

Summary of California Law
KFC 80 W5 1987

California Procedure

KFC 995 W53

California Criminal Law

KFC 1100 W52 1988

California Evidence

KFC 1030 W5 1986

(current editions in Open Reserve; prior editions on Plaza level)

FEDERAL ENCYCLOPEDIAS

There is nothing comparable to a national or state encyclopedia for federal matters. Two major sets that deal with federal courts are concerned largely with judicial procedure. They are *Moore's Federal Practice 2d* (KF 8820.A313 M63) and *Federal Practice & Procedure* (Reserve KF 8840 W68 1982) which is referred to as "Wright & Miller." *ALR Federal* (KF 132 A58) can also serve as an encyclopedia in providing annotations on various subjects.

TOPICAL ENCYCLOPEDIAS

Many multi-volume treatises can serve as encyclopedias for locating background information on a specific topic. These cover, in greater detail, a broader range of subtopics than a general legal encyclopedia. Examples of topical encyclopedias are: *Williston on Contracts 4th* (KF 801.A75 W55 1990), *Collier on Bankruptcy* (KF 1524 C6 1979), and *The Law of Municipal Corporations 3rd* (KF 5305 M34). Topical encyclopedias can be located through a subject search of our catalog.

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