HOW TO READ A STATUTE – STEP BY STEP

GETTING STARTED/ORIENTED

1. Note where the statute is located (not only where it can be found, but also where it is located in relation to the statutory scheme as a whole; reviewing a table of contents can be helpful in this regard).
2. Quickly run through the full statute to get an idea of its content and structure.
3. Note any statements regarding the purpose/scope of the statute.
4. Determine where/if there is a definitional section that governs the statute or the portion of the statute you are working with.
5. Determine whether there are cross-references that you might need to be aware of.

READING THE STATUTE

1. Begin with the plain language of the statutory provision you are dealing with. Read through the language to get a general idea of what is being said.
2. Go back and parse the language to identify its constituent parts.
3. Read each sentence to identify the item, entity, or activity that the sentence covers.
4. Identify the obligation or permission that applies to the item, entity, or activity.
5. Begin diagramming the structure of the language to discern the “if-then” architecture of the provision. You will be breaking the statute into pieces and sub-pieces.
6. Organize the pieces to clarify the logical relationship between the pieces.
7. Pay attention to every word and every piece of punctuation and how that affects the structure (and ultimately meaning) of the statute. Watch for words like “shall,” “may,” “must,” etc.
8. Determine whether any of the words have been specifically defined in the statute.
9. Look up any words that you are unfamiliar with.
10. Determine whether the statute has been discussed or interpreted in judicial opinions.