

# **Hawai'i Legal Research**

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# Hawai‘i Legal Research

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# Preface

The target audience for this book is law students who are learning about the legal authorities in Hawai‘i and how to research legal issues. Others who are researching the law in this jurisdiction, or need to understand how legal information is arranged in Hawai‘i, will also benefit from this publication. Throughout this book, we provide suggestions on how to research legal issues and identify specific resources where you can locate the information needed to form a legal analysis. We also offer suggestions on how to plan and keep track of your research as you learn more about the legal issues that you research. The significance of Hawai‘i’s unique legal history plays an important role in this jurisdiction. Where appropriate we provide an overview of how that history interfaces with researchers today.

Writing a book like this is a collaborative effort. In deciding how to approach the organization of the book, we chose to focus chapters on specific types of resources while attempting to illustrate how these resources integrate with each other when conducting a research project. Many of the tables and recommendations we make are a direct result of teaching a course on legal research collaboratively at the William S. Richardson School of Law, University of Hawai‘i at Mānoa. There are many aspects of legal research that are unique to the State of Hawai‘i. This is the first attempt at capturing and explaining legal research in this jurisdiction with specificity.

While writing this book, we all took primary responsibility for specific chapters and as our editor, Tenielle Fordyce-Ruff, guided us through the process, some of our chapters merged into others or resulted in new chapters. We are grateful for her expertise and patience as we proceeded. Vicki Szymczak spearheaded the project and is responsible for the chapters on Secondary Sources, The Judiciary and Case Reporters, Using and Finding

Cases as well as the material in the Appendices which are used in her legal research classes. She also contributed to the first chapter on Research Process and Strategies; however, Roberta Woods's steady hand maintained principal responsibility for that chapter. Roberta Woods's expertise in Hawaiian law is reflected in the Overview of the Hawaiian Legal System, Researching Kānaka Maoli (Native Hawaiian) Custom and Law, Hawai'i State Statutes and Hawai'i Legislative History. Cory Lenz took responsibility for writing the chapter on the Hawai'i Constitution, Administrative Law, and Legal Citation. In particular, the chapters on the Overview, Kānaka Maoli Custom and Law, the Constitution, and Finding Case Law should be read together when researching problems that have their solutions rooted in pre-statehood authorities.

In the native Hawaiian language, the phrase "many hands working together" is expressed by the word *laulima*. Without all of us working together, this project would not benefit from our collective experiences.

## 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, and laypeople 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.

