

Legal Research Outline

Step:

1. Formulate legal questions
 - a. What is duty to account holder?
 - b. What is required to release account info?
 - c. Who is responsible to determine bank policy?
 - d. Etc.
 2. Categorize Research Questions:
 - a. Federal/State
 - b. Procedural/substantive
 - i. Substantive – Rights, duties and obligations that exist between individuals and institutions.
 - ii. Procedural - Governs way the system works. F. R. Civ. P.
 - c. Break down into words and phrases to use in caselaw searches
 3. Background Resources:
 - a. West's Legal Desk Reference
 - b. Zimmerman's Research Guide – internet
 - c. American Jurisprudence
 - d. Corpus Juris – more material than Am.Jur
 - e. Florida Jurisprudence (or state specific)
 - f. American Law Reports (A.L.R.) or A.L.R. Fed.
 - g. Form Books – contains instructions with procedures
 - h. Law Review or legal periodicals
 - i. Findlaw law review for students
 - ii. Index of Legal Periodicals (tan cover)
 - iii. Current Law Index (red & black cover)
 4. Look For Statutory Law
 - a. Federal and state statutes, state regs, fed. regs, ordinances, constitutions
 - b. Use Shepard's Citations for Statutes
 - i. Shepardize them. Ch 9/11
 5. Find A Relevant Case
 - a. For tort cases, find a case first and then come back and research statutory law if indicated.
 - b. Shepard's Digests – most recent
 6. Misc:
 - a. Jury Instructions
- II. Laws - internet
- a. U.S. Constitution
 - i. Federal Statutes – U.S. Code (West: US Code annotated) ck Code indexes to find a statute.
 - b. State
 - i. Constitution
 - ii. Statutes

- iii. Pending legislation
- iv. Shepard's Citations for Statutes
- v. Attorney General Opinions to interpret statutes.
- vi. Rules of Civil Procedure
 - 1. Rules of court
 - 2. Local rules

Case Law

Outline to follow in case presentation:

Background Resources:

- 1. Florida Jurisprudence encyclopedia
 - a. General index for legal categories
 - b. Pocket parts
- 2. Summary of Florida law
- 3. Florida Procedure and Evidence

Shepard's citations for cases and West's digests

- a. Southern Reporter, cumulative supplements, advance sheet editions, pocket parts
- b. Florida citations, supplements
- c. West's digests for Florida

Incidentals:

Issues

Holding

Rationale

Facts:

Legal index Keywords:

Relevant Cases:

- 1. F.S. – primary legal authority
- 2. Court interpretations of statutes
- 3. State Law
- 4. Constitutional law – US Supreme court

Legal memorandum

Relevant Cases:

Legal memorandum –

Resources Utilized

1. A.L.R
2. Florida Jurisprudence
3. Corpus Juris Secundum
4. Abbott's Digest