

Legal Research

Law

Finding the law, and confirming it is still good.

A research sequence.

1

Frame the legal issue

Convert the facts into a precise legal question.

2

Start with a secondary source

A textbook or practitioner work maps the area quickly.

3

Find the primary law

The statute and the leading cases.

4

Check the statute is in force

Amendments and commencement dates matter.

5

Update the case law

Confirm it has not been overruled or distinguished.

6

Record what you searched

So the work can be checked and repeated.

Educational reference. Citing a case that has been overruled is among the most damaging errors in legal work.