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Locating Free and Low-Cost Secondary Sources in Michigan

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LIBRARIES & LEGAL RESEARCH

Locating free and low-cost secondary sources in Michigan

BY CODY JAMES

Secondary sources are all the legal resources that describe what the law is without actually having the force of law. For example, treatises, law review articles, and practice series are secondary sources while statutes, regulations, and cases are primary sources. Although secondary sources are not binding authority, they provide valuable, up-to-date insight and commentary about existing laws. These insights are especially useful when handling matters outside of an attorney's usual areas of practice.

Unfortunately, secondary sources are not cheap — consider that a full set of Michigan Civil Jurisprudence has a retail cost of \$25,119.¹ That said, a lot of commercial legal research databases like Westlaw and LexisNexis provide access to secondary sources as part of their subscriptions. But this coverage is not comprehensive, some secondary sources are not located on either Westlaw or Lexis, and not every firm subscribes to a legal research database.

In the instances where a secondary source that you need is not available, trying to find a cost-effective alternative can be imperative. This is especially true when you need to access a secondary source only for a short amount of time and investing in the purchase of an entire book is not financially sound. In circumstances such as these, tracking down free secondary sources can be extremely useful.

LAW LIBRARIES

Law libraries are still the best free legal resource available to attorneys and the best place to locate free secondary sources. Luckily, law libraries can be found throughout the state of Michigan, though they do vary in size and in the number of resources available. Depending on the law library, you can access Westlaw, LexisNexis, or other digital legal databases. These libraries also have print collections of major secondary sources like Michigan Civil Jurisprudence and similar legal treatises.

The State Law Library, located on the third floor of the Library of Michigan in downtown Lansing, provides a good, centralized

location for lawyers in the southern part of the state. At the State Law Library, lawyers can access Westlaw, Lexis Advance, and specialized legal research databases like ProQuest Congressional.² In addition to its digital resources, the library also houses a large collection of print materials.³

But Michigan is a large state and Lansing is far away from many lawyers — especially those in the Upper Peninsula. Luckily, there are law libraries all over the state. In the U.P., for example, the Marquette County Law Library provides access to Westlaw as well as major treatises in print.⁴ In the southwestern portion of the state, the Raymond W. Fox Law Library in Kalamazoo, part of the city's public library system, offers similar services.⁵ In fact, the Library of Michigan has created an online directory of all the libraries in Michigan with legal collections.⁶ This is a good reference tool for finding the law library closest to you.

Even if the closest law library is far away, there are ways to access resources directly from your office. For example, the State Law Library offers a document delivery service that involves scanning and emailing requested documents.⁷ If the requested document is fewer than 100 pages, then the service is free. For requests of

AT A GLANCE

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more than 100 pages, there is a fee.⁸ Document delivery is an especially useful tool if you know the specific sections or pages of a resource that you need to access.

THE INTERNET

Though the internet is right at your fingertips via your laptop, desktop, or smartphone, it is not the best resource for accessing secondary sources. You will not find a free copy of *American Jurisprudence* through a simple Google search, for example.

There are exceptions to this rule, however, such as law review articles and other open access publications. Many law reviews and bar journals, like the *Michigan Bar Journal*, are now open access and can be freely read online. To do this, simply search for the law review or bar journal in question to see if their website hosts past articles and issues.⁹ This can be a good way to quickly look up a law review article cited in an opposing counsel's motion.

FASTCASE

Although Fastcase is available to every member of the State Bar of Michigan at no cost, this legal research database does not include a lot of secondary sources. There are different treatises and practical guides that can be purchased in Fastcase, but, obviously, they are not included as part of the free edition. That said, Fastcase does have a fairly large collection of law journals.¹⁰ As was stated above, these journals are typically available online for free, but the one advantage of using Fastcase instead of a general internet search is that you can search journals from multiple publishers at once.

CONCLUSION

Law libraries remain the best resource for locating free, high-quality secondary sources in Michigan. The internet and Fastcase are good free resources for locating law review articles, but both have limited access to secondary sources beyond that. And no

matter where a lawyer is physically located, they should be able to access secondary sources located in a Michigan law library.



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ENDNOTES

1. *Michigan Civil Jurisprudence* (Eagan: Lawyers Cooperative Publishing, 2022) <<https://store.legal.thomsonreuters.com/law-products/Legal-Encyclopedias/Michigan-Civil-Jurisprudence/p/100027426>> [<https://perma.cc/K3PL-BRP8>]. All websites cited in this article were accessed December 13, 2022.
2. *Research Databases and Guides*, Library of Michigan <<https://www.michigan.gov/libraryofmichigan/public/law/research-databases-and-guides>> [<https://perma.cc/4ZNF-TZKC>].
3. *For The Public*, Library of Michigan <<https://www.michigan.gov/libraryofmichigan/public>> [<https://perma.cc/3GQU-2A8Q>]. When searching the library's catalog, you can select advanced search and narrow the location to the law library.
4. *Marquette County Law Library*, Marquette County <https://www.co.marquette.mi.us/departments/courts/law_library.php#.Xs5nSRpKhPY> [<https://perma.cc/NT6P-3AKD>].
5. *Raymond W. Fox Law Library*, Kalamazoo Public Library <<https://www.kpl.gov/law-library/>> [<https://perma.cc/NG3Q-E4SE>].
6. *Directory of Michigan Libraries with Legal Collections*, Library of Michigan <<https://www.michigan.gov/libraryofmichigan/public/law/directories/intro/directory-of-michigan-libraries-with-legal-collections>> [<https://perma.cc/Q5XK-SJN8>].
7. *Document Delivery Information for Non-State Employees*, Library of Michigan <<https://www.michigan.gov/libraryofmichigan/public/law/services/document-delivery-information-for-non-state-employees>> [<https://perma.cc/LEC2-FLXJ>].
8. *Id.* The State Law Library charges \$50 for requests of 101-150 pages and \$75 for requests of 151-200 pages. Requests greater than 200 pages cost an additional \$25 per 25 pages.
9. *Michigan Bar Journal*, State Bar of Michigan <<https://www.michbar.org/journal/archive>> [<https://perma.cc/7JFY-6F5B>].
10. *You Now Have Access to Fastcase Legal Research*, State Bar of Michigan <<https://www.michbar.org/News/NewsDetail/You-Now-Have-Access-to-Fastcase-Legal-Research?nid=5803>> [<https://perma.cc/XFL7-9XR2>].

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