



J. MICHAEL
GOODSON
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Research Guides

**LEGAL
RESEARCH
FOR NON-
LAWYERS**

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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 many of these books give basic information and general advice on various legal subjects. Using these books may help you find an answer to your question. If you do not find these books helpful, the reference staff 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 the law for you or explain how the law would apply to your particular case.**

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/public-pro-bono/lawyer-referral-service/for-the-public.aspx>), 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 which office to contact, visit <http://www.legalaidnc.org/public/Learn/Locations/default.aspx>. For the Durham Legal Aid office, call toll-free (800) 331-7594 or (919) 688-6396.

This guide lists some of the books 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 books can be located by using the online **Duke University Libraries catalog** at <http://find.library.duke.edu/?type=books>.

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* (15th ed.) (Ref. KF240 .L417 2009). 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.”

Another overview of legal research is given in Suzan Herskowitz Singer, *Legal Research Made Easy* (3rd ed.) (Reserve KF240 .H47 2002). This book concentrates on explaining the basic kinds of books used in legal research and what they contain.

If you are specifically researching North Carolina law, see Scott Childs, *North Carolina Legal Research* (Ref. KFN7475 .C48 2010) as well as the **North Carolina Practice** research guide (<http://www.law.duke.edu/lib/researchguides/ncprac>).

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 <http://library.duke.edu/catalog/search/recordid/DUKE004625817>; 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. The *Gale Encyclopedia of Everyday Law* (Ref KF387 .G35 2006) 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) 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. Look at books that list legal websites:

Diana Botluk, *The Legal List: Research on the Internet* (Ref. KF242 .A1 H54).

2. Use law-related search engines or websites:

- **FindLaw** (<http://www.findlaw.com>)
- **ABA LawInfo** (<http://www.abalawinfo.org>)
- **NOLO Self-help Law Center** (<http://www.nolo.com>)

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

- **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.
- **FDsys** (<http://fdsys.gpo.gov>): Website of the Government Printing Office.
- **LexisOne** (<http://www.lexisone.com>): Legal website directory, legal forms and cases from all courts from the last 5 years. Free but requires registration.
- **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.
- **THOMAS** (<http://thomas.loc.gov>): Federal legislative information and bill-tracking.

V. General Legal Problems

American Bar Association, *Family Legal Guide* (3rd ed.) (Ref KF387 .Y68 2004). Written in plain, direct language, the chapters in this book cover the legal aspects of the basic, everyday issues of family law, buying and selling a home, home ownership, renting residential property, consumer credit, bankruptcy, contracts law, automobile law, law and the workplace, personal injury, criminal justice, rights of older Americans, and wills, trusts, and estate planning.

Paul Bergman & Sara J. Berman-Barrett, *Represent Yourself in Court: How to Prepare and Try a Winning Case* (6th ed.) (Ref. KF8841.B7 2008). 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.

Amber Hewette & Diane Murley, *Law for the Layperson: An Annotated Bibliography of Self-Help Law Books* (3rd ed.) (Ref. KF1 .H68 2006). This bibliography is an extensive listing of self-help law books arranged by subject, including many titles that cover the law specific to individual states. There are also indexes by author, title and state.

Shae Irving, *Nolo's Encyclopedia of Everyday Law* (7th ed.) (Ref KF387 .N65 2008).

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* (5th ed.) (Ref KF170 .L46 2005). 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. Specific Legal Topics

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://find.library.duke.edu/?type=books>), or speak with a reference librarian.

You will notice that many of the resources below are published by **Nolo Press**, a company that caters to the layperson’s legal needs. The Law Library does not own the complete library of Nolo Press products. For other topics and forms, 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*. (5th ed.) (KF390.5.D6 E94 2005). 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

Stephen Elias et al., *How to File for Chapter 7 Bankruptcy*. (15th ed.) (Ref KF1524.85.E4 2008). 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. For general background, also see this author's companion title, *The New Bankruptcy: Will it Work for You?* (Ref KF1524.6 .E453 2006).

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.

Robin Leonard, *Chapter 13 Bankruptcy: Repay Your Debts*. (7th ed.) (Ref KF 1524.6 .L46 2005). 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/or online in the **NetLibrary** database, and can be found in the libraries' online catalog.

Denis Clifford & Ralph E. Warner, *Form a Partnership: Complete Legal Guide*. (8th ed.) (via NetLibrary). 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.

Anthony Mancuso, *Incorporate Your Business* (via NetLibrary). The author discusses the characteristics and creation of a corporation.

CITIZENSHIP

Iлона Bray, *U.S. Immigration Made Easy*. (13th ed.) (Ref KF 4819.6 C36 2007). 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.

Iлона 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 & via NetLibrary). 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*. (3rd ed.) (Ref KF3002.C6 S75 2007). 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*. (8th ed.) (Ref KF2980 .E44 2006). 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*. (10th ed.) (Ref KF9619.6 .B47 2008). 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.

David Brown, *Beat Your Ticket: Go to Court & Win*. (4th ed.) (Ref KF 2231 .Z9 B76 2005). Advises drivers whether a traffic citation could be successfully contested in court, and provides tips to present your case.

Debra J. Wilson, *The Complete Book of Victims' Rights*. (KF9763.Z95 W55 1995). This book explains the laws that help crime victims participate in court proceedings and parole hearings, that allow them to obtain compensation and restitution for crimes committed against them, and that protect their privacy.

EDUCATION LAW

Lawrence M. Siegel, *The Complete IEP Guide: How to Advocate for your Special Ed Child*. (6th ed.) (Ref KF4209.3 .S57). 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, *Nolo's IEP Guide: Learning Disabilities*, (3rd ed.) (Ref KF4209.3.Z9 S54 2007).

ELDER LAW

American Bar Association, *The American Bar Association Legal Guide for Americans Over 50*. (2nd ed.) (KF390.A4 A44 2006). Subtitled “Everything about the law and Medicare and Medicaid, retirement rights, and long-term choices, for yourself and your parents.”

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* (13th ed.) (Ref KF3650 .M37 2008). 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.

EMPLOYMENT AND WORKER’S 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.

William Petrocelli & Barbara K. Repa, *Sexual Harassment on the Job: What It Is and How To Stop It*. (4th ed.) (via NetLibrary). This book includes information on how to identify and put an end to harassment, as well as a guide on how to pursue a legal action and the legal remedies available.

Barbara K. Repa, *Your Rights in the Workplace*. (9th ed.) (Ref KF3319.6 .L32 2010). 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). 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, *Nolo’s Simple Will Book* (6th ed.) (Ref KF755.Z9 C54 2005). This book describes what to consider in making a will, and the procedures for actually drawing up a will on your own. It includes sample forms on disk in the appendix. See also the author’s companion title *Quick & Legal Will Book*, (4th ed.) (KF755.Z9 C55 2006).

Denis Clifford & Cora Jordan, *Plan Your Estate: Everything You Need to Know to Protect Your Loved Ones, Property & Finances* (8th ed.) (Ref KF750.Z9 C59 2006). This book is designed to help the reader arrange for the transfer of property after death. All major aspects of

estate planning are discussed, but it is not a do-it-yourself book with forms. It has sections on avoiding probate, estate taxes, trusts and wills, and health care decisions.

Mary Randolph, *8 Ways to Avoid Probate* (7th ed.) (Ref KF750.Z9 R36 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 Divorce* (3rd ed.) (Ref KF535.Z9 D67 2010). 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.

Toni Ihara, et al., *Living Together: A Legal Guide for Unmarried Couples* (12th ed.) (Ref KF538 .I35 2004). This resource discusses the documentation needed for unmarried individuals living together regarding issues of inheritance, adoption and property ownership. This resource is useful for heterosexual couples as well as gay and lesbian partners who are living together.

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.

Margaret C. Jasper, *Rights of Single Parents* (Ref KF547.Z9 J377 2005). Part of the Oceana's "Law for the Layperson" series, this almanac presents an overview of the legal issues faced by single parents.

Mimi E. Lyster, *Child Custody: Building Parenting Agreements That Work* (4th ed.) (Ref KF547.Z9 L97 2003). This book is for parents who want to reach the best possible agreement about how parenting responsibilities will be shared or divided during or after a separation or divorce. It provides forms and checklists for reaching agreements.

Katherine E. Stoner, *Divorce without Court: A Guide to Mediation and Collaborative Divorce* (Ref KF535.Z9 S76 2006). This resource helps you determine whether mediation or divorce through collaboration and negotiation are right for your situation and helps the user

through the process in cases where cooperative divorce is feasible.

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.

Anthony C. Infanti, *Everyday Law for Gays and Lesbians and Those Who Care About Them* (Ref KF4754.5 .I54 2007). This overview of legal issues faced by gays and lesbians is more academic than practical in nature, but includes discussion of key cases and statutes in a variety of topics (including marriage and its same-sex equivalents, the military, and parenting).

North Carolina Gay and Lesbian Attorneys, *A Legal Guide for Lesbians and Gay Men in North Carolina* (KFN7502 .L44 1996; updated online: http://www.ncgala.org/guide/Legal_Guide.htm). This publication provides a summary of North Carolina laws and court decisions that affect lesbians and gay men. It covers topics such as AIDS, having children and dealing with child custody disputes, employment and housing discrimination, prosecution under the crime against nature laws, wills and estate planning, and domestic partnership issues.

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* (6th ed.) (Ref KF590.Z9 P67 2009). 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.

MEDIATION

Peter Lovenheim, *Mediate, Don't Litigate: Strategies for Successful Mediation*. (Ref KF9084 .Z9 L683 2004). This book defines mediation and suggests when it is appropriate to use mediation rather than the civil court system. The book gives step-by-step advice for preparing a

case for mediation. Appendices list national and regional mediation organizations and services as well as statewide mediation offices.

NEIGHBOR LAW

Cora Jordan, *Neighbor Law: Fences, Trees, Boundaries & Noise* (5th ed.) (Ref KF639.Z9 J67 2006). 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.

PERSONAL INJURY

Joseph L. Matthews, *How to Win Your Personal Injury Claim* (5th ed.) (Ref KF1257.Z9 M37 2004 & via NetLibrary). This book takes the reader through the steps of filing and pursuing a claim for personal injuries. Topics included are insurance coverage, deciding what your claim is worth, and negotiating a settlement.

SMALL CLAIMS COURT

Ralph Warner, *Everybody's Guide to Small Claims Court* (11th ed.) (Ref KF8769.Z9 W37 2006). 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*. (8th ed.) (Ref KF6324.Z9 D345 2005). This publication offers advice for handling tax problems and questions for personal income tax as well as for small businesses. There are chapters about defending oneself if faced with an IRS audit, the possibility of property seizure, and whether and how to appeal an IRS decision.

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