

California Legal Research

Second Edition

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Dedicated

*to Stephen and Ellen
H.C.M.*

*to Joshua and Jeffrey
A.D.*

*and to Didi Alfred
S.E.R.*

Summary of Contents

List of Tables and Figures	xvii
Series Note	xxi
Preface to the Second Edition	xxiii
Chapter 1 The Research Process and Legal Analysis	3
Chapter 2 Legal Research Techniques	15
Chapter 3 Judicial Opinions	35
Chapter 4 Researching Judicial Opinions	57
Chapter 5 Constitutions	73
Chapter 6 Statutes	81
Chapter 7 Legislative History	99
Chapter 8 Administrative Law	125
Chapter 9 Updating Legal Authority	145
Chapter 10 Secondary Sources and Practice Aids	165
Chapter 11 Planning a Research Strategy and Organizing Research Results	189
Chapter 12 Legal Citation	203
About the Authors	225
Index	227

Contents

Chapter 1 · The Research Process and Legal Analysis	3
I. California Legal Research	3
II. The Intersection of Legal Research and Legal Analysis	3
III. Types of Legal Authority	4
IV. Overview of the Research Process	6
A. Prepare to Research	7
B. Learn About the Topic	8
C. Search for Primary Authority	8
1. Finding Constitutional Provisions and Statutes	8
2. Researching Administrative Law	9
3. Researching Judicial Opinions	9
D. Read Authorities Carefully	10
E. Update with Citators	10
F. Finish the Research	11
G. Modify the Process	11
V. Researching the Law—Organization of This Text	12
Chapter 2 · Legal Research Techniques	15
I. Print Research Techniques	15
A. Finding a Legal Source by Citation	16
B. Table-of-Contents Searching	16
C. Topic Searching with a Print Index	16
D. Pocket Parts and Supplements	17

II. Online Research Techniques with Lexis and Westlaw	18
A. Finding a Legal Source by Citation	19
B. Table-of-Contents Searching	20
C. Natural-Language Searching	21
1. Natural-Language Searching on Lexis Advance and WestlawNext	21
a. Lexis Advance	22
b. WestlawNext	23
2. Natural-Language Searching with Other Services	24
D. Terms-and-Connectors Searching	25
1. Generate Search Terms	26
2. Add Connectors	26
3. Choose Sources or Databases	28
4. Restrict the Search with “Segments” and “Fields”	28
5. Refine or Broaden the Search	29
6. Example Terms-and-Connectors Search	30
E. Topic Searching Online	30
F. Working with Online Documents	31
G. Printing, Downloading, or Emailing Results	31
H. Keeping Track	32
III. Other Online Research Services	32
Chapter 3 · Judicial Opinions	35
I. Court Systems	36
A. California Courts	36
B. Federal Courts	38
II. Reporters	39
A. Reporters for California Cases	39
1. Citing California Cases	42
2. Features of a Reported Case	43
3. Advance Sheets	48
4. Other Sources for Finding California Cases	48
B. Reporters for Federal Cases	49

III. Reading and Analyzing Cases	50
A. Reading Cases Effectively	50
B. Analyzing the Substance of Cases	51
Chapter 4 · Researching Judicial Opinions	57
I. Digest Research	57
A. Print Digests	58
B. Digest Features	60
1. Topics and Key Numbers	61
2. Headnotes	61
C. Using the Descriptive-Word Index	62
D. Starting with a Relevant Case	65
II. Online Research	65
A. Westlaw Classic and WestlawNext	66
B. Lexis.com and Lexis Advance	66
C. Other Online Sources of Case Law	67
Chapter 5 · Constitutions	73
I. Researching the California Constitution	75
II. Interpreting the California Constitution	77
III. Locating the United States Constitution	80
Chapter 6 · Statutes	81
I. Researching California Statutes in Print	81
A. California Codes	82
B. The Research Process in Print Codes	84
1. Search the Index for Research Terms	84
2. Find and Read the Statutory Language	85
3. Find Cases that Interpret or Apply the Statute	87
C. Other Helpful Features of Print Annotated Codes	88
II. Researching California Statutes Online	88
A. Beginning with a Statutory Citation	88
B. Beginning without a Statutory Citation	89
III. Applying and Interpreting California Statutes	90

IV. Researching the Statutes of Other States	93
V. Researching Federal Statutes	93
VI. Researching Court Rules	94
A. California Court Rules	95
B. Federal Court Rules	98
Chapter 7 · Legislative History	99
I. The Legislative Process in California	100
II. Documents Produced During the California Legislative Process	101
III. California Bill Tracking	105
A. Legislative Counsel Resources	105
B. Other Approaches to Bill Tracking	106
IV. California Legislative History Research	108
A. In General	108
B. Researching the Legislative History of a California Statute	109
1. Find the Original Bill Number	110
2. Gather Session Law Information	111
3. Read the Legislative Counsel's Digest	111
4. Review the Bill's Text and Proposed Amendments	112
5. Read the Bill Analysis	112
6. Read Any Legislative Counsel Opinions	113
7. Other Sources for California Legislative History	113
V. Initiative and Referendum in California	115
VI. Federal Legislative Research	116
A. Federal Bill Tracking	117
B. Federal Legislative History	117
1. Sources of Federal Legislative History	117
2. Compiled Legislative History	118
3. Print Sources for Federal Legislative History	118

4. Online Sources for Federal Legislative History	119
Chapter 8 · Administrative Law	125
I. Administrative Law and Governmental Agencies	125
II. Administrative Regulations	127
III. Researching California Administrative Regulations	129
A. Underground Regulations	130
B. Researching the Enabling Act	130
C. California Code of Regulations	131
D. California Regulatory Notice Register	135
E. Agency Decisions	136
F. Attorney General Opinions	137
IV. Federal Administrative Law	139
A. <i>Code of Federal Regulations</i>	139
B. <i>Federal Register</i>	141
C. Updating Federal Regulations	142
D. Decisions of Federal Agencies	143
E. Judicial Opinions	143
Chapter 9 · Updating Legal Authority	145
I. Online Citators	145
A. Updating Fundamentals	146
B. Reading Citing References	147
C. Prioritizing and Narrowing Results	148
D. Setting Alerts	149
II. Updating Cases	149
A. KeyCite on Westlaw Classic	149
1. Access the Citator	149
2. Select the Type of Citing List	150
3. Analyze the Citator Symbols	152
4. Limit the Search Results	154
B. KeyCite on WestlawNext	154
1. Access the Citator	154
2. Select the Type of Citing List	155
3. Analyze the Citator Symbols	155

4. Limit the Search Results	155
C. Shepard's on Lexis Advance	156
1. Access the Citator	156
2. Select the Type of Citing List	158
3. Analyze the Citator Symbols	158
4. Limit the Search Results	159
D. Shepard's on Lexis.com	159
1. Access the Citator	159
2. Select the Type of Citing List	160
3. Analyze the Citator Symbols	160
4. Limit the Search Results	161
III. Updating Statutes	161
IV. Updating Other Authorities	163
Chapter 10 · Secondary Sources and Practice Aids	165
I. Introduction	165
II. Witkin's <i>Summary of California Law</i>	167
III. Legal Encyclopedias	168
IV. Practice Guides, Treatises, and Other Books	170
A. California Practice Guides	170
B. Treatises	173
C. Finding and Using Legal Books	173
V. Legal Periodicals	174
A. Law Reviews and Law Journals	174
B. Bar Journals	175
C. Locating Articles	175
VI. <i>American Law Reports</i>	176
VII. Continuing Legal Education Publications	179
VIII. Forms	179
IX. Restatements	180
X. Uniform Laws and Model Codes	182

XI. Jury Instructions	183
XII. Using Secondary Sources and Practice Aids in Research	185
Chapter 11 · Planning a Research Strategy and Organizing Research Results	189
I. Planning a Research Strategy	189
A. Asking Fundamental Questions	190
B. Modifying the Process to Create a Focused Strategy	191
C. Selecting Sources	192
1. Researching an Unfamiliar Area of Law	192
a. Typical Practice Issues	192
b. Cutting-Edge Issues	192
c. Surveys	193
2. Beginning with a Statutory Citation	193
3. Launching from “One Good Case”	193
D. Choosing Between Print and Online Research	194
E. Sample Research Strategy	195
II. Organizing Research	196
A. Keeping Notes and Documents in a Binder	196
B. Keeping Notes and Documents Online	198
III. Organizing Analysis	198
IV. Ending Research	200
Chapter 12 · Legal Citation	203
I. The <i>California Style Manual</i>	204
A. Orientation to the <i>CSM</i>	204
B. Case Citations under the <i>CSM</i>	205
1. Full Citations to Cases	205
2. Short Citations to Cases	208
3. Signals	209
4. Explanatory Parentheticals	209
C. Statutory Citations under the <i>CSM</i>	210
D. Quotations	210

II. National Citation Manuals	211
A. Navigating the <i>ALWD Manual</i> and the <i>Bluebook</i>	212
1. Index	212
2. “Fast Formats” and “Quick Reference”	212
3. <i>Bluebook</i> “Bluepages”	212
4. <i>ALWD</i> Appendices and <i>Bluebook</i> Tables	213
B. Citing California Material	213
C. Case Citations	213
1. Full Citations to Cases	213
2. Short Citations to Cases	218
D. Federal Statutory Citations	219
E. Signals	220
F. Explanatory Parentheticals	220
G. Quotations	220
H. Additional Citation Details	221
III. <i>Bluebook</i> Citations for Law Review Articles	222
IV. Citations Not Covered by a Manual	224
About the Authors	225
Index	227

List of Tables, Figures, and Appendices

Tables

Chapter 1 · The Research Process and Legal Analysis	3
Table 1-1. Examples of Authority in California Research	5
Table 1-2. Overview of the Research Process	6
Table 1-3. Generating Research Terms	8
Chapter 2 · Legal Research Techniques	15
Table 2-1. Selected Government Websites for California Primary Authority	18
Table 2-2. Commercial and Gateway Sites	19
Table 2-3. Outline for Constructing Terms-and-Connectors Searches	26
Table 2-4. Connectors and Commands	27
Chapter 3 · Judicial Opinions	35
Table 3-1. Districts of the California Courts of Appeal	37
Table 3-2. Reporters for California Appellate Cases	40
Table 3-3. Reporters for Federal Court Cases	49
Chapter 4 · Researching Judicial Opinions	57
Table 4-1. Selected Digests	60

Chapter 5 · Constitutions	73
Table 5-1. Articles of the Constitution of California	74
Chapter 6 · Statutes	81
Table 6-1. Outline for Statutory Research in Print	82
Table 6-2. California Statutory Codes	83
Table 6-3. Elements of Arson	87
Table 6-4. Researching California Statutes Online	91
Table 6-5. California Rules of Court	96
Chapter 7 · Legislative History	99
Table 7-1. How a Bill Becomes a Law	102
Table 7-2. Outline for Legislative History Research in California	110
Table 7-3. Selected Sources for Federal Legislative History in Print	119
Chapter 8 · Administrative Law	125
Table 8-1. Example of the Relationship between Statutes and Regulations	128
Table 8-2. California Code of Regulations Titles	129
Table 8-3. Outline for California Administrative Law Research	130
Chapter 9 · Updating Legal Authority	145
Table 9-1. Outline for Updating Online	147
Table 9-2. Selected Symbols for Updating Cases with KeyCite	150
Chapter 10 · Secondary Sources and Practice Aids	165
Table 10-1. Selected Websites for California Research	166
Table 10-2. Selected Practice Guide Topics	171
Table 10-3. Restatement Topics	181
Chapter 11 · Planning a Research Strategy and Organizing Research Results	189
Table 11-1. Sample Research Strategy	195
Table 11-2. Process Trail	197

Table 11-3. Sample Analysis Chart	201
Chapter 12 · Legal Citation	203
Table 12-1. Example Citations from the <i>California Style Manual</i>	205
Table 12-2. CSM Reporter Abbreviations for California Appellate Cases	207
Table 12-3. CSM Introductory Signals	209
Table 12-4. Example California Citations in <i>ALWD</i> and <i>Bluebook</i> Format	214
Table 12-5. Comparison of Selected Abbreviations in <i>CSM</i> , <i>ALWD</i> , and <i>Bluebook</i> Formats	215
Table 12-6. Comparison of <i>ALWD</i> and <i>Bluebook</i> Formats	222
Table 12-7. <i>Bluebook</i> Typeface for Law Review Footnotes	223

Figures

Chapter 2 · Legal Research Techniques	15
Figure 2-1. Table-of-Contents Searching on WestlawNext	20
Figure 2-2. Table-of-Contents Searching on California Legislative Site	21
Figure 2-3. Searching on Lexis Advance	23
Figure 2-4. Filters on WestlawNext	24
Chapter 3 · Judicial Opinions	35
Figure 3-1. Case Excerpt in West Reporter	45
Chapter 4 · Researching Judicial Opinions	57
Figure 4-1. Excerpts from <i>West's California Digest 2d</i> "Adverse Possession"	59
Figure 4-2. Excerpts from the Descriptive-Word Index in <i>West's California Digest 2d</i>	63

Figure 4-3. Excerpts from <i>West's California Digest 2d</i> Analysis for Adverse Possession	64
Chapter 5 · Constitutions	73
Figure 5-1. Excerpt of Annotations for California Constitution	76
Chapter 6 · Statutes	81
Figure 6-1. Selected Entries for ARSON in <i>Deering's Index</i>	85
Figure 6-2. Example California Code Section	86
Figure 6-3. Numbering of California Court Rules	97
Chapter 8 · Administrative Law	125
Figure 8-1. California Office of Administrative Law Website	133
Figure 8-2. Example of a California Regulation	134
Figure 8-3. Example of a Federal Regulation	140
Chapter 9 · Updating Legal Authority	145
Figure 9-1. Full History on Westlaw's KeyCite	151
Figure 9-2. Citing References on Westlaw's KeyCite	153
Figure 9-3. KeyCite on WestlawNext: Narrowing Citing References	156
Figure 9-4. Shepard's on Lexis Advance	157
Figure 9-5. Statute Updating on KeyCite with WestlawNext	162
Chapter 10 · Secondary Sources and Practice Aids	165
Figure 10-1. Excerpt from Witkin on "Contracts"	167
Figure 10-2. Excerpt from Rutter Group Practice Guide: Civil Trials and Evidence	172
Figure 10-3. A.L.R. Annotation	178
Figure 10-4. Example Jury Instruction	184

Appendices

Chapter 3 · Judicial Opinions	35
Appendix 3-A. Case Excerpt on WestlawNext	54
Appendix 3-B. Case Excerpt on Lexis Advance	55
Chapter 4 · Researching Judicial Opinions	57
Appendix 4-A. Headnotes on WestlawNext	69
Appendix 4-B. Headnotes on Lexis Advance	70
Appendix 4-C. Topic Link from Lexis Advance	
Headnotes	71
Chapter 7 · Legislative History	99
Appendix 7-A. Final Bill History	120
Appendix 7-B. Bill Analysis	123

Series Note

The Legal Research Series published by Carolina Academic Press includes titles from states around the country as well as a separate text on federal legal research. 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 jurisdiction. Unlike more bibliographic texts, the Legal Research Series books seek to explain concisely both the sources of legal research and the process for conducting legal research effectively.

Preface to the Second Edition

The second edition of *California Legal Research* reflects the great changes seen in legal research in the past few years. Fewer libraries house print sources, and more researchers rely on online sources. Lexis.com and Westlaw Classic are being replaced by Lexis Advance and WestlawNext. The text remains true to the goal of the first edition: to explain both the sources and the process for researching California law.

In updating the text, we have avoided making changes that were not essential, and we expect the second edition to feel familiar to readers of the first edition. Some of the more important changes are outlined below:

Chapter 1 diminishes the distinction between print and online research, recognizing the growing dominance of online resources. Given that online research techniques work similarly for cases, statutes, administrative regulations, and other sources, Chapter 1 presents a revised research outline that includes under one step searching for all primary authorities. These authorities are still explained in separate chapters later in the book.

Chapter 2 continues its focus on Lexis and Westlaw products. It now covers both the classic versions and the next generation versions of each service. We use “Lexis” and “Westlaw” as umbrella terms to cover both versions. To be specific, Lexis.com and Lexis Advance designate the classic and new products provided by Lexis, while Westlaw Classic and WestlawNext designate the products provided by Westlaw. Chapter 2 covers other online products in a brief section at the end. We chose to continue focusing on Lexis and Westlaw products as they are most widely used and most relevant to California-specific research.

In this edition, Chapter 3 explains judicial opinions, while Chapter 4 covers researching them. A single chapter in the first edition covered both an introduction to judicial opinions and how to research them.

Chapter 9 (formerly Chapter 8) no longer has an appendix explaining Shepardizing in print, as fewer libraries maintain current volumes. The chapter has been slightly reorganized: general information about citator symbols, the importance of reading citing references, and the utility of narrowing search results has been moved to the beginning of the chapter because those topics apply to research with all citators.

Chapter 10 (formerly Chapter 9), on secondary sources, no longer focuses primarily on print research. In addition, it presents Witkin alone, not with treatises, recognizing its unique importance to California research. This chapter expands the discussion of Rutter Group materials and jury instructions, while decreasing the attention given to continuing legal education materials, consistent with California practice. It no longer has a separate section on mini-libraries.

We try throughout to present a balanced coverage of the products of Lexis and Westlaw. For example, in some chapters we tend to discuss Lexis first while in other chapters Westlaw gets the first nod.

With this edition, we welcome a new co-author, Aimee Dudovitz, of Loyola Law School—Los Angeles. Professor Dudovitz brought particular expertise to the chapter on legislative history, and she was primarily responsible for updating that chapter as well as the chapter on administrative law. Professor Macfarlane was responsible for updating the two chapters on cases as well as chapters on statutes and constitutions. Professor Rowe updated the remaining chapters, though again the work on the book was a collaborative effort. Some portions of this book are drawn from *Oregon Legal Research*, which has served as a guide for a number of books in the Legal Research Series.

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