Charles Mwewa Intro to Law Lecture Outline

LEGAL RESEARCH

	What is RESEARCH?
	• "Finding out"
-	Finding out the law from statutes and cases
-	Purpose of Research:
	• Finding out what one does not know
	Or confirming accuracy of what is known
	Basic Steps
	Identify the legal issues to be researched
-	Using the right legal research tools
	Reading and understanding the sources
	Applying the law found to solve the client's problem
	 Categories of Law Substantive Law: defines legal rights and obligations Procedural Law: sets out the procedure that a party must follow to enforce his or her rights in a court proceeding or to defend a proceeding Law of Evidence: sets out the manner in which facts are proved in a trial or a proceeding Public Law: governs the relationship between person's (individuals and corporations) and the state, and includes municipal, immigration, and refugee, environmental, constitution, criminal and tax law, and etc. Private Law: governs the relationships between persons, and includes contract, family, property, real estate, torts, wills and estate law, and etc
	 Sources of Law Statutes passed by federal Parliament or provincial legislatures Case Law or decisions made by judges in a court proceeding Regulations made by the federal or provincial government pursuant to statutes

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1	Primary Sources of Law:
	 the actual statutes, case decisions and regulations that create the law
	Secondary Sources: sources that summarize, discuss or explain primary sources and include
	 Legal encyclopedias Digests of cases Indexes to statutes Textbooks Articles
	Paper Sources v. Computerized Sources
- - -	 Until recently all primary and secondary legal sources came from paper format Computerized legal sources take a variety of forms: CD-ROM; online secondary sources; online primary sources and online services such as Quicklaw, Westlaw Canada
	Good Legal Researchers
	Accurate legal researchReliable legal researchCurrent legal research