

LALAWLIBRARY



# LA Law Library Locations

## **Main Library:**

(Corner of 1st & Hill)  
301 W. First Street  
Los Angeles, CA 90012  
(213) 785-2529

Mon, Wed, Thu, Fri: 8:30–6:00pm  
Tue: 8:30–8:00 pm  
Sat: 9:00–5:00 pm



## **Courthouse Branch Locations:**

Long Beach, Torrance

## **Courthouse eBranch Locations:**

Long Beach, Norwalk, Pomona, Torrance,

## **Public Library Partnerships:**

Compton, Lancaster, Pasadena, Santa Monica  
Van Nuys, West Covina



# www.lalawlibrary.org



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Our collection of California appellate briefs is the most complete in the State comprising over three miles of shelf space. The LA Law Library is digitizing this collection for online public access.



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Wednesday, January 29, 2014 9:00 a.m. — 12:00 p.m. Do you need last minute participatory MCLE credits?... Read more

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# Overview

- The LA Law Library was established in 1891
- The current building was opened in 1953
- Largest print collection in a public law library west of the Mississippi River
- Seven floors
- 35 miles of shelving
- 1,000,000 equivalent volumes including print and digital



LALAWLIBRARY

# Print Collection

- Primary and secondary legal materials for all 50 states, federal and multi-state Foreign and International materials
- Extensive historical collection including early California and state colonial materials
- California and Ninth Circuit Appellate and Supreme Court briefs



# Remote Locations

- **Courthouse Branch Locations:**

Long Beach, Norwalk (e-branch only), Pomona (e-branch only) and Torrance

- **Public Library Partnerships:**

Compton Library, Lancaster Regional Library, Norwalk Public Library, Pasadena Public Library, Pomona Public Library, Santa Monica Public Library, Los Angeles Public Library Van Nuys Branch, West Covina Public Library

Visit [www.lalawlibrary.org](http://www.lalawlibrary.org) for more information



# Electronic Databases

- California State Briefs
- CEB OnLAW
- Foreign Law Guide
- HeinOnline
- Index to Foreign Legal Periodicals
- LA Law Library Catalog
- LLMC - Digital
- Legal Information Reference Center
- LegalTrac
- Lexis Advance
- SmartRules
- U.S. Supreme Court Records and Briefs, 1832-1978
- Westlaw
- Wolters Kluwer Cheetah
- Xspouse



# What We Do

- Suggest research avenues and sources for research, identify and locate citations
- Explain how to use legal materials
- Explain the law-making process
- Assist in finding forms
- Aid in the use of electronic resources including Westlaw and Lexis (online databases that contain cases, codes, and statutes for all 50 states and secondary materials), CEB OnLAW and HeinOnline
- Teach public classes





# Library Services

- Reference Service
  - in library, by phone, email, mail and live chat through 24/7 Reference Cooperative
- Document Delivery Service
- Members Program
  - Open to members of the State Bar of California
- Computer Services
- Circulation
  - Borrower registration program
  - Reserve books and more...
- Facility Rentals
  - Training Center
  - Conference Rooms
  - Office Space
  - Private Events (up to 500 ppl)
- Instruction
  - Public training classes
  - MCLE courses
  - Tours



# Legal Analysis: Crafting and Organizing a Legal Argument



# Legal Analysis

- Legal problem-solving
- One of the most important legal skills – 'thinking like a lawyer' (or a judge)
- Demonstrate your knowledge and understanding: Not through memorizing and repeating facts. Not through explaining, as in an essay
- Through applying knowledge of the law to a situation or scenario
- Only really perfected through practice



# What is IRAC?

- Follow the deductive reasoning used by legal decision-makers:
- **ISSUE:** Identify the legal issue
- **RULE:** State the relevant legal rule or principle
- **APPLICATION:** Apply the principle to the new facts
- **CONCLUSION:** State a clear conclusion as to how the issue would be decided



# IRAC vs. CREAC

## IRAC

(legal analysis)

- Issue
- Rule
- **Application**
- Conclusion

## CREAC

(legal memos/briefs)

- Conclusion
- Rule
- **Explanation**
- **Application**
- Conclusion



# **Before attempting to identify the issue...**

- Analyze the facts and ensure you really understand them.**
- Underline, highlight, summarize.**
- Diagrams can be helpful. Discussions with others can be helpful.**
- Pay close attention to the question or instructions. (e.g. State & Local Rules of Court)**



# Identify The Legal Issue

- This requires researching the area of law.
- Note your first impressions/ideas but don't be committed to them.
- You can state the issue as a question. E.g. 'Did Bob breach the duty of care owed to Alice?'
- Try to make it as specific as possible. E.g. Instead of 'Is there a contract?', try 'Has acceptance been effectively communicated?'



# Identify the issue (cont.)

- There may be more than one issue.
- Separate them out, provide an analysis for each one.
- What about irrelevant issues? If they are not disputed, they're usually not worth mentioning.
- What if I'm wrong, or miss an important issue? Look at your marking criteria: issue-spotting is only 1 aspect. But it's an important one because it decides the path you'll follow.





# State the legal rule or principle

- Once you have articulated the legal question, find the legal rule(s) which need to be applied in order to answer the question.
- Remember to provide appropriate authorities for every legal rule or principle. Use the most recent, most authoritative case.
- Cite parts of the statute or code(there may be more than one).



# Weaving 'rule' and 'application'

- The relevant area of law may be unsettled.
- There may be conflicting/unclear case law.
- There may be exceptions which are potentially irrelevant.
- Don't simply provide a long summary of an area of law, copied from your notes or a case. Use the rules/authorities which support different arguments.
- The best answers tend to weave together the 'rule' and the 'application'.



# Apply the rule to the facts

- This is the hardest step, but definitely the most important.
- Find the specific facts related to the issue you're analyzing.
- If more information is needed, state so and explain why (exactly what difference will it make to your analysis?).
- Legal rules (with authorities) + specific facts = arguments both ways. Remember to do this for each legal issue identified.



# Provide a clear conclusion

- This is last for a reason: Like an algebra problem, you're not expected to know the conclusion until you have completed your analysis.
- Make sure you provide a conclusion for each legal issue identified, i.e. answer all of the legal questions. Sometimes it is uncertain: say so, give a likelihood if you can, and possibly summarize why. Uncertainty is uncomfortable, but it's where legal analysis lives.



# Putting it all together

- IRAC will allow you to move from the main problems in a case through the governing law, and to a final conclusion.
- Consider one final example. You are getting divorced. Your ex argues that you did not fairly and reasonably disclose your property, which the law requires, because your disclosure inaccurately stated your overall assets. In a memo, you might analyze this point like this:
- *ISSUE, or Topic Sentence:* A court will not be convinced that my financial disclosures are 'incomplete.'



# Putting it all together(cont.)

- **RULE:** A “‘fair and reasonable’ disclosure refers to the nature, extent and accuracy of the information to be disclosed.” *Friezo v. Friezo*, 914 A.2d 533, 545 (Conn. 2007). Friezo notes that “a fair and reasonable financial disclosure requires each contracting party to provide the other with a general approximation of their income, assets and liabilities.” 914 A.2d at 550.



# Putting it all together(cont.)

## **ANALYSIS:** *Interpret the Evidence*

- In *Friezo*, defendant provided “an accurate representation, in writing,” that “set forth a list of the defendant’s assets and liabilities” *Id.* at 551, 550.
- Here, I have provided statements of value or recent assessments for each of my properties. While Schedule A inaccurately states my total assets, each property is accurately valued individually.



# Putting it all together(cont.)

- **CONCLUSION:** *Reconnect This Point to Your Thesis*
- Because Connecticut requires only a “general approximation” of assets, the court must find my disclosure to be fair and reasonable.





# IRAC Worksheet

IRAC	Example
<b><u>I</u>SSUE:</b> Identify the legal issue	
<b><u>R</u>ULE:</b> State the relevant legal rule or principle	
<b><u>A</u>PPPLICATION:</b> Apply the legal rule or principle to the new facts	
<b><u>C</u>ONCLUSION:</b> State a clear conclusion as to how the issue would be decided	

# Legal Research Tips



- **Think First.**
- Determine the relevant facts and formulate issues – **Understand the Problem** (refer to Secondary sources for this!).
- Work on **one** issue at a time.
- Develop a research plan, including outline, approaches, keywords, and issues – **Frame the Issue.**
- Then **Research.**
- Gather together the sources you will use.
- Take notes.
- Make copies of relevant pages, e-mail them or save to a flash drive.



# Get Started Finding the Applicable Law Using Secondary Sources

- Find an appropriate source, as discussed.
- Try the **index** for the book – look for keywords. Use **synonyms**.
- Browse through **table of contents**.
- **Find citations to relevant codes and cases** in the source.
- **Ask** an LA Law Library Reference **Librarian** for assistance.



# Other Ways to Locate and Access Primary Law

- Use a reliable online database, like Lexis or Westlaw, to conduct **keyword searches** for relevant:
  - Statutes
  - Cases
  - Regulations
- LA Law Library classes that help with this step:
  - ***Intro to Westlaw***
  - ***Intro to Lexis***
  - ***Legal Research on the Internet***



# Validating Primary Authority

- Use a “citator” to check **currency/validity** of cases and codes/statutes:
  - *Shepard’s on Lexis*
  - *Keycite on Westlaw*
  - *Google’s citator*
- Cases can be overruled, statutes can be out of date – need to verify currency and validity!
- Take LA Law Library’s class on **Citators**.



# Questions:

Contact Reference Librarians  
at

213-785-2513

or

[reference@lalawlibrary.org](mailto:reference@lalawlibrary.org)





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