

Much of American jurisprudence is controlled by the laws passed by governing bodies: either local, state, or federal. Statutes may control many situations, from animal bites to zoological societies. A good researcher will never presume the absence of a statute that could control a situation.

## **STATUTORY LAW:**

### **Types of Statutes:**

There are typically two versions of a statutory compilation published: unannotated, and annotated. Unannotated statutes will only contain the text of the law. While often being the official version of a state or federal code, these versions are of little use to a researcher who does not already have a citation to a specific statutory provision. An annotated code will not only contain the text of the statutes, but “annotations” to case law and secondary resources that help explain and interpret individual statutory sections. Though finding the text of a controlling statute is important, it is often just as important to find court opinions that define what the statute’s meaning and purpose are. An annotated code accomplishes this.

### **Arrangement of Statutes:**

Statutes, after they are passed into law are arranged by subject matter and placed into a code. Typically statutes are organized by title and section, with all sections of a title dealing with a similar subject. A statutory citation will normally contain: a title number; the name of the code; and a section number. For example, 33 USC § 1268, references section 1268 of title 33 of the United States Code.

For help with legal abbreviations click here:  
[www.legalabbrevs.cardiff.ac.uk/](http://www.legalabbrevs.cardiff.ac.uk/)

### **Statutes Online:**

Take note that most statutes available online are not “official” versions and should be used only for information purposes. Perhaps the biggest drawback to

the “free” statutes available online is their lack of annotations. Unless a researcher has access to a subscription legal database, the only way to research an annotated code is to find a law library and read the print version.

The United States Code can be found here:  
[www.law.cornell.edu/uscode/](http://www.law.cornell.edu/uscode/)

The Delaware Code can be found here:  
<http://delcode.delaware.gov/>

The New Jersey Statutes can be found here:  
<http://njlawnet.com/njstatutes.html>

The Pennsylvania Consolidated Statutes can be found at the Pennsylvania General Assembly website:  
[www.legis.state.pa.us/cfdocs/legis/LI/PUBLIC/cons\\_index.cfm](http://www.legis.state.pa.us/cfdocs/legis/LI/PUBLIC/cons_index.cfm)

This only contains the sections that have been consolidated by the legislature. It does not contain all the statutes currently in effect.

Most other state statutes are also available online to the public; for links to state statutes, click here:  
[www.llsdc.net/sourcebook/](http://www.llsdc.net/sourcebook/)

## **RESEARCHING STATUTES:**

There are a number of different ways that a researcher can locate statutory law that could affect their situation. Four ways of researching statutory law are:

1. Reading a court opinion
2. Read a secondary resource
3. Use the statute’s index
4. Consult a popular names table

While there are other methods of researching statutory law, including using internet search engines, searching government websites, or reading newspapers and periodicals, the above mentioned methods are both traditional and reliable.

## Reading a court opinion:

While it may seem strange to locate statutes in an opinion, sometimes the best place to find a statutory citation is by reading a court opinion that is dealing with the area of law that is being researched. If a statutory provision controls a situation, it will likely be cited somewhere in the opinion. When a researcher locates this citation in a statutory compilation, it is helpful to not only study the specific section found, but to browse the table of contents for the entire statutory title. Looking at the table of contents can often lend valuable context to the statutory section being researched.

## Secondary Resources:

Sometimes, the best place to start legal research is through a secondary resource that “explains” an area of law. A summary or analysis of a narrow area of law will likely include citations to applicable state or federal statutes. Useful resources may include legal encyclopedias such as the national encyclopedias *American Jurisprudence* or *Corpus Juris Secundum*. Some states also have their own state-specific legal encyclopedia, such as the *Pennsylvania Law Encyclopedia*. Practice aid materials are also valuable resources, such as trial or appellate practice handbooks.

The Widener Legal Information Center has drafted a number of study guides; the *Delaware Practice Aids*, *New Jersey Legal Resources*, or *Pennsylvania Practice Aids* study guides may provide helpful titles. Frequently, subject-specific treatises will be helpful too. Consult the library catalog to locate helpful secondary resources. Reading the research guide *Using the Online Catalog* may help you formulate a search for helpful legal resources.

A link to the study guides provided by the Widener Legal Information Center can be found at: [www.law.widener.edu/Law-Library/new/research/index.shtml#guides](http://www.law.widener.edu/Law-Library/new/research/index.shtml#guides)

## Use the Statute Index:

Researchers can always begin their statutory research by going directly to the statute books themselves. If a specific citation is not known, consulting the statutes’ index volumes will more often than not point the way. Functioning like any alphabetic subject index, a researcher can upon identifying likely key words use the index to give them a citation to a specific statutory section that may be applicable. Often entries in the index will be in the form of cross-references to other index entries. The brainstorming of descriptive words is an important first step in this research process. Frequently, it is best to start with general terms; for example, if you were researching the legal issues surrounding tree

branches hanging over a neighbor’s yard, you might start with the entry “tree” in the index and see where that takes you. Often starting with a general term will cross-reference a researcher to an important index term that would not have otherwise been thought of.

## Popular Names Table:

Many times a researcher will know that a legal issue is controlled by a piece of legislation that has a common name, (i.e. Clean Water Act) but won’t know where this law is exactly codified in the statutes. By consulting the alphabetically arranged popular names table, a researcher can locate exactly where in the statutes this law has been codified. After locating a statute’s “common name,” the table will tell a researcher at which code sections the law has been codified.

## UPDATING RESEARCH:

Once applicable statutory sections have been located, the research is not complete. A statutory citation should always be checked against a “citor” to ensure that it is still good law; or to determine if there are any important current cases that have altered the meaning or application of the statute. Typically an attorney will use an online legal database to accomplish this step.

For the United States Code, *Shepard’s Federal Statute Citations* is available in the law library, as is *Shepard’s Pennsylvania Citations* and *Shepard’s Delaware Citations*.

*Shepard’s* can be found online at: [www.lexisnexis.com](http://www.lexisnexis.com) with a similar service called *Keycite* available at: [www.westlaw.com](http://www.westlaw.com) Online cite-checking will require a fee. For a detailed analysis of the two services, click here: <http://law.creighton.edu/pdf/5/10.pdf>

Checking a statutory citation against a “citor” will tell a researcher if a statute has been: amended; repealed; or has been cited in a court opinion or legal publication. Not only does this important step in the research process ensure that “good law” is being cited; but it might lead to legal arguments mentioned in up-to-date legal resources that otherwise would not have been found.

## Still have questions?

Delaware Reference: 302-477-2114  
Harrisburg Reference: 717-541-3934  
Email: use “Ask a Librarian” at [www.law.widener.edu/Law-Library](http://www.law.widener.edu/Law-Library)