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SECONDARY SOURCES OF LAW.

Secondary sources of law is not law. It is a commentary of law, which could be used for three purposes: to educate you about the law, to direct you to the primary sources of law and to serve as a persuasive authority. Not all the secondary sources perform all the three functions. Most sources perform one or two functions only few perform three, for example Treaties.

They are also background sources used to explain, analyze and interpret. They are good way to start research and often have citation to primary sources. The important classes of secondary sources of law include: Treaties, Periodical articles, Legal encyclopedia, Law journals, ALR Annotations, Restatement and Looseleaf services.

TREATIES.

Treaties are single and multi volume work dedicated to the explanation of the law. Treaties are books on legal topics, this is a good place to begin your research and this saves time because it gives explanation, analyzes and tips on relevant primary sources. They help to provide an in depth discussion of a particular area of law and will provide references to cases and statutes for the researcher. Some treaties are intended for law students but some for practicing lawyers.

PERIODICAL ARTICLES.

Periodical articles give in depth discussions of narrow areas of law and legal issues. Examples of periodical articles are newspaper, journals, magazines, law reviews etc. Journal are great sources of law for legal research; they analyze and criticize legal topics, as well as their extensive reference to other sources, including primary sources.

Law Reviews are scholarly publications usually edited by law students in conjunction with faculty members. They contain long and short articles by both professors and students. Law review articles focus on areas of law both new and emerging, and they offer critical commentary than legal encyclopedia. Some law reviews are dedicated to a particular topic like gender and the law, environmental law and will include in their contents the proceedings of a wide range of panels and symposia on timely legal issue.

LEGAL ENCYCLOPEDIA.

Legal encyclopedia are immense set of books set of books that briefly describe all the main legal issues for a particular jurisdiction .These contain brief, broad summaries of legal topics, providing introduction to legal topics and explaining relevant terms of art. They also provide citation to primary sources of law and sometimes to major law review articles. There are two major national encyclopedias which are American Jurisprudence and Corpus Juris Secundum.

ALR.

This provides topical annotations that focuses on narrow areas of law, but discusses it in some depth. They provide basic grounding in law, as well as serve as good case finding tools. ALR is available on print, Lexis and Westlaw. ALR titles tend to be very descriptive, so you can limit your search to the title.

Restatement.

The restatement were developed by scholars initially to restate the law and to describe what the law should be. They are are highly regarded as distillations of common law. They are prepared by the American Law Institute, a prestigious organization comprising of judges, lawyers and professors, their aim is to distill ‘black letter law’ from cases to indicate trendes in common law, and occasionally to recommend what a rule of law should be.

Restatement are very persuasive but they are not the best in describing law. They serve as adequate law finders, but they do not cover all areas of law. They cover broad topics like Contracts of Property. They are organized into chapters, titles and sections

Looseleaf Service.

Looseleaf services bring together all the laws of a particular topic. It does not exist in all areas of law and when they exist they can be an invaluable resource. They are rarely cited except when they serve as case reporter.