To: New Associate  
From: Assigning Partner  
RE: George Michael Bluth –File #15-3306

Welcome to the law firm of Mentkowski, Nejdl, & Associates. We were so pleased when you accepted our offer to join the firm! I am looking forward to working with you on the present case.

The Bluth Company is one of our biggest clients. We have been doing business with them via our California offices for over a decade. Normally, we are retained to handle the company’s business and international litigation. However, as a favor to the CEO, the Partners have agreed to take on the Bluth matter. The following is a brief summary of the facts:

George Michael Bluth is a first-year law student at the local law school. He is in Section 1, which is known for its friendliness, its camaraderie, and its love for legal research. Recently, George Michael and his fellow students were served with a lawsuit that George Michael's father Michael described to me (repeatedly) as “highly frivolous.”

George Michael, his fellow students, and his Civil Procedure Professor John Smith purchased a dog named Pennoyer from Mr. Tom Townie during a night of drinking last December. George Michael and the other students took possession of the dog and they all took turns caring for it. While some of the other Section 1 students were in possession the dog, it broke free from its constraints and caused substantial injuries by biting heiress Holland Hyatt and her little dog Tingeling. Ms. Hyatt filed suit against George Michael, the other students in Section 1, and Professor Smith. The lawsuit alleges damages due to the dog bites.

For your first assignment, you will need to take a look at some secondary sources and become acquainted with the law in this area. Your task is to find the most relevant information from these sources. Please give me your findings by the deadline on the attached document.

Regards,  
Assigning Partner
NAME: _______________________________

Basic Legal Research
LAW 512 – Sections 1 and 2 (Nejdl)
Workshop: Secondary Sources of Legal Authority

This Workshop is designed to familiarize you with the print versions of legal encyclopedias and with American Law Reports.

At the end of this workshop you will be able to:

- Identify two general encyclopedias
- Identify the Illinois encyclopedias
- Find and update the information in a legal encyclopedia
- Find and update the information in American Law Reports

Legal Encyclopedias
There are 2 major general encyclopedias: (1) American Jurisprudence 2d (Am. Jur. 2d) and (2) Corpus Juris Secundum (C.J.S.). Additionally, there are 2 major Illinois legal encyclopedias: (1) Illinois Jurisprudence (Ill. Jur.) and Illinois Law and Practice (Ill. L. & Prac. or I.L.P.). These encyclopedias are an excellent way to get a broad overview of the law in an area. If you are unfamiliar with a legal topic, starting with the encyclopedias will help orient you to this area of law.

American Law Reports
American Law Reports (A.L.R.) is a series of books containing essays (called “annotations”) which pull together all the reported American case law that has dealt with a particular issue. If you wish to do a multi-state survey of case law on a particular issue, a great place to begin your research is in the A.L.R. set.

DIRECTIONS:
Use the attached memo to answer the questions below. Your assigning partner has asked you to look into a question of law that is general in nature. When you must research general questions, or in situations where you are asked a more specific question but do not know much about the topic, secondary sources are a good place to begin. They offer information on a variety of legal topics and can often point you directly to primary law that may have an impact on the issue you are researching.

A. Selecting Possible Search Terms

Using the memo for guidance, list one of two terms that you will use to begin your search:

B. Using Legal Encyclopedias – American Jurisprudence 2d

1. Using the General Index and the terms you listed in part A, provide at least 3 references and the corresponding section numbers you found that look like they might relate to your research question.
2. Using the main set of the encyclopedia, find the text for the references you noted in question 1. Choose one of these entries and summarize the general law on the point it addresses, describing how it relates to the client’s problem.

**Note:** Sometimes sections cited in the General Index are incorrect or confusing. If the sections your search has led you to seem incorrect, consider using the individual index at the end of each topic to find a section you want to read. Alternatively, you could browse the Table of Contents (Analysis) at the beginning of the topic.

3. Write the correct Bluebook citation for the section you summarized in question 2.

4. From the section you summarized in question 2 provide the name of a case you think is on point. Based on the citation, what state do you think the case is from?

5. Update your encyclopedia research by looking at the pocket part or supplement. Are there any changes to the text of the topic and section you summarized? If so, what are they?

**C. Using Legal Encyclopedias – Corpus Juris Secundum**

1. Using the General Index, provide at least 3 references and the corresponding section numbers to entries you found that look like they might relate to your research question.

2. Using the main set of the encyclopedia, find the text for the references you noted in question 1. Choose one of these entries and summarize the general law on the point it addresses, describing how it relates to the client’s problem.

3. Write the correct Bluebook citation for the section you summarized in question 2.

4. From the section you summarized in question 2, provide the name of a case you think is on point. Based on the citation, what state do you think the case is from?

5. Update your research by looking at the pocket part. Are there any changes to the text of the topic and section you summarized? If so, what are they?

**D. Using Legal Encyclopedias – Illinois Jurisprudence**

1. Using the General Index and the terms you listed in part A, provide at least 3 references and the corresponding section numbers to entries you found that look like they might relate to your research question.

2. Using the main set of the encyclopedia, find the text for the references you noted in question 1. Choose one of these entries and summarize the general law on the point it addresses, describing how it relates to the client’s problem.
3. Write the correct Bluebook citation for the section you summarized in question 2.

4. From the section you summarized in question 2 provide the name of a case you think is on point. Based on the citation, what state do you think the case is from?

5. Update your encyclopedia research by looking at the pocket part. Are there any changes to the text of the topic and section you summarized? If so, what are they?

E. Using Legal Encyclopedias -- Illinois Law and Practice

1. Using the General Index and the terms you listed in part A, provide at least 3 references and the corresponding section numbers to entries you found that look like they might relate to your research question.

2. Using the main set of the encyclopedia, find the text for the references you noted in step 1. Choose one of these entries and summarize the general law on the point it addresses, describing how it relates to the client’s problem.

3. Write the correct Bluebook citation for the section you summarized in question 2.

4. From the section you summarized in question 2 provide the name of a case you think is on point. Based on the citation, what state do you think the case is from?

5. Update your encyclopedia research by looking at the pocket part. Are there any changes to the text of the topic and section you summarized? If so, what are they?

F. USING AMERICAN LAW REPORTS (A.L.R.)

1. Using the General Index to A.L.R. (ALR Index: ALR Complete Series), locate a reference to an annotation under Dogs that deals with plastic surgery and damages. What is the citation given for the ALR annotation?

2. Go to this annotation. Using the Annotation Index for the citation you listed in question 1 (not the index you just used, but the one located at the beginning of the annotation), determine what section(s) of the annotation deal(s) with plastic surgery due to a dog bite?

3. Are any Illinois cases cited in the annotation provided in the main volume? Check the Table of Jurisdictions Represented (right after the annotation's index) to find out.

   Yes or No

4. How is the bound volume of A.L.R.3rd kept up to date?

5. Is there any information available for this annotation in the pocket part or supplement?

   Yes or No
Homework Notes:

Encyclopedias:

1. For citation purposes, you should always spell out the full name of the article. Do not abbreviate terms in an article’s name. The index and other pages in the encyclopedia may provide an abbreviated form of the article name (e.g., Pers. Inj. is given for Personal Injury). To determine the full name check the Table of Abbreviations at the beginning of the volume or go to the first page of the article to see the full name.

2. Encyclopedia pocket parts will include new case references and research references. These are not considered new textual information. The text is prose, often preceded by some symbol separating it from the surrounding information. The text will generally have footnote references with decimal points (e.g., footnote 23.5). See the pocket part for § 4 of the False Imprisonment article in Illinois Law and Practice for an example of new text in the pocket part.

American Law Reports:

When researching in the A.L.R.s, be certain you begin with the ALR Index and not the Digest or Quick Index. Additionally, note that the index entry is not necessarily the name of the annotation. In order to correctly cite the annotation, you must look at the annotation in the main volume.

Citing Pocket Parts or Supplements in Secondary Sources:

When determining whether to cite to the pocket part or supplement in a secondary source, keep this in mind: If there is any information in the pocket part or supplement for an A.L.R. annotation, you want to cite to it. Only cite to the pocket part or supplement of legal encyclopedias when new textual information is provided. Remember that encyclopedia pocket parts and supplements will include new case references and research references. These are not considered new textual information. The text is prose, often preceded by some symbol separating it from the surrounding information, and the text will generally have footnote references with decimal points (e.g., footnote 23.5).
This in-class exercise is to be completed on your own. It will provide you with additional experience and practice in the following skills:

- Finding and using West topics and key numbers
- Using the “One Good Case” method
  - Researching backwards with cited cases
  - Researching forward with citators
  - Researching inside out with headnotes
- Keyword searching
- Narrowing your search with filters

Case Summary:

Your law firm represents Victoria Major, an accountant who previously worked at Lloyd’s Accounting Corporation, in a lawsuit against her former employer for sexual harassment, discrimination and retaliation under Title VII of the Civil Rights Act of 1964, and breach of contract. Ms. Major has subsequently been sued by Felix Forrest, a former employee of Lloyd’s Accounting Corporation and Ms. Major’s former co-worker. Mr. Forrest’s alleged behavior towards Ms. Major while they worked together played a significant role in the lawsuit your firm filed against Lloyd’s Accounting Corporation.

Using these facts, complete questions 1 – 10. Questions 11 - 14 in Part III are unrelated to the facts above.

Part I: West Topics and Key Numbers

1. Using the West Key Number System on Westlaw, find Libel and Slander 1.6. Provide the citation for the 2009 federal case from Illinois that addresses what law governs in a defamation action.

2. Review the headnotes for the case you found in Question #1. How many cases “cite” Headnote 5? What is the point of law that this headnote summarizes?

Part II: “One Good Case” Method (Westlaw)

3. Starting with the Table of Authorities for the case Dean v. Wissman, 996 S.W.2d 631 (Mo. App. W.D. 1999), what three cases does the court discuss in detail when first discussing intra-corporate immunity and the intra-corporation communication immunity rule. (Case names only will suffice for this question.)
4. Of the three cases you found above, in which case are the plaintiffs most similarly situated factually to your client? Why?

**Researching Forwards with Citators**

5. Using the case you found for Question #4, click on the Citing References tab within that case. How many cases cite to this case?

6. You can narrow this list of citing cases by looking at the issue of law the case is being cited for. Identify a headnote in the case you found for Question #1 that addresses the intra-corporate immunity rule and publication in general. Which headnote is it? Of all the citing cases listed, how many cite to the case for this issue?

**Researching Inside-Out with Headnotes**

7. Check Headnote 4 in the case you identified for Question #4. What point of law is summarized by this headnote?

8. What West topic and key number correspond to Headnote 4?

9. Use the West topic and key number you found in Question #8 to find at least one recent, reported Illinois case that addresses the same point of law. Provide the citation for the case you selected.

10. Keycite the case you found in Question #9. Is it still good law? Why or why not?

**Part III: Searching by Keyword (Lexis)**

11. Try conducting a keyword search in Lexis to look for cases that outline the elements of a claim for intentional infliction of emotional distress. Use proximity operators as part of your search. Provide the search you conducted below.

12. Using the search you conducted above, use filtering to narrow your results to Illinois cases only. Provide the citations for two relevant Illinois state cases that provide the elements for intentional infliction of emotional distress.

13. Looking at the search you created in Question #11, how could you have changed your search to make the search results broader or narrower? Provide a specific example. (Be sure to consider using truncation, universal & wildcard characters, and the other options we discussed in class.)

14. Having used both the “one good case” method and keyword searching, which method do you feel more comfortable with and why?