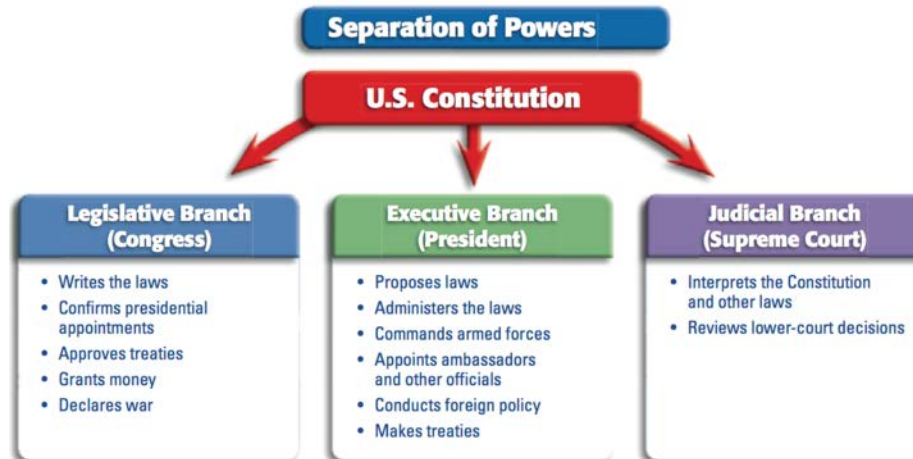
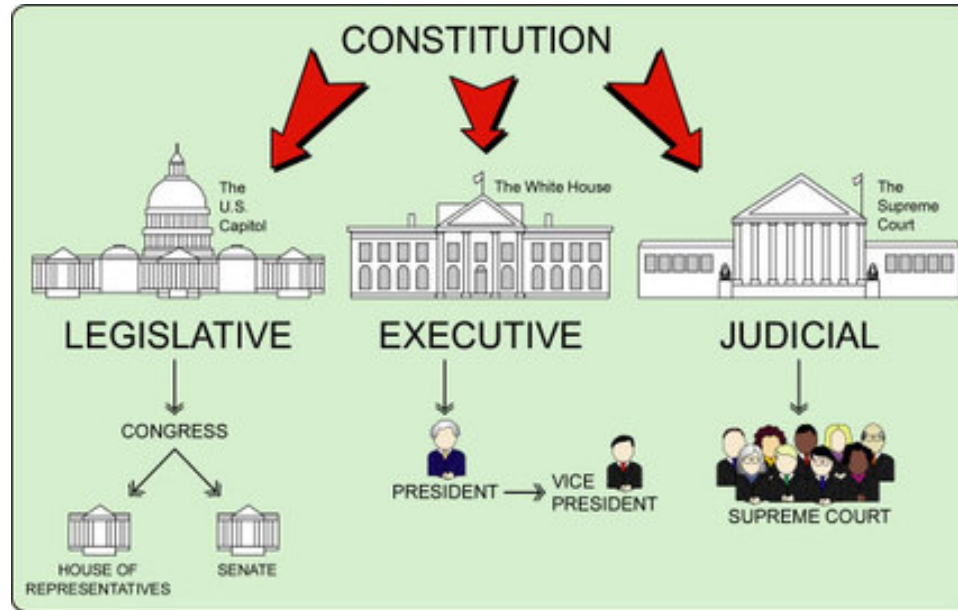


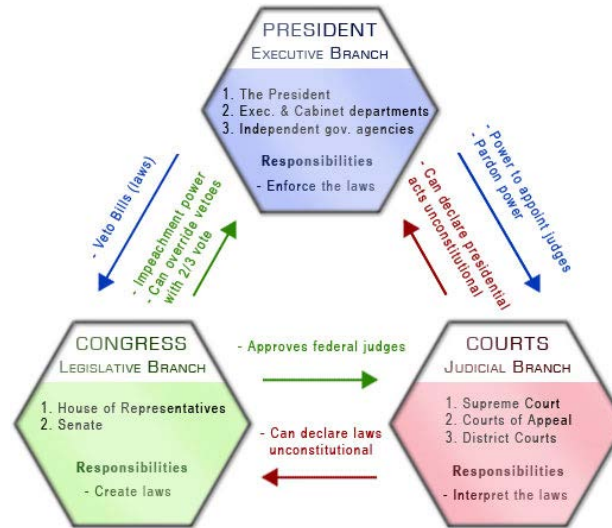
**PACE Exam Study Chart**  
**OVERVIEW OF US LEGAL SYSTEM**

**US GOVERNMENT STRUCTURE**

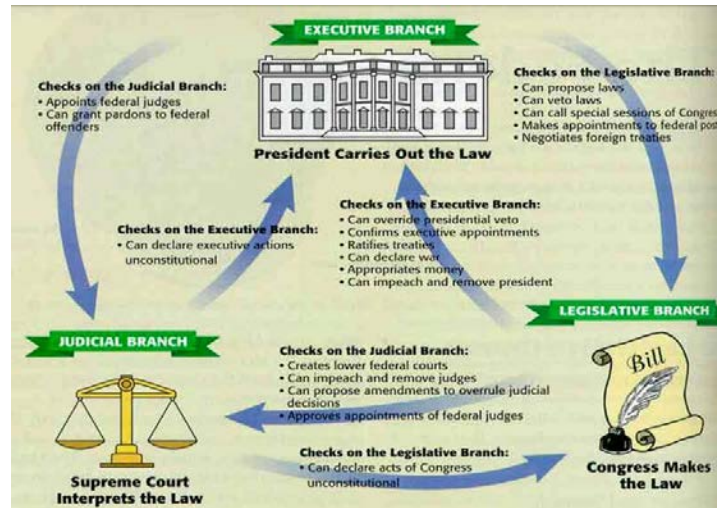


# PACE Exam Study Chart OVERVIEW OF US LEGAL SYSTEM

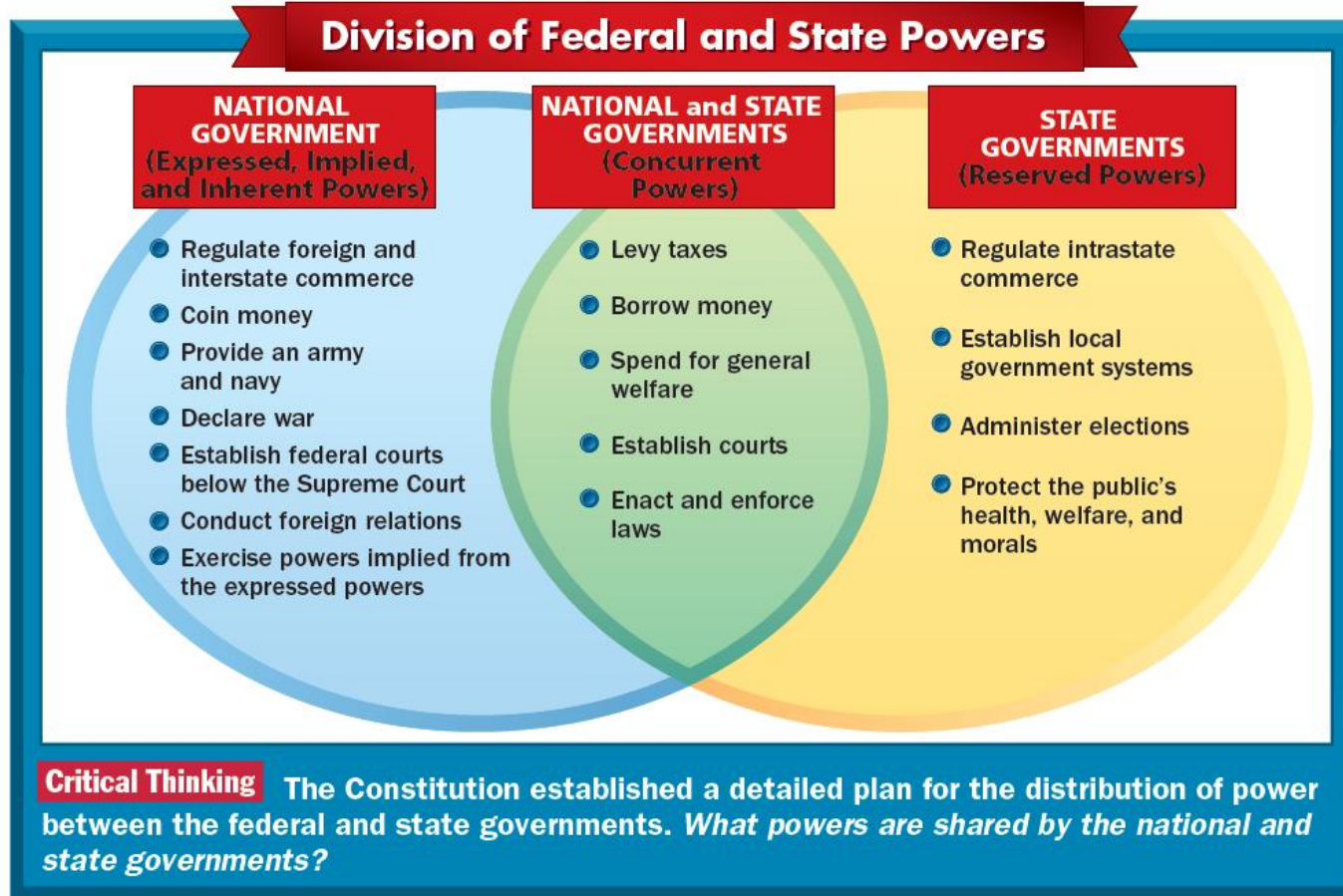
## BALANCES OF POWERS



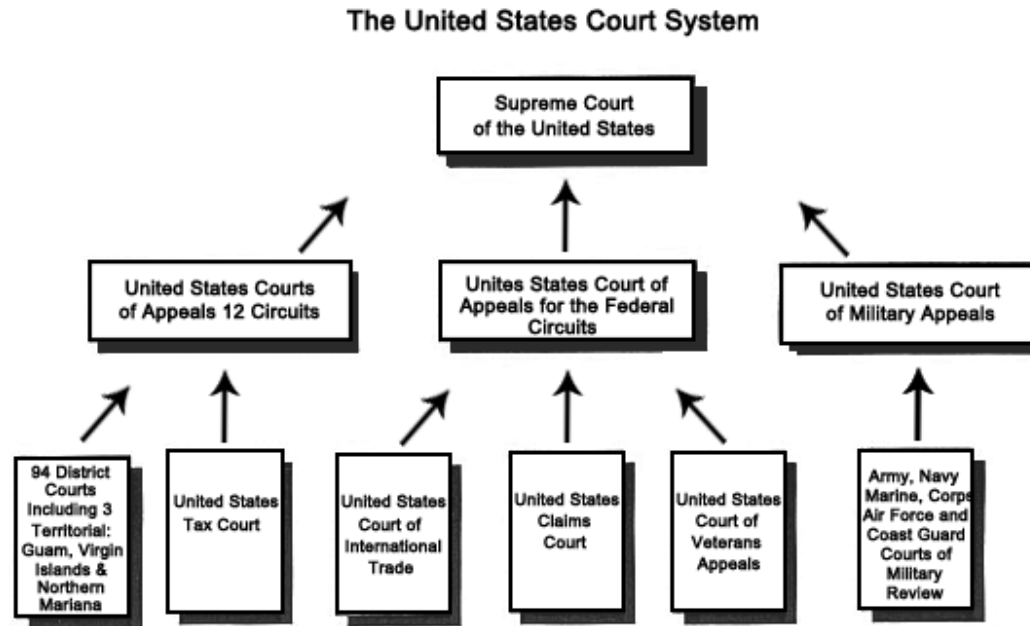
## BY SYSTEM OF CHECKS AND BALANCES



PACE Exam Study Chart  
OVERVIEW OF US LEGAL SYSTEM



**PACE Exam Study Chart**  
**OVERVIEW OF US LEGAL SYSTEM**



***U.S. Supreme Court:*** The U.S. Supreme Court is the **foremost judicial authority in this country**. Three different publishers compile U.S. Supreme Court decisions. All three series are organized in *chronological order*, but they use different indexes and digests to help you find cases. The United States government publishes the official version, the **U.S. Reports**. West Publishing Co. publishes **Supreme Court Reports** (also on Westlaw). Lawyer's Co-op publishes the **Lawyers' Edition** (also on Lexis).

***Federal courts:*** The central features of the federal court system below the Supreme Court are the federal district courts and circuit courts of appeals. Trials occur in the district courts. Cases may be appealed from the district courts to the circuit courts of appeals. Both kinds of federal courts have regional jurisdictions. Decisions from federal circuit courts of appeals are generally published in **West's Federal Reporter**. *Decisions of federal district courts are not required to be published*, but many are published in **West's Federal Supplement (F. Supp.)** or **West's Federal Rules Decisions (F.R.D.)** (for procedure cases).

PACE Exam Study Chart  
FEDERAL LEGAL AUTHORITIES

**WHERE DOES “THE LAW” COME FROM?**

1. **Constitutions** represent the basic principles and rights of the citizens.
2. **Statutes** are created by the Federal (and State legislatures) which are then codified.
3. **Administrative Regulations** are rules made by *administrative agencies* charged by Congress (or, at the state level by the State legislature) with the responsibility to regulate certain technical industries or government-administered programs. *Regulations* look like statutes, act like statutes, and generally have the same force of law as statutes, but they’re created according to a different type of authority and are published separately.
4. **Case law (common law)** is the root of our legal system and is what separates ours from the legal systems in most of the rest of the world. It is *the law produced by our appellate courts*, in the form of opinions that announce the judgment of the court resolving a particular issue of the application of law. Appellate opinions clarify statutes, interpret prior decisions, and otherwise redefine existing law.

**SOURCES OF FEDERAL LAW AND HOW TO FIND IT – *Good Law v. Better law***

There are two sources of The Law:

**Primary Authority** – The Law (Constitution, Statutes, Administrative regs/decisions, Case Law etc.)

**Secondary Authority.** The non-law (resources about the law: ALR, encyclopedias, restatements, uniform laws/codes, treaties etc.)

The tables on the following pages outline details for authorities, where they are located, how to cite them and how they are organized.

**Primary Authority** falls into two categories:

1. **Mandatory Authority** – laws that you **must** follow. (All Primary Federal Authority falls into this category).
2. **Persuasive Authority** – laws you **may** follow, such as laws, regulations or court decisions from another state.

**PACE Exam Study Chart**  
**FEDERAL LEGAL AUTHORITIES**

PRIMARY FEDERAL AUTHORITIES – Publications that <b><u>contain the Law.</u></b>				
Order	Federal Authority	Brief Description	OFFICIAL Publication Name/Abbreviation Citations/Brief Description	UNOFFICIAL Publication Name/ Citations/Brief Description
1.	<p><b>U.S. Constitution</b> U.S. Const. Art III § 2</p> <p><i>[NOTE: cited w/o date, <u>unless</u> repealed or amended]</i></p>	<p><b>Constitutional Authority</b> Highest Law of the US – <i>the Final word, the text itself.</i></p>	<p><b>United States Code</b> 14 U.S.C. § 28 (1956) <i>[Organized by <u>Subject</u>]</i></p> <p><u>[codified form]</u> is the collection and restating of laws typically by <u>subject</u>].</p>	<p><b>U.S. Code Annotated</b> 28 U.S.C.A. § 12332 (West 1990) <b>U.S. Code Service</b> 28 U.S.C.S. § 12332 (Lexis)</p> <p><i>[Both are <u>Organized by Subject</u> (like the U.S.C.), but are Annotated, which mean they <u>provide addt'l info</u> such as court opinions that refer to the U.S. Code].</i></p>
2.	<p><b>Federal Statutes</b> - collectively referred to as a <u>code</u>.</p>	<p><b>Legislative/Statutory Authority</b> Laws passed by Congress (Federal Legislature) - <i>Generally binding, <u>unless in conflict with the U.S. Constitution (or State Constitution).</u></i></p> <p>After a statute's enactment, a version called the <b>slip law</b> is published. These are issued individually, as sheets or pamphlets, and are not widely distributed.</p>	<p><b>United States Code</b> 14 U.S.C. § 28 (1956) <i>[Organized by <u>Subject</u>. Statutes are arranged in numbered/named Titles and within each title the topic is further subdivided into chapters, subchapters and sections]</i></p> <p><b>Statutes at Large</b> 28 Stat. 876 (1990) <i>[Non-Codified form -<u>Organized Chronologically based upon the date enacted, known as <b>Session Laws</b>. Further, session laws are static (not updated as new laws amend or repeal the existing law).</u></i></p> <p><b>Both</b> of these publications state the <u>text of the Statute</u> and little more</p>	<p><b>U.S. Code Annotated</b> 28 U.S.C.A. § 12332 (West 1990) <b>U.S. Code Service</b> 28 U.S.C.S. § 12332 (Lexis)</p> <p><i>[Organized by <u>Subject</u> with annotations].</i></p>

**PACE Exam Study Chart**  
**FEDERAL LEGAL AUTHORITIES**

PRIMARY FEDERAL AUTHORITIES – Publications that <b><u>contain the Law.</u></b>				
Order	Federal Authority	Brief Description	OFFICIAL Publication Name/Abbreviation Citations/Brief Description	UNOFFICIAL Publication Name/ Citations/Brief Description
3.	<p><b>Administrative Authority</b> Executive Orders and Federal Agency Regulations &amp; Decisions.</p> <p>(Congress cannot write legislation detailed enough to cover every situation that might arise under a given statute, so it leaves much of the work of fleshing out a state’s meaning to administrative agencies).</p>	<p><b>Administrative Agency Regulations</b> Regulations written by Administrative Federal agencies, i.e. Federal Trade Commission (F.T.C.), National Transportation Safety Board (N.T.S.B) etc. <u>issue</u> regulations that guide in the implementation of Acts of Congress.</p> <p><b>Administrative Agency Decisions</b> Hearings conducted that result in written Opinions.</p> <p>[Some agencies have a quasi-judicial function, whereby they hold hearings and issue administrative decisions. The <b>precedential value</b> of these decisions varies among agencies].</p> <p><b>Executive Orders of the President</b> Direct orders to governmental agencies issued by the President.</p>	<p style="text-align: center;"><b>Federal Register</b> 55 Fed. Reg 55,555 (1985) <i>[Organized Chronologically based upon the date enacted and published each business day].</i></p> <p style="text-align: center;"><b>Code of Federal Regulations(C.F.R.)</b> 22 C.F.R. § 22.12 (1985) <i>[Codified by <u>Subject matter</u>].</i></p> <p>[The easiest way to find the regulations associated with a particular statute is to look in the CFR Index, which has a table at the back called “<a href="#">Parallel Table of Authorities and Rules</a>”].</p> <p style="text-align: center;"><b>Agency Decisions</b> Acme Airline Co., 555 N.L.R.B. 666 (1999)</p> <p style="text-align: center;"><b>Executive Orders</b> Exec. Order No. 55,555, 5 C.F.R. 333 (1985), reprinted in 5 U.S.C. § 300 APP. AT 332-341 (1988))</p>	
4.	<b>Treaties</b>	Hybrid form of primary legal authority. Combination of executive action, the decisions of a foreign government and ratification by the U.S. Congress		

**PACE Exam Study Chart**  
**FEDERAL LEGAL AUTHORITIES**

PRIMARY <u>FEDERAL</u> AUTHORITIES – Publications that <u>contain the Law</u> .				
Order	Federal Authority	Brief Description	OFFICIAL Publication Name/Abbreviation Citations/Brief Description	UNOFFICIAL Publication Name/ Citations/Brief Description
5.	<b>Procedural Authority</b>	<b>Federal Rules of Procedure</b> <u>Govern how cases are handled.</u> Define the requirements for bringing civil and criminal cases to trial and appealing cases to the next level, as well as, evidence and trial procedures.	<b>Federal Rules of Civil Procedure</b> Fed. R. Civ. P. 4  <b>Federal Rules of Criminal Procedure</b> Fed. R. Crim. P. 35  <b>Federal Rules of Appellate Procedure</b> Fed. R. App. P. 4  <b>Federal Rules of Evidence</b> Fed. R. Evid. 403	
6.	<b>Judicial Authority</b> The prior decisions of the U.S. Supreme Court known as <b>Case Law</b> . <i>It's the Final word on Constitutionality of a particular issue.</i> The <b>U.S. Supreme Court</b> is the foremost judicial authority in this country.  Case Law becomes <b>precedent</b> when relied upon by subsequent courts.  The process of looking at precedent and following it in similar cases is known as <b>stare decisis</b> ; its intention is to guarantee consistency, fairness and predictability.	<b>Federal Case Law</b> Legal authority created by <u>written court decisions</u> , which interpret the law. Certain opinions on <u>unique issues</u> are published in volumes and used to determine how the law has been interpreted.  These decisions may <u>analyze</u> and <u>explain primary authority</u> applied (Const/law/regs) or may <u>examine previous court decisions</u> and <u>amend</u> them.  The body of case law throughout US History is known as <b>American Common Law</b> .	<u><a href="#">U.S. Supreme Court</a></u> <b>U.S. Reports</b> <i>Green v. Green</i> , 719 U.S. 336 (1985) [ <i>Organized Chronologically w/index</i> ].  <b>U.S. Court of Appeals Bankruptcy Courts</b> [Published Chronologically in separate books called <b>Reporters</b> , for each court  <u>Elements of Publication</u> 1. The Name of the Case 2. Date of Decision 3. Docket Number 4. Case Summary 5. Headnotes 6. Name of Attorneys for the Parties 7. Names of the judges returning the opinion 8. The opinion	<u><a href="#">U.S. Supreme Court</a></u> <b>Supreme Court Reports</b> (West) <i>Green v. Green</i> , 49 S. Ct. 38  <b>US Supreme Court Reports, Lawyer's Ed</b> (Lexis) <i>Green v. Green</i> , 93 L. Ed. 2d 136 (1985)  <u><a href="#">U.S. Fed. Cir. Court of Appeals</a></u> <b>Federal Reporter</b> (West) <i>Green v. Green</i> , 719 F.2d 336 (10 <sup>th</sup> Cir. 1985) [F., F.2d, F.3d]  <u><a href="#">U.S. Fed. District Court</a></u> <b>Federal Supplement</b> (West) <i>Green v. Green</i> , 900 F. Supp. 2d 446 (E.D.N.Y. 2000) [All <i>Chronologically w/index</i> ].



PACE Exam Study Chart  
FEDERAL LEGAL AUTHORITIES

**FINDING THE LAW : CONSTITUTIONS AND STATUTES**

**The U.S. Constitution** is printed at the beginning of the **United States Code (USC, USCA, USCS)**. The official publication of the U.S. Constitutions is the **United States Code**, there are two unofficial publications that are annotated versions of the Code: **West's United States Code Annotated (U.S.C.A.)** and **LexisNexis's United States Code Service (U.S.C.S.)**. You only really use the U.S.C. for citation purposes, and that most of your statutory research will be conducted in either the U.S.C.A. or the U.S.C.S. *The Annotated versions of the Constitution on in the USCA and USCS are helpful to find other relevant information regarding the text.* The United States Government also publishes "[Analysis and Interpretation of the Constitution: Annotations of Cases Decided by the Supreme Court of the United States,](#)" which *contains one of the most extensive and authoritative commentaries on the Constitution.*

**Federal Statutes:** Immediately after a statute's enactment, a version called the **slip law** is published. *These are issued individually, as sheets or pamphlets, and are not widely distributed.* Next are the **session laws**, which are published *chronologically* in the **Statutes at Large**. These **session laws** are *valuable because they represent the exact text passed by Congress.* However, *they are not generally well-indexed and researching the statutes by topic is extremely difficult as each public law is static* (not updated as new laws amend or repeal the existing law). As a result, *laws are also divided up and organized or codified by subject matter* in the **United States Code (U.S.C.)**, to make them easier to use. **Statutes** are *arranged in numbered/named Titles* and within each title the topic is further subdivided into chapters, subchapters and sections. They are generally just as much "the law" as the public laws in the **Statutes at Large** and oftentimes the language is taken word-for-word from the law passed.

**Common Abbreviations:**

U.S.C.,U.S.C.A./S.     United States Code (Official); United States Code Annotated (West); United States Code Service (Lexis)

U.S., S.Ct., L.Ed.     United States Reports (Official); Supreme Court Reporter (West); US Supreme Court Reports, Lawyer's Ed. (Lexis)

**PACE Exam Study Chart**  
**FEDERAL LEGAL AUTHORITIES**

**FINDING THE LAW: ADMINISTRATIVE LAW**

Congress cannot possibly write legislation detailed enough to cover every situation that might arise under a given statute, *so it leaves much of the work of fleshing out a state's meaning to **administrative agencies***. Different parts of the **executive branch**, from the Air Force to the Food and Drug Administration to the Department of Justice, *issue **regulations** that guide the implementation of **Acts of Congress***.

Like statutes, **regulations** are published in two places. First, they are *published chronologically* in the **Federal Register** *which is issued every business day*. Second, **regulations** are assembled in the **Code of Federal Regulations (CFR)**, the CFR is *organized according to subject matter*. The easiest way to find the **regulations** associated with a particular statute is to look in the **CFR Index**, which has a table at the back called "**Parallel Table of Authorities and Rules**." *It allows you to find regulations enacted under any provision of the U.S. Code*. The Index is at the end of the CFR Section, Lexis and Westlaw also put out a Table guide which is shelved with their U.S.C.A./S. indexes. Sometimes Lexis and Westlaw will even link you to applicable CFR citations straight from the statutory text, similar to how they link you to relevant law review articles and cases.

Some agencies also have a **quasi-judicial function**, *whereby they hold hearings and issue **administrative decisions***. The *precedential value* of these decisions varies among agencies, as does the format for publication. Commercial **looseleaf services** and their online counterparts, as well as **topical reporters** are major sources of administrative decisions. However, one of the *easiest ways to learn of an **administrative decision*** is through the annotations in either the USCS or the USCA.

**Common Abbreviations:**

U.S.C., U.S.C.A./S.	United States Code (Official); United States Code Annotated (West); United States Code Service (Lexis)
U.S., S.Ct., L.Ed.	United States Reports (Official); Supreme Court Reporter (West); US Supreme Court Reports, Lawyer's Ed. (Lexis)
F. F.2d F.3d	Federal Reporter (West) – Federal Court of Appeals decisions
F. Supp.	Federal Supplement (West) – Federal District Court decisions
F.R.D.	Federal Rules Decisions (West) – Federal decisions involving any federal rules

**PACE Exam Study Chart**  
**FEDERAL LEGAL AUTHORITIES**

**Key Feature of online databases (Lexis/Westlaw) is you can search using Key terms and connectors.**

Feature	Lexis	Westlaw
Materials	Vast collections of legislation and cases, federal and state. hundreds of journals Hundreds of books	Vast collections of legislation and cases, federal and state. hundreds of journals Hundreds of books Over 400 Topics
Searching	<p><b>and</b> to combine: <i>arbitration and evidence</i>  <b>or</b> for alternatives: <i>medical or clinical</i>  <b>and not</b> to exclude: <i>taxation and not income</i>  <b>w/5</b> = within 5 words of  <b>w/s</b> = within the same sentence as  <b>w/p</b> = within the same paragraph as  <b>bank!</b> finds bank, banks, banking...            Usually defaults to phrase search:  <b>medical negligence</b> finds that phrase only. <i>One major exception</i> is the basic search facility at the top of the home page, which needs phrases to be in entered in double quotation marks.</p>	<p>Topic and Key numbers or Boolean Searches</p> <p><b>and</b> to combine: <i>arbitration and evidence</i>  <b>or</b> for alternatives: <i>medical or clinical</i>  <b>not</b> to exclude: <i>taxation not income</i>  <b>/5</b> = within 5 words of  <b>/s</b> = within the same sentence as  <b>/p</b> = within the same paragraph as  <b>bank!</b> finds bank, banks, banking...            Use double quotation marks for phrases: <b>"medical</b></p>

**PACE Exam Study Chart**  
**FEDERAL LEGAL AUTHORITIES**

**TERMINOLOGY FOR LEGAL RESEARCH**

- The *Bluebook*** contains specific rules for citing primary and secondary authorities as well as tables for citing federal and state cases and statutes.
- Cite checking** is the process of verifying that citations are correctly formatted and are accurate. Consult the *Bluebook* to verify that your citations are accurate.
- Shepardizing** Verification that the law upon which you are relying is still good. Consult Shepard's citations which offers a history of cases and statutes using abbreviations referenced in your PACE Study Manual Appendix (Form 2). Key abbreviations to look for are "o" overruled, "r" reversed, "A" amended, "j" dissenting opinions. Shepard's Citations are available in print and online through Lexis.
- Legal Analysis** is the process of using certain factors to examine and apply case law to your issue (application of legal authority as it applies to the facts).
- IRAC** [Issue – Rule – Analysis – Conclusion] – Define the Issue, Identify the rule of law that controls the issue, analyzing the legal authority to the facts and reach a Conclusion.
- Pocket Parts** book updates with the most current information. Digests, encyclopedias and annotated statutes use Pocket parts.
- Advance Sheets** supplements for sets of books prior to the publication of the next bound version. Casebooks, Statutes and Slip Laws.

**TERMS YOU NEED TO KNOW TO INTERPRET MEANINGS WITHIN YOUR RESEARCH**

- Ex rel*** "On the relation of" based upon a statement or account of another person. refers to an action by an attorney general or other government official, typically on behalf of an interest non-party (California ex rel Justice v. Fong).
- In re*** involves only one matter or party; not an adversarial case (*In re Will of Jones*).
- Ex parte*** Latin: "from the part". On or from one party only, usually without notice to or argument from the adverse party. Refers to a case heard on behalf of a party named after (*Ex parte Smith*).
- Id.*** Means "in the same place"; sends the reader to the immediately preceding citation.
- Supra*** [Superscript] means "above"; sends reader to a previously cited (in full) source.
- Infra*** [Subscript] means "below"; sends the reader to a section that will appear later in the document.

NOTE: These above procedural phrase should always be in *italics*.

**PACE Exam Study Chart**  
**FEDERAL LEGAL AUTHORITIES**

**HOW TO FIND CASE LAW**

***The “perfect case” is one that:***

1. Concerns the same legal issues
2. Involving similarly-situated parties
3. Decided in a court of the same or higher stature
4. In the same jurisdiction

***U.S. Supreme Court:*** The U.S. Supreme Court is the foremost judicial authority in this country. Three different publishers compile U.S. Supreme Court decisions. All three series are organized in chronological order, but they use different indexes and digests to help you find cases. The United States government publishes the official version, the [U.S. Reports](#). West Publishing Co. publishes [Supreme Court Reports](#) (also on Westlaw). Lawyer’s Co-op publishes the [Lawyers’ Edition](#) (also on Lexis).

***Federal courts:*** The central features of the federal court system below the Supreme Court are the federal district courts and circuit courts of appeals. Trials occur in the district courts. Cases may be appealed from the district courts to the circuit courts of appeals. Both kinds of federal courts have regional jurisdictions, e.g., the United States Court of Appeals for the Second Circuit, which receives appeals from the district courts of New York, Connecticut, and Vermont. Decisions from federal circuit courts of appeals are generally published in [West’s Federal Reporter](#). Decisions of federal district courts are not required to be published, but many are published in [West’s Federal Supplement](#) (F. Supp.) or [West’s Federal Rules Decisions](#) (F.R.D.) (for procedure cases).

***Westlaw:*** West publishing has a particular system of organization for its case law which links multiple sources together. Their “topics and key number system” organizes the whole of American law into 400 topics, broken into subtopics and further into numbered divisions and thousands of subdivisions. Armed with the correct Key Number, one can easily locate related law in all West publications, including all Codes, all case reporters and other legal publications. Once you find one or two good cases, look up the case in either a print West Reporter or on Westlaw. The key numbers for each of the points of law decided in the case will be reprinted at the beginning of the case.

**PACE Exam Study Chart**  
**FEDERAL LEGAL AUTHORITIES**

<b>SECONDARY FEDERAL AUTHORITIES – <u>Non-Law</u> Publications that <i>contain STATEMENTS about the Law.</i></b>				
Order	Authority	Brief Description	Publication Name/Abbreviation	Organization/content
1.	<p><b>Uniform Laws and model codes –</b> proposals for legislation or codes to all states for the purpose or uniformity amongst states.</p> <p>A non-governmental body, the National Conference of Commissioners on Uniform State Laws (NCUSL) was formed in 1892 upon the recommendation of the American Bar Association for the purpose of promoting "uniformity in state laws on all subjects where uniformity is deemed desirable and practicable." Made up of lawyers chosen by the states, the Conference oversees the preparation of proposed laws, "Uniform Laws" which the states are encouraged to adopt. (More than 200 Uniform Laws have been created and 100 of which have been adopted by at least one state).</p>	<p><b>Uniform Laws –</b> Proposals to states to adopt and create uniformity on all subjects where uniformity is deemed desirable and practicable, states are encouraged to adopt them, but not required.</p> <p><b>Model Acts -</b> are proposed laws on topics where reform not uniformity is the objective. Those creating model acts contemplate that state legislatures may make alterations or even take bits and pieces. The <a href="#">American Law Institute</a> created the Model Penal Code which is the best known and most influential Model Act</p>	<p>Uniform Commercial Code U.C.C. § 3-345 (1999)</p>	<p>By Subject</p>
2.	<p><b>Attorney General Opinions –</b> written opinions on legal topics usually in response to proposed legislative, executive or governmental issues.</p>	<p>A statement of the <b>Attorney General's</b> official views on a legal question relating to a public officer's duties. An <b>Attorney General Opinion</b>, also called a "formal <b>opinion</b>", thus represents the <b>Attorney General's</b> official position on a point of law.</p>	<p>12 Op. Att’y Gen. 136 (1980) <i>[the name of the opinion may also be included]</i></p> <p><i>(Each state has their own index).</i></p>	<p>By date of opinion</p>

**PACE Exam Study Chart**  
**FEDERAL LEGAL AUTHORITIES**

SECONDARY FEDERAL AUTHORITIES – <b>Non-Law</b> Publications that <i>contain STATEMENTS about the Law.</i>				
Order	Authority	Brief Description	Publication Name/Abbreviation	Organization/content
3.	<b>Restatements</b> – Published by the <b>The American Law Institute</b> (est. 1923) – consisting of judges, lawyers and legal scholars	Restates American case law in an unambiguous manner. Each statement consists of several volumes that contain the law, followed by analysis and examples that apply the law.	Restatement (Second) of Torts § 13 (1978)	By Topic or Descriptive Words within the Index, Table of Contents or Appendix.
4.	<b>Legal Dictionaries and Thersauri</b>	Resource for legal definitions of terminology and limited research information.	<i>Black’s Law Dictionary</i> 930 (8 <sup>th</sup> ed. 1995)  <i>Words and Phrases</i> (West) [Definitions of Words & Phrases that have been defined in Judicial Opinions].	
5.	<b>Legal Encyclopedias</b>  400 topics of law arranged in Alphabetically order, voluminous Index, Pocket Parts, and Outlines of each topic to assist in Legal Research.	Provide extensive information on particular topics.  Contains overview of textual discussions of each legal topic and footnotes to legal authority for each jurisdiction.	<b>Corpus Juris Secundum</b> (West) 35B C.J.S. <i>Federal Civil Procedures</i> § 752 (1960)  [C.J.S. is heavy on case law annotations, (Refers to all cases that support a topic) and shorter on explanatory text].	Descriptive Word Index or by Topic
			(Lawyer’s Co-op, T.R.) <b>American Jurisprudence 2<sup>nd</sup></b> 18 Am.Jur.2d <i>Contracts</i> §74 (1971)  [Am.Jr. Cites <u>only</u> Leading Cases and better incorporates relevant statutes and administrative regulations].	Descriptive Word Index or by Topic
6.	<b>Periodicals</b> - (Law Review Articles, Law Journals, Bar & Paralegal Assoc. Articles)	Provide insight to various legal issues.	<b>Periodical</b> <i>Dye, Commercial Landlord Liability</i> , 27 UMKC L. Rev. 1139 (1995)  <b>Law Review</b> Kutner, Judicial Indentification of “Penal Laws” in the Conflict of Laws, 31 Okla. L. Rev. 590	By Date  To Find Periodicals, use <i>Index of Legal Periodicals</i> , search in subject-author index, Table of Cases, Table of Statues and book reviews.

**PACE Exam Study Chart**  
**FEDERAL LEGAL AUTHORITIES**

SECONDARY FEDERAL AUTHORITIES – <b>Non-Law</b> Publications that <i>contain STATEMENTS about the Law.</i>				
Order	Authority	Brief Description	Publication Name/Abbreviation	Organization/content
	<b>American Law Reports</b> - commissioned by ALR publishers to address an actual case that has raised a “hot topic” or otherwise interesting legal issue at the state or the federal level.	A.L.R. publishes cases, and comprehensively examine the issues raised, thorough discussion of issues with citations to relevant case authority  The articles themselves, called <b>annotations</b> , are very structured.	They outline specifics of a legal issue, and cover all jurisdictions in legislation and common law. The also cite to related annotations, law.	They are published as <u>individual articles</u> , chronologically, by West and are not arranged by topic.
7.	<b>Treatises</b> - Scholarly works that focus on a single topic of law.	Each present the law, analyzes and may criticize judicial opinions on a particular topic.	William L. Burdick, <i>Handbook of the Law of Real Property</i> § 6 (West 1914)	search by topic or descriptive word Or use the <i>Table of Cases</i> or the <i>Table of Statutes</i>
8.	<b>Digests</b> - helps you to find cases on a specific legal issue or topic.	A Digest provide short summaries of all of the legal issues in all cases within a jurisdiction and organized by topic.	West digests use <b>headnotes</b> and <b>key numbers</b> to organize and summarize all cases by subject.	Organized by topic  (West Pub. Is organized by topic and key numbers)*
9.	<b>Directories</b> –	<b>ABA &amp; Paralegal Associates</b> – are good resources of information pertaining to model rules and articles about the law.	<b>Martindale-Hubbell</b> – listing & bios of firms/attorneys by state; complete text of Uniform Laws, outlines some state laws & legal forms, law of 60+ nations	

**\*WEST HEADNOTE AND KEYNUMBER** - Each topic and key number combination represents a unique point of law.

**Headnote** Before a case is published in a reporter, an editor at West reads the case and selects the important issues of law. For each major issue, the editor then writes a short description called a **headnote**. When writing the headnotes, the West editor gives each one a *headline* (broad topic) selected from a list of about 450 possibilities.

**Key Number** The editor then will assign the headnote a specific subtopic, such as *Injury to Tenant or Occupant*. In West digests, this subtopic is represented by a number called a **key number**. Key numbers are the same in all West digests for all jurisdictions; therefore, you would use the same topic and key number, *Constitutional Law* 4809, to find cases in a specific jurisdiction, e.g. Massachusetts, addressing the same topic as the Supreme Court case above.



**PACE Exam Study Chart**  
**FEDERAL LEGAL AUTHORITIES**

**FINDING THE LAW: SECONDARY SOURCES**

**Law Review Articles:** Before running a full text search to find a pertinent law review article, try using an online index. Aside from finding more “on-point” information, they are superior in terms of coverage when compared to all of the full-text periodical databases (including Lexis and Westlaw). One of the librarian’s favorite online indices is “[The Index of Legal Periodicals \(link is external\)](#),” whose retrospective content reaches as far back as 1918. [HeinOnline \(link is external\)](#) also contains the PDFs of many law review publications and bar journals dating back to their creation. Lexis and Westlaw generally provide content to law reviews published after 1980.

**Legal Encyclopedias** can be helpful for gaining an understanding of a particular area of the law, but they are broad in scope and do not draw together the law on a particular jurisdiction. [Corpus Juris Secundum](#) is heavy on case law annotations and shorter on explanatory text, while [American Jurisprudence](#) is more selective with case annotations, and better incorporates relevant statutes and administrative regulations. Both publications are distributed by West Publishing and are available electronically.

**American Law Reports** are commissioned by [ALR](#) publishers to address an actual case that has raised a “hot topic” or otherwise interesting legal issue at the state or the federal level. The articles themselves, called annotations, are very structured, containing a detailed internal table of contents, as well as an index of terms and jurisdictions. They are organized around an outline specific to that legal issue, and cover all jurisdictions in legislation and common law. They also cite to related annotations, law review articles and other secondary resources as appropriate. They are published as individual articles, chronologically, by West and are not arranged by topic.

**Common Abbreviations:**

<a href="#">AmJur</a> , <a href="#">CJS</a> , <a href="#">ALR</a>	American Jurisprudence (West); Corpus Juris Secundum (West); American Law Reports
<a href="#">F.R.</a> , <a href="#">C.F.R.</a>	Federal Register; Code of Federal Regulations