INTRODUCTION TO SECONDARY SOURCES

This guide describes how to research a topic using secondary sources. Secondary sources generally provide either an analysis of primary sources of law, such as an analysis of case law or statutory law, or a secondary source can be a type of directory that helps locate the primary sources. Secondary sources include legal encyclopedias, law journal articles, treatises (textbooks), and legal digests that summarize cases or statutes. Secondary sources are an excellent place to start research if you have little knowledge of the topic or if you have never done legal research.

I. Legal Encyclopedias:

Ohio Jurisprudence 3d summarizes Ohio law on many legal topics. Located in the 2nd Floor Reserve Room. Another copy is in the 2nd Floor State Materials, KFO 65 .035.


State Encyclopedias, many states have an encyclopedia that summarizes legal topics for that state. These are located with each state’s resources in the 2nd Floor State Materials.


II. Law Journal/Law Review Articles: Shelved alphabetically in 3rd Floor Stacks and 2nd Floor Reserve Room (current issues).

Law journals and law reviews are scholarly publications that contain articles that summarize or discuss the law on different legal topics. An article may also contain citations to statutes (laws) or cases. To locate law journal and law review articles, you may use LegalTrac, a database available on any Moritz Law Library computer terminal. You may search for particular legal topics or by the author or title of the article. LegalTrac does not provide the full text of the article; it only provides the author, title, and law journal or review for individual articles. However, you may then find the article in the particular law journal or review.

To access LegalTrac on any Moritz Law Library computer terminal:

1. Click on the LegalTrac icon (if you are using a public terminal), or from the Moritz Law Library research page on the library’s web site click on LegalTrac.

2. After accessing LegalTrac, you have a few search options:
a. Search terms: You may enter some words or search terms that are likely to appear in the title or the subject heading of an article that deals with your topic. For example, if you are interested in freedom of speech and advertising, you could type the following: **freedom speech advertising**.

b. Search author’s name: You may enter the author’s name as a search term. This will access all articles written by that author that are available on LegalTrac.

c. Search journal name or article date: You may limit your search to a particular date or a specific journal.

3. After locating an article, there are extended citation and retrieval choices. You may print or e-mail the article information.

4. For each article, you may also write down the journal name, volume number, and page number and locate the article in the law library. Recent law journals and reviews (unbound) are located in alphabetical order in the 2nd Floor Reserve Room. Older law journals and reviews (bound) are located in call number order in the 3rd Floor stacks. You may access the call number for the journal or review on OSCAR, the on-line library catalog, by following the procedure for locating treatise call numbers below.

III. **Treatises (Legal Textbooks): 3rd Floor Stacks**

Legal “textbooks” are called treatises. A treatise is a book or set of books that describes the law in a particular subject area. A treatise will usually discuss important statutes and cases. To locate a treatise (or law journal article, as discussed above), use OSCAR, the on-line library catalog for Ohio State University.

**To access OSCAR:**

1. At a Moritz Law Library public computer terminal, click on the web OSCAR icon. (From the Moritz Law Library research page, or from the Ohio State University library page, click on OSCAR, then web OSCAR.)

2. Once you have accessed OSCAR, you have several search options:

   a. Search by subject or by words. Enter the subject, or enter words that are likely to appear in the title or chapter headings of the treatise. (See the explanation and example in 2.a. under Law Journals and Reviews above.)

   b. Search by title, author, or title and author (when you know both).

   c. Search by call number (Library of Congress, OCLC, etc.) when you know it.

3. If your search retrieves too many results, you may limit your search to Resources located in the Moritz Law Library by clicking on Limit/Source on the top of the OSCAR page (once you access your subject, author, etc.).
4. Once you have located a treatise (or law journal/review), print out the page or write down the call number and location, and retrieve the item.

IV. Case Digests and American Law Reports (A.L.R.): 2nd Floor, National and State Materials

Case Digests are directories that help locate case law on legal topics. There are case digests for federal cases, and several states have case digests. The federal case digests (such as Federal Digest, and U.S. Supreme Court Digest) are located on the 2nd Floor with the national materials. The state digests are located on the 2nd Floor with the state materials. (Each state’s materials are shelved alphabetically by state.) There is also a national digest, the Decennial Digest, that will help locate both federal and state cases on legal topics.

Locating Cases in Digests: You may find cases on a legal subject in a digest by searching by descriptive word or by topic.

1. Descriptive Word Method: Certain words and phrases are listed alphabetically in a Descriptive Word Index (typically the last volume in the digest set). Think of words that describe the legal topic that you are researching. Then, find these words in the index. The index will list a topic and number for the word, You can then go to the appropriate volume where topics are also arranged alphabetically. Under the topic and number, there will be summaries of cases that have discussed that legal topic.

2. Topic Method: When you are certain of your legal topic, you may directly locate the volume in which you topic is contained, and skim the table of contents at the beginning of the topic to find the appropriate topic number. Then, you may find that topic number to locate case summaries.

American Law Reports (A.L.R.) feature a leading case on a legal topic, followed by a comprehensive essay relating to legal issues raised in the case. A.L.R. is helpful when a more detailed analysis of a legal topic is desired. To research in A.L.R. follow the descriptive word method or topic method as explained above for case digests.

V. Other Helpful Resources

Form Books are sets of books that include forms for use in the legal profession. The forms may be general or related to only one area of law. These form books are located in the 2nd Floor Reserve Room, the 2nd Floor Reference Stacks, and the 3rd Floor stacks. Thus, to locate forms on a particular legal topic, you may do a word search on OSCAR as indicated above (adding the word “form” to your search), or you may request help from a reference librarian. All the form books also have an index and table of contents.

Legal Dictionaries provide a definition of legal words and phrases and are arranged alphabetically. These dictionaries are located behind the Reference Desk and in the 2nd Floor Reference Stacks. Black’s Law Dictionary is the most commonly used legal dictionary.

Michelle Deis 4/02