

LEGAL RESEARCH METHODOLOGY

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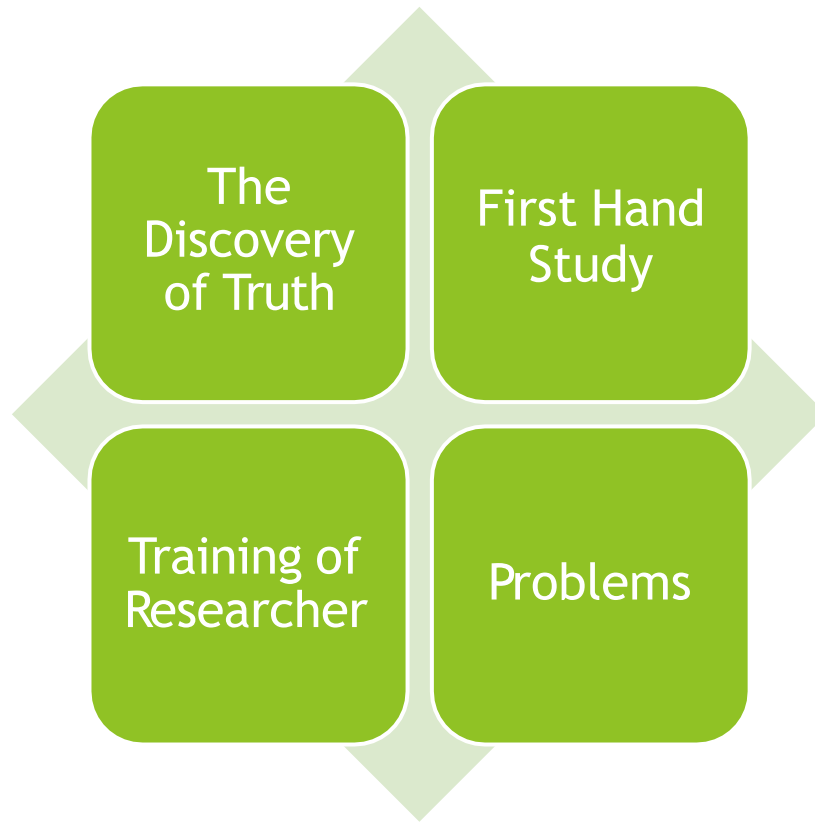
Research

Encyclopaedia Britannica 1911

Research is used in course of a postgraduate study at a university.

“The act of searching in to a matter closely and carefully, inquiry directed to the discovery of truth and in particular the trained scientific investigation of the principles and facts of any subject based on original and first hand study of authorities...”

Meaning & Aims and Objectives



Types

Doctrinal

Non-doctrinal

Doctrinal

Analytical

Historical

Comparative

Statistical

Descriptive

Critical/Normative



Methods

Evolutionary

Explicative

Identificatory

Impact Analysis

Predicative

Interactive

Interpretative

Methodology

A priori

A posteriori

Deductive

Inductive

Tools

Books

Text Books

Constitution

CAD

Gazette

Codes

Statutes/State

Delegated Legislations

Legislative History

Tools

Case law

Official Reports

Reporters like AIR

Case Book

Legal Periodicals

Monographs

Government Publications

Foreign Legal Material

Digest

Encyclopaedias



Tools

Law Reports

Index to Indian Legal Periodicals

OPAC

Index to International Legal Periodicals



Empirical/Non-doctrinal

I. Formulation of Problem

II. Study Design:

- Identification of Problem
- Choice of theoretical framework
- Formulation of Research Problem
- Design of Experiment
- Definition of Variables
- Sampling Procedure
- Tools and techniques of collection of Data
- Processing of Data
- Data Analysis
- Reporting

III. Design of Sample

IV. Source of Data Collection

Classification and Tabulation of Data

Report

Types

Exploratory

Descriptive

Case Studies

Diagnostic

Experimental



Sampling

Random

Stratified

Quota

Multistage

Self Selected People

Convenience



Data Collection

Questionnaire

Schedule

Interview

- Brevity
- Impartiality
- Reliability
- Communicability
- Clarity

REFERENCING & BIBLIOGRAPHY

IMPORTANCE OF FOOTNOTES

SUPPORT

PLAGIARISM

FAIR USE

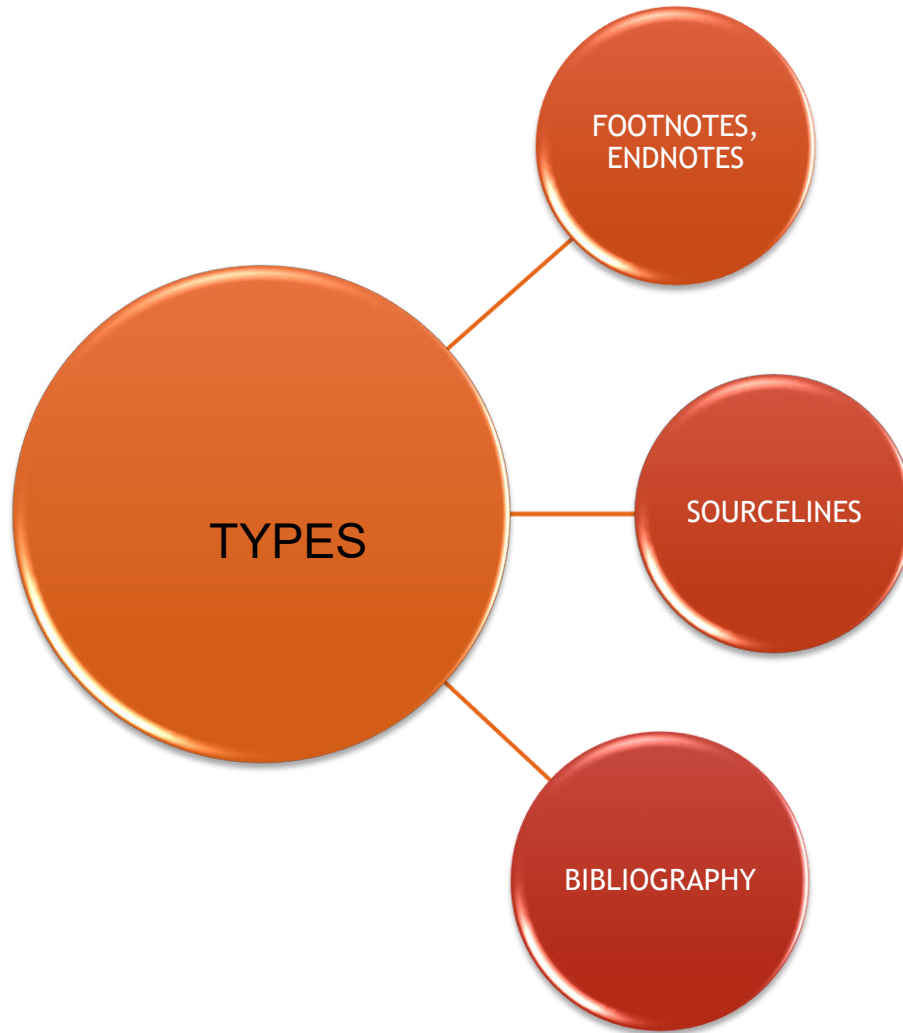
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INFRINGEMENT

CITATION

- ▶ To give credit to the authors of the source materials you used when writing the paper.
- ▶ To enable readers to follow up on the source materials.
- ▶ To demonstrate that your paper is well-researched.

TYPES: CITATION



CITATION GUIDES

HARVARD BLUE BOOK

CHICAGO MANUAL OF STYLE

OSCOLA

Oxford Standard for the Citation of Legal Authorities

METHOD: REPORTS

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- ▶ 15 Kim B. Clark et al., “Project Leadership and Organization,” in *The Perpetual Enterprise Machine: High Performance Product Development in the 1990s*, eds. H. Kent Bowen et al. (New York: Oxford University Press, 1994).

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- ▶ Rawlins, Gregory J. E. *Moths to the Flame*. Cambridge: MIT Press, 1996, <http://www-mitpress.mit.edu/Moths/>, accessed August 1997.

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- ▶ 31 “National Venture Capital Association, “Venture Capital 101” (PDF file),
- ▶ downloaded from NVCA website, http://nvca.org/index.php?option=com_content&view=article&id=141&Itemid=133, accessed August 19, 2009.
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- ▶ 31 Financial Management Service, U.S. Treasury, Summary Report of the 2008
- ▶ Financial Report of the United States Government (“The Federal Government’s
- ▶ Financial Health”), Table 1: Budget Deficit vs. Net Operating Cost (p. 4),
- ▶ downloaded from www.fms.treas.gov/frsummary/index.html, September 30, 2009.

CASES

- ▶ *Old Chief v. U.S.*, 117 S. Ct., 644 (1997).
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SOME COMMON TERMS

- ▶ IBID
- ▶ SUPRA
- ▶ INFRA
- ▶ OPERA CITATO
- ▶ MAGNUM OPUS
- ▶ LOCUS CLASSICUS