

Why Use Statutory Annotations as a Research Tool?

You can easily find statutes using Google, so why do careful lawyers only use annotations? The plain words of a statute are usually not enough to determine what the law is. The researcher needs to read cases or other material in conjunction with the statutory language. Annotated statutes provide researchers with cross-references to relevant judicial or administrative decisions (in Maine, these are called Notes of Decisions), administrative code sections, encyclopedias, attorney general opinions, legislative history materials, law reviews, and treatises. The compilation of these references by legal publishers is so costly that it is never available free over the internet.

Annotated statutes:

- ❖ Include representative, relevant cases that illustrate topic/subject
- ❖ Elucidate topic by highlighting issues in cases citing particular statute
- ❖ Include historical and statutory notes which help researcher understand the history of a provision
- ❖ List library and research references
- ❖ Are a time-saving research tool
- ❖ Are updated or supplemented by the publisher's editorial board
- ❖ Are an effective (yet costly) research tool

Example: Maine Statute

BURGLARY AND CRIMINAL TRESPASS 17-A § 405
Ch. 17 Note 1

C.J.S. Motor Vehicles §§ 1311 to 1313, 1315 to 1317, 1436, 1526 to 1527, 1543 to 1544.
C.J.S. Trespas §§ 172, 174 to 175, 179, 182, 191.

Research References

Treatises and Practice Aids
3 Substantive Criminal Law § 21.2, Criminal Trespas.

§ 405. Burglary of motor vehicle

1. A person is guilty of burglary of a motor vehicle if:

A. The person enters a motor vehicle, knowing that the person is not licensed or privileged to do so, with the intent to commit a crime therein. Violation of this paragraph is a Class D crime; or

B. The person violates paragraph A, and the person forcibly enters a motor vehicle that is locked. Violation of this paragraph is a Class C crime.

2. Repealed. Laws 2003, c. 711, § A-4.

2-A. As used in subsection 1, "forcibly" means with the use of a burglar's tool or by the use of physical force that damages or destroys the motor vehicle. "Burglar's tool" means any device described in section 403, subsection 1, paragraph A. 1989, c. 263, 2003, c. 711, § A-4.

Historical and Statutory Notes

Laws 2003, c. 711, § A-4, reworded the section, that the actor is not licensed or privileged to do so, which read: with the intent to commit a crime therein.

"1. A person is guilty of burglary of a motor vehicle if the actor enters a motor vehicle, knowing

"2. Burglary of a motor vehicle is a Class C crime."

Library References

Burglary §§ 4, 9, C.J.S. Burglary §§ 1 to 4, 11 to 24, 30 to 31, 33, Westlaw Topic No. 67. 36 to 43.

Research References

Treatises and Practice Aids
3 Substantive Criminal Law § 21.1, Burglary.

Notes of Decisions

Evidence 1 _____ establish intent to commit a crime for purposes of crime of burglary of motor vehicle. State v. Raymond (1999) Me., 737 A.2d 554. Burglary ☞ 41(3)

1. Evidence
Proof of a defendant's intent to commit theft by unauthorized use of motor vehicle is sufficient to

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Example: Notes of Decisions

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