

**Practice Pointer:** For each **jurisdiction** in which you often undertake research, create a chart that list the **primary** and **secondary** authorities to consider.

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**What is primary authority?** “Laws that are generated by a government body” (26)

**What is secondary authority?** “Commentary written by attorneys or other experts” (28)

#### Governmental Bodies/Branch

**Legislative Branch-** Congress (House of Representatives & Senate)

**Executive Branch-** The President & Administrative Agencies (e.g., CIA, IRS, FDA)

**Judicial Branch-** The Supreme Court.

**Who should consider this pointer?** **Paralegals** and **attorneys**.

**When should one consider this pointer?** **Always**, to achieve competence and ensure the research is always relevant and organized.

**Why should one consider this pointer?** This is a helpful pointer because as a professional, work should always be done professionally. By creating this chart, one will be able to differentiate primary and secondary authorities, which will be either binding or can be persuasive. This pointer will help when building a case by gathering and arranging court decisions, ordinances and statutes or law reviews, encyclopedias, and periodicals, that may lead to additional resources. This pointer will also help to....

- Determine whether a case is binding.
- Determine whether the case will have precedents, which will help one’s research move faster out of comity.
- In a case is of first impression, the attorney and/or paralegal will know that they must put in more time to research laws that may apply to the issue.

Yelin, Andrea B. “The Legal Research and Writing Handbook: A Basic Approach for Paralegals.” [file:///Users/leilanidickinson/Downloads/ch-2-Legal-Auths-How-to-Use%20\(2\).pdf](file:///Users/leilanidickinson/Downloads/ch-2-Legal-Auths-How-to-Use%20(2).pdf)