

**Tuesday, April 18, 2023** (class 20 of 30!!)

**Today:** *Starting Sources of Law!*

**For next class** (Th April 20):

- Read textbook ch. 5 pp. 129 to end (more Sources of Law!)
- Come to class to get a prize!!

**Tues April 25:** We will not meet! *Quiz #3 on Blackboard.*

**Th April 27:** Court visit! (and Davida's birthday!) *Details to be provided.*

**Th May 4:** Law in Culture review due on OL!

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**Sources of law!** *What does that term mean?*

**Law** = body of rules created and enforced by a government.

**Sources** = where we find the laws; where we can direct someone to them!

**Primary vs. Secondary Sources!** *What do those terms mean?*

**Primary source** = "The Law"

- rules created and enforced by a government
- first choice of sources to cite in support of a legal proposition!

**Secondary source** = "About the Law"

- materials that summarize, interpret, or help you find laws
- second (or third or fourth) choice of sources to cite!

**What are some primary sources of law?**

We'll discuss 4 main types: **Constitutions**; **Statutes**; **Administrative law**; **Case law (or common law)**

**Constitutions** = documents that establish:

- (a) legal structure of government *such as* President, Congress, court system, etc. *and*
- (b) fundamental principles of how the gov't operates, and citizens' conduct *including* their rights!

\*\*Highest law of the state or nation!

\*\*Includes amendments!

**Statutes** = written laws created by a legislative body—*such as*:

- federal Affordable Care Act (Obamacare) and Civil Rights Act → enacted by *U.S. Congress*
- New York Bail Reform Law, CPLR! → enacted by *N.Y.S. Legislature*

**Administrative law** = rules, orders, decisions of administrative agencies

- *such as* U.S. Food & Drug Administration (FDA), NYS Dep't of Health
- *also includes* Executive Orders by Presidents and Governors

**Common law** = law set forth in decisions made by judges in cases that come before courts

- a/k/a "case law" *such as* Sussman v. Grado!

**Secondary sources** = "About the Law"

- books and articles that summarize, interpret, or index (help you find) the law
- helpful in researching and understanding primary sources

*Examples:*

- legal encyclopedia = compilation of summaries of legal rules on various topics
- digest = compilation of short summaries of court decisions
- annotations = brief summaries of cases and statutes and how they are interpreted and applied
- law review articles = scholars' and practitioners' commentaries on legal principles