

# **Colorado Legal Research**

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**Robert Michael Linz**

Suzanne E. Rowe, Series Editor

**CAROLINA ACADEMIC PRESS**

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*For Christina and our children  
Max, Kathy, Andrew, Anne, and Peter*

*Ad Deum qui laetificat juventutem meam  
Psalm 42*



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## Series Note

The Legal Research Series published by Carolina Academic Press includes an increasing number of titles from states around the country. The goal of each book is to provide law students, practitioners, paralegals, college students, laypeople, and librarians with the essential elements of legal research in each state. Unlike more bibliographic texts, the Legal Research Series books seek to explain concisely both the sources of state law research and the process for conducting legal research effectively.



## Foreword

Every state in the U.S. has its own legal system, shaped by its pioneers and continuing to evolve today. Colorado, the “Centennial State,” is no exception. Colorado’s colorful legal history includes its early geographic partition among at least five nations and then four U.S. states, and multiple attempts at forming governments on its own (with some success in its miners’ courts and the Territory of Jefferson). The result is an ever-changing landscape of state-specific legal resources that bears the mark of these previous jurisdictions.

Legal research, a skill fundamental to a legal education and the practice of law, varies with the jurisdiction. Because each state has its own legal system and corresponding resources, law students, lawyers, and other legal researchers must learn the methods and sources of researching in that state to practice their professions competently. Teaching Colorado’s unique legal resources is the subject of this book.

Legal research is more than learning the sources, the “bibliography,” of the jurisdiction, however. Legal research is a cyclical process of identifying issues, choosing the correct resources to consult, analyzing results, and then refining issues to research. Resources may be in print, microform, or electronic formats; their authority needs to be assessed, their rules and guidance analyzed, updated, and applied. The process changes with each problem, and a thorough knowledge of the resources of the jurisdiction into which the problem falls is essential. *Colorado Legal Research* offers guidance on the research process as well as its sources.

Robert Linz is well positioned to explain the intricacies of Colorado legal research. He has studied the Colorado system, and knows its ins and outs well. He has carried out legal research projects in support of the justices and judges of Colorado’s appellate court system and the

faculty and students of the University of Colorado at Boulder School of Law. He has taught legal research to beginning and advanced law students. His attention to detail and his commitment to legal research education are evident on every page of this book.

*Colorado Legal Research* provides the roadmap for its readers to steer through the intricacies of legal research in Colorado. Colorado legal researchers are indebted to Robert for this work.

Barbara Bintliff

Nicholas Rosenbaum Professor of Law  
Director, William A. Wise Law Library  
University of Colorado at Boulder



## Preface and Acknowledgments

This book is written to assist the attorney, law student, paralegal, or layperson in researching the law of Colorado. Throughout the book, the researcher will discover what resources contain Colorado law and how to use those resources to find the law. While the emphasis is on Colorado law, the book mentions the resources and methods to find federal law as well. More importantly, the book provides the researcher with an approach to legal research by setting the research process in the larger context of legal authority and the publication of law.

While the researcher can open directly to any particular chapter to learn how to research that type of law, the researcher should first read Chapters 1 and 2. These first two chapters set forth the research process in context and provide helpful tips in using print and electronic resources. Furthermore, later chapters will refer to the concepts introduced in these two chapters. After reviewing these chapters, the reader should be able to more easily use the information contained in later chapters.

Although writing is mostly a solitary activity, it takes a team to bring a written piece to publication. I would like to thank Suzanne Rowe for her helpful commentary and careful editing of this manuscript, as well as her allowing me to use her materials on legal citation, contained in Chapter 12. Likewise, I thank Carolina Academic Press for the opportunity to publish this book. I would also like to thank those persons who contributed to this manuscript, including Professor K.K. DuVivier of the University of Denver College of Law for her article, *Colorado Citations*, reprinted in the Appendix; Susan Festag and Eileen Kiernan-Johnson of the Colorado Supreme Court; and those librarians who have read and commented

on the manuscript, including Alicia Brillon, reference librarian at the University of Colorado Law Library, and Andrea Hamilton, Senior Research Librarian with Faegre & Benson LLP in Boulder. I would especially like to thank Professor Barbara Bintliff of the University of Colorado School of Law Wolf Law Library for not only writing the Foreword but also giving me the time and opportunity to write this book. Finally, I would be remiss not to thank my family for their continued support and encouragement, including especially my parents.