



Legal Research Center

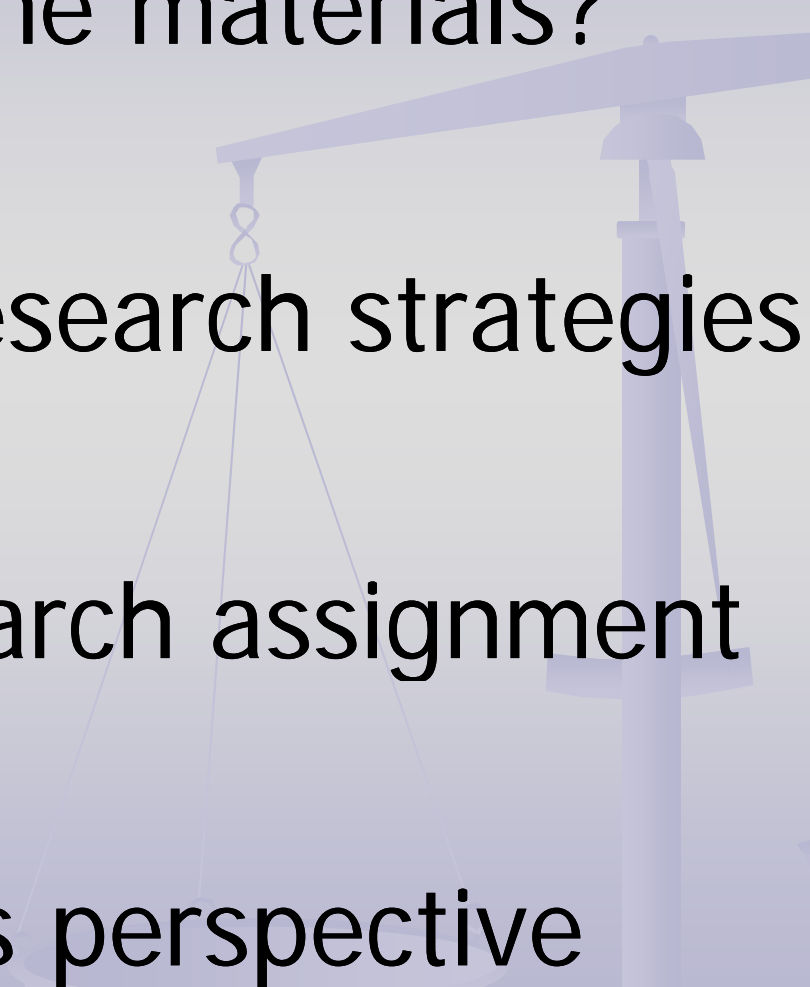
Civil Litigation

<http://www.sandiego.edu/lrc/student/rmw.php>

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What we will cover

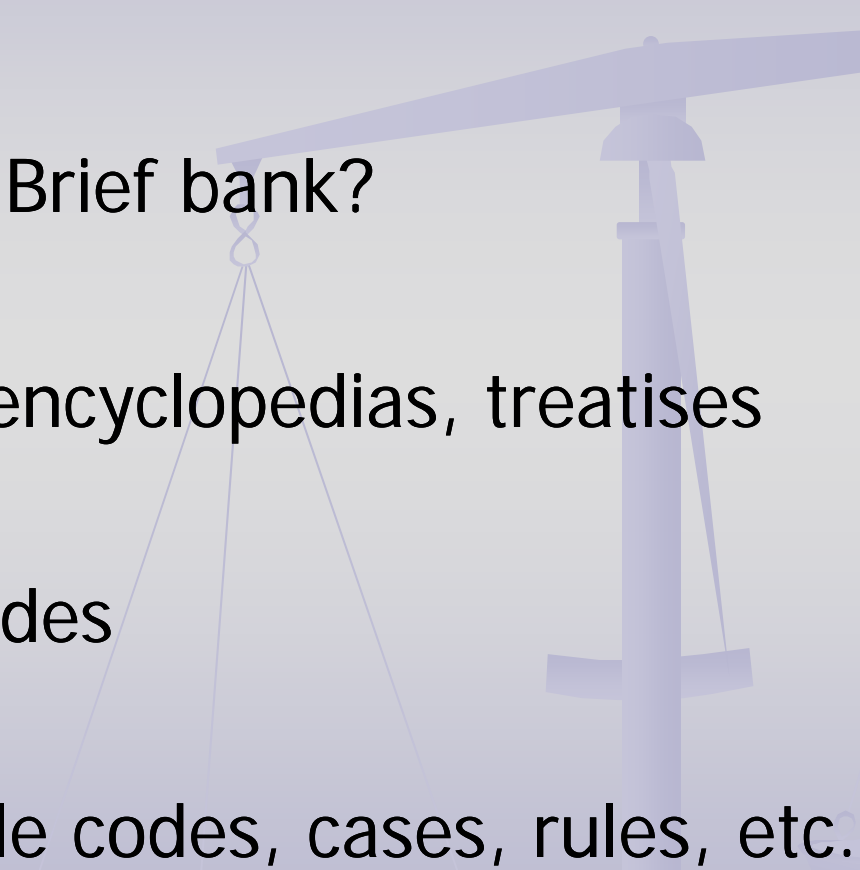
- Print vs. online materials?
 - A word on research strategies
 - Sample research assignment
 - An attorney's perspective
- 

Print v. online resources



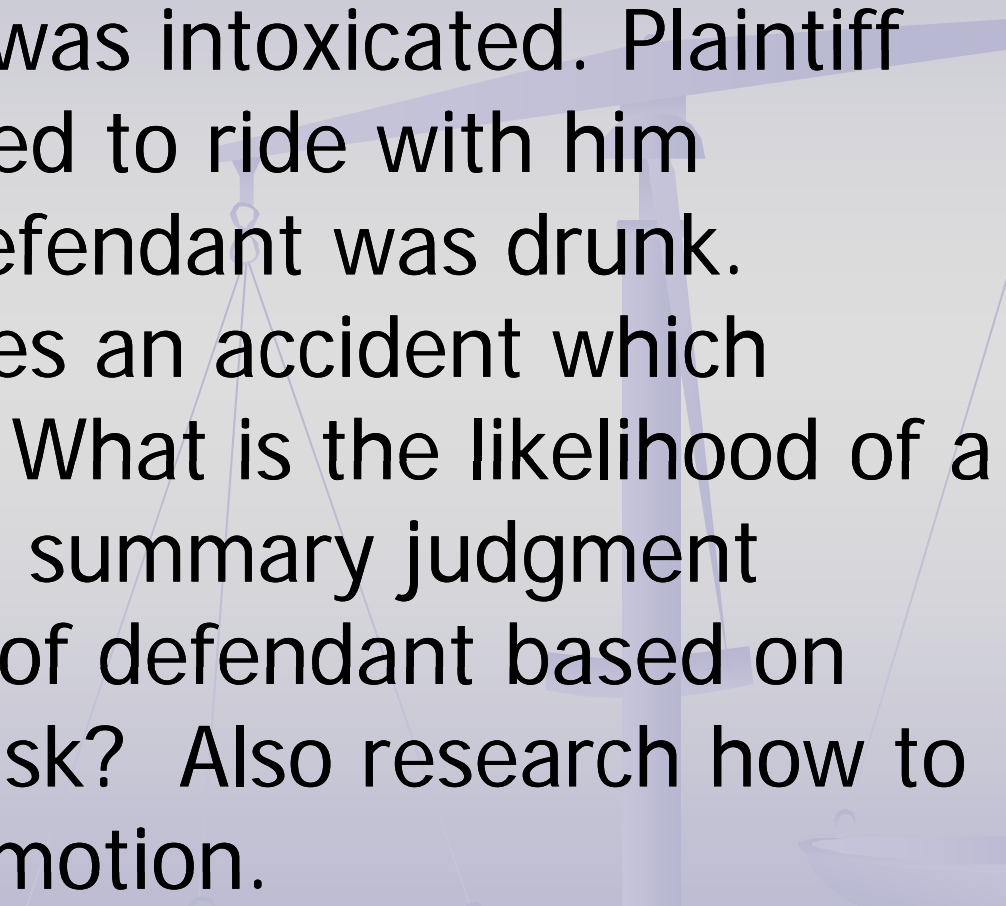
- Ease of use
 - Indexing and browsability of print materials
 - Spotting related or overarching issues
- Cost
 - Check with your firm librarian or office manager about usage guidelines

Research strategy

- Read the case file
 - Is there a library? Brief bank?
 - Get an overview: encyclopedias, treatises
 - Check practice guides
 - Research applicable codes, cases, rules, etc.
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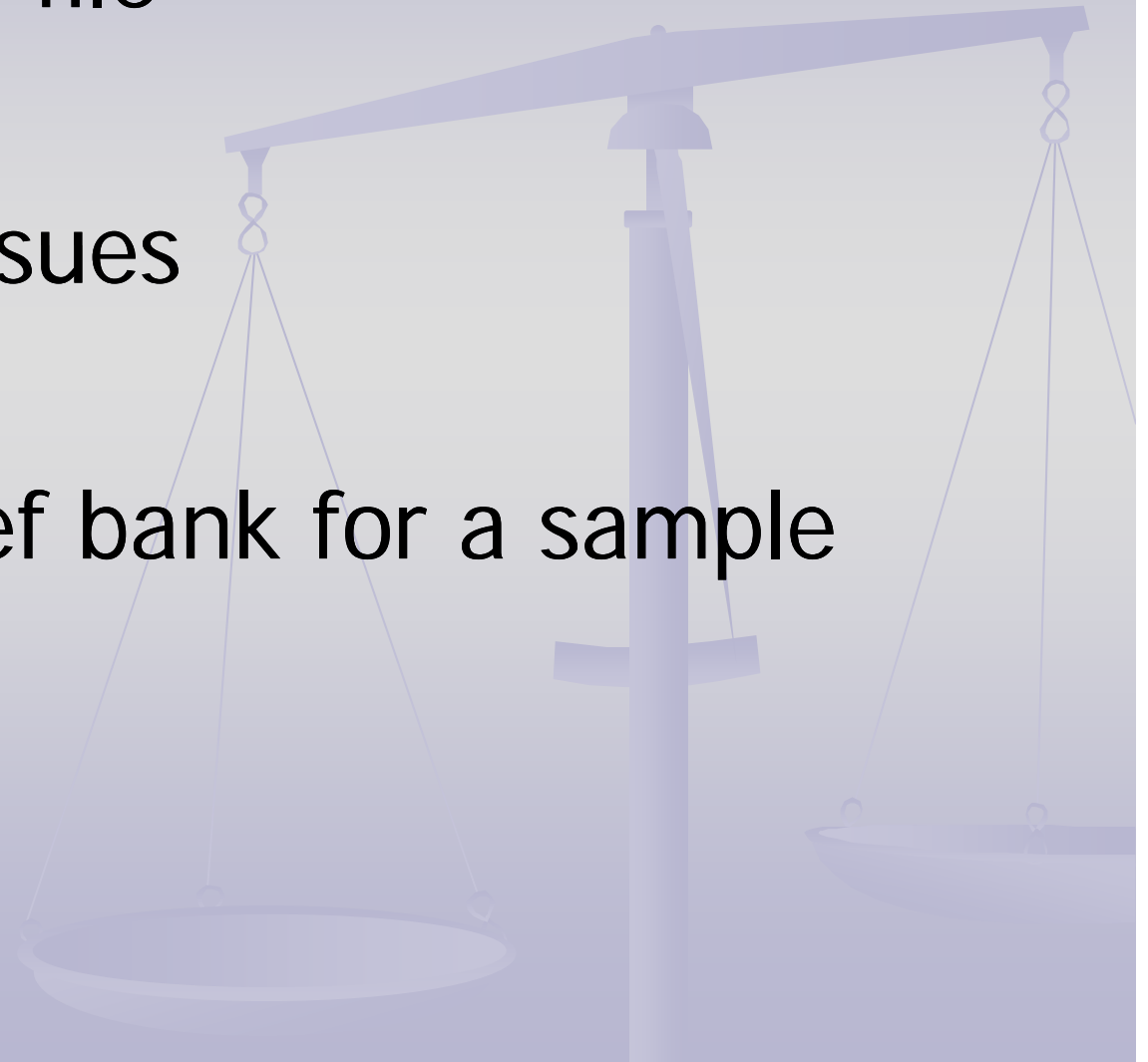
Sample Research Assignment #1

Defendant driver was intoxicated. Plaintiff passenger elected to ride with him knowing that Defendant was drunk. Defendant causes an accident which injures Plaintiff. What is the likelihood of a court granting a summary judgment motion in favor of defendant based on assumption of risk? Also research how to prepare such a motion.



Where to start?

- Read the case file
- Identify the issues
- Check the brief bank for a sample motion



Issues

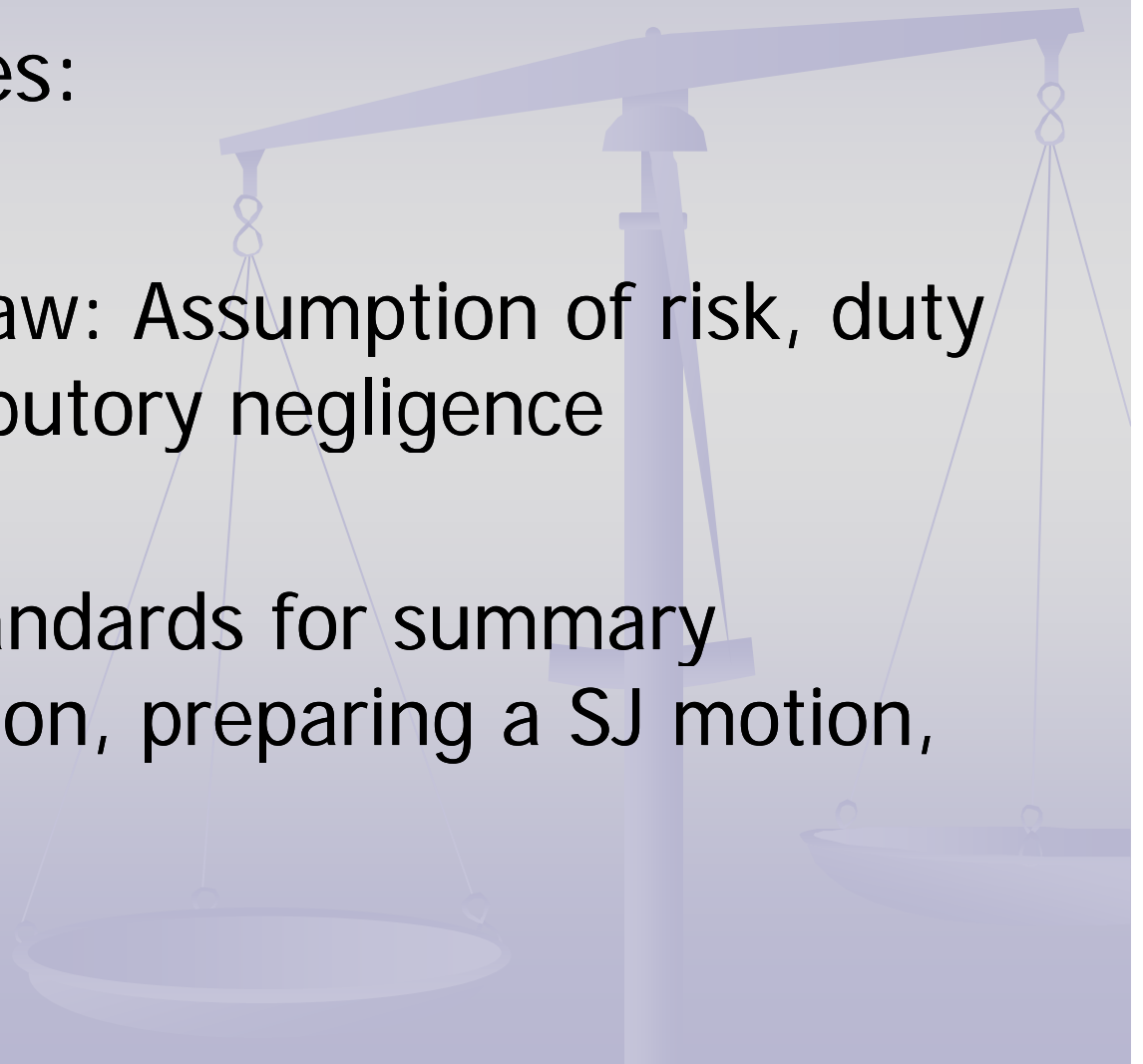
- What are the substantive issues?
 - Duty of Care
 - Assumption of Risk
 - Contributory negligence
- What are the procedural issues
 - How do I prepare a summary judgment motion?
 - Service

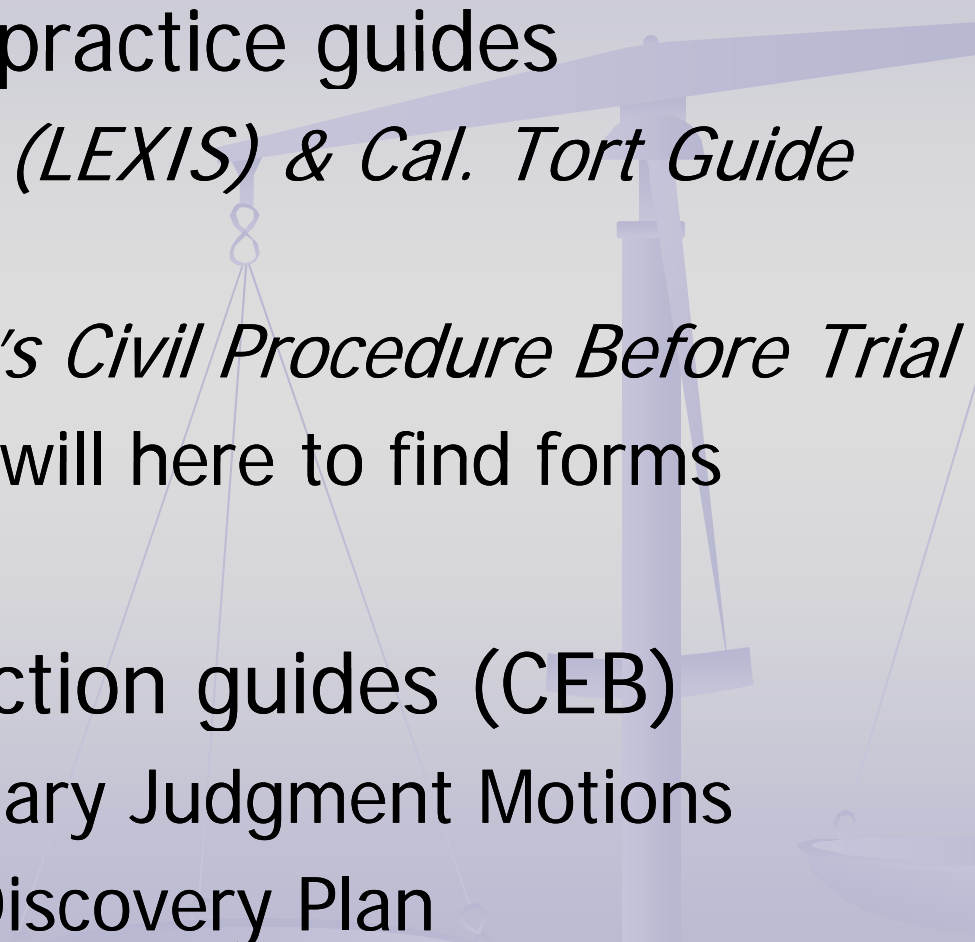


Get an overview: check treatises

Check Witkin's for both the substantive & procedural issues:

- Summary of Law: Assumption of risk, duty of care, contributory negligence
- Procedure: Standards for summary judgment motion, preparing a SJ motion, service



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- Move on to the practice guides
 - *California Torts (LEXIS) & Cal. Tort Guide (CEB)*
 - *Rutter's & CEB's Civil Procedure Before Trial*
 - Practice guides will here to find forms
 - Check for any action guides (CEB)
 - Handling Summary Judgment Motions
 - Creating Your Discovery Plan



We can help!

**Contact the LRC
Reference Librarians
with Research
Questions**

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