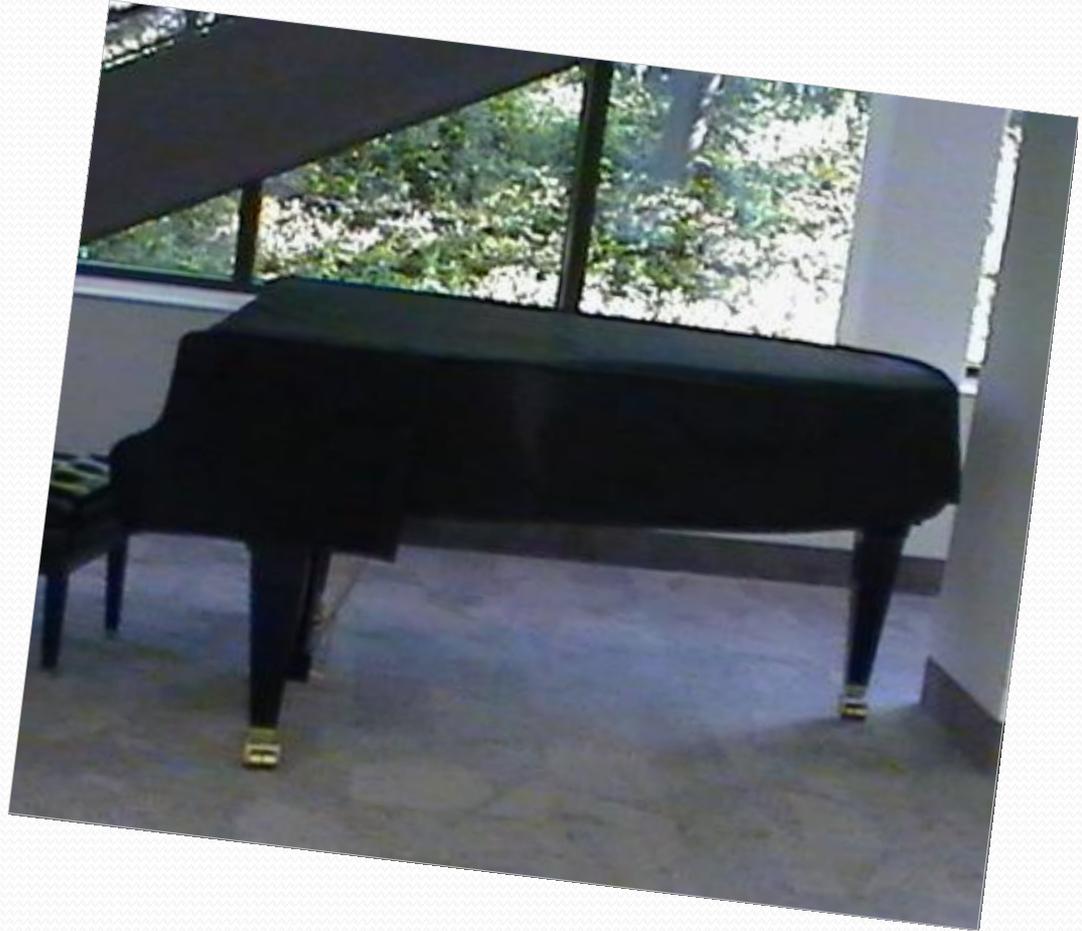


The United States

The legal system and legal research methods.

A grand piano?

Not exactly what you'd expect to find in a law library.



**The actual
entrance.**

BYU law library, Provo, Utah.





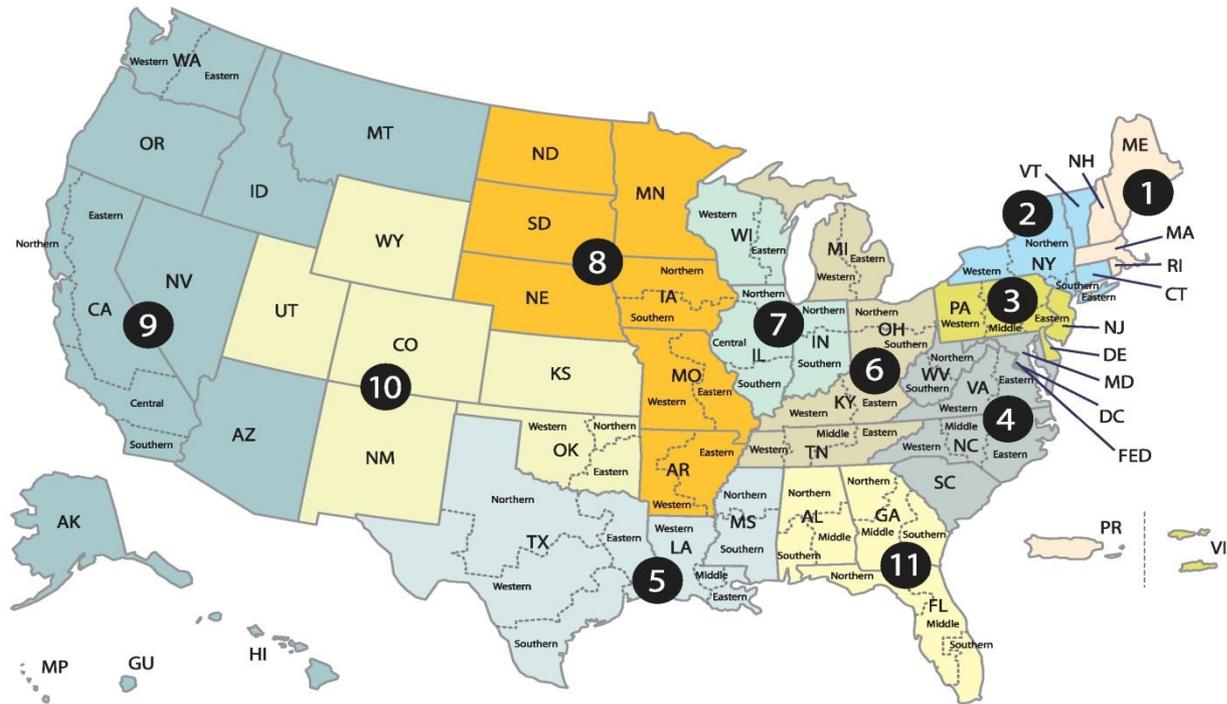






I spent \$30 on this CD describing how to do legal research,
and all it says is 'Ask a librarian!'

Geographic Boundaries of United States Courts of Appeals and United States District Courts





My attorney is hoping I'll appeal my case, so he can earn enough fees to buy a new sports car and swimming pool!

US Federal Courts

District Courts

Circuit Courts

Supreme Court

US State Courts

Trial Courts

Mid level appellate courts

State Supreme Court

Australia Cwlth Courts

Federal Magistrates Court

Federal Court/Family Court

High Court

Australia State Courts

Local Court

District Court

Supreme Court





The Supreme Court overturned the judgment of the Court of Appeals in my case, which had overturned the judgment of the trial court. So now I've got the same judgment I had \$150,000 ago!



There's something wrong with your cause, but I can't quite put my finger on what it is ...

Bill of Rights

Congress OF THE United States,
*begun and held at the City of New York, on
Wednesday, the fourth of March, one thousand seven hundred and eighty nine.*

The Conventions of a number of the States having, at the time of their adopting the Constitution, expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added: And as extending the ground of public confidence in the Government, will best insure the beneficent ends of its institution:

Resolved, by the SENATE and HOUSE of REPRESENTATIVES of the UNITED STATES of AMERICA in Congress assembled, two thirds of both Houses concurring, That the following Articles be proposed to the Legislatures of the several States, as Amendments to the Constitution of the United States: all, or any of which articles, when ratified by three fourths of the said Legislatures, to be valid to all intents and purposes, as part of the said Constitution, etc.

Articles in addition to, and Amendment of the Constitution of the United States of America, proposed by Congress, and ratified by the Legislatures of the several States, pursuant to the fifth Article of the Original Constitution.

Article the first After the first enumeration required by the first Article of the Constitution, there shall be one Representative for every thirty thousand, until the number shall amount to one hundred, after which, the proportion shall be so regulated by Congress, that there shall be not less than one hundred Representatives, nor less than one Representative for every forty thousand persons, until the number of Representatives shall amount to two hundred, after which, the proportion shall be so regulated by Congress, that there shall not be less than two hundred Representatives, nor more than one Representative for every fifty thousand persons. [Not Ratified]

Article the second No law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of Representatives shall have intervened. [Not Ratified]

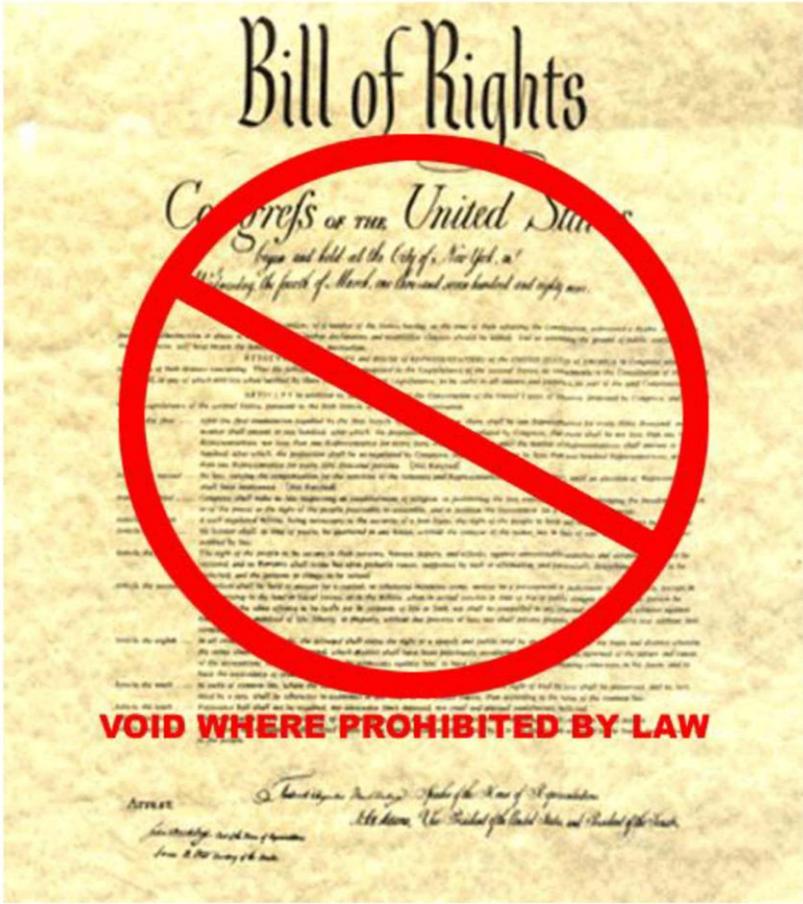
Article the third Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Article the fourth A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

Article the fifth No Soldier shall, in time of peace, be quartered in any house, without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.



Joe originally was going to run for congress so he could make laws. But then he realized he can do it better if he's appointed as a Supreme Court judge!



Bill of Rights

Congress of the United States

begun and held at the City of New York, on
the first of March, one thousand seven hundred and eighty nine.

VOID WHERE PROHIBITED BY LAW

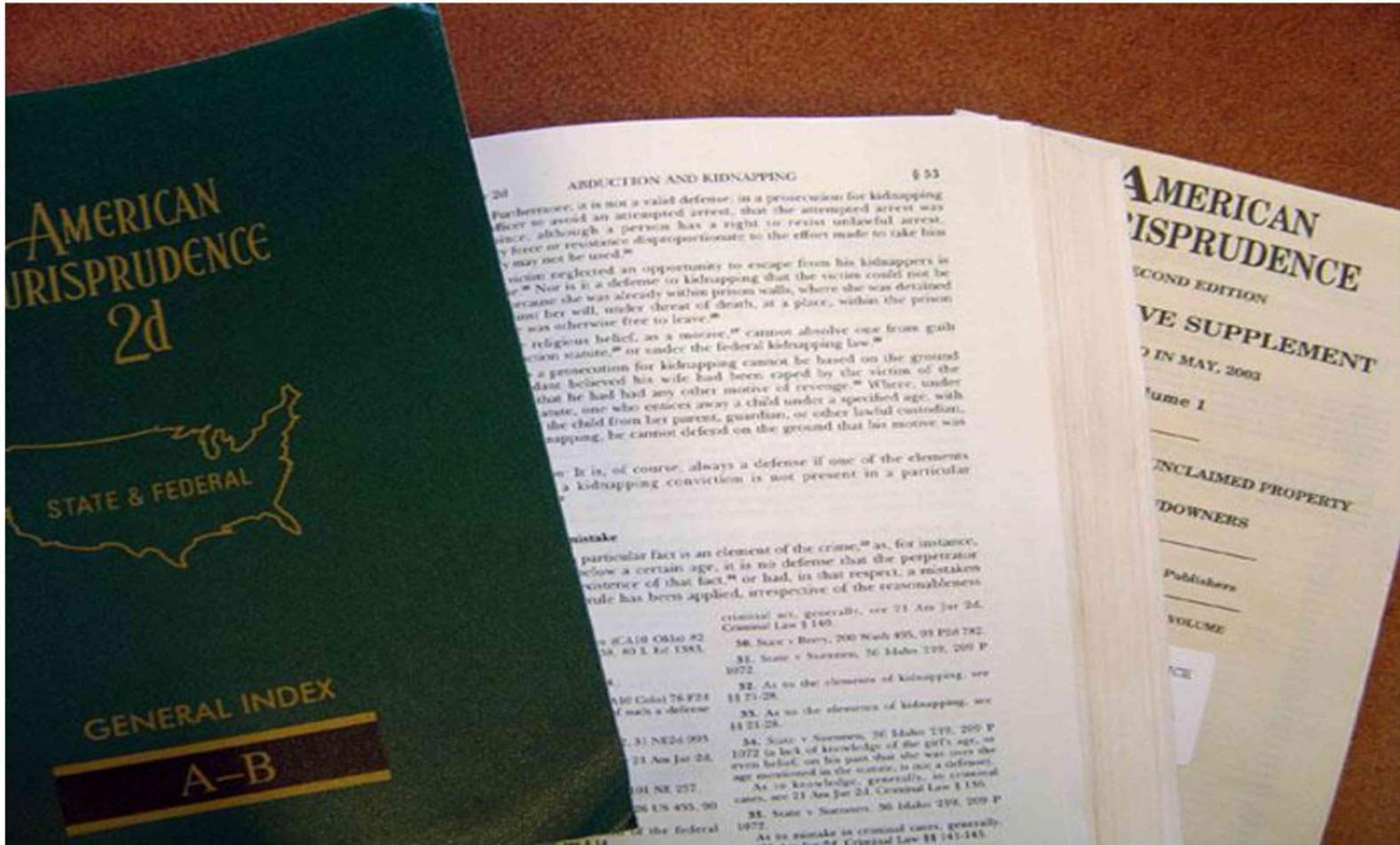
Approved: *Charles C. Pinckney* Speaker of the House of Representatives
John Hancock President of the United States and President of the Senate
Sept. 12, 1789



The city council just passed ordinance 51. It says the constitution no longer applies in city limits if ordinance 51 is ever found to be unconstitutional!



The new 'barking dog' ordinance had ten times more public input than the budget discussion where we decided how to disperse millions of dollars!



AMERICAN JURISPRUDENCE 2d

STATE & FEDERAL

GENERAL INDEX

A-B

ABDUCTION AND KIDNAPPING § 53

Furthermore, it is not a valid defense, in a prosecution for kidnapping, for the officer to avoid an attempted arrest, that the attempted arrest was unlawful, although a person has a right to resist unlawful arrest, by force or resistance disproportionate to the effort made to take him, and force may not be used.²⁸

A victim neglected an opportunity to escape from his kidnappers in a prosecution for kidnapping that the victim could not be held liable therefor. Nor is it a defense to kidnapping that the victim was detained because she was already within prison walls, where she was detained against her will, under threat of death, at a place, within the prison, where she was otherwise free to leave.²⁹

A religious belief, as a motive,³⁰ cannot absolve one from guilt under a kidnapping statute,³¹ or under the federal kidnapping law.³² A prosecution for kidnapping cannot be based on the ground that the defendant believed his wife had been raped by the victim of the kidnapping, or that he had had any other motive of revenge.³³ Where, under a kidnapping statute, one who removes a child under a specified age, with the consent of the child from his parent, guardian, or other lawful custodian, is liable for kidnapping, he cannot defend on the ground that his motive was

It is, of course, always a defense if one of the elements of a kidnapping conviction is not present in a particular case.

Mistake

A mistake as to a particular fact is an element of the crime,³⁴ as, for instance, that the victim is below a certain age, it is no defense that the perpetrator believed that fact,³⁵ or had, in that respect, a mistaken belief. A mistake of law has been applied, irrespective of the reasonableness

criminal act, generally, see 21 Am Jur 2d, Criminal Law § 140.

34. State v. Berry, 200 Wash 495, 93 P2d 782.

35. State v. Swenson, 36 Idaho 279, 209 P. 1072.

36. As to the elements of kidnapping, see 11 21-28.

37. As to the elements of kidnapping, see 11 21-28.

38. State v. Swenson, 36 Idaho 279, 209 P. 1072 in lack of knowledge of the girl's age, or even belief on his part that she was over the age mentioned in the statute, is not a defense.

As to knowledge, generally, in criminal cases, see 21 Am Jur 2d, Criminal Law § 136.

39. State v. Swenson, 36 Idaho 279, 209 P. 1072.

40. As to mistake in criminal cases, generally, see 21 Am Jur 2d, Criminal Law § 141-143.

AMERICAN JURISPRUDENCE SECOND EDITION

VOLUME SUPPLEMENT IN MAY, 2003

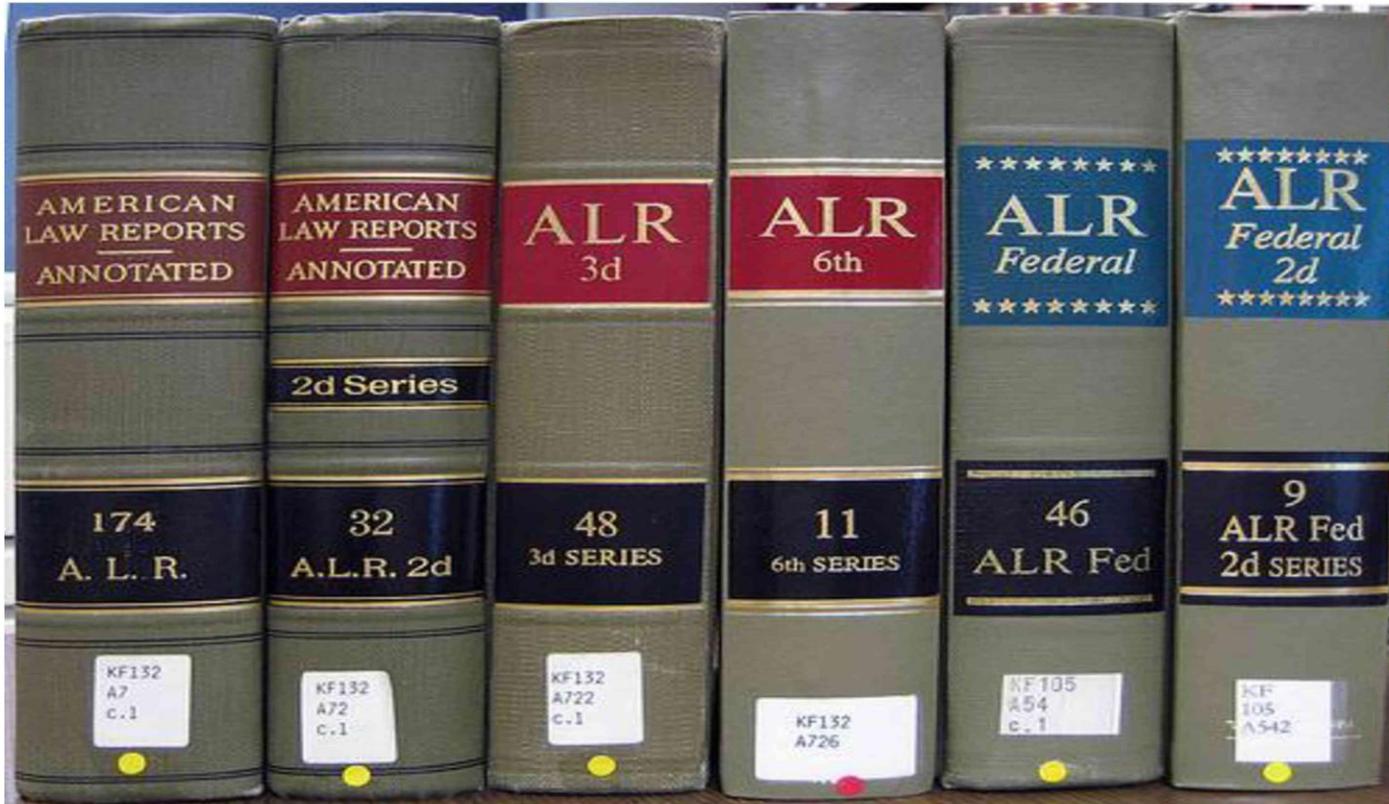
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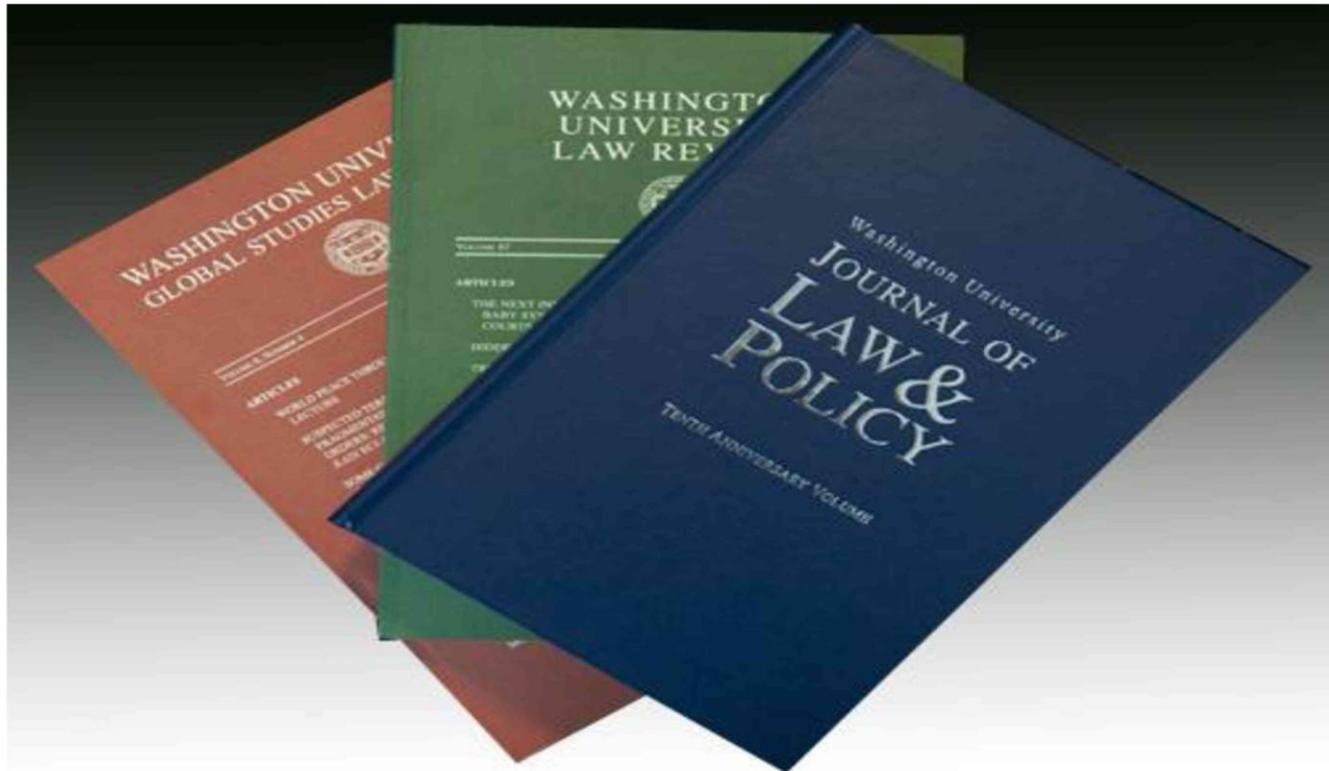
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He figured he'd improve his logic and critical thinking if he memorized all 79 volumes of the California Code. Now he can't even do crossword puzzles!





- 
1. Be clear on the question being researched.
 2. Avoid assumptions and pre-conceived notions.
 3. Focus research broad to narrow.
 4. Cross check all sources; verify conclusions.
 5. Primary sources first; secondary sources as support.