



SECONDARY SOURCES RESEARCH GUIDE

H. DOUGLAS BARCLAY LAW LIBRARY

Check the library's "Location Guide" and Summit/Voyager the Online catalog for the current location of sources mentioned in this pathfinder.

PURPOSE:

This Pathfinder directs law library researchers to the various secondary sources and finding aids for conducting legal research. Secondary sources give a good general overview of a legal subject and provide citations to primary legal resources such as cases, statutes, and regulations.

OUTLINE:

I. WHAT ARE SECONDARY SOURCES?

II. TYPES OF SECONDARY SOURCES

- A. Legal Dictionaries
- B. Legal Encyclopedias
- C. Legal Periodical Indexes
- D. Legal Periodicals
- E. Loose-leaf Services
- F. American Law Reports
- G. Restatements of the Law
- H. Treatises & Textbooks

III. APPENDIX - USING SUMMIT & SAMPLE SEARCHES

WHAT ARE SECONDARY SOURCES?

Secondary sources give a general overview of the subject and identify the relevant statutes, regulations, constitutional provisions and important cases that relate to a topic. Secondary sources are rarely cited as legal authority and finding aids are never cited as legal authority. Secondary sources should be used mainly to find citations to primary sources and to gain an overview of a subject.

Secondary Sources Offer:

- Helpful introductions to legal subjects.
- Synopses of decisions, statutes, and regulations in a given field.
- Analyses of trends and historical background.
- Explanation of new or difficult concepts.
- Descriptions and analysis of the law and its developments.
- Citations to primary sources through footnotes and annotations.

TYPES OF SECONDARY SOURCES**A. Legal Dictionaries**

Legal dictionaries provide definitions of topic terms that are unclear, appropriate acronyms or abbreviations related to the topic, as well as additional search terms.

To search for legal dictionaries in the library's online catalog, use the following keyword query: **dictionary +law OR dictionary +legal.**

- *Black's Law Dictionary*, Location: Reference KF 156 .B53; KF 156 .B53
 - One volume, published by West Group.
 - Includes a comprehensive listing of legal and law-related terms.
 - Each entry provides a definition, pronunciation guide (when needed), cross-references and some citations to primary resources such as cases.
 - The dictionary is a good source to find current terms related to the legal field.

B. Legal Encyclopedias

Legal encyclopedias cover a broad range of legal issues and are written in narrative form. Legal encyclopedias are arranged alphabetically by subject, with footnote references to case law, statutes, regulations and other primary sources.

The entries are brief articles on particular areas of law, written in a summary fashion, and do not attempt to analyze the issues.

To search for legal encyclopedias in the library's online catalog, use the following keyword queries:

**encyclopedia + law OR
encyclopedia + legal.
law +"United States" +encyclopedias**

- *American Jurisprudence 2d* (AmJur2d), Location: Encyclopedia Wall **Floor 3**
 - This encyclopedia, published by West Publishing, (formerly by Lawyers Cooperative) is divided into over 400 legal topics.

- The articles discuss the broad principles of law and provide citations to supporting cases and other publications, such as related annotations, forms, proofs, and trial techniques (The Total Client Service Library -TCSL).
- Contains a general index that is not very easy to use.
- Updated annually via pocket parts and supplements.
- The main volumes are at times outdated so always check the pocket parts and any supplemental pamphlets.

- **RESEARCH HINT: The electronic versions are easier to search when you have some familiarity with the organization and structure of the print version.**

FORMAT	COVERAGE	LOCATION
Paper	current	Encyclopedia Wall Floor 3
Westlaw	current	Yes
Lexis	current	Yes

- *Corpus Juris Secundum* (CJS), Location: Encyclopedia Wall Floor 3
 - This encyclopedia, published by West Group, provides articles on all subject areas of the law.
 - The articles discuss principles of law and provide cites to supporting cases, statutes, regulations, and West key numbers.
 - Extensive footnotes cite decisions from all over the country.
 - Updated annually via pocket parts and supplements.
 - Contains a general index that is easier to use than AmJur.
 - Some volumes are outdated and therefore the information should be supplemented with up-to-date sources (pocket parts and other sources).
 - **RESEARCH HINT: Go to the pocket part for the most up-to-date information.**

- *New York Jurisprudence 2d* (NYJur2d), Location: Encyclopedia Wall Floor 3
 - This encyclopedia provides articles on subject areas of the law pertaining to New York.
 - The articles discuss principles of law and provide cites to supporting cases, state and federal statutes, regulations, and cross references to other sources.
 - Updated via pocket parts - quarterly update service for all volumes.
 - Contains a general index and Finding Aids.

FORMAT	COVERAGE	LOCATION
Paper	current	Location: Reference Wall Floor 3
Westlaw	current	Yes
Lexis	current	Yes

C. Legal Periodical Indexes

Legal indexes are used to find citations to articles in legal periodicals such as law reviews, bar journals, and legal newspapers.

- *Current Law Index* (CLI), Location: Reference Wall Floor 3 r
 - This index, published by Information Access Company, provides full citations of articles from over 1000 legal newspapers and journals, including law reviews.
 - Updated monthly.
 - The print version includes author/title and subject indexes, a table of cases, table of statutes and table of journals.

FORMAT	COVERAGE	LOCATION
Paper	1980 – present	Reference (Index Shelf) – Floor 3
Internet	1980 – present	
Westlaw	1980 – present	Yes
Lexis	1980 – present	Yes

- *Index to Legal Periodicals* (ILP), Location: 3rd Floor
 - This source, published by H.W. Wilson Co., is a subject and author index to legal periodicals and includes references to some books as well.
 - The index contains an abbreviations list, and a list of periodicals indexed. It also includes a list of subject headings that makes it easier to search for a topic.
 - Each entry contains a complete citation of the article, and the entries are arranged by geographic jurisdiction within the topics.
 - Internet version is available through the law library electronic resources web page.
 - Access to that page is via: <http://www.law.syr> Click on law library link.

FORMAT	COVERAGE	LOCATION
Paper	1886 – present	Reference K 33 .I5 (Index Shelf) - Floor 3
Westlaw	8/81 – present	Yes

D. Legal Periodicals

Legal periodicals such as law reviews, bar journals, and legal newspapers are excellent secondary sources to find relevant articles that explain, analyze and critique a topic. This is especially true for law review articles that go into some detail in analyzing legal issues on a variety of subjects.

Law review articles also cite a good selection of primary sources, including relevant case law.

- **Law Reviews**, Location: Floor 2
 - Published mainly by law schools, law reviews provide articles written by legal scholars, law students and in some cases by practicing attorneys.
 - Print volumes are arranged in alphabetical order by journal title. Some law reviews are on microfiche, arranged in alphabetical order.
 - Consult the online catalog for specific titles (e.g., do a Journal Title search for the *Harvard Law Review*).
 - Law Reviews are also found online in Westlaw, Lexis and the Internet.

- **Lexis & Westlaw**
 - Lexis and Westlaw provide the full text of the articles as well as the citations.
 - Documents can be downloaded to a disk or cut and pasted into word processing programs.
 - These databases are fee based. .
 - **RESEARCH HINT: Use the “Scope” service to find out the sources included, the years covered, and how to do a sample search.**

FORMAT	COVERAGE	LOCATION
Paper	varies	Unclassified Floor 2; Microform Unclassified
Westlaw	varies	Yes
Lexis	varies	Yes
Internet	varies	See some examples at: http://stu.findlaw.com/journals/

- **Bar Journals, Trade Journals and Newsletters**
 - National, state and local bar associations publish journals that contain articles on the law, news of interest to members, and in some cases text of legal ethics opinions.
 - Trade journals and newsletters publish articles, court decisions, and other noteworthy information regarding a specific area of law.
 - Newsletters, depending on their frequency, can be invaluable when researching a very new area of law.
 - Consult the online catalog for specific titles (e.g., do a Journal Title search for the *New York Bar Journal*).
 - Bar journals are also found online in Westlaw, Lexis and the Internet.

FORMAT	COVERAGE	LOCATION
Paper	varies	Unclassified Floor 2; Microform Unclassified
Westlaw	varies	Yes
Lexis	varies	Yes
Internet	varies	<i>FindLaw’s Legal Associations and Organizations</i> See, http://www.findlaw.com/06associations/

- **Legal Newspapers**

- Published on a national, state and local level, legal newspapers provide timely legal news, reports of recent court decisions, changes in court rules and other legal information.
- Some include dockets, court calendars, and the full text of lower court decisions (not otherwise published).
- The library subscribes to the major national newspapers, *National Law Journal*, *American Lawyer*, *Legal Times*, as well as the *New York Law Journal*.
- Consult the online catalog for specific titles (e.g., do a Journal Title search for the *New York Law Journal*).
- Legal newspapers are also found online in Westlaw, Lexis and the Internet.

FORMAT	COVERAGE	LOCATION
Paper	varies	Newspaper Rack (current issues); Unclassified Floor 5 (last 3-6 months); Microform Unclassified (archives)
Westlaw	varies	Yes
Lexis	varies	Yes
Internet	varies	<i>FindLaw's Legal News</i> http://news.findlaw.com/
	current issue only	<i>National Law Journal</i> http://www.nlj.com
	current issue only	<i>New York Law Journal</i> http://www.nylj.com/

E. Loose-leaf Services – See Pathfinder “Loose-leaf Services”

F. American Law Reports – See Pathfinder “American Law Reports” (ALR)

G. Restatements of the Law

Restatements, published by the American Law Institute, are similar to treatises, and provide clear and concise restatements of existing common law, unifying case law on a national level.

Each Restatement is on a specific legal subject and contributors to restating the law include members of the judiciary, legal scholars and attorneys.

Restatements are available for agency, conflict of laws, contracts (see example below), foreign relations law, judgments, property, restitution, security, torts, and trust.

Consult the online catalog for specific titles by using the following keyword query:
restatement + law OR restatement + legal.

FORMAT	COVERAGE	LOCATION
Paper	varies	Search the Online Catalog for the location
Westlaw	varies	Yes
Lexis	varies	Yes

- *Restatement 2nd of Contracts*, Location: Stack 4
 - Each Restatement reports the legal rule (black letter law) followed by comments and illustrations.
 - Each section presents the black letter law of contracts, commentary on the law, an illustration of the law and reporter’s notes that cite related cases and other sources.
 - The restatement includes an extensive table of contents and a multi-volume appendix that cites relevant case law, statutes, regulations, and other secondary sources (listed by jurisdiction) to each section of the law.

H. Treatises & Textbooks

Treatises are scholarly analyses of particular areas of law written in book format (see example below). Treatises include multi-volume works, textbooks, hornbooks (usually one-volume summary of the law), practical guides, and shorter monographs. Treatises are specific in nature and treat a subject in more depth than a legal encyclopedia by offering critical analysis with extensive interpretation of cases or doctrine.

They also can summarize historical development, explain disparities, predict change, and offer practical advice. Footnotes in treatises are invaluable sources of case references, law review articles, and other relevant citations.

Consult the online catalog for specific titles by using the following keyword query:

treatise + law.

FORMAT	COVERAGE	LOCATION
Paper	varies	Search the Online Catalog for title & the location
Westlaw	varies	Yes
Lexis	varies	Yes

- *Williston on Contracts*, Location: Stack 4
 - This multi-volume treatise reports, analyzes, and synthesizes the approaches to contract law as reflected in judicial decisions, the UCC and the Restatement 2nd of Contracts.
 - It includes an index, table of contents and table of cases cited.
 - Includes references to other publications.
 - **RESEARCH HINT: Always check pocket parts or paper supplements for the most up-to-date information.**

APPENDIX

A. How to Locate Additional Titles using SUMMIT Online Catalog

SUMMIT is Syracuse University's online catalog. SUMMIT should be searched when you want to find books, treatises, loose-leaf services, journals, and government documents. (Bird Library is a Government Depository library).

SUMMIT can be searched in a variety of ways: by keyword, author, title, journal title, subject, or advanced searching capability.

For assistance with SUMMIT, please inquire at the Reference Desk located on the third floor of the Law Library.

B. Sample Searches for Secondary Sources

Legal Dictionaries	Keyword – dictionary +law Keyword - dictionary +legal Title – Black’s Law Dictionary
Legal Encyclopedias	Keyword – encyclopedia +Law Keyword – encyclopedia +legal Title – American Jurisprudence 2d
Legal Periodical Indexes	Keyword – law +index Keyword – legal +index Title – Current Law Index
Legal Periodicals	Keyword – law +review +index Keyword – legal +review +index Title – New York Bar Journal
American Law Reports	Title – American Law Reports
Restatements of the Law	Keyword – restatement +torts Title – Restatement of the Law

Treatises & Textbooks	Keyword – treatise +law Title – Administrative Law Treatise
Legal Bibliographies	Keyword – bibliography +aw Keyword - bibliography +legal Title – Annual Legal Bibliography