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**Course Title: Legal Method**

**Course Code: Law102**

**Question: Discuss the Secondary Sources of Law, Times New Romans and justify your work.**

## **SECONDARY SOURCES OF LAW**

A good place to start most research project is with a secondary source. A secondary source is not the Law. It is a commentary on the Law. A secondary source can be used for three different purposes: it might educate you about the law, it might direct you to the primary law, or it might serve as persuasive authority. Few sources do all three jobs well. The important classes of legal encyclopedias, ALR Annotations, Restatements, and Loose-leaf services. This guide will provide a brief description of these sources. Secondary Sources also help you avoid unnecessary research, since you are tapping into work that someone else has already done on an issue.

### **SECONDARY SOURCES INCLUDES:**

- Legal Encyclopedias
- American Law Reports (ALR)
- Treaties
- Law Journals
- Restatements

### **SECONDARY SOURCES ARE PARTICULARLY USEFUL FOR:**

- Learning the basics of a particular area of law.
- Understanding key terms of art in area.
- Identifying essential cases and statutes.

**SECONDARY LAW** consists of sources that explain, criticize, discuss, or help locate primary law. Examples of Secondary legal sources include:

- Legal dictionaries

(Black's Law Dictionary, Nolos plain English Law Dictionary)

- Legal encyclopedias and digests

(Gale Encyclopedia of American Law, American Jurispence, Washington Digest.

## **TREATISES**

In this context, legal treatises are single or multi-volume works dedicated to the examination of an area of law. Treatises tend to be very good at describing the law., they are good law finders, and many of the classic treatises are persuasive. Treatises tend to provide an in-depth discussion of a particular area of Law and will provide the researcher with references to a few cases and statutes. The Legal Information Buyer Guide and References Manual describes the important legal treatises in several areas of the law.

## **LEGAL PERIODICALS**

Legal periodical articles are in-depth discussion of narrow areas of the law and legal issues. Articles in academic journals tend to revolve around very theoretical and cutting-edge legal issues. Articles in academic journals tend to be more practical. Periodical articles can be very useful for explaining the law, but often they are too theoretical for that. The major American legal periodical indexes are the Index to legal Periodicals (also a Lexis and Westlaw).

## **LEGAL ENCYCLOPEDIAS**

Legal encyclopedias are immense sets of books that briefly describe all the main legal issues for a particular jurisdiction. An Encyclopedia can provide a basic introduction to an area of the law and will provide the user with some case and statutory citations. Legal encyclopedias will not delve deeply into an area, nor will they discuss the finer points of an area of law. Legal encyclopedias are available online and in the print. The two national encyclopedias are **American Jurisprudence** and **Corpus Juris Secundum**.

## **ALR**

**ALR** provides topical annotations that focus on relatively narrow ideas of the law, but discuss it in some depth. They provide a good basic grounding in law, as well as serve as good case finding tools. ALR is available in **print** and on **Lexis** and **Westlaw**.

## **RESTATEMENT**

The restatements were developed by legal scholars initially to restate the law, and currently to describe what the law should be. In either case, Restatements are very persuasive although they are not very good at describing the law. They serve as adequate law finders. There are Restatements for many areas of law: but not all. The restatement are available on **LEXIS** and **WESTLAW** and in print.

## **LOOSELEAF SERVICES**

loose-leaf services bring together all of the law on a particular topic. loose-leaf services does not exist for all areas of law, but when they do exist, they can be invaluable resource. They are rarely cited except when do exist, they can be an invaluable resource. They are rarely cited except when they serve as a case reporter. However, for a researcher, they bring together in one place the code, administrative regulations, court decision, administrative decisions, citators, finding aids, commentaries, forms, etc. loose-leaf are moving online.

