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GOODSON
LAW LIBRARY
DUKE UNIVERSITY SCHOOL OF LAW
Research Guides

**LEGAL
RESEARCH
FOR NON-
LAWYERS**

I. Introduction	1
II. General Legal Research	1
III. Secondary Sources	2
V. General Legal Problems.....	3
VI. Legal Topics A-Z.....	4

I. INTRODUCTION

The Goodson Law Library has a small collection of books intended to explain legal matters to non-lawyers. Researching the law can be difficult, and these books will give basic information and general advice on various legal subjects. Using these resources may help you find an answer to your question. Reference librarians can also guide you to other resources and can explain how to use them. **Library staff cannot, however, do research for you or give you “legal advice,” meaning they cannot interpret legal materials for you or explain how the law would apply to your particular situation.**

You should note that even if you find information about your topic, it may not be the complete answer to your question. The law is constantly changing and being updated. If you are involved in a lawsuit, or are required to go to court, it is best to consult an attorney. Many attorneys have free or inexpensive initial consultations. If you do not know the name of an attorney, you can call the **North Carolina Lawyer Referral Service** (<http://www.ncbar.org/members/lawyer-referral-service/>), a service of the North Carolina Bar Association, at (800) 662-7660 or (919) 677-8574. You may also qualify for representation by **Legal Aid of North Carolina**. To find out more and to locate which office to contact, visit <http://www.legalaidnc.org>. For the Durham Legal Aid office, call toll-free (866) 219-5262 or (919) 688-6396. Additional resources for legal referrals are available on the **Law School website** (<http://law.duke.edu/legalreferrals/>).

This guide lists some of the resources owned by the Goodson Law Library that are written for non-lawyers, and gives a brief description of their contents. Locations are given in parentheses after each book. Other materials can be located by using the online **Duke University Libraries catalog** (<http://search.library.duke.edu/>).

II. GENERAL LEGAL RESEARCH

For a good overview of legal research itself, look at Stephen Elias, *Legal Research: How to Find and Understand the Law*, 17th ed. (Ref. KF240 .L417 2015). This book is a complete guide to legal research, and is meant to be read all the way through, but it can be used to answer a specific question, such as “How to Find a Federal Case” or “How to Research Current State

Legislation.”

If you are researching a matter of North Carolina law, see Childs & Sampson, *North Carolina Legal Research*, 2d ed. (Ref. KFN7475 .C48 2014) as well as the **North Carolina Practice** research guide (<http://www.law.duke.edu/lib/researchguides/ncprac>). Research guides for other U.S. states are also available in the library’s Reference Collection; to locate them, search the Duke Libraries Catalog for the subject heading *Legal research – [state]*.

For a brief guide to understanding legal research online, see *How to Research a Legal Problem: A Guide for Non-Lawyers* (<http://www.aallnet.org/products/HowToResearchLegalProblem.pdf>), published by the American Association of Law Libraries.

III. SECONDARY SOURCES

If you are new to the law, or to a particular area of law, you may wish to begin your research with a secondary source that provides background information and a roadmap to finding primary resources on your topic. **Legal encyclopedias** attempt to comprehensively cover all legal topics, and are generally a good place to begin research. There are several encyclopedias written for non-lawyers, such as the *Gale Encyclopedia of American Law*, 3rd ed. (Ref. KF154 .G77 2011 & online at <https://search.library.duke.edu/search?id=DUKE005861837>; formerly *West’s Encyclopedia of American Law*). This resource looks at practical implications of the law rather than the more theoretical approach taken by many legal resources, and provides a general overview of various legal issues, with breakdowns where state laws differ.

Legal encyclopedias geared towards use by lawyers are useful where more specific coverage of the law is required. These encyclopedias provide a summary of the law arranged by subject and extensive references to primary sources, including court decisions and other legal authorities. The two most commonly used practitioner oriented legal encyclopedias are *American Jurisprudence 2d* (Practice & Procedure KF154 .A42 & online to library visitors via Nexis Uni, <https://search.library.duke.edu/search?id=DUKE008121060>) and *Corpus Juris Secundum* (Practice & Procedure KF154 .C56). For a legal encyclopedia specializing in North Carolina law, see *Strong’s North Carolina Index* (North Carolina Alcove).

IV. INTERNET LEGAL RESEARCH

Though you may be used to using a general web search engine such as Google or Bing, there are several more efficient places to search for legal information on the Internet. In addition to the sources listed on the Goodson Law Library guide to **Legal Research on the Web** (<http://www.law.duke.edu/lib/researchguides/intresearch>), the following strategies may be helpful:

1. Begin with law-related search engines or websites:

- **Cornell Legal Information Institute** (<http://www.law.cornell.edu>): A useful resource that includes both secondary and primary information on a variety of legal topics.
- **FindLaw** (<http://www.findlaw.com>): Leading web portal for legal information.
- **Google Scholar** (<http://scholar.google.com>): Free access to federal and state case law, as well as indexing and limited full text for legal journal articles.
- **Law Reviews & Journals Search** (http://www.americanbar.org/groups/departments_offices/legal_technology_resources/resources/free_journal_search.html): free search for open-access law reviews and legal journals, from the ABA Legal Technology Resource Center.
- **Nolo Press, Free Legal Information** (<http://www.nolo.com/legal-encyclopedia>): Articles on legal topics from Nolo Press, a publisher of self-help legal research guides. Selected Nolo publications are available in the Goodson Law Library Reference Collection.

2. Other useful sites for law-related research include:

- **Congress.gov** (<http://www.congress.gov>): Federal legislative information and bill-tracking.
- **FDsys** (<http://www.gpo.gov/fdsys/>): Website of the Government Publishing Office.
- **LLRX** (<http://www.llrx.com>): This website is a clearinghouse of legal research materials developed, primarily, by law librarians. It may include research guides specific to the area of law you are working with or to the jurisdiction you are working in.

V. GENERAL LEGAL PROBLEMS

Paul Bergman & Sara J. Berman-Barrett, *Represent Yourself in Court: How to Prepare and Try a Winning Case*, 9th ed. (Ref. KF8841.B47 2016). This book is intended as a do-it-yourself guide to representing yourself in court, but includes a discussion of when it is appropriate to consult or hire an attorney. It explains what is necessary to prepare for a trial as well as to conduct one. It includes a brief introduction to the court system, legal research tips and a detailed index. Note: this book only covers civil court matters such as divorce, personal injury, and business disputes – it does *not* cover criminal matters.

Jay Feinman, *Law 101*, 3rd ed. (KF387 .F45 2010). This book provides an overview of a variety of legal topics, with chapters including constitutional, property, and criminal law.

Shae Irving, *Nolo's Encyclopedia of Everyday Law*, 9th ed. (Ref. KF387 .N65 2013). This book “provides concise, plain-English answers to hundreds of the most frequently asked legal questions about issues you face every day.” It includes lists of resources for obtaining more information on a subject as well as websites with additional information about the many subjects covered in the book.

Ralph Warner & Robin Leonard, *101 Law Forms for Personal Use*, 10th ed. (Ref. KF170 .L46 10th ed 2016). This text includes basic forms for topics such as estate planning, buying or renting real estate, borrowing or lending money, handling personal finances and settling legal disputes, with brief descriptions of the purpose of each form.

VI. LEGAL TOPICS A-Z

Please note when using the resources listed below that the law is continually changing, more often in some areas than others. Some topics, like bankruptcy, tax and immigration law, have had regular or recent changes that are only reflected in newer materials. Other topics, such as contracts, do not change quite as often. The listings below attempt to reflect the degree of change in a given area while also summarizing the holdings of the Goodson Law Library collection. To find newer or additional materials, please use the libraries' online catalog (<http://search.library.duke.edu>), or speak with a reference librarian.

Many of the resources below are published by **Nolo Press**, a company that specializes in the layperson's legal needs. The Law Library does not own the complete library of Nolo Press products, and purchases its selected titles on a three-year update cycle. For other topics and forms, or more updated editions of library titles, consult the Nolo website (<http://www.nolo.com>).

AIDS/HIV

Margaret C. Jasper, *AIDS Law*. (Ref. KF3803.A54 J37 2008). Part of Oceana's "Law for the Layperson" series, this almanac provides an overview of the various legal issues surrounding HIV and AIDS, including anti-discrimination legislation.

ANIMALS

Margaret C. Jasper, *Pet Law*. (Ref. KF390 .P4 J37 2007). Part of Oceana's "Law for the Layperson" series, this almanac provides an overview of the various legal issues faced by pet owners, including dangerous dog laws and animal welfare.

Mary Randolph, *Every Dog's Legal Guide: A Must-Have Book for Your Owner*, 7th ed. (Ref. KF390.5.D6 E94 2012). This text discusses issues such as state and local regulations, buying and selling dogs, dealing with landlords and veterinarians, barking dogs and liability for dog bites, and what to do if a dog is injured or killed.

BANKRUPTCY/CREDIT

Stephen Elias et al., *How to File for Chapter 7 Bankruptcy*, (20th ed.) (Ref. KF1524.85.E4 2017). Covering only Chapter 7 (personal) bankruptcy, this book discusses procedures for filing for bankruptcy, how to handle the case in court, and things that must be done after declaring bankruptcy.

William C. Hillman et al., *Personal Bankruptcy Answer Book*. (KF1524.85 .H55 2010). Although this text is not explicitly written for the layperson, it is very easy to read, particularly the first chapter that discusses the basics of bankruptcy. Following chapters go beyond the basics to answer more difficult questions.

John Lamb et al., *Credit Repair*. (Ref. HG3756.U54 L46 2017). This book outlines strategies for improving credit, including sample letters to creditors, budget outlines, and forms to fix credit report errors.

Robin Leonard, *Chapter 13 Bankruptcy: Repay Your Debts*, 13th ed. (Ref. KF1524.85 .L46 2016). Chapter 13 of the bankruptcy law allows an individual to develop and implement a three-year plan for paying off debts under court supervision. This book includes advice about filing under Chapter 13 and the necessary forms.

BUSINESS LAW

Looking for information on starting a small business or forming a partnership? The majority of resources on business formation are located in the Ford Library at The Fuqua School of Business, and can be found in the libraries' online catalog.

Denis Clifford & Ralph E. Warner, *Form a Partnership: Complete Legal Guide*, 8th ed. (available online, <http://search.library.duke.edu/search?id=DUKE004926852>). This title discusses whether partnership is the right type of business for you and how a partnership is formed and can change through the duration of a business.

CITIZENSHIP

Ilona Bray, *U.S. Immigration Made Easy*, 18th ed. (Ref. KF 4819.6 C36 2017). This manual discusses the various types of available visas, the qualifications needed to obtain one, how to prepare the necessary paperwork, and how long it will take for a visa to be received.

Ilona Bray, *How to Get a Green Card*, 7th ed. (Ref. KF 4840.Z9 L49 2006). This book details many ways for getting into and remaining in the United States if you are not a citizen. It also includes sample, filled-in forms.

Victor C. Romero, *Everyday Law for Immigrants*. (Ref. KF 4819 .R663 2009). This easy to read text discusses the various types of visas with helpful charts. It also discusses the basic procedure of immigration law and the changes made after 2001.

COPYRIGHT, PATENT AND TRADEMARK

Stephen Fishman, *The Copyright Handbook: What Every Writer Needs to Know*, 10th ed. (Ref. KF2995.F53 2008). This book explains the basics of copyright law and how to copyright written works only. It also has sections on fair use, copyright infringement and samples of basic forms from the Copyright Office.

David Pressman, *Patent It Yourself*, 13th ed. (Ref. KF3114.6 .P74 2008 & available online, <https://search.library.duke.edu/search?id=DUKE004298780>). In addition to discussing what is needed to patent an invention and how to maintain your patent, this book has chapters on deciding whether an invention will sell and how to market it.

Richard Stim, *Getting Permission: How to License & Clear Copyrighted Materials Online & Off*, 6th ed. (Ref. KF3002 .S75 2016). Guide to gaining permission for personal use of copyright protected material. In addition to permission, it covers public domain material, fair use, academic permission, license and merchandise agreements and trademark.

Richard Stim, *Patent, Copyright & Trademark*, 14th ed. (Ref. KF2980 .P38 2016). This

book contains key terms and concepts used in intellectual property law, rather than a how-to guide. Chapters on each topic contain a short overview, an extensive section on definitions, and statutes with a few relevant forms and further resources.

Linda A. Tancs, *Understanding Trademark Law: A Beginner's Guide*. (Ref. KF3180 .T36 2009). This text, from Oceana's "Law for the Layperson" series, discusses the trademark application process from filing to opposition proceedings. The index is particularly useful.

CRIMINAL LAW AND TRAFFIC OFFENSES

Paul Bergman & Sara J. Berman-Barrett, *The Criminal Law Handbook: Know Your Rights, Survive the System*, 12th ed. (Ref. KF9619.6 .B47 2011). This book is designed to empower criminal defendants by explaining the criminal justice process in detail. The guide walks a defendant through the steps from initial arrest through trial, sentencing and appeal. It includes chapters on police procedures, looking up and understanding the language of criminal law, and a description of juvenile courts and procedures.

Chad D. Garrett, *The ABCs of Traffic Law: Do's and Don'ts of Traffic Court*, (NC Alcove KFN7697 .G37 2011 & online to Duke Law community in Bloomberg Law). This reference guide from the North Carolina Bar Association Foundation is intended for attorneys, but is a useful resource for non-lawyers as well.

EDUCATION LAW

Lawrence M. Siegel, *The Complete IEP Guide: How to Advocate for your Special Ed Child*, 8th ed. (Ref. KF4209.3 .S57 2014). If your child needs special education and you are working with your school district to develop an Individual Education Plan (IEP), use this guide to understand the procedural steps and complicated paperwork required to complete the process. See also the companion title by the same author,

ELDER LAW

Kenney F. Hegland & Robert B. Fleming, *Alive and Kicking: Legal Advice for Boomers*. (Ref. KF390.A4 H43 2007). A conversational guide to legal issues affecting seniors, including identity theft, Social Security, estate planning, and elder abuse.

Margaret C. Jasper, *Guardianship, Conservatorship and the Law*. (Ref. KF553 .J37 2008). Part of Oceana's "Law for the Layperson" series, this almanac provides an overview of the various legal issues surrounding appointment of conservatorship over an incapacitated adult.

Joseph L. Matthews & Dorothy Matthews Berman, *Social Security, Medicare and Government Pensions*, 19th ed. (Ref. KF3650 .M37 2014). This book explains, in plain language, how the various benefit programs work, what benefits are provided and how and when to apply for them. A chapter on age discrimination laws is also included.

Deanne Morgan, *Become an Informed Caregiver: What You Should Know When Caring for an Aging Loved One* (Ref. RA645.3 .M68 2016). This book discusses how to handle the paperwork and demands of caring for a loved one from health care to finances to personal property and end of life decisions.

EMPLOYMENT AND WORKERS' COMPENSATION

Margaret C. Jasper, *Workers' Compensation Law*. (Ref. KF3615 .Z9 J37 2008). Part of Oceana's "Law for the Layperson" series, this almanac provides an overview of the various legal issues surrounding workers' compensation.

Barbara K. Repa, *Your Rights in the Workplace*, 10th ed. (Ref. KF3319.6 .L32 2014). This book discusses basic rights of employees, such as wages and hours, benefits, job discrimination, sexual harassment and workplace safety.

ESTATE PLANNING

Denis Clifford, *Make Your Own Living Trust*, 8th ed. (Ref. KF734.Z9 C57 2007). This book discusses the use of living trusts as an alternative to wills. It discusses all aspects of living trusts and includes sample forms.

Denis Clifford, *Estate Planning Basics*, 6th ed. (KF750.Z9 C585 2011). This book covers the basics of estate planning, going over each of the major categories and concerns that come along with planning one's estate.

Mary Randolph, *8 Ways to Avoid Probate*, 7th ed. (Ref. KF750.Z9 A118 2008). This book provides tips for avoiding probate, along with real-world examples of how these tips have worked, and notes changes in the gift tax rules.

FAMILY LAW

Emily Doskow, *Nolo's Essential Guide to Child Custody & Support*, 3rd ed. (Ref. KF547 .A15 N65 2015). Explains the process for deciding custody and support from negotiation and mediation through trial, including discussion on how judges make decisions, and provides charts identifying each states laws.

Emily Doskow, *Nolo's Essential Guide to Divorce*, 6th ed. (Ref. KF535.Z9 D67 2016). This publication provides succinct answers to questions related to divorce while providing tips for saving time and money during divorce proceedings.

Roderic Duncan, *A Judge's Guide to Divorce: Uncommon Advice from the Bench*. (Ref. KF535.Z9 D857 2007). This book provides a judge's perspective of behaviors that can help divorcing couples avoid court and, for situations where court is absolutely necessary, walks through the litigation process in divorce cases.

Margaret C. Jasper, *Guardianship, Conservatorship and the Law*. (Ref. KF553 .J37 2008). Part of Oceana's "Law for the Layperson" series, this almanac provides an overview of the various legal issues surrounding appointment of a guardian for a minor.

Margaret C. Jasper, *The Law of Adoption*. (Ref. KF545 .J37 2008). Part of Oceana's "Law for the Layperson" series, this almanac provides an overview of the various legal issues raised by the adoption process.

Margaret C. Jasper, *Marriage and Divorce*. (Ref. KF510 .Z9 2008). Part of Oceana's "Law for the Layperson" series, this almanac provides an overview of the various legal issues raised by the marriage and divorce.

GAY AND LESBIAN ISSUES

Denis Clifford, *Legal Guide for Lesbian and Gay Couples*. 14th ed. (Ref. KF538 .C87 2007). This book is designed to help lesbian and gay couples understand the laws that affect them and provides sample forms for wills, powers of attorney, property agreements and other contracts. It includes practical advice and agreements for parenting, health care, home buying and similar arrangements.

Emily Daskow & Frederick Hertz, *Making It Legal: A Guide to Same-Sex Marriage, Domestic Partnership & Civil Unions*, 4th ed. (Ref. KF539.A23 .M25 4th- ed.2016). This book is a comprehensive source for same-sex marriage laws and guidance related issues such as adoption, taxation, wills, trusts and estates

HOME OWNERSHIP

Stephen Elias, *The Foreclosure Survival Guide*, 5th ed. (Ref. KF697.F6 F67 2015). This book helps the reader decide what steps might be best for their situation, whether it be keeping the house, bankruptcy or foreclosure, and explains the foreclosure process, including state by state information.

LANDLORD / TENANT

Margaret C. Jasper, *Your Rights as a Tenant*, (Ref. KF590 .J37 2007). Part of the publisher's "Law for the Layperson" series, this almanac provides an overview of tenant's rights, and includes sample leases and complaint forms.

Janet Portman & Marcia Stewart, *Every Tenant's Legal Guide*, 8th ed. (Ref. KF590.Z9 P67 2015). A very thorough coverage of residential landlord/tenant issues including finding and renting property, security deposits, discrimination, repairs and maintenance, terminating rental agreements, and eviction. Includes tables with state-by-state comparisons of laws and a few simple forms and checklists.

Janet Portman & Marcia Stewart, *Renters' Rights: The Basics*, 5th ed. (Ref. KF590.Z9 P673 2007). Concisely covers the same common problems encountered by most tenants that are more thoroughly covered in *Every Tenant's Legal Guide*.

Marcia Stewart, *Leases & Rental Agreements*, 7th ed. (Ref. KF590.Z9 S744 2007). A guide to being a successful landlord, including preparing a lease or rental agreement, choosing tenants, getting the tenant moved in, and changing or ending a tenancy.

NEIGHBOR LAW

Cora Jordan, *Neighbor Law: Fences, Trees, Boundaries & Noise*, 9th ed. (Ref. KF639.Z9 J67 2017). Outlining the general laws governing relations between neighbors, this book

contains information to help the reader solve problems amicably, including a section on mediation. Appendices list relevant state statutes on some matters.

SMALL CLAIMS COURT

Ralph Warner, *Everybody's Guide to Small Claims Court*, 16th ed. (Ref. KF8769.Z9 W37 2016). This book covers small claims court procedures and specific types of cases. In the back is a list of each state's basic rules for suing in small claims court.

TAXATION

Frederick W. Daily, *Stand Up to the IRS*, 12th ed. (Ref. KF6324 .A15 S73 2015). Advises on different situations where you may need to contact, negotiate, or settle with the IRS and includes example of forms and other documents that are involved in these different situations.

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