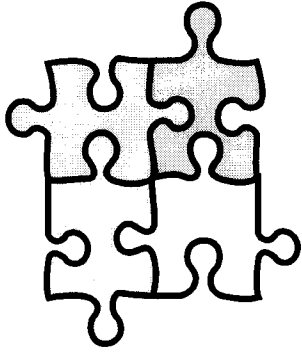


**Legal Reference for the
Non-Law Librarian**

**Margi Heinen
Sherman & Howard L.L.C.**

**Martha Campbell
Colorado Supreme Court
Library**

November 11, 2006



Just Ask : Legal Reference Interview for Public Libraries

The “Just Ask” acronym is modified below for use in the non-law library.

Jurisdiction

Find out if your patron is talking about federal, state or local law and what type of law—judicial, legislative, regulatory. Often people will say something that seems specific, but is actually generic: “district court” could be federal or county level.

Useful timeframe

Is your library visitor talking about something pending: a case filed in court or a bill before the legislature? Finding a decision rendered or a law already in the Code is often easier and more straight-forward. Where did your patron see or hear about this “law”?

Scope

How much does your inquirer need to know? Is this for a term paper or a footnote? Is the information for personal interest or for presentation to others?

Terms of art

Are you hearing terms you don’t understand or perhaps your patron doesn’t understand? A legal dictionary or glossary may help limit your search if a term is a criminal law term instead of civil law.

Acronyms

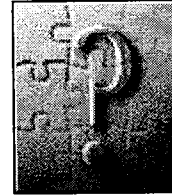
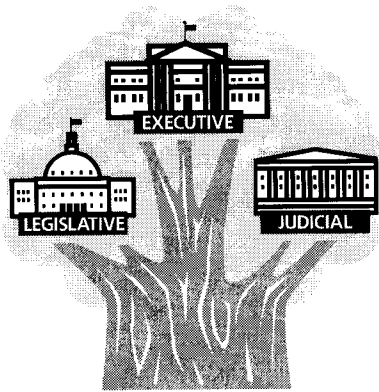
Clarify spelling and meaning of acronyms. Is your patron saying WARN or WARM?

Sources

Find out if your user has already consulted some sources. Then you can determine whether you need to revisit those or move on.

Key constraints

Does your patron have time and/or money constraints? Do they need an answer by noon today or do they have three weeks to work this out? Do they want to spend money on documents or searches?



What is the *Law* ? What *Law* do you want?

Types of Law

Legislative: Statutes adopted by a legislative body:

- Federal -- First as Public Laws – (P.L. 109-37), then as Codes:
United States Code (U.S.C.) and its unofficial
twins: United States Code Annotated (U.S.C.A.)
United States Code Service (U.S.C.S.)
- State -- In Colorado as Session Laws – (Chapter 191, Session Laws
of the 65th Legislature), then
Colorado Revised Statutes (C.R.S.) and its unofficial twin:
Colorado Revised Statutes Annotated
(C.R.S.A.)
- Local -- Begin as Ordinances and then are compiled in a City Code
or Township Code

Judicial: Decisions from a court of law or agency quasi-judicial division:

- Federal -- U.S. District Court ► U.S. Court of Appeals ► U.S.
Supreme Court
- State -- County Courts ► Colorado Court of Appeals ► Colorado
Supreme Court
- Agency -- For example: National Labor Relations Board:
Administrative Law Judge ► National Labor
Relations Board ► U.S. Court of Appeals ►
U.S. Supreme Court

Executive: Rules and regulations from agencies.

- Federal -- Proposed rules must appear in Federal Register. When
final they appear in the Federal Register and then
are codified in Code of Federal Regulations.

State --	Proposed rules appear in the <u>Colorado Register</u> and then are codified in the <u>Colorado Code of Regulations</u>	
Local--	Many cities have “guidelines” which do not have to be published anywhere, but which may govern the procedure for permits or procurement.	
<u>Other Law:</u>	Court Rules --	Federal --
		Procedural rules appear in U.S. Code (Title 28), individual courts have “local” rules as well. Check websites.
		State --
		Rules appear in the last volumes of C.R.S. See Court websites for local rules.
Ethics Rules --	Attorneys/Judges --	Rules of Professional Conduct for Attorneys and Judicial Conduct for Judges are available on the ABA website: http://www.abanet.org/cpr/mrpc/mrpc_toc.html and on the CoBar website: http://www.cobar.org/group/index.cfm?category=384&EntityID=CETH
Constitutions --	Federal --	Describes system and authority of U.S. government.
	State --	Describes system and authority of Colorado government.
	Local --	City Charter serves as local “constitution” describing authority in city government.
Appropriations --	Federal --	Appropriations (Budget) legislation is not codified, but may “govern” by allocating money.
	State --	Colorado’s “Long Bill” is appropriations bill and is not codified.

**SELECTIVE
BIBLIOGRAPHY
OF
COLORADO LEGAL RESOURCES**

PRIMARY LAW

CONSTITUTION

- *Colorado Constitution*. Published as part of the *Colorado Revised Statutes* (see publication information below.)

World Wide Web: Colorado General Assembly Web site: <http://www.leg.state.co.us/> (“U.S. & Colorado Constitutions” link on left-hand side).

STATUTES

- *Colorado Revised Statutes*, Charlottesville, VA: LexisNexis, 2003- . (Formerly *Colorado Revised Statutes*. Denver, CO: Bradford Pub. Co., 1973-2002.)

West’s Colorado Revised Statutes Annotated. St. Paul, MN: West Publishing Co., 1989- .
Unofficial publication.

Online: Colorado General Assembly Web site: <http://www.leg.state.co.us/> (“CO Revised Statutes” link on left-hand side). Coverage: Current year.

LEGISLATION

- *Colorado Session Laws*, Charlottesville, VA: LexisNexis, 2003- . (Formerly *Laws Passed at the Session of the General Assembly of the State of Colorado*. Denver, CO: Bradford Pub. Co., 1879-2002.) LexisNexis is the official publisher of Colorado Revised Statutes as of 2003. Includes passed acts, state constitutional amendments, resolutions, memorials, and appropriations. There is an index of bills, resolutions, and memorials as well as tables by bill number and subject matter.

West’s Colorado Legislative Service. St. Paul, MN: West Publishing Company, 1990- .
Unofficial publication.

Online: Colorado General Assembly, Office of Legislative Legal Services Web site: http://www.state.co.us/gov_dir/leg_dir/olls/HTML/session_laws_of_colorado.htm. Coverage: 1993- .

• *House Journal of the General Assembly of the State of Colorado*. Colorado: General Assembly. House of Representatives, 1879- . (Pre-statehood: *House Journal of the Legislative Assembly of the Territory of Colorado*. Colorado: Legislative Assembly. House of Representatives, 1861-1876).

Online: Colorado General Assembly Web site: <http://www.leg.state.co.us/> (“Journals” link under “HOUSE – Current Regular Session”). Coverage: 1998- .

• *Senate Journal of the General Assembly of the State of Colorado*. Colorado: General Assembly, 1879- . (Pre-statehood: *Council journal of the Legislative Assembly of the Territory of Colorado*. Colorado: Legislative Assembly. Council, 1861-1876).

Online: Colorado General Assembly Web site: <http://www.leg.state.co.us/> (“Journals” link under “SENATE – Current Regular Session”). Coverage: 1998- .

CASE REPORTS & OPINIONS

• *Pacific Reporter and West’s Pacific Reporter, Second Series and Third Series*. St. Paul, MN: West Pub. Co., 1883-. Contains Colorado Supreme Court decisions from 1883- and Colorado Court of Appeals decisions from 1891-1905, 1912-1915, and 1970- .

• *West’s Colorado Reporter*. St. Paul, MN: West Pub. Co., 1960-. Contains Colorado cases from the Pacific Reporter (v.1-300), Pacific Reporter, Second Series (v.1- 999), and Pacific Reporter, Third Series (v.1-).

• *Colorado Court of Appeals Reports*. Forty-four volume set containing Colorado Court of Appeals decisions from 1891-1905 (volumes 1-20), 1912-1915 (volumes 21-27), and 1970-1980 (volumes 28-44).

Online: Colorado Judicial Branch, Colorado Court of Appeals Search for Opinions Web site: <http://www.courts.state.co.us/coa/coaopinion.htm>. Coverage: 2000- .

Colorado Bar Association, Colorado Court of Appeals Opinions (including Case Announcement Sheets): <http://www.cobar.org/opinions/index.cfm?CourtID=1>. Coverage: Past twelve months.

• *Colorado Reports*. Denver, Colo., State of Colorado, 1864-1980. Two-hundred volume set containing Colorado Supreme Court decisions from 1862-1980, which includes volumes 1-16 (1864-1891), volumes 17-50 (1891-1910), and volumes 51-200 (1911-1980).

Online: Colorado Judicial Branch, Colorado Supreme Court Search for Opinions Web site: <http://www.courts.state.co.us/supct/supctopinion.htm>. Coverage: 2000- .

Colorado Judicial Branch, Colorado Supreme Court Case Announcements:
<http://www.courts.state.co.us/supct/supctcaseannctsindex.htm>. Coverage: 1998- .

Colorado Bar Association, Colorado Supreme Court Opinions (including Case Announcement Sheets): <http://www.cobar.org/opinions/index.cfm?CourtID=2>. Coverage: Past twelve months.

COURT RULES

- *Colorado Court Rules: State and Federal* (2 volumes). St. Paul, MN: West Publishing Co., 1990- .
- *Colorado Rules of Evidence, Annotated*, Colorado Legal Pub. Co. Inc., Littleton, Colo., 1982- .
- All Colorado Court Rules are also included in stand-alone volumes of *Colorado Revised Statutes* (LexisNexis) and *West's Colorado Revised Statutes Annotated* (West Publishing Co.)

Online: Colorado Court Rules, Colorado General Assembly Web site:
<http://www.leg.state.co.us/> (“CO Revised Statutes” link on left-hand side). Coverage: Current year.

United States District Court for the District of Colorado (Federal), Local Rules of Practice, Civil and Criminal: http://www.co.uscourts.gov/rules_frame.htm. Coverage: Current year.

Local Rules of the First Judicial District:
<http://www.courts.state.co.us/district/01st/localrules.pdf>. Coverage: Current year.

Local Bankruptcy Rules, United States Bankruptcy Court for the District of Colorado:
<http://www.cob.uscourts.gov/lbrtc.asp>. Coverage: Current year.

ADMINISTRATIVE LAW AND PROCEDURE

- *Biennial Report of the Attorney General of the State of Colorado*. Colorado Springs, CO: 1877-1966.
- Starting in 1967, print versions of substantive opinions have been available only from the Office of the Attorney General, Denver, CO.
- Opinions relating to the constitutionality and legality of administrative rules are published in the *Code of Colorado Regulations* (see publication information below.)

Online: Colorado Attorney General's Office, Colorado Department of Law, AG Opinions:
http://www.ago.state.co.us/ag_opinions.cfm. Coverage: 1984- .

- *Code of Colorado Regulations*. Augusta, ME: Weil Publishing, 2002- . Weil Publishing was recently acquired by LexisNexis. (Formerly published by Public Record Co., 1977-2002). “The only official source of Colorado’s administrative regulations.”

Online: Office of Legislative Legal Services, Colorado General Assembly, Rules and Regulations Promulgated by Executive Departments:

http://www.state.co.us/gov_dir/leg_dir/olls/HTML/rules.htm. Coverage: Current.

- *Colorado Register*. Augusta, ME: Weil Publishing, 2002- . Weil Publishing was recently acquired by LexisNexis. (Formerly published by Public Record Co., 1977-2002). “The official publication for notice of proposed rulemaking, and final regulations of the state of Colorado.”

<p style="text-align: center;">TREATISES, DIGESTS AND OTHER RESOURCES</p>
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TREATISES

- *West’s Colorado Practice Series*, St. Paul, MN: West Publishing Co., 2001- . This 31-volume set provides “in-depth analysis and informed advice on major elements on Colorado practice, rules, and procedure, including relevant forms.” Topics include: civil, criminal, and appellate court practice, debtor-creditor, personal injury, employment, workers’ compensation, family law, corporations, real estate, estates and wills, commercial transactions, and water law.

- Pringle, Bruce D., *Colorado Law Annotated*, 2d, St. Paul, MN: West Publishing Co., 1991. “Analysis of the Colorado cases and statutory law regarding selected topics of interest to the Colorado Bar.” Covers all aspects of Colorado Law, including agency, attorney fees, automobiles, damages, death, dissolution of marriage, eminent domain, employer and employee, equity, fraudulent conveyances, governmental entities, guaranty, liens, limitations of actions, torts, real property, securities, civil procedure, insurance, criminal law and procedure, domestic relations, contracts, corporations and more. For those topics not covered in the *Second Edition*, see the *First Edition*.

- *West’s Colorado Law Finder*, St. Paul, MN: West Publishing Co., 1993- . Contains references to an alphabetical list of Colorado law topics. The references include, but are not limited to, the “Colorado Practice Series, Colorado Digest, Second Edition, Colorado Revised Statutes Annotated, Corpus Juris Secundum, and other specialized texts and treatises.” West topics and key numbers are also provided.

DIGESTS

- *West’s Colorado Digest, 2d*. St. Paul, MN: West Publishing Co., 1987- . Coverage is Colorado state and federal cases from 1864- using the West topic and key number system. Indexes cases from the *Colorado Reports*, *Colorado Court of Appeals Reports*, *Pacific Reporter*,

West's Pacific Reporter, Second and Third Series; and the various *West* federal reporters. Library references to *Corpus Juris Secundum* are included.

- *West's Pacific Digest*. St. Paul, MN: West Publishing Co., 1864- . Coverage is Colorado state and federal cases from 1864- using the West topic and key number system. Indexes cases from the *Colorado Reports, Colorado Court of Appeals Reports, and Pacific Reporter*. Library references to *Corpus Juris Secundum* are included. Also includes the states of Alaska, Arizona, California, Colorado, Hawaii, Idaho, Kansas, Montana, Nevada, New Mexico, Oklahoma, Oregon, Utah, Washington, and Wyoming.

JURY INSTRUCTIONS

- *Colorado Jury Instructions for Civil Trials*, Denver, CO: Continuing Legal Education in Colo., 2000- . LexisNexis now publishes this title. This title is also referred to as “CLE edition” or “CJI-Civ”.
- Colorado Supreme Court Committee on Civil Jury Instructions, *Colorado Jury Instructions 4th, Civil*, St. Paul, MN: West Publishing Co., 1999- .
- Colorado Supreme Court Committee on Criminal Jury Instructions, *Colorado Jury Instructions, Criminal*, St. Paul, MN: West Publishing Co., 1983 (updated in 1993).

CITATORS

- *Shepard's Colorado Citations*, 6th edition, Colorado Springs, CO: Shepard's/McGraw Hill, 1994.
- *Shepard's Colorado Case Names Citor: A Compilation of Case Names and Citations of Colorado Cases Decided From 1940 to the Present*, 2nd edition, Colorado Springs, CO: Shepard's/McGraw Hill, 1991.

DIRECTORIES

- *Colorado Legal Directory*, Denver, CO: McGraw-Hill, 2001- . (Formerly *Colorado Legal & Financial Directory*)

INTERNET SITES

LOCAL COURTS AND GOVERNMENT

- The Official Site of the State of Colorado: <http://www.colorado.gov>
Contains everything you need regarding Colorado government: courts, regulatory agencies, permits/licenses/certificates, state statutes, municipal and county web sites, public schools, state telephone directory, and vital records, just to name a few topics. Make this your first resource when you need Colorado government information.

- Colorado General Assembly: <http://www.leg.state.co.us/>
The home page of the Colorado state legislature. It is composed of a Senate and House of Representatives. Use this site to find contact information for legislatures, updates on pending legislation, and related information.

- Colorado Judicial Branch: <http://www.courts.state.co.us/>
This site provides access to the Colorado Judicial Branch, which “joins the Legislative and Executive branches to form the government for the State of Colorado. The Judicial Branch is charged with two responsibilities: resolving disputes and supervising offenders on probation. The Branch includes the Colorado Supreme Court, Colorado Court of Appeals, and district and county courts, served by 262 justices and judges in 22 judicial districts across the state (excluding 17 Denver county court judges). Municipal courts are not part of the state system. There are also seven water courts, one in each of the major river basins.”

- Colorado Secretary of State, Business Center:
<http://www.sos.state.co.us/pubs/business/main.htm>
This site provides access to business information (including business organizations, names, and trademarks), UCC information (Uniform Commercial Code, Effective Financing Statements (“EFS”), and other liens), and general information (including fees, publications, and FAQs).

- Colorado State Archives, Legislative Records:
<http://www.colorado.gov/dpa/doit/archives/legis.html>
“The Colorado State Archives services a variety of records useful as resources for legislative information and intent, especially since 1973.”

- Legislative Council Research Publications, Colorado Legislative Council:
http://www.state.co.us/gov_dir/leg_dir/lcsstaff/StaffInfo/research.htm
Since 1953, the Legislative Council Staff has served as the nonpartisan research arm of the Colorado General Assembly. The staff serves under the direction of a Director of Research appointed by an eighteen-member legislative committee. The Legislative Council's role is to provide staff support to legislative committees, respond to requests for research and constituent services; prepare fiscal notes; provide revenue projections; and perform other centralized legislative support services.

- United States Courts for the District of Colorado: <http://www.cod.uscourts.gov/>
Court opinions of the trial court as well as the bankruptcy court are kept for 60 days from date of posting. Also contains rules and directories. Has link to PACER (see “Selected Vendors” below). Includes U.S. Bankruptcy Court for District of Colorado.

- U.S. Court of Appeals for the Tenth Circuit: <http://www.ca10.uscourts.gov/>
Court opinions kept for 90 days. Also contains rules, directories. Has link to PACER (see “Selected Vendors” below).

LOCAL LAW LIBRARIES

- Circuit Library, U.S. Court of Appeals for the Tenth Circuit:
<http://www.ck10.uscourts.gov/library.cfm>
- Colorado Supreme Court Library: <http://www.state.co.us/courts/sctlib>
- Law Library, University of Colorado School of Law: <http://www.colorado.edu/Law/lawlib>
- Westminster Law Library, University of Denver, Sturm College of Law:
<http://www.law.du.edu/library/default.cfm>

LOCAL LEGAL ORGANIZATIONS

- Colorado Bar Association (CoBar): <http://www.cobar.org>
Contains information on Colorado lawyers, committees, CLE, and opinions of the Colorado Supreme Court and Court of Appeals. Also provides links to Colorado rules, ethics opinions, and statutes. Includes a Members Only section for which you must have a password.
- Colorado Association of Law Libraries (CoALL): <http://www.aallnet.org/chapter/coall/>
Provides a helpful “one stop” page with links to several online law library catalogs in Colorado.

SELECTED PUBLISHERS

- Bradford Publishing Company: <http://www.bradfordpublishing.com/>
The local company “has a complete line of Colorado legal forms and Colorado law books. [Their] products include forms and books on Colorado legal matters such as: Divorce, Child Support, Adoption, Bankruptcy, Real Estate, Power of Attorney, Probate, Eviction and Real Property to name just a few.
- CLE—Colorado Bar Association: <http://www.cobar.org/cle/pubsbookstore.cfm>
Books topics include: Business, Criminal, Employment, Ethics, Family, General Skills, Health, Litigation, Real Property, and Trust and Estate.
- Nolo: <http://www.nolo.com/>
Publisher of do-it-yourself legal and business books. Select titles include: *Patent It Yourself*, *Simple Will Book*, *Child Custody: Building Parenting Agreements That Work*, and *Win Your Personal Injury Claim*.

- Wiley Publishing, Inc., “Dummies” books: <http://www.dummies.com/WileyCDA/>
Despite their title, these books contain valuable information. Select titles include: *Incorporating Your Business for Dummies*, *Business Contracts for Dummies*, and *Divorce for Dummies*.

SELECTED VENDORS

- CourtLink: <http://www.lexisnexis.com/courtlink/online/>
Published by Lexis/Nexis. Offers online access to current cases, federal and state court records for some states; however, most states are not available online. Provides e-mail alerts about new case filings and offers the ability to track cases filed involving particular litigants or subject matters. This is a fee-based service.
- LexisNexis: <http://www.lexisnexis.com/>
“LexisNexis® provides authoritative legal, news, public records and business information; including tax and regulatory publications in online, print or CD-ROM formats.” This is a fee-based service.
- LexisNexis File & Serve: <http://www.lexisnexis.com/fileandserve/>
This service provides access to online filing, processing and serving of legal documents to courts and case parties. It is mandatory for the Colorado counties of Arapahoe, Boulder, Broomfield, Denver Probate, Douglas, El Paso. Denver County Probate is not accessible from CourtLink’s File & Serve unless you are a party to the case or an attorney of record. In addition to Colorado, the following states also utilize the service: Arizona, California, Delaware, DC, Georgia, Illinois, Maryland, Michigan, New Jersey, Ohio, Pennsylvania, Texas and Washington (although coverage may not be state-wide.) This is a fee-based service.
- LexisOne: <http://www.lexisone.com>
“The Resource for Small Law Firms”, LexisOne provides some free, some subscription access to case law, forms, legal directories, and legal news. Free registration is required.
- LivEdgar, Global Securities, Inc. (recently acquired by Thomson West):
<http://www.livedgar.com>
Tailored to meet the needs of SEC researchers, “GSI goes far beyond baseline EDGAR offerings to provide a wealth of value-added information that includes hard-to-find No-Action letters, Annual Reports to Shareholders, SEDAR filings, International Prospectuses & 144As and much more.” This is a fee-based service.
- PACER Service Center, Administrative Office of the U.S. Courts:
<http://pacer.psc.uscourts.gov/> PACER is the Federal Judiciary’s centralized electronic service center allowing users to obtain case and docket information from Federal Appellate, District and Bankruptcy courts, and from the U.S. Party/Case Index. Search Colorado cases in the U.S. Party/Case Index. This is a fee-based service.
- Westlaw: <http://www.westlaw.com>

Westlaw is West's online legal research service. It provides quick, easy access to West's vast collection of statutes, case law materials, public records, and other legal resources, along with current news articles and business information. This is a fee-based service.

<http://www.aallnet.org/sis/lisp/toolkit.htm>

PUBLIC LIBRARY TOOLKIT

This is a toolkit meant to help public librarians understand the process of legal research, effectively develop and use the information located within their libraries, utilize information located outside their libraries, with the end goal of helping the patron locate the legal information they need.

Written by:

Marsha Thomas
University of Utah
S.J. Quinney Law Library
and
Betsy Sandison
Baltimore County Circuit
Court Law Library

- Researching a legal problem.
- Finding legal material if the patron already has a citation to it.
- Making sure you have the most current information.
- Collection Development for federal, state, and general materials.
- Knowing when to refer.

Offered by:

Legal Information
Service to the Public
Special Interest Section
of the
American Association
of Law Libraries.

State-specific Public Library Toolkits

- Alaska
- California
- Colorado
- Connecticut
- District of Columbia
- Florida
- Hawaii
- Iowa
- Kansas
- Louisiana
- Maryland
- Minnesota
- Missouri
- Nevada
- New Jersey
- Oregon
- Tennessee
- Virginia
- Wyoming

To access any of the above, just click on the underlined word.

last updated April 25, 2005.

Please send comments and suggestions to Marsha Thomas - thomasm@quinney.law.utah.edu



American Association of Law Libraries

Services to the Public

How to
Research
a Legal
Problem

Legal Information

A Guide
for Non-Lawyers

This guide is intended to help a person with a legal problem find legal rules that can resolve or prevent conflict. It is most useful to work through the steps and sources in the order presented.

For a Web version of this guide, see www.aallnet.org/sis/lisp.

GETTING STARTED

State the question clearly that you need to answer.

Determine the jurisdiction, meaning the particular subject and locality. You must first determine which court or government agency can resolve the conflict before beginning legal research.

Understand citations and abbreviations. Most law books are cited in the order of volume number, book and page. For example, 410 U.S. 113 would signify volume 410 of *United States Reports*, page 113. Statutes are cited by statute title and section number, such as 42 U.S.C. § 1983 for title 42 *United States Code*, section 1983. Most of the abbreviations you will encounter are explained in the text of this pamphlet.

WHERE TO GO

Public libraries will have at least some of the codes, texts and self-help materials mentioned here, as well as facilities for Internet access.

Most county, court or law school libraries are open to the public and contain all the resources discussed here. Internet access for the public will vary across libraries of this type.

Depository libraries of federal materials are located at most law libraries, larger public libraries and universities, and are required to be available to the public. Increasingly, the federal government has made many of its depository and other publications available on the Web through the U.S. Government Printing Office's GPO Access program at www.access.gpo.gov. These and other law libraries will have various guides to help locate government information on the Web.

The Internet is not a comprehensive source for legal materials. Some good starting points for legal information on the Web: The Legal Information Institute, www.law.cornell.edu; FindLaw, www.findlaw.com; LexisOne, www.lexisone.com; Washburn University School of Law, www.washlaw.edu;

the American Bar Association,
www.abalawinfo.com; and HierosGamos,
www.hg.org.

WHAT TO LOOK AT

Self-help books or kits containing instructions and forms are available in many bookstores and public libraries and even from some court clerks and legal aid offices to help non-lawyers with routine matters. The books or kits may cover divorce, bankruptcy, traffic tickets, wills, contracts and leases, landlord-tenant agreements, small business matters, and many other legal subjects. Usually written by lawyers, such books may save the patron hours of research. Some self-help information is available on Web sites such as Nolo Press at www.nolo.com.

Practice aids and form books are intended for lawyers but can be useful for anyone. Some examples of practice aids are *Shepard's Causes of Action*, *American Jurisprudence Trials* and *American Jurisprudence Proof of Facts*, which give guidance in what evidence a court must be given and how to proceed. Form books aid in drafting legal documents or documents that need to be filed in court. State form books are available for most states. General form books include *American Jurisprudence Legal Forms*,

American Jurisprudence Pleading and Practice Forms, *West's Legal Forms* and *West's Federal Forms*. While some forms are available free on the Web, such as those compiled by Kansas University's

Many states
also have
encyclopedias
of state laws.

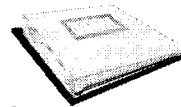
Law Library at www.law.ku.edu/research/prac_forms.html, many sites will ultimately charge a fee. It is recommended that you try your local court and nearest law library first.

Legal encyclopedias are a good starting point to get an overview of a topic. There are two general legal encyclopedias: *Corpus Juris Secundum (C.J.S.)* and *American Jurisprudence 2d (Am. Jur. 2d)*. Many states also have encyclopedias of state laws. Begin with the index and look for different synonyms of your term. The text will contain many footnotes leading to further sources.

Texts and treatises can also yield useful general information. They contain the law on a specific subject, sometimes a specific jurisdiction, and often include forms. The briefest are those in West Publishing Co.'s Nutshell Series. West's *Hornbooks* or comparable publications provide more depth. Multivolume encyclopedic treatises present comprehensive information for many subjects.

Articles printed in journals or law reviews published commercially or by law schools or bar associations may also be useful. Look for your subject in printed or computer indexes, such as Index to Legal Periodicals or Legal Resource Index (Legal Trac). Some articles may be found online for free at sites such as Jurist's Law Review page at www.jurist.law.pitt.edu/lawrev.htm and the University Law Review Project at www.lawreview.org. The dates of full-text coverage and level of searchability will vary.

Codes contain legal rules known as statutes, regulations or ordinances, which are mandatory, meaning that courts must follow them. Codes are accessed through an index that refers you to a numbered section. They are updated by supplements or pocket parts or are in looseleaf form.

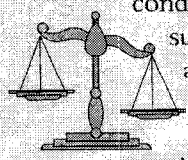


Most public libraries and all law libraries will contain copies of the local state code, which holds the laws made by a state's legislature. They may also have city or county ordinance codes and codes of state administrative agency regulations. Most state and some local law can be found on the Web using directories such as the one at Piper Resources' State and Local Government on the Net at www.statelocalgov.net/

index.cfm, or by using the URL address www.state.xx.us, where "xx" is the postal abbreviation for your state.

One of the following federal code versions will be used if the jurisdiction is federal: *United States Code (U.S.C.)*, *United States Code Annotated (U.S.C.A.)*, or *United States Code Service (U.S.C.S.)*. The *U.S.C.* is available on the Web at uscode.house.gov/, although other sites containing the *U.S.C.*, e.g. www.law.cornell.edu/uscode/, may provide easier ways to locate a particular statute. For pending and new federal laws, you'll probably need to check Thomas, the government Web site for legislative information, at thomas.loc.gov. Regulations of federal agencies are contained in the *Code of Federal Regulations (C.F.R.)* at www.access.gpo.gov/nara/cfr/index.html.

Court rules state the procedures by which a dispute must make its way to court and how the resolution of the dispute is to be conducted. Court rules address such topics as time limitations and formal requirements for pleadings and other court documents or processes.



Although procedural law can also be found in statutory and administrative codes, court rules are generally more detailed and can vary from court to court. You may wish to ask a law librarian for help locating court rules.

Reports or reporters contain opinions (sometimes called decisions or cases) written by courts to explain how and why certain legal rules were used to resolve the dispute in a particular lawsuit. These rules constitute the "common law" and are followed by courts deciding later cases with similar facts and issues so that consistency may be maintained. Decisions of a higher court are mandatory—that is, those decisions must be followed if coming from a higher court in the same jurisdiction or from the U.S. Supreme Court. If a decision is not mandatory, a court may still find it persuasive and follow it.

With few exceptions, these cases are from Courts of Appeals rather than trial courts. (The most common exception is decisions from federal district courts reported in the *Federal Supplement*, abbreviated *F. Supp.*) Opinions are not written for every case. Further, not every decision is selected by the court for publication. These "unpublished" decisions, such as those found in the *Federal Appendix (F. Appx.)*, can help one to understand the law. However, it is important to consult a court's rules on citation of unpublished opinions before using them to support an argument in a legal proceeding.

Cases decided in the U.S. Supreme Court are reported in the *United States Reports (U.S.)* and reprinted in the *Supreme Court Reporter (S.Ct.)* and *United States Reports, Lawyers' Edition*, first and second series

(*L.Ed.* and *L.Ed.2d*). Newer U.S. Supreme Court cases are available on the Web at www.supremecourtus.gov (see "Opinions" link). Cases from the intermediate U.S. Courts of Appeals, also called U.S. Circuit Courts, are printed in the *Federal Reporter*, first, second or third series (*F.*, *F.2d* and *F.3d*). The *Federal Supplement*, first and second series (*F.Supp.*, *F.Supp.2d*), contains cases from the U.S. District Courts. Newer Circuit Court and District Court cases can be found at vls.law.vill.edu/locator/fedcourt.html or www.law.cornell.edu/federal/

State appellate court opinions

opinions.html, though availability of cases will vary from court to court.

are printed in state reports in many states.

State appellate court opinions are printed in state reports in many states. They are also reprinted in West's regional reporters, which cover

several states in various regions, including the *Atlantic (A. and A.2d)*, *North Eastern (N.E. and N.E.2d)*, *North Western (N.W. and N.W.2d)*, *Pacific (P., P.2d. and P.3d)*, *South Eastern (S.E. and S.E.2d)*, *South Western (S.W. and S.W.2d)*, and *Southern (So. and So.2d) Reporters*. Because California, Illinois and New York generate a large amount of case law, these states have their own reporters: the *California*

Reporter (*Cal. Rptr.* and *Cal. Rptr.2d*), *Illinois Decisions (Ill. Dec.)* and the *New York Supplement (N.Y.S. and N.Y.S.2d)*. Many states no longer print their own state reports, so their newer decisions are found only in the regional reporters. If a decision is printed in more than one publication, you may find more than one citation to it. These are called parallel citations. For availability of state court opinions on the Web, go to the individual state government's Web site or one of the general sites listed at the beginning of this guide, such as www.washlaw.edu.

Finding opinions in reports may be done in various ways. Reports are not arranged by subject and the sets are not indexed. Often you can find a reference from text or footnotes of texts, encyclopedias, or other cases. Annotated codes will list cases that have cited a statute following the text of the statute.

Lawyers and law schools can find cases using subscription computer databases, but these subscription databases are expensive and may not be available to the public.

Using a credit card, you may search Westlaw at www.westlaw.com or LexisNexis™ at www.lexis.com for about \$10 per document or the more limited Quicklaw America at www.quicklawamerica.com for less. Free trials and low-cost subscriptions



Digests are the traditional means of

are available from VersusLaw at www.versuslaw.com and Loislaw at www.loislaw.com.

finding cases.

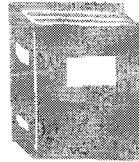
Some of the Web sites mentioned in "The Internet." on page 4, will lead you to free sites that allow limited keyword searching, but this will vary from court to court and is rare.

Digests are the traditional means of finding cases. West Publishing Co. publishes digests for federal jurisdictions, most states and several of the regions that correspond to the regional reporters. For example, there is a *Federal Practice Digest* (*Fed. Prac. Dig.*), a *California Digest* (*Cal. Dig.*) and a *Pacific Digest* (*Pac. Dig.*). The *Decennial Digest* (*Dec. Dig.*) covers all jurisdictions in 10-year increments. The most commonly used digest system is West's *American Digest System*, which divides the law into about 400 topics. Each topic is subdivided into principles or points of law, which are each assigned a "Key Number." Pigeonholed under each Key Number are brief paragraphs abstracted from cases, which summarize the points of each case, and citations to where each case can be found. It is possible to go directly to the topic in the digest and scan through the Key Numbers, but it is usually less confusing to

start in the Descriptive Word Index to the digest. This index uses common words to lead to the right topic and key number. The digest also contains a Case Table, which can be used to look up a citation if only the name of a case is known.

American Law Reports (A.L.R.) can be a very helpful resource. *A.L.R.* contains "annotations," which review a legal topic in depth and analyze court cases from all jurisdictions on the subject. It can be used like a text or as a finding aid for cases in all jurisdictions on a topic.

Reports and digests for certain courts or topics are also beneficial. These cover legal areas such as bankruptcy, military justice, education, labor and tax. Administrative agencies, which often act as tribunals in their areas of jurisdiction, also publish reports of their opinions, often with digests.



Looseleaf services are useful hybrids that pull together text, statutes, regulations, and opinions of courts and administrative agencies on specific, important topics that need constant updating. Examples include *Standard Federal Tax Reporter*, *United States Tax Reporter*, *Employment Practices Guide*, *Bankruptcy Law Reports*, *Consumer Credit Guide*, *Family Law Reporter*, *Criminal Law Reporter* and many others.

BEFORE YOU STOP

Check supplements. These sometimes appear as "pocket parts" inserted into the back covers of volumes to provide updates and new material.

Check citators. *Shepard's* is the most common. These must be used to ascertain whether the validity of a case or statute has been affected in some way, such as being reversed, overruled or ruled unconstitutional (for statutes). They are also used to determine if one case has been cited by another. Instructions for use, illustrations and abbreviation tables are contained in the preface to each volume. For the most current citator information, you must use an online citator, such as *Shepard's* on LexisNexis™ at www.lexisnexis.com/shepards or Westlaw's KeyCite at www.keycite.com. Each costs about \$4 per cite. Check with your nearest law library or with the citator company for availability of online citators.

WHEN TO STOP

You'll keep reading the same legal rule. You may notice that once you have thoroughly covered all the sources listed above, the same legal rule, whether set out in statute, regulation or court opinion, will appear in several places. You can usually take this as confirmation that your research has been complete enough to give a reliable answer to your legal question.

MORE INFORMATION



An attorney may still be required to help find and understand legal information. Word of mouth, the Yellow Pages, or state and local bar associations can help you find one. Attorney directories are available online at www.martindale.com and www.directory.findlaw.com.

A law librarian can help. Check with local courts, bar associations or law schools. Call your local public library for a listing of area law libraries.

Manuals that give more detail on how to research. Several are available, including:

How to Find the Law (1989)

Legal Research: How to Find & Understand the Law (2001)

Legal Research in a Nutshell (2000)

Practical Approaches to Legal Research (1988)

This guide was prepared by Lee Warthen and Angus Nesbit for Legal Information Services to the Public (LISP), a Special Interest Section of the American Association of Law Libraries (AALL).

LISP provides support for programs and workshops on legal research for the non-law librarian, consults with public libraries on collection development and maintenance of their legal collections, and surveys and publishes information about collections of legal materials available in public libraries that might assist the public in locating the information it seeks. In addition, LISP encourages and supports AALL chapters in providing pro bono assistance in a variety of contexts.

For more information on LISP and its activities, see www.aallnet.org/sis/lisp.



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