



Legal Research by Jodi L. Wyman

Many people find the law fascinating. This could explain why there are so many television shows, movies and books about lawyers and the legal system.

People often misunderstand the law when their only knowledge of it is based on entertainment mediums. Before the internet gained widespread usage, it was difficult for people outside of the legal system to research the law.

A great deal of time in law school is devoted just to legal research. Not only can it be very complicated to find the appropriate statutes, being municipal, federal, provincial, or other, but there are also thousands of regulations that can be extremely difficult to locate. The other problem is that statutes and regulations are different from province to province, and they change frequently. It is often hard to find up to date sources.

The other main type of legal research is reviewing case law. Judges are bound not only by legislation, but also by previous court cases decided by other Judges at higher courts. For example, if the Manitoba Court of Appeal decides that an issue of child support or custody should

be looked at in a certain way, the Judges at the lower Queen's Bench level are then bound by the decision and the way in which the higher court has decided the issue. This is why decisions made by the Supreme Court of Canada are so important. They bind all of the lower courts to the Supreme Court of Canada's interpretation of the law.

Lawyers must therefore review a great number of court cases to follow changes in the law. All of the court cases are indexed in hundreds of legal digests and located in law libraries. These libraries are sometimes not open to the public, and even if they are, the public can have difficulty finding a particular case.

The internet has now changed all of this.

Almost all legislation is now available online. By checking the federal or provincial government websites, any individual can find the most current Acts and regulations, and can also find information about the various Acts and how they apply.

With regard to case law there are

very specific and detailed websites available to lawyers for a fee, but there are also free websites such as www.CanLii.ca which lists most of the newer reported decisions from all the courts in Canada. Most importantly, all of the Supreme Court of Canada decisions are on the CanLii website, and can be read by anyone. Cases can be found either through the name, or by using the search engine a person can simply search for relevant case law at any court level on any topic.

In addition to having full access to the legislation and case law, individuals can now find a great deal of legal information through articles written not only by law firms, but also different government agencies. It is however extremely important that every site is checked to ensure that it is up to date, relevant to the jurisdiction, and is published by a knowledgeable source.