

“Many researchers ... overlook secondary sources.”

This is a regular column of reader-prepared answers offered in response to a specific question posed by Perspectives. Readers are invited not only to submit “answers” but also to submit “questions” they would like to see addressed in future issues.

OUR QUESTION

What do you consider to be the most underutilized secondary source in your law library? Is it a style manual or a book on appellate argument or a legal encyclopedia?

Savvy librarians know that secondary sources can provide an overview and lead researchers to other sources, including primary sources like cases and statutes. Many researchers, however, overlook secondary sources. We asked librarians to nominate the secondary sources they find researchers fail to use.

YOUR ANSWERS

This question was posed to various electronic mailing lists for law librarians in June 2000, and generated a list of resources that are worth highlighting in legal research and writing classes. The following works received the most votes.

Martindale-Hubbell Law Digest can assist in setting up online database searches for other state statutes. They can serve as an expanded index—pointing to the law while summarizing it briefly. **Mark Estes**, librarian for Holme Roberts & Owen in Denver, feels that it is an under-taught tool at law schools because they all have all 50 states’ statutes. However, when lawyers go out into private practice they won’t necessarily have that luxury, and online searching of state statutes is much more difficult than case law research. Determining the organizational structure of a statute online has unique challenges. As **Lynn Merring** of Stradling Yocca Carlson & Rauth in Newport Beach stated, “We can’t carry all 50 state statutes, and finding the correct statute online can be frustrating and expensive. Often the state digest gives us the exact cite we need; it almost always gets us in the right neighborhood. But very few people seem to be aware of it.”

American Law Reports (ALR)[®]: **Margi Heinen**, a librarian for Jaffe Raitt in Detroit, finds that many new associates want to find “all the information in one place, and often an ALR article will provide them not only with links to jurisdic-

tionally specific cases but also to related topics which they have not considered.” A county law librarian says that ALR articles provide a good start for almost any project. “Because there are so many ALR volumes, every topic is at least touched on in some way. While the article may not have a case from the state sought, you simply pull a case on point in a West reporter and get the key number. From there it is easy to track a point of law in any state.” **Sid Kasky** from Morgan, Lewis and Bockius LLP said, “ALR is a tremendous resource because if an issue you are researching can be found ... then your research time can be cut dramatically. For whatever reason, I find many do not use this resource often.” **Marita Paparelli** of the Bar & County Law Library in Scranton commented that “attorneys seem unfamiliar with using it.” She says that “ALR cuts to the chase and does a lot of the research for you.”

The Encyclopedia of Associations was another favorite underused resource. As **John Perkins** from the Oklahoma City University School of Law Library said, “Too many students and attorneys try to do original research when a phone call or e-mail can connect them to an interested party willing to provide the information needed.” Researchers generally overlook the timesaving value of directory information. A librarian with the University of Texas said about the *Encyclopedia*, “By using a little imagination, one can find the obscure research institute or other organization that keeps the odd statistic or handles the strange survey you are hoping to find.”

West Group’s *Words and Phrases*[®] was described as particularly useful for litigators. It is a valuable reference for anyone, especially new attorneys. **Mark Estes** commented that “it reminds [the researcher] that so much turns on the meaning of the word. It also doubles as a thesaurus.” This set has a place even in the online world of total recall; the selective nature of *Words and Phrases* allows researchers to pinpoint cases that define key terms. On the other hand, a law librarian at the University of San Diego described *Words and Phrases* as “a vast monument to the inability of lawyers to express themselves clearly.”

Causes of Action and *American Jurisprudence Proof of Facts* were also nominated. “As a medium sized trial court library, we can’t have specialized treatises on lots of topics that are well covered in

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these sets. It never ceases to amaze me that attorneys often overlook them without the intervention of library staff,” commented **Karlye Pillai**, senior law librarian for the New York State Supreme Court Library in Troy.

Resources for Tax Research: Both the RIA *All States Tax Guide* and the CCH *State Tax Guide* were named as valuable and underused. One librarian from a Milwaukee firm said of the CCH *Standard Federal Tax Reporter*: “Rookies don’t know it exists and they try to do tax research in the USCA® and CFR. They are always amazed at how useful it is once you show it to them.” Research in specialized areas of law, involving administrative regulations and rulings, is much simpler when the researcher discovers the one-stop shopping approach of a looseleaf treatise. Mertens *The Law of Federal Income Taxation* and the *Proceedings of New York University Annual Institute on Federal Taxation* were also identified as overlooked secondary sources.

Other nominations ranged from finding aids to standard reference tools such as the following:

- *West’s National Reporter Blue Book* (most attorneys have never heard of it)
- *Wasserman’s Law and Legal Information Directory*
- State encyclopedias
- Digests—any digest (“students won’t use them, and, therefore, practitioners have no idea of their value”)
- *Shepard’s® Acts and Cases by Popular Name*
- Major Studies and Issue Briefs of the Congressional Research Service (Library of Congress)
- Prefatory material in any publication (Introductions, abstracts, directions, etc.)

The general consensus of the respondents was that secondary sources, while often overlooked, are a key part of the research process. The tools identified by our readers will save researchers time and money.

Please send suggested questions for future issues to the column editors.

Judy Meadows

State Law Librarian of Montana
Justice Building
215 N. Sanders
Helena, MT 59620-3004
Phone: (406) 444-3660
Fax: (406) 444-3603
E-mail: jmeadows@state.mt.us

Kay Todd

Senior Legal Researcher
Paul Hastings Janofsky & Walker LLP
600 Peachtree St., N.E.
Suite 2400
Atlanta, GA 30308
Phone: (404) 815-2141
Fax: (404) 815-2424
E-mail: kmtodd@phjw.com

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