Introduction to Legal Encyclopedias

Legal encyclopedias lay the foundation for much legal research. Like any encyclopedia, their scope is broad; they fill multiple volumes and offer comprehensive coverage of the law. Topics are treated from a wide rather than narrow perspective, highlighting the general understanding of a concept rather than a specific jurisdiction’s treatment of it. Besides stating legal concepts, the articles cite leading decisions and refer to other primary and secondary sources. Articles are written for readers with some legal expertise and can vary from a few pages to several volumes in length.

Legal encyclopedias are not considered to have mandatory or persuasive authority in themselves. Their value lies in their presentation of the general understanding of a legal concept and in their references to other resources.

The leading national legal encyclopedias are *American Jurisprudence (Am. Jur. 2nd)* and *Corpus Juris Secundum (C.J.S.)* Both sets are published by West and have similar organizational and updating features. Their content, however, reflects the differing objectives of their editors, and the same search will produce different results in each set. See page 2 for more comparisons.

Some states have legal encyclopedias. Michigan, for example, has *Michigan Law and Practice Encyclopedia* and *Michigan Civil Jurisprudence*.

Using a Legal Encyclopedia

There are two keys to successfully locating topics in a legal encyclopedia:

1. **Use the general index volumes.** The general index volumes found at the end of the sets are filled with topic details, descriptive words, and cross-references that can lead you to the correct location. If you rely on the topic labels found on the main volume spines, you may either miss completely the subsection that treats your topic or find your topic spans multiple volumes.

2. **Browse.** Browse the general index in your topic area to pick up search-term language used by the publishers but perhaps not familiar to you. Browse the table of contents printed at the beginning of each main volume entry to understand how your topic fits into the discussion and to ascertain that you are indeed in the correct topic.

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American Jurisprudence 2d and Corpus Juris Secundum Compared

Am. Jur. 2d and C.J.S. are very similar in layout and organization. If you learn to use one set, you will be comfortable using the other. The content, however, does vary and the same search will provide different results in each set.

American Jurisprudence 2d

“A modern comprehensive test statement of American law... State and Federal”
- 83 main volumes with a 7-volume General Index.
- Main volumes cover hundreds of topics from Abandoned, Lost and Unclaimed Property to Zoning and Planning

A typical Am. Jur. 2d entry includes:
- A Scope of Topic statement defining what is covered in that entry
- References to West Key Numbers (only in recent editions), ALRs, and related publications.
- Outlines of the topic content
- Text of the entry in simple narrative form
- Many footnotes to cases, statutes, and secondary sources.

Corpus Juris Secundum

“A contemporary statement of American Law as derived from reported cases and legislation”
- 101 main volumes with a 6-volume General Index
- Main volumes cover hundreds of topics from Abandonment to Zoning and Land Planning

A typical C. J. S. entry includes:
- Analysis and sub-Analysis outlines of the topic
- A Table of Corresponding Sections detailing section number changes from previous editions
- A scope note
- The body of the text including a defining black-letter statement and explanation
- West Topics and Key Numbers
- Many footnotes to cases, statutes, and secondary sources.

In both sets...

- Main volume entries are in alphabetical order.
- Each main volume ends with a detailed index for that particular volume.
- Main volumes are updated with pocket parts. When enough changes occur in a main volume, it is republished in its entirety. Thus, publication dates can vary from volume to volume within a set.
- A paperback General Index to the entire set is published annually.
- A Table of Laws and Rules volume lists by title and section number federal law, regulations and court rules covered in main volume topics.

Using the General Indexes of Am. Jur. 2d and C.J.S.

Both Am. Jur. 2d and C.J.S. General Indexes are structured the same although the search results may be different. The sample searches below for the word “television” illustrate the similarities in format and differences in search results.

Index entries can refer you to:
- a main entry article title and section number, e.g. Tele § 147-216. “Tele” is the abbreviation for the article entitled “Telecommunications” found in C.J.S. volume 86 which covers topics from telecommunications to towing. An abbreviations index is found at the beginning of each index volume.
- a cross-reference to another index term, e.g. Bankruptcy (this index). This entry sends you to another index topic listing rather than a main volume topic.

NOTE: Both indexes often have long lists of entries under a search term, making it easy to lose your bearings. The main index entries are in bold capital letters, e.g. TELEVISION or TELEVISION AND RADIO. Sub-listings will use in lower case print, e.g. Cable Television (this index).

Sample Am. Jur. 2d General Index search
TELEVISION
Generally, Telecom § 147-183
Bankruptcy (this index)
Criminal Law (this index)
For detailed treatment see index topic

Sample C.J.S. General Index search
TELEVISION AND RADIO
Generally, Tele § 147-216
Access by candidates, Tele § 187
Actions and remedies
Cable Television (this index)