

Title: What is the Law?

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Different Kinds of Laws: State, Federal and Local
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In modern society, there are rules for everything. Rules made by the government are called laws. Laws are necessary. They are designed to help people live peacefully together. They also provide a means to resolve disagreements in an orderly way. This video will help you understand what the law is in Maryland, where it comes from, and where you can go to research it.

Let's talk for a minute about the different kinds of laws. state, federal and local.

Chapter: Different Kinds of Laws: State, Federal and Local

Some areas of law are governed exclusively by the state. Others are exclusively governed by the federal government, and some areas are governed by both. There may also be county or city laws.

State law covers things like divorce, child custody, real estate, landlord-tenant matters, wills and estates, and some contract disputes between private parties. Federal law covers things like interstate commerce, patent and copyright matters, stocks, and bankruptcy. There are state and federal laws governing criminal behavior, labor and employment issues, and consumer matters.

Now, Let's take a deeper look at the different sources of Maryland law.

Chapter Heading: Statutes

Statutes are laws made by the legislature, which in Maryland is called the General Assembly. Regulations are different; they are rules made by state agencies like the Motor Vehicle Administration.

Case law is made by courts interpreting statutes and regulations. Laws must not violate the Maryland Constitution or the United States Constitution.

Statutes are organized by subject in the Maryland Code. Each subject is arranged in its own Article. Articles include topics like: Labor and Employment, Criminal Law, and Family Law. There are about three dozen Articles in the Maryland Code. Each is broken into smaller topics, called “Titles.” The Family Law Article, for example, has Titles on Marriage, Children, Domestic Violence, and others.

The Maryland Code is easy to find. Probably the easiest way to find Maryland state laws, court rules, and county and municipal codes is through the Maryland Thurgood Marshall State Law Library website at mdcourts.gov/lawlib - Look for “Gateway to Maryland Law.” You can find hard copy versions of the Maryland Code at any public law library in the state. If you want to do more in-depth research, consider using the Lexis or Westlaw online legal databases. These are available by paid subscription, but you can use them for free at a Maryland public law library.

Now, let’s talk about Regulations.

Chapter Heading: Regulations

Regulations are rules made by state agencies like the Motor Vehicle Administration. They are usually much more specific than statutes. For example, a statute might say that all electricians must have a license. A regulation would detail how the licensing process works, what the application would look like, who reviews and approves it, and how someone can get help if their application is denied.

Maryland regulations are printed in a publication called COMAR, which stands for Code of Maryland Regulations. COMAR can be found in print at a law library or on the internet. There is a full copy of COMAR on the Division of State Documents’ website. Go to dsd.state.md.us.

OK, now let’s talk about Court Rules.

Chapter Heading: Court Rules

The Supreme Court of Maryland adopts rules to govern how Maryland's state court operates. If you have a case before a Maryland court, you may need to familiarize yourself with the rules. You can find these rules on the Maryland Thurgood Marshall State Law Library website we talked about earlier. Go to mdcourts.gov/lawlib. Click on "Gateway to Maryland Law." Then Scroll down to see Maryland Rules.

Now let's talk about case law.

Chapter Heading: Case Law

Case law is made by courts interpreting statutes and regulations. Judges make case law by applying the law to different factual situations. They often report their decisions in papers called "opinions." Most written opinions from the Supreme Court of Maryland and Appellate Court of Maryland are binding on lower courts. Published opinions are organized in law books called "reporters." You can find these in a public law library. Some opinions can also be found on the Maryland Judiciary website at mdcourts.gov and on Google Scholar. You can also search for case law on fee-based databases like Lexis and Westlaw.

Finally, it's a good idea to check to see if any county or municipal laws apply to your situation. You can access Maryland county and municipal codes through the State Law Library website.

Let's review.

Chapter Heading: Let's Review

Maryland law is made up of statutes, regulations, and case law. These materials can be found for free in a law library or on the internet. If you are looking for Maryland law, make sure you are not looking at law from other states or countries. You should always check to make sure the law you find is current before you rely on it. For example, you can use a process called "cite checking" to verify the

current status of case law. For more information about cite checking or for other help with legal research, talk to a law librarian or an attorney.

You can **research** the law at a law library. Maryland has a number of them that are open to the public. To find one near you, visit mdcourts.gov/ccll. The website will show you options to speak with a law librarian by phone, email, or by visiting in person. For more information, including the opportunity to speak to a lawyer for free about your case please visit mdcourts.gov/courthelp. Thanks for watching.