

Legal Encyclopedias

The two national legal encyclopedias are *American Jurisprudence, Second Edition*, commonly called *Am. Jur. 2d* and *Corpus Juris Secundum*, usually referred to as *C.J.S.*

Legal encyclopedias are useful for background information on general legal principles and for finding initial citations on a particular topic. They are multi volume sets with numerous citations and footnotes to court decisions. Articles in them are arranged alphabetically. Access to articles is provided by detailed subject indexes. They are secondary source materials like legal treatises and hornbooks, yet they differ from those. Articles in legal encyclopedias are written on broad topics by editors whereas treatises and hornbooks are more specific and more detailed, and are written by legal scholars and practitioners. Hornbooks are generally shorter than treatises. Courts generally do not view legal encyclopedias as persuasive authority on the law because this research tool tends to be a survey of the law and not an in-depth analysis of it. Thus, you might choose to use an encyclopedia to begin your research, but you would never cite one in a brief or memo.

Am. Jur.2d and *C.J.S.* were formerly competitor products with different editors, but now they are both Thomson West products. They are not, however, interchangeable. The organization of *Am. Jur.2d* reflects case law treatment with a greater emphasis on statutes. The organization of *C.J.S.* focuses more on the subject matter of case law. Both are tools used at the beginning of your research when you know very little about a topic. You would not cite an encyclopedia.

Both encyclopedias can be found in the **Garbrecht Law Library** on the **second floor** in the primary room and both are in electronic format on Westlaw and LexisNexis.

Common features of *Am. Jur. 2d* and *C.J.S.*:

- Both describe the law nationwide, focusing primarily on case law.
- Both have a general index for the set as a whole and individual indexes for each topic.
- Both are updated by pocket parts.

Special features of *Am. Jur. 2d*:

- Provides an additional focus on federal statutes and regulations.
- Provides a "Table of Statutes and Rules Cited" for the set as a whole and for each volume individually. Most recent volumes have West Key Numbers.
- Provides the "New Topic Service" which covers new topics and topics that have been extensively changed since the bound volumes were last printed.
- The *Am. Jur. 2d* series started in 1962. It was preceded by *Ruling Case Law* (1914-1931) and *American Jurisprudence* (1936-1960).

Special features of *C.J.S.*:

- Focuses more on case law.
- Provides cross references to West Key Numbers which make it easier to do research in West's Digests.
- The *C.J.S.* series started in 1936. It was preceded by *Corpus Juris* (1911-1937).

Note: Some states have their own state specific legal encyclopedia. Maine does not.