

Title: How to Research the Law -- Part 2 – Diving Into the Research

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If you are involved in a lawsuit, have a legal question, or are looking for legal information, you may want to research the law. You may be planning to handle your own case, or maybe you'd like to find out more about your situation before you talk to a lawyer. This two-part series will give you an overview of the basics of legal research. In part one, we covered what you need to know before you get started. In part two, we will go into more detail about how to research a legal topic and how to get help from a law library.

Now that you have watched Part 1, hopefully you're organized, know some important places to look for information, and are ready to research. Where should you start? Think of legal research like an upside-down triangle. It should start off broad and narrow as you approach the specific question you are looking to answer. Follow these tips:

First, identify the area of law you are researching and get an overview.

Chapter Heading: Get an Overview

A good place to start is the internet. In Maryland, you can visit the Maryland Judiciary website at www.mdcourts.gov or the People's Law Library at www.peoples-law.org. Both sites have reliable legal information, organized by topic.

If you use the internet, be sure the websites are credible and the information applies to your jurisdiction. A government agency or law school site are generally good resources. If your question is

governed by state law, use only online information specifically for your state. For example, divorce and custody issues are generally covered by state law, and the laws differ from state-to-state. So, get your information from a Maryland-specific website if your case will be heard in Maryland.

Another good starting point is a legal encyclopedia, treatise or article. A treatise is a book that explains the law on a particular subject. These materials often have a general discussion of the subject and can give you background on your legal question. These resources may refer you to other sources of more specific information like statutes, rules, and cases that may apply to your situation. Get help finding a legal encyclopedia, treatise or article at a Maryland law library.

Next step, Narrow Your Research

Chapter Heading: Narrow Your Research

After you have a good understanding of the area of law you are interested in, narrow your research to find the specific law that applies to your situation. To locate state statutes, look at the Maryland Code either in print or online. The Maryland Code and Rules are available at www.mdcourts.gov/lawlib. Select “Gateway to Maryland Law” to find a copy of the code and rules. If you are looking for case law, Google Scholar, Lexis, or Westlaw are the most common resources. Lexis and Westlaw are available for free at most public law libraries. You can access Google Scholar on the web at scholar.google.com On the site, look for “search case law.” You can limit your search to only Maryland Courts, or search more broadly in other state or federal courts. Once you have a result list, you can narrow the results by adding more words, or by limiting the time frame using links on the left side of the result screen. Google Scholar also offers a citation service. When you are reading a case, you can click the “How cited” tab for a list of other cases that have cited yours. This will help you find more cases.

How do you know when your research is complete?

Chapter Heading: How do you know when your research is complete?

A good rule is if you keep coming back to the same case, statute or regulation from a variety of different sources, you can be pretty sure that your research is thorough.

Once you have found the information you need and are ready to stop, there is one final step you should take ...and that is to cite check

Chapter Heading: Cite Check

You should “cite check” to make sure the law you found is not outdated or inaccurate. Laws change all the time, and you should be sure the law you are relying on is up to date.

Reliable online sources of the Maryland Code and the Code of Maryland Regulations should indicate how up-to-date the information is. If you do not see a note that indicates when the page was last updated, you should check with a law librarian to make sure your version of the law is the most up-to-date.

Any cases you plan to rely on should be cite checked. New cases or legislation can significantly change how older cases can be used. Checking your case is sometimes called “Shepardizing” or “KeyCiting”. The easiest way to make sure your case is up to date is to visit a law library and use Lexis to Shepardize or Westlaw to KeyCite. A law librarian can show you how to do this.

Researching the law can be challenging, so make sure to Get Help.

Chapter Heading: Get Help

There are law libraries in Maryland where you can research your case. Many have law librarians on staff who can help you find materials. Law librarians are research experts but are not lawyers. They can help you with your research but can't offer you legal advice or tell you what you should do in your situation. A list of public law libraries is at mdcourts.gov/ccll. You can also visit the Thurgood Marshall State Law Library in Annapolis. Visit mdcourts.gov/lawlib for more information on the library and its resources.

That was a lot of information. Let's Review.

Chapter Heading: Let's Review

Begin your research using key resources and reliable legal websites like mdcourts.gov and peoples-law.org to get an overview of the topic you are researching. Narrow your research by reviewing the statutes, rules, or case law that address the specific issues that apply in your case. Make sure you are reviewing the latest law that applies as statutes, rules, and case law change frequently. You can do this by cite checking your sources. For help with cite checking and other assistance conducting legal research, visit a Maryland law library.

I hope this information is helpful. Thanks for watching