

# **Texas Legal Research**

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# Texas Legal Research

**Spencer L. Simons**

Suzanne E. Rowe, Series Editor

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*To Alexandra,  
for her support, encouragement, and patience*



# Summary of Contents

List of Tables and Figures	xix
Series Note	xxiii
Preface and Acknowledgments	xxv
Chapter 1 The Research Process and Legal Analysis	3
Chapter 2 Online Legal Research	15
Chapter 3 Constitutional Law	33
Chapter 4 Court Systems and Judicial Opinions	47
Chapter 5 Researching Judicial Opinions	79
Chapter 6 Statutory Research	95
Chapter 7 Bill Tracking and Legislative History	115
Chapter 8 Administrative Law	139
Chapter 9 Updating with Citators	155
Chapter 10 Secondary Sources	173
Appendix A Legal Citation	193
Appendix B Selected Bibliography	215
About the Author	219
Index	221



# Contents

List of Tables and Figures	xix
Series Note	xxiii
Preface and Acknowledgments	xxv
<b>Chapter 1 The Research Process and Legal Analysis</b>	<b>3</b>
I. Texas Legal Research	3
II. Intersection of Legal Research and Legal Analysis	3
III. Types of Legal Authority	4
A. Primary and Secondary Authority	4
B. Mandatory and Persuasive Authority	5
IV. Overview of the Research Process: The Seven-Step Process	6
Step 1: Gather Facts and Develop Search Terms	6
Step 2: Search in Secondary Sources	8
Step 3: Research Constitutional, Statutory, and Administrative Law	8
Step 4: Find Judicial Opinions	9
Step 5: Read Judicial Opinions Carefully	9
Step 6: Update All Authority	9
Step 7: When to Stop Researching	10
V. Control of the Research Process	10
A. Research Strategy	10
B. The Research Journal	11
C. Read, Analyze, and Outline	12
VI. Organization of This Book	13

<b>Chapter 2 Online Legal Research</b>	<b>15</b>
I. Introduction	15
II. Choosing Between Online or Print Resources	15
A. Where Is the Document Available?	15
B. Is an Online Document Official and Verifiable?	16
C. What Is the Database Scope?	16
D. How Current Is the Source?	16
E. What Is the Cost/Time Tradeoff?	17
F. How Easy Is Searching and Navigating?	17
G. How Easy Is Reading and Scanning?	18
H. Do You Need to Print, Email, or Cut and Paste?	18
III. Online Resources	19
A. Westlaw and LexisNexis	19
B. Free Online Legal Resources	19
C. Other Commercial Databases	19
D. Specialized Legal Databases	20
IV. Keyword Searching in Westlaw and LexisNexis	21
A. Terms and Connectors Searching	21
B. Natural Language Searching	23
C. Problems with Keyword Searching	24
V. Getting the Most from Keyword Searching	24
A. Using Segments and Fields	24
B. Refining Queries	25
VI. Add Power to the Search with Finding Tools	26
A. Indexes	26
B. Tables of Contents	27
C. West's Key Number System and LexisNexis' Topic and Headnote System	27
D. Citators: KeyCite and Shepard's	27
VII. Cost-Effective Searching	28
VIII. Pitfalls of Online Searching and Solutions	30
A. Tunnel Vision and "Law-Bytes"	30
B. Inadvertent Plagiarism	31
C. Losing Track	31

<b>Chapter 3 Constitutional Law</b>	<b>33</b>
I. Introduction	33
II. A Thumbnail History of Texas and Its Constitution	33
III. Finding the Texas Constitution	36
A. Contents of <i>Vernon's Annotated Constitution of the State of Texas</i>	36
B. Finding Relevant Constitutional Provisions in <i>Vernon's</i>	37
C. Using the Annotations in <i>Vernon's</i>	37
IV. Other Resources for Texas Constitutional Research	39
V. Updating Texas Constitutional Research	40
VI. Researching Constitutional Law Online	41
A. Westlaw and LexisNexis	41
B. Texas State Legislature Website	42
VII. Interpreting the Texas Constitution	43
VIII. Texas Constitution or Federal Constitution?	44
IX. Researching the United States Constitution	44
<b>Chapter 4 Court Systems and Judicial Opinions</b>	<b>47</b>
I. Opinions, Cases, and Reporters	47
II. Court Systems: General	48
III. Texas Court System	49
A. The Texas Court System: 1981 to Present	50
1. Supreme Court of Texas and Texas Court of Criminal Appeals	50
2. Courts of Appeals of Texas	50
3. Trial Courts	51
4. Appointment of Judges and Justices	52
B. Brief History of the Courts of Texas Before 1981	52
1. Courts of the Republic and Early Statehood: 1836–1876	52
2. The Courts from 1876 to 1891	54

3. The Courts from 1892 to 1981	55
4. The Courts from 1981 to Present	56
IV. Court Systems of Other States	56
V. United States Federal Court System	58
VI. Reporters for Texas Cases	59
VII. Reporters for Federal Cases	60
A. United States Supreme Court	60
B. United States Courts of Appeals and United States District Courts	61
C. Special Courts and Topics	61
VIII. Unpublished Opinions	61
IX. Parts of a Published Judicial Opinion	64
X. Advance Sheets	68
XI. Reading and Analyzing Cases	68
A. A Thimbleful of Civil Procedure	69
B. Analyzing the Substance of Cases	70
C. Strategies for Reading Cases	72
XII. Precedential Value of Texas Cases: Subsequent History	74
A. Subsequent History Notation: General	74
B. Texas Subsequent History Notation	74
<b>Chapter 5 Researching Judicial Opinions</b>	<b>79</b>
I. Introduction	79
II. West Key Numbers and the American Digest System	79
A. Headnotes	79
B. Topics and Key Numbers	80
C. West Digest System and the Digests of Other Jurisdictions	80
III. Research in the <i>Texas Digest, 2d</i>	83
A. Starting with “One Good Case”	83
1. Locate the Topic and Key Number in a Digest	83
2. Update the Topic and Key Number Search	84

B.	Using the Table of Cases Volumes	84
C.	Using the Descriptive-Word Index	85
1.	Develop a List of Search Terms	85
2.	Search the Descriptive-Word Index	86
3.	Check the Pocket Parts of the Descriptive-Word Index	87
D.	Using the West Outline of the Law and Topical Outlines	87
E.	Using Words and Phrases	88
IV.	Topic Searching Online	89
A.	Searching Online with West Key Numbers	89
B.	Beginning with a Topical Key Number Search in Westlaw	90
C.	Extending a Search Using Key Numbers Online	90
D.	LexisNexis: Using the Topic and Headnote System	91
1.	Searching by Topic or Headnote	92
2.	Using the Guided Search Form	93
3.	Extending the Search	93
E.	Using Citators to Extend Case Research	93
<b>Chapter 6</b>	<b>Statutory Research</b>	<b>95</b>
I.	Statutes and Codes in American Law	95
A.	Session Laws and Codification	95
B.	Texas Session Laws and Historical Codes	96
C.	The Codification Project	97
II.	Texas Statutory Research	98
A.	The Components of the Current <i>Vernon's</i> Set	98
B.	Research Process Using <i>Vernon's</i> in Print	99
1.	Develop a List of Search Terms	100
2.	Search the Index	100
3.	Find and Read Statutory Text	101
4.	Update Statutory Texts Found	102
5.	Find Cases Interpreting Texas Statutory Law	102
C.	Other Research Tools in <i>Vernon's</i>	104
1.	Other Features of the Annotations	104
2.	Popular Name Table	104

3. Derivation and Disposition Tables	105
D. Texas Statutes Online	106
1. State Website	106
2. Texas Statutes on Westlaw	106
3. Texas Statutes on LexisNexis	107
III. Applying and Interpreting Texas Statutes	107
A. General Principles of Statutory Construction	107
B. Texas Code Construction Act and Construction of Laws Statute	109
IV. Researching Statutes of Other States	110
V. Researching Federal Statutes	111
VI. Court Rules	112
A. State and Local Rules	112
B. Federal Court Rules	113
<b>Chapter 7 Bill Tracking and Legislative History</b>	<b>115</b>
I. Introduction	115
II. The Texas Legislative Process	115
III. Bill Tracking	118
A. Bill Tracking in the Texas Legislature	118
1. Researching with a Bill Number	119
2. Searching for and Tracking Pending Bills	119
B. Bill Tracking in the U.S. Congress	121
IV. Texas Legislative History Research	122
A. Sources of Texas Legislative History	123
1. Versions of Bills	124
2. Committee Hearings	124
3. Bill Analyses	125
4. Fiscal Notes	126
5. Committee Reports	126
6. Daily Floor Reports	126
7. Floor Debates	127
8. Conference Committee Reports	128

9. House and Senate Journals	129
10. Other Materials	130
B. Preparing a Texas Legislative History: Print and Online Resources	131
1. Locate the Act in the Session Laws	131
2. Note the Bill Number and Legislative Session	132
3. Examine the Bill File	133
4. Listen to Audio Tapes of Committee Hearings and Floor Debates	133
5. Consider Other Documents	134
C. Texas Legislative History on Westlaw and LexisNexis	134
V. Federal Legislative History Research	135
A. Sources of Federal Legislative History	136
B. Compiling a Federal Legislative History	137
<b>Chapter 8 Administrative Law</b>	<b>139</b>
I. Overview	139
II. Texas Administrative Law Research	141
A. Researching the Enabling Act	141
B. Finding Texas Agency Rules	142
1. Find Sections in the <i>Texas Administrative Code</i>	143
2. Use the <i>Texas Register</i>	145
3. Review the Agency Website	145
C. Finding Texas Agency Decisions	146
D. Appeals from Agency Decisions	147
III. Federal Administrative Law Research	147
A. Finding Federal Agency Regulations	148
B. Updating Federal Agency Regulations	151
C. Finding Federal Agency Decisions	152
D. Finding Judicial Decisions Interpreting Federal Regulations	153
IV. Attorney General Opinions	153
A. Texas Attorney General Opinions	153
B. Federal Attorney General Opinions	154

<b>Chapter 9 Updating with Citators</b>	155
I. What Citators Do: Online and Print Formats	155
II. Ethical Duty to Update	156
III. Updating: Is a Case Still “Good Law”?	157
A. Shepard’s on LexisNexis	157
1. Access the Citator	157
2. Select Type of Cite List	158
3. Analyze Citator Symbols and Limit Search Results	158
4. Limit by Headnote	163
B. KeyCite on Westlaw	163
1. Access the Citator	163
2. Select Type of Cite List	164
3. Analyze Citator Symbols and Limit Search Results	165
4. Limiting by Headnote	166
C. Texas Subsequent History in Shepard’s and KeyCite	166
IV. Using Citators as Case-Finding Tools	166
A. Extending Case Research	167
B. Finding Cases Interpreting Statutes and Regulations	168
V. Reading, Analyzing, and Updating Cases Found	169
VI. Other Online Updating Tools	170
<b>Chapter 10 Secondary Sources</b>	173
I. Not “Secondary” in the Research Process	173
II. Legal Encyclopedias	174
A. General Comments	174
B. <i>Texas Jurisprudence, 3d</i>	175
C. National Legal Encyclopedias	176
III. Legal Periodicals	177
A. Law Reviews and Law Journals	177
B. Bar Journals	178
C. How to Find Articles	179

IV. Treatises, Hornbooks, and Nutshells	180
V. Practitioner-Oriented Materials	181
A. Practice and Procedure Guides	182
B. Forms and Form Books	182
C. Continuing Legal Education Materials	183
VI. <i>American Law Reports</i> (A.L.R.)	184
VII. Looseleaf Services: The “Mini-Libraries”	185
A. Print Versions	185
B. Online Versions	186
VIII. Restatements	187
IX. Uniform Laws and Model Codes	188
X. Legal Ethics	189
XI. Jury Instructions	190
<b>Appendix A Legal Citation</b>	193
I. Basic Principles	193
II. State and Local Citation Rules	194
III. Texas Citations under the <i>Bluebook</i> and the <i>Greenbook</i>	195
A. Using the <i>Bluebook</i>	196
B. Incorporating Citations into a Document	196
C. Case Citations	198
1. Essential Components of a Case Citation	198
2. Full and Short Citations to Cases	200
3. Prior and Subsequent History	201
4. Texas Writ and Petition History	202
a. Civil Cases	202
b. Criminal Cases	204
c. Exceptions to Noting Writ and Petition History in the Court Parenthetical	205
D. Signals	206
E. Explanatory Parentheticals	206
F. Quotations	206
G. Common Citation Problems	207

1. Federal Statutes	207
2. Abbreviations	208
3. Spaces	208
4. Numbers	209
5. Use of the Procedural Phrases <i>In re</i> and <i>Ex rel.</i>	209
H. Using the <i>Bluebook</i> for Law Review Citation	209
IV. <i>ALWD Citation Manual</i>	210
A. Using the <i>ALWD Citation Manual</i>	211
B. Differences between the <i>ALWD Citation Manual</i> and the <i>Bluebook</i>	211
V. Editing Citations	212
<b>Appendix B Selected Bibliography</b>	215
General Research	215
Texas Research	215
Advanced Legal Research	216
Specialized Research	216
Legal Analysis	216
<b>About the Author</b>	219
<b>Index</b>	221

# List of Tables and Figures

## Tables

<b>Chapter 1 The Research Process and Legal Analysis</b>	3
Table 1-1. Examples of Authority in Texas Research	5
Table 1-2. Generating Research Terms	7
<b>Chapter 2 Online Legal Research</b>	15
Table 2-1. Commercial Legal Database Provider	20
Table 2-2. Westlaw and LexisNexis Connectors and Commands	22
<b>Chapter 3 Constitutional Law</b>	33
Table 3-1. Articles of the Constitution of the State of Texas 1876	35
<b>Chapter 4 Court Systems and Judicial Opinions</b>	47
Table 4-1. West Regional Reporters and States Included	49
Table 4-2. Locations of Texas Courts of Appeals	51
Table 4-3. Texas Appellate Courts	57
<b>Chapter 6 Statutory Research</b>	95
Table 6-1. List of Subject Matter Codes	98
Table 6-2. List of Independent Codes	99
<b>Chapter 7 Bill Tracking and Legislative History</b>	115
Table 7-1. How a Bill Becomes Law	116
Table 7-2. Outline for Texas Bill Tracking	118
Table 7-3. Legislative Summary in <i>Vernon's</i>	131

<b>Chapter 8 Administrative Law</b>	139
Table 8-1. Example of the Relationship Between a Statute and Rules	140
Table 8-2. Outline for Texas Administrative Law Research	141
Table 8-3. Example of Numbering of <i>Texas</i> <i>Administrative Code</i>	142
Table 8-4. Texas Agencies with Regularly Published Decisions	146
 <b>Chapter 9 Updating with Citators</b>	 155
Table 9-1. Outline for Updating Online	156
Table 9-2. Selected Symbols for Updating Cases with KeyCite and Shepard's	159
 <b>Chapter 10 Secondary Sources</b>	 173
Table 10-1. Outline for Researching Secondary Sources	174
 <b>Appendix A Legal Citation</b>	 193
Table A-1. Purposes of Legal Citations	194
Table A-2. Examples of Citation Sentences and Citation Clauses	197
Table A-3. Placement of a Full Citation	200
Table A-4. Writ History Notation (Before September 1, 1997)	202
Table A-5. Petition for Review History Notation (On or after September 1, 1997)	204
Table A-6. Petition History Notation in Criminal Cases	205
Table A-7. <i>Bluebook</i> Typefaces for Law Review Footnotes	210

## Figures

<b>Chapter 2 Online Legal Research</b>	15
Figure 2-1. Natural Language Search in Westlaw	23
Figure 2-2. Fields in Westlaw	25
<b>Chapter 3 Constitutional Law</b>	33
Figure 3-1. Article and Section of the Texas Constitution in <i>Vernon's</i>	38
Figure 3-2. Annotations to a Section of the Texas Constitution in <i>Vernon's</i>	39
<b>Chapter 4 Court Systems and Judicial Opinions</b>	47
Figure 4-1. Parts of a Published Opinion	65
<b>Chapter 5 Researching Judicial Opinions</b>	79
Figure 5-1. Page from <i>Texas Digest, 2d</i>	81
Figure 5-2. Page of the Descriptive-Word Index	86
Figure 5-3. Headnotes on Westlaw with Key Number Links	91
Figure 5-4. Search Tabs in LexisNexis	92
<b>Chapter 6 Statutory Research</b>	95
Figure 6-1. <i>Vernon's</i> Code Section with Annotations	103
<b>Chapter 7 Bill Tracking and Legislative History</b>	115
Figure 7-1. Texas Legislature Online	120
Figure 7-2. Introduced Bill	125
Figure 7-3. Bill Analysis	127
Figure 7-4. Fiscal Note	128
Figure 7-5. Conference Committee Report	130
<b>Chapter 8 Administrative Law</b>	139
Figure 8-1. Adopted Rule in <i>Texas Register</i>	144
Figure 8-2. C.F.R. Parallel Table	149
Figure 8-3. C.F.R. Index Page	150
Figure 8-4. Page from the <i>Code of Federal Regulations</i>	151

<b>Chapter 9 Updating with Citators</b>	155
Figure 9-1. Shepard's for Validation Report	160
Figure 9-2. Citing Cases in a Shepard's Report	161
Figure 9-3. Shepard's FOCUS Authority Limitation Template	162
Figure 9-4. Full History on KeyCite	164

## Series Note

The Legal Research Series published by Carolina Academic Press includes an increasing number of titles from states around the country. The goal of each book is to provide law students, practitioners, paralegals, college students, laypeople, and librarians with the essential elements of legal research in each state. Unlike more bibliographic texts, the Legal Research Series books seek to explain concisely both the sources of state law research and the process for conducting legal research effectively.



## Preface and Acknowledgments

The primary audience for *Texas Legal Research* is law students in first-year legal research and writing programs or in advanced legal research classes where the specifics of Texas legal research are studied. The book is also useful to lawyers, paralegals, college students, laypersons, and anybody needing a handbook on how to find and use Texas legal resources.

The book serves a dual purpose. It is first of all an instructional text. Law students must develop an understanding of the relationships of legal authority to the legal system, legal analysis, and the practice of law. Students must also master the practical skills of finding relevant authority. Most law students are preparing for a career in which most of their research will be conducted in the law of their state. This book uses Texas legal resources to introduce basic concepts of legal analysis and practice, teach the skills of legal research, and acquaint students with the particular legal authority found in Texas. Corresponding federal resources are discussed for each type of legal authority. Research in the law of other states is discussed as needed to provide context or where Texas practice differs from the general practice in other states.

The book may also be used as a field guide to Texas legal resources. Experienced researchers will find the book a useful reference for questions about the availability of particular types of authority in Texas and how to find them.

The book explores online legal research early, recognizing that students typically use online tools from the beginning of their studies. Since the researcher must understand print legal resources to research effectively either in print or online, the book first explains how to research each type of authority in print. Researching that type of au-

thority online is then discussed. The book discusses the strengths and weaknesses of each format and suggests the more useful format for research in particular types of authority.

*Texas Legal Research* draws on the model developed by earlier books in the state legal research series. The series is based on the insight of series editor Suzanne E. Rowe, director of the legal writing program at the University of Oregon School of Law, that law students can best learn legal research from a concise study of research in the law of their state. I want to thank Suzanne Rowe, for the opportunity to write this book and for her invaluable advice and skillful editing. I must also thank Professor Rowe's research assistants, Ben Albers, Sara Buffie, Kelly Fahl, Laura Koths, and Jun Lim, for their wonderful diligence and sharp eyes. My associate Mon Yin Lung provided thoughtful commentary on several of the more challenging issues. Thanks are also due to Professor James Hambleton, Associate Dean for Budget and Planning and Professor of Law at Texas Wesleyan University School of Law, for tips on the arcane subject of Texas writ and petition history. This book benefitted greatly from the counsel and support of these persons. Any errors or omissions are mine alone.

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