If you are involved in a lawsuit, have a legal question, or are looking for legal information, you may want to research the law. You may be planning to handle your own case, or maybe you’d like to find out more about your situation before you talk to an attorney. Researching the law can be tough unless you have a plan. This video will give you an overview on how to research a legal problem, including how to start research, where to look for reliable legal information, and when to stop. This video is based on researching Maryland law.

Before you begin, follow these preliminary steps:

First, clearly identify the legal question that you need to answer. Be specific. Sometimes as you research your question might change or grow. Having a clearly defined question will focus your research.

Second, identify the jurisdiction. Jurisdiction refers to the court’s power to hear and determine a case. This word is often confusing because it refers to both a geographical area as well as subject matter. Ultimately, however, it means that courts only have the power given to them by the Constitution or the Laws of the State. Some courts hear only certain types of cases. Court jurisdiction is also limited by geography. For example, criminal matters are normally brought in the court for the county where the crime was committed. Civil (non-criminal) cases have different rules that govern which court has jurisdiction. For more information about jurisdiction, talk to a lawyer.
Third, know the source of law likely to affect your case. You must know which laws cover your legal question. You must know:

a. Whether your case involves state, federal or even international law.

b. Whether the issue you are concerned with is governed by one or more of the following:

- Local laws, usually called “ordinances.”
- State or federal laws which are called “statutes.”
- Case law, which refers to court decisions interpreting the law.
- Regulations, which are special rules issued by state agencies that administer the law.
- Court rules, which govern how court cases are managed.

For more information on sources of law, see the My Laws, My Courts, My Maryland video, What Is the Law. If you’re not sure the source of the law that applies, write down your legal question and where the people and property involved are located. As you research, you can confirm that you are looking in the right places.

Finally, get organized. Take notes. Keep your research in one place like a folder or binder. When you find useful information, make sure you write down where you found it. This is called “citing” the law. It is important to write down your sources for two reasons. First, you want to be able to find them again if you need to do follow up research. Second, you may need to tell others, like an attorney or judge, where you found your information. It is a good idea to understand legal citations and abbreviations before you begin your research. For more information about understanding legal citations and
abbreviations, visit the Maryland State Law Library’s website at mdcourts.gov/lawlib and search for “citations” or talk with a law librarian.

Here are some key online resources you can use when doing legal research:

For a general overview of an area of law, visit the court’s website at www.mdcourts.gov, or the People’s Law Library of Maryland at www.peoples-law.org. There you can find links to most of the information we will talk about today, including links to court forms, online versions of Maryland law and regulations, and court rules.

To find Maryland statutes, case law or regulations, and links to local ordinances, visit the State Law Library page, “Gateway to Maryland Laws,”

Now that you’re organized, know some important places to look, and are ready to research, where should you start? Think of legal research like an upside down triangle. It should start off broad and narrow as you approach the specific question you are looking to answer. Follow these tips:

First, start by getting an overview of the area of law you are researching. A good place to start is the internet. In Maryland, you can visit the Maryland Judiciary’s website at www.mdcourts.gov or the People’s Law Library at www.peoples-law.org. Both sites have reliable legal information, organized by topic.

If you use the internet, be sure the websites are reliable. Government agency or law school sites are generally good resources. Be sure the information applies to your jurisdiction. If your question is governed by state law, use only online information specifically for your state. For example, divorce and custody issues are generally covered by state law, and the laws differ from state-to-state, so get your information from a Maryland-specific website if your case will be heard in Maryland.
Another good starting point is a legal encyclopedia, treatise or article. A treatise is a book that explains the law on a particular subject. These materials often have a general discussion of the subject you are interested in and can give you background on your legal question. They may also refer to other sources of more specific information like statutes, rules, and cases that may apply to your situation.

Second, after you have a good understanding of the area of law you are interested in, narrow your research to find the specific law that applies to your situation.

To locate state statutes, look at the Maryland Code. The print or book version has an index. The online versions can be searched using keywords. Knowing which keywords to use can be a challenge. Start with one or two words. If you get too many results, try adding another word. If you get too few results, try changing the words you are using. Use your research notes for ideas on which words to try.

Regulations are found in COMAR, the Code of Maryland Regulations. Like the Code, the print version of COMAR has an index, and the online version can be searched by keyword. The online search works best with single words, so keep your search simple.

It’s best to search for case law by using an online source. Google Scholar, Lexis, or Westlaw are the most common. Lexis and Westlaw are available for free at most public law libraries. You can access Google Scholar on the web at scholar.google.com. Click “search case law.” You can limit your search to only Maryland Courts, or search more broadly in other state or federal courts. Once you have a result list, you can narrow the results by adding more words, or by limiting the time frame using links on the left side of the result screen. Google Scholar also offers a citation service. When you are reading a case, you can click the “How cited” tab for a list of other cases that have cited
yours. This will help you find more cases.

How do you know when to stop? A good rule is if you keep coming back to the same case, statute or regulation from a variety of different sources, you can be pretty sure that your research is thorough.

3. Once you have found the information you need and are ready to stop, there is one final step you should take. You should “cite check” to make sure the law you found is not outdated or inaccurate. Laws change all the time and you should be sure the law you are relying on is up to date.

Reliable online sources of the Maryland Code and the Code of Maryland Regulations should indicate how up-to-date the information is. If you do not see a note that indicates when the page was last updated, you should check with a law librarian to make sure your version of the law is the most up-to-date.

Any cases you plan to rely on should also be checked. New cases or legislation can significantly change how older cases can be used. Checking your cases is sometimes called “Shepardizing” or “KeyCiting”. The easiest way to check is to visit a law library and use Lexis to Shepardize or Westlaw to KeyCite. A law librarian can show you how to do this and can explain how new laws might affect older cases.

A law librarian can help you plan your research and find the most useful materials at each stage of your research. There are a number of law libraries in Maryland that are open to the public. Many have law librarians on staff who can help you find materials. Law librarians are research experts but are not lawyers. They can help you with your
research but can’t offer you legal advice, or tell you what you should do in your situation.

A list of public law libraries in Maryland is on the State Law Library’s website

This has been a production of the Maryland Access to Justice Department of the Administrative Offices of the Courts. For more information, please visit

www.mdcourts.gov