

Graduate Certificate in Legal Transcription

Legal Research Skills

Legal Research Skills are a crucial aspect of the Graduate Certificate in Legal Transcription course. This segment of the program equips students with the necessary tools and techniques to effectively find, interpret, and apply legal information. To excel in this field, it is essential to understand the key terms and vocabulary associated with legal research. Let's delve into these concepts in detail:

1. **Legal Research**: Legal research is the process of identifying and retrieving information necessary to support legal decision-making. It involves searching for relevant statutes, case law, regulations, and other legal sources to analyze and apply to a specific legal issue.
2. **Primary Authority**: Primary authority refers to laws, regulations, and court decisions that are binding and authoritative sources of law. Examples of primary authority include statutes enacted by legislatures, court decisions, and administrative regulations.
3. **Secondary Authority**: Secondary authority consists of legal resources that interpret, analyze, or explain primary authority. This includes legal encyclopedias, law reviews, treatises, and legal textbooks. While secondary authority is not binding, it can provide valuable insights and context to legal issues.
4. **Legal Citation**: Legal citation is a standardized method of referencing legal sources in legal documents. It typically includes the name of the case or statute, the volume and page number where the information can be found, and the court or jurisdiction that issued the decision.
5. **Case Law**: Case law refers to the body of law created by judicial decisions in court cases. It establishes legal principles and precedents that guide future court decisions. Researchers often rely on case law to interpret statutes and regulations.
6. **Statutory Law**: Statutory law is the body of law created by legislative bodies, such as Congress or state legislatures. Statutes are the written laws that govern a particular jurisdiction and are considered primary authority in legal research.
7. **Regulations**: Regulations are rules and directives issued by administrative agencies to implement statutes. They have the force of law and are considered primary authority. Researchers must consult regulations to understand how statutes are applied in practice.
8. **Legal Database**: A legal database is an online collection of legal resources, including statutes, case law, regulations, and secondary sources. Examples of legal databases include Westlaw, LexisNexis, and Bloomberg Law. These databases provide researchers with access to a vast array of legal materials.

9. **Boolean Search**: A Boolean search is a type of search that allows users to combine keywords using operators such as "AND," "OR," and "NOT" to narrow down search results. This technique is commonly used in legal research to retrieve relevant information efficiently.

10. **Shepard's Citations**: Shepard's Citations is a tool used to verify the validity of case law and statutes. It provides a history of a legal document, including subsequent decisions that have cited it. Researchers use Shepard's Citations to ensure they are relying on current and authoritative legal sources.

11. **Legal Research Memo**: A legal research memo is a document that summarizes the findings of a legal research project. It typically includes a statement of the legal issue, a summary of relevant authorities, and an analysis of how the law applies to the issue. Legal research memos are often prepared by attorneys to inform their clients or colleagues of the research findings.

12. **LexisNexis**: LexisNexis is a legal research database that provides access to a wide range of legal materials, including case law, statutes, regulations, and secondary sources. It offers advanced search capabilities and tools for legal professionals to conduct comprehensive research.

13. **Westlaw**: Westlaw is another prominent legal research database that offers a vast collection of legal resources for attorneys, law students, and legal professionals. It features a user-friendly interface, powerful search functions, and access to a comprehensive library of legal materials.

14. **Legal Encyclopedias**: Legal encyclopedias are comprehensive reference works that provide summaries of legal topics and principles. They offer an overview of a particular area of law, including key concepts, leading cases, and legal analysis. Legal encyclopedias are valuable resources for researchers seeking background information on a legal issue.

15. **Treatises**: Legal treatises are in-depth scholarly works that explore specific areas of law in detail. They offer thorough analysis, commentary, and interpretation of legal principles and doctrines. Treatises are often authored by legal experts and are considered authoritative sources in legal research.

16. **Law Reviews**: Law reviews are scholarly journals that publish articles written by legal scholars, practitioners, and students on various legal topics. They provide in-depth analysis, commentary, and critiques of legal issues and developments. Law reviews are valuable sources of secondary authority in legal research.

17. **Digests**: Legal digests are indexes that organize case law by topic, jurisdiction, and key legal concepts. They provide a systematic way to locate relevant cases on a specific legal issue. Digests are useful tools for researchers looking to find relevant precedents and authority in a particular area of law.

18. **Legal Research Process**: The legal research process involves several steps, including identifying the legal issue, formulating a research strategy, locating relevant sources, analyzing the information, and synthesizing the findings into a coherent argument or memo. Effective legal research requires critical

thinking, attention to detail, and an understanding of legal principles.

19. **KeyCite**: KeyCite is a legal research tool provided by Westlaw that allows users to verify the validity of case law and statutes. It provides information on the history of a legal document, including citing references, treatment indicators, and judicial opinions. KeyCite helps researchers assess the current status and authority of legal sources.

20. **Legal Memorandum**: A legal memorandum is a document that outlines the legal analysis and conclusions of a legal research project. It typically includes a statement of the legal issue, a summary of relevant authorities, an analysis of how the law applies, and recommendations for action. Legal memoranda are used by attorneys to communicate research findings to clients or colleagues.

21. **Electronic Research**: Electronic research refers to the use of online resources, databases, and tools to conduct legal research. It allows researchers to access a vast array of legal materials quickly and efficiently. Electronic research has become an essential component of modern legal practice, offering convenience and access to up-to-date information.

22. **Case Brief**: A case brief is a summary of a court opinion that highlights the key facts, legal issues, holding, and reasoning of the case. Case briefs are used by legal researchers to understand and analyze judicial decisions efficiently. They provide a concise overview of the essential elements of a case.

23. **Legal Writing**: Legal writing is a specialized form of writing used in the legal profession to communicate legal analysis, arguments, and conclusions. It requires precision, clarity, and adherence to legal standards and conventions. Legal writing is an essential skill for legal professionals, including attorneys, paralegals, and legal transcribers.

24. **Legal Analysis**: Legal analysis involves interpreting and applying legal principles to specific facts or issues. It requires researchers to identify relevant authorities, analyze their implications, and draw conclusions based on legal reasoning. Legal analysis is a critical component of legal research and writing.

25. **Judicial Precedent**: Judicial precedent refers to the principle that courts are bound to follow prior decisions in similar cases. It creates consistency, predictability, and stability in the legal system. Researchers rely on judicial precedent to understand how courts have interpreted and applied the law in specific situations.

26. **Case Synthesis**: Case synthesis involves analyzing and comparing multiple cases to identify common themes, principles, or trends. It requires researchers to synthesize the holdings, reasoning, and outcomes of various cases to develop a comprehensive understanding of a legal issue. Case synthesis helps researchers identify patterns and develop persuasive arguments.

27. **Legal Reasoning**: Legal reasoning is the process of applying legal principles to specific facts to reach a conclusion. It involves logic, analysis, and interpretation of legal sources to support arguments or

decisions. Legal reasoning is a fundamental skill for legal professionals to navigate complex legal issues effectively.

28. **Legal Citation Format**: Legal citation format follows a specific style guide, such as The Bluebook or ALWD Citation Manual, to ensure consistency and accuracy in referencing legal sources. Proper citation format is essential for legal research, writing, and communication, as it allows readers to locate and verify the sources cited.

29. **Research Ethics**: Research ethics in legal research involve upholding principles of integrity, honesty, and objectivity in conducting research. Researchers must adhere to ethical standards, respect confidentiality, and avoid conflicts of interest in their research practices. Ethical considerations are essential in maintaining the credibility and trustworthiness of legal research.

30. **Legal Transcription**: Legal transcription is the process of converting spoken legal content, such as court proceedings, depositions, or legal dictations, into written text. Legal transcribers must accurately transcribe legal terminology, citations, and complex legal concepts with precision and attention to detail. Legal transcription plays a vital role in documenting legal proceedings and creating official records.

In conclusion, mastering the key terms and vocabulary related to legal research skills is essential for success in the Graduate Certificate in Legal Transcription course. Understanding these concepts will enable students to conduct thorough and effective legal research, analyze and interpret legal sources, and communicate legal analysis accurately. By developing proficiency in legal research skills, students will be equipped to excel in the field of legal transcription and contribute to the legal profession effectively.