

GUIDE TO USING LEGAL ENCYCLOPEDIAS

Legal encyclopedias are secondary sources of law. They provide commentary on the law rather than providing the law itself. In addition to their role as a commentary source, legal encyclopedias provide citations to secondary or primary sources of law (statutes, case law, etc.)

Two major legal encyclopedia sets are owned by the Legal Information Center, and while much of the material is duplicated, each set has unique characteristics as well. *American Jurisprudence 2d* or *Am Jur 2D* was published by The Lawyers Co-op and *Corpus Juris Secundum* or *CJS* was published by West. Now both sets are owned by West. Entries in either of these encyclopedias are written by attorneys on the publisher's staff, and for this reason, tend to be slightly less respected than treatises which are authored by specialist attorneys or professors.

Finding the topic:

Unless you are certain of your legal topic and can go directly to the volume, the index to the set should be consulted. It consists of several volumes and can be located at the end of the set.

Determining how your topic has been indexed can sometimes be one of the most difficult steps in legal research. Try using key words and then any word that you think a publisher might use to index your topic. When an index entry says "Accomp & Acc this index" this means use whatever volume of this index set "Accomp" would fall into alphabetically. It may not be the index volume in hand. If the index entry says "Title Index to Fraud" this indicates to go to the volume (not the index) where the topic is and use that volume's topical index; besides the multi-volume index, each topic is indexed in the back of each volume.

Comparison of AM JUR 2D with CJS:

Both encyclopedias are issued as an entire set of bound volumes with several volumes of indexes. They are both kept current with annual pocket parts. **Topics in both sets are preceded by an outline** which assists the researcher in locating the exact point of law in question. And both sets cite to court cases in footnotes or annotations.

Comprehensiveness:

An important difference between the two sets is that *Am Jur 2d* cites to **selected** court decisions rather than to **all** reported decisions as *CJS* claims to do.

Both sets list the topics they cover but that list is found in different locations. *Am Jur 2d* has a table of abbreviations in the Index volumes listing its topics and also a list of topics in its **Desk Book** (also located at the end of the set). *CJS* lists its topics in each volume on a beginning page.

Re-numbering:

Both sets are in a second series and in the front of each *Am Jur 2d* volume is a **table of Parallel References** that converts the older *Am Jur* (1st Series) to current *Am Jur 2d* sections. *CJS*

does not have a similar table for its first series sections although some of its topics are preceded by a **Table of Corresponding Sections** in either the bound volume or the pocket part.

Other Features:

Am Jur 2d has some additional services that *CJS* does not provide. One is the **New Topic Service**. This looseleaf binder, shelved at the end of the set, contains pamphlets covering new topics of law. In this way, new topics are covered without reissuing an entire volume until a volume is warranted. The general index refers to this service when necessary. New topics in *CJS* would be covered in the pocket part or a reissued bound volume.

Another main distinction between the two sets is *Am Jur 2d's* emphasis on federal statutory law. A table is contained at the beginning of each *Am Jur 2d* volume containing cites from federal statutes, regulations, court rules and uniform acts that indicate where in *Am Jur 2d* you will find that law or rule discussed.

Am Jur 2d also provides its **Desk Book**. This volume contains miscellaneous legal information; e.g. every state's regulation of attorneys for admission to the bar, a table of supreme court justices, or telephone numbers for federal information centers.

Updating:

Remember to always look in the pocket part for the most recent case citations and changes in commentaries in both the topical and index volumes. When a topic of law changes substantially or a pocket part grows too large, a new volume is issued replacing the older material.

Florida Jurisprudence 2d

The Legal Information Center also has a Florida legal encyclopedia : *Florida Jur 2d*. Its arrangement is very similar to *American Jurisprudence 2d*. The *Florida Jur 2d* text is accompanied by footnotes which refer to cases and statutory law in addition to other relevant topics in *American Jurisprudence 2d* and *A.L.R.* annotations. Each article is preceded by a "Scope of Topic" note defining the coverage of the article, a "Treated Elsewhere" note which refers to other articles discussing related topics, and a "Federal Aspects" note which briefly notes the relevance of federal law to the topic at hand. Included are an index and tables of citations to the Florida Constitution, Florida Administrative Code, Florida U.S. statutes, and Florida and U.S. rules of court. Remember, always update using the sets of pocket parts and/or supplementary pamphlets..