**NAME: OKPA UDOCHUKWU KALU**

**MATRIC NO: 19/LAW01/197**

**COURSE CODE: LAW 102**

**COURSE TITLE: LEGAL METHOD II**

**SECONDARY SOURCES OF LAW**

**Secondary sources include:**

* Legal encyclopedias
* Case book
* Treatises
* Law journals
* Restatements

**Legal encyclopedias:**

* Legal encyclopedias contain brief, broad summaries of legal topics, providing introductions to legal topics and explaining relevant terms of art. They also provide citations to relevant primary law and sometimes give citations to relevant major law review articles.  Here are the two major national encyclopedias:
* [American Jurisprudence 2d (AmJur)](https://a.next.westlaw.com/Browse/Home/SecondarySources/TextsTreatises/AmericanJurisprudence2d?transitionType=Default&contextData=(sc.Default))

This link provides access to the Table of Contents for AmJur using Westlaw. Print volumes are located at KF 154.A42. Topical indexes are located in the last volume of every topic.

* [Corpus Juris Secundum (CJS)](https://a.next.westlaw.com/Browse/Home/SecondarySources/TextsTreatises/CorpusJurisSecundum?transitionType=Default&contextData=(sc.Default))

This link provides access to the Table of Contents for CJS using Westlaw. Print volumes are located at KF 154.C56. There are indexes for each major topic.

**CASEBOOK:**

A **casebook** is a type of textbook used primarily by students in law schools.[[1]](https://en.m.wikipedia.org/wiki/Casebook#cite_note-ah83-1) Rather than simply laying out the legal doctrine in a particular area of study, a casebook contains excerpts from legal cases in which the law of that area was applied.[[1]](https://en.m.wikipedia.org/wiki/Casebook#cite_note-ah83-1) It is then up to the student to analyze the language of the case in order to determine what rule was applied and how the court applied it.[[1]](https://en.m.wikipedia.org/wiki/Casebook#cite_note-ah83-1) Casebooks sometimes also contain excerpts from law review articles and legal treatises, historical notes, editorial commentary, and other related materials to provide background for the cases.

The teaching style based on casebooks is known as the casebook method and is supposed to instill in law students how to "think like a lawyer."[[1]](https://en.m.wikipedia.org/wiki/Casebook#cite_note-ah83-1) The casebook method is most often used in law schools in countries with common law legal systems, where case law is a major source of law.

Most casebooks are authored by law professors, usually with two, three, or four authors, at least one of whom will be a professor at the top of his or her field in the area under discussion. New editions of casebooks often retain the names of famous professors on their covers decades after those professors have died. Updating of the books, then, falls on the shoulders of a younger generation of their colleagues. Such casebooks are often known by the names of the leading professor authors, such as Prosser, Wade, & Schwartz's, *Torts: Cases & Materials*

**TREATIES**:

Treatises--books on legal topics--are a good place to begin your research or find an answer to a question, and **will help you save time by providing explanation, analysis, and tips on the most relevant primary sources**. Treatises range from single volume overviews to extensively detailed multi-volume sets. They may come in the form of bound books updated with pocket parts or looseleafs with easily replaced pages. Some treatises are intended for law students while others are meant for practicing lawyers.

## **Introduction to Law Journals**

**Law review or journal articles are another great secondary source for legal research, valuable for the depth in which they analyze and critique legal topics, as well as their extensive references to other sources, including primary sources.**

Law reviews are scholarly publications, usually edited by law students in conjunction with faculty members. They contain both lengthy articles and shorter essays by professors and lawyers, as well as comments, notes, or developments in the law written by students. **Law review articles often focus on new or emerging areas of law and they can offer more critical commentary than a legal encyclopedia or ALR entry**.

Some law reviews are dedicated to a particular topic, such as gender and the law or environmental law, and will include in their contents the proceedings of a wide range of panels and symposia on timely legal issues.

## **Introduction to Restatements**

**Restatements are highly regarded distillations of common law**. They are prepared by the American Law Institute (ALI), a prestigious organization comprising judges, professors, and lawyers. The ALI's aim is to distill the "black letter law" from cases to indicate trends in common law, and occasionally to recommend what a rule of law should be. In essence, they restate existing common law into a series of principles or rules.

Restatements cover broad topics, such as Contracts or Property. They are organized into chapters, titles, and sections. Sections contain a concisely stated rule of law, comments to clarify the rule, hypothetical examples, explanation of purpose, as well as exceptions to the rule.

Restatements are not primary law. Due to the prestige of the ALI and its painstaking drafting process, however, they are considered persuasive authority by many courts. The most heavily cited Restatements are the Restatement of Torts and the Restatement of Contracts.