

Research Process & Resources for the Juvenile & Special Education Law Clinic

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I Annotated Statutes

- A. **Text** of the statute
- B. **Legislative history** notes (very basic)
- C. **Secondary resources** listed include:
 - a. **Encyclopedia** citations to specific topics relevant to the statute, e.g., Am. Jur. 2d Schools § 353, Compensatory Education; 99 Am. Jur. Proof of Facts 3d 237, School District's Proof that Services Offered to Student with Disabilities Met Statutory Standards.
 - b. **American Law Reports** essays and collections of cases on your topics
 - c. **Treatises** – with citations to sections relevant to the statute, e.g., West's Federal Administrative Practice § 11668, IDEA – Individualized Education Plan – Administrative Remedies, **and Law Review articles.**
 - d. **Practice Aids** – e.g., Americans with Disability Practice & Compliance Manual, with citations to topics.
 - e. **Form books** – e.g., Federal Procedural Forms, Recovery of Attorney's Fees
 - f. **Case law interpretations of the statute**
- D. **Update case and statute citations with Keycite or Shepard's!** Shepard's is on Lexis; Keycite is on West and on the Westlaw Pubic Access terminal in the Law Library's Circulation Area.

II D.C. Regulations – see the handout.

- A. **Print: *Weil's Code of D.C. Municipal Regulations*** (current, official publication)
- B. **Online: D.C. website, Lexis and Westlaw**
- C. **Case law interpretations** – search for the regulation on case law databases in Lexis & Westlaw.

III Case law –

- A. **Sources for finding cases**
 - a. **Annotated statutes** – notes of decisions following the text of the statute.
 - b. **Treatises**
 - c. **Legal encyclopedias**
 - d. **Case digests** such as the D.C. Digest, the American Digest System (all U.S. cases, state and federal).
 - e. **Databases** – e.g., Special Ed Connection.
- B. **Update all cases with Keycite or Shepard's.**

IV Subject Matter Databases – see the **Special Ed Connection Guide** on the website, www.library.law.udc.edu.

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The Research and Writing Process Generally

- **Facts** – gather as much information as possible.
- **Preliminary analysis** – Identify what you know about the applicable law and keep in mind there is much you do not know and hope to find through your research.
- **Research plan** -- Decide what legal research resources to use:
 - **Secondary Sources:** Find background information and citations to the law, in the area, statutes, leading cases, etc.
 - Treatises
 - Legal encyclopedias
 - Case law digests
 - Special Ed Connection database
 - Colleagues, teachers, social sciences resources, etc.
 - **Primary Authority:** Statutes, cases, regulations
 - **Updating:** Keycite and Shepard's
 - Validates primary authorities
 - Source of additional authorities, if needed.
 - **Additional Authorities:** Both secondary and primary authorities.
 - New areas of research suggested by the research you have done.
 - Additional coverage of areas you have researched.
 - Law from other jurisdictions, for persuasive arguments.
 - Law from other areas, for analogous arguments, etc.
- **Research log** – Create a log for citations plus notes of how useful the source is (or not).
- **Research** – Be thorough, leave no stone unturned.
- **Assess** – Review the research you have done and your research plan; revise and do more research if necessary.
- **Update** – Be sure all the law you have found is still good by updating on Shepard's on Lexis; Keycite on Westlaw.
- **Think** -- Consider whether to make persuasive arguments using law from other jurisdictions, revise your approach, etc.
- **Draft** – Start writing, inserting citations to the law from your research log. (You may begin drafting parts of your paper earlier, of course.)