



# Princeton University Library

## Research Guide

### Junior Politics Seminar: Individual Rights under the Constitution, Fall 2006

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I) **Background Information:** The following sources can provide you with a general overview and introduction to different issues relating to individual rights under the U.S. Constitution. They can help you to identify potential paper topics, and may prove useful at different stages in your research, analysis and writing as a source of background information. Use them as you begin to clarify and articulate the issues and questions you want to address, or when you simply need an introduction to novel concepts or terms. Be aware, however, that they may not be adequate authority to support your analyses and arguments. In legal research these resources are called secondary resources.

#### A) Encyclopedias:

- 1) ***American Jurisprudence, 2<sup>nd</sup> (Am.Jur.2d)***. An encyclopedia of American law, both state and federal. Available on Westlaw Campus Research (through the Library's "Find Articles and Databases" webpage).
- 2) ***Corpus Juris Secundum (CJS)***. 7607.269 [Law Cases and Statutes (Law), Social Science Reference Center (SSRC), Firestone]. An encyclopedia of American law, both state and federal. To find relevant

entries in this legal encyclopedia, check the subject index for sub-headings under Constitutional Law, such as Eminent Domain, First Amendment, Freedom of Speech, and Freedom of Religion.

- 3) ***Encyclopedia of the American Constitution, 2<sup>nd</sup> ed. (2000)***. KF4548 .E53 2000 [Social Science Reference Center (SSRC), Firestone]. Includes articles on various aspects of constitutional law and individual rights, as well as brief summaries of significant U.S. Supreme Court cases.
- 4) ***Religion and American law: an encyclopedia (2000)***. KF4783.A68 R45 2000 [Social Science Reference Center (SSRC), Firestone]. Includes articles and numerous references to the First Amendment, the Flag Salute Cases, freedom of religion, the Establishment of Religion Clause, freedom of speech, and freedom of the press.

#### **B) Treatises and Reference Books:**

- 1) ***The Constitution of the United States of America: analysis and interpretation (1987)***. KF 4527 .U54 1996 [Social Science Reference Center (SSRC), Firestone]. The current 1992 edition with supplements for 1996, 1998 & 2000 is available at the U.S. government website GPO Access: <http://www.gpoaccess.gov/constitution/browse.html#1992>. This annotated edition of the U.S. Constitution prepared by the Library of Congress Congressional Research Service includes notes to cases decided by the Supreme Court of the United States. Includes an extensive analytical scholarly comment on each Article and Amendment of the Constitution.
- 2) ***Constitutional law (2000)***, by John E. Nowak & Ronald D. Rotunda. KF4550 .N6 7<sup>th</sup> ed. [Social Science Reference Center (SSRC), Firestone]. This introduction to American constitutional law discusses leading U.S. Supreme Court cases within in-depth summaries of constitutional principles and their history.
- 3) ***First Amendment law in a nutshell, 3<sup>rd</sup> ed. (2004)***, by Jerome A. Barron & C. Thomas Dienes. KF 4770.Z9 F577 3<sup>rd</sup> ed. 2004 [Social Science Reference Center (SSRC), Firestone]. Provides a general overview and introduction to First Amendment law in a single volume.
- 4) ***A practical companion to the Constitution: how the Supreme Court has ruled on issues from abortion to zoning (1999)***, by Jethro K. Lieberman. KF4548 .L54 1999 [Social Science Reference Center (SSRC), Firestone]. Provides summaries, with references to

cases, of the U.S. Supreme Court's holdings on constitutional principles and issues.

### C) Legal Dictionary:

- 1) **Black's Law Dictionary.** KF156 .B53 2004 [Social Science Reference Center (SSRC) Ready Reference, Firestone], and KF 156 .B53 1999 [Social Science Reference Center (SSRC), Firestone].

II) **Periodical Articles:** Hundreds of searchable databases of indexed articles, some with full text, are available through the library's website (under "Find Articles and Databases"). Suggested databases in political science and law:

### A) Politics/Social Science

- 1) **PAIS: Public Affairs Information Service:** indexes articles, books, conference proceedings, government documents, book chapters, and statistical directories about public affairs.
- 2) **JStor:** a searchable and browsable archive of full-text academic journals.
- 3) **Social Sciences Abstracts Full Text:** citations index with selected full-text access to international, English language journals in sociology, anthropology, geography, economics, political science and law.
- 4) **International Political Science Abstracts (IPSA):** index of articles from periodicals published throughout the world.
- 5) **Worldwide Political Science Abstracts:** provides citations and abstracts of the international literature in political science, including journal articles, books and book chapters, dissertations, and reviews. It also covers such areas as international relations, law, sociology, economics, and public policy.

### B) Law

- 1) **Index to Legal Periodicals and Books:** provides indexing of articles in leading legal journals and government publications, as well as approximately 1,400 monographs per year.
- 2) **Legaltrac:** an index of legal periodicals, some with abstracts and full-text articles.
- 3) **Hein-on-Line:** a database of full-text law review and journal articles.

4) ***Lexis-Nexis Academic***

5) ***Westlaw Campus***

### III) Finding Books

**A)** Search the **online catalog** to find books and journals (not journal articles!) with a known title or author. If you are beginning your search for books, you can search by keywords or subject. Try starting with a keyword search using combined terms, such as “individual and rights and constitution”.

### IV) Finding Court Opinions and Other Primary Legal Sources

**\*NOTE:**

**For more detailed information on case law research please refer to the Princeton University Library Legal Research Guide on the Firestone Library Web Page (click “Research Guides” under “Research Help” and then choose “Law”).**

**A) Finding a court opinion with a citation:** An effective way to find court cases on a topic is to find citations to case law in books, treatises and articles on your topic. Court opinions are reported in volumes called “Case Law Reporters.” Citations are by volume and page number, with an abbreviated reference to a reporter. For example, 103 U.S. 168 refers to a case published in volume 103 of the *United States Reports*, starting on page 168.

1) Decisions of the **U.S Supreme Court** are published in the following reporters, listed here with their abbreviated reference and locations in Firestone Library. In addition to print, federal and state cases can be retrieved on Westlaw Campus of Lexis Academic.

(a) ***United States Reports (U.S.)*** 7684.89.101.11 [Law Cases and Statutes (Law), Social Science Reference Center (SSRC), Firestone] and [Electronic Database: Hein-on-Line (1754 – 2003) (Library homepage, under Find Articles and Databases)].

(b) ***United States Supreme Court Reports - Lawyers' Edition (L.Ed.)*** 7684.89.101 [Law Cases and Statutes (Law), Social Science Reference Center (SSRC), Firestone].

(c) ***Supreme Court Reporter (S.Ct.)*** KF101 .A322 [Firestone] Vols. 1 – 112 (1882 – 1991) only. The full set is available on Westlaw Campus.

(d) ***The United States Law Week, Supreme Court Today (U.S.L.W.)*** 7680.922 [Social Science Reference Center (SSRC). Firestone]. The most up-to-date print source for U.S. Supreme Court opinions.

(e) ***Official Website of the U.S. Supreme Court*** (<http://www.supremecourtus.gov/>) Provides timely access to new (slip) opinions; a searchable record of the Court's docket; merits briefs (from 2003 – latest available); transcripts of selected oral arguments (from 2000 – latest available); and research guides on locating and retrieving briefs and oral arguments.

2) Decisions of lower federal courts

(a) ***West's Federal Reporter (1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> Series) (F.)*** reports the cases for the Circuit Courts of Appeals. KF105 .F43 [Law Cases and Statutes (Law), Social Science Reference Center (SSRC), Firestone]. Also available on Westlaw Campus and Lexis Academic.

(b) ***West's Federal Supplement (1<sup>st</sup> and 2<sup>nd</sup> Series) (F. Supp.)*** KF120 .F42 [Law Cases and Statutes (Law), Social Science Reference Center (SSRC), Firestone]. Also available on Westlaw Campus and Lexis Academic.

3) Decisions of state courts

(a) The main resource for state court decisions are the West Regional Reporters. West assigns each state to a region and publishes a reporter that prints cases from the states in that region. New Jersey case law is in the ***Atlantic Reporter (1<sup>st</sup> and 2<sup>nd</sup> Series) (A.)*** KF135.A7 A812 [Law Cases and Statutes (LAW). Hallway at SSRC Entrance]. Also available on Westlaw Campus and Lexis Academic.

(b) For other regional reporters please consult the Library's Legal Research Guide.

**B) Finding a court opinion without a citation:** Without a citation, cases must be searched by the subject being researched. Because the reporters print cases chronologically and do not contain a subject index, a "finding tool" must be used to find cases on a specific subject.

1) Print finding tools:

(a) **Digests and Headnotes:** the primary print tools used to locate court opinions by subject.

- i Each case in a reporter that is published by West (which is most of them including S. Ct., F., F. Supp., and all of the regional reporters) is accompanied by “headnotes” that describe the points made in that case and are assigned a topic and a number (called a key number) that represents a subtopic.
- ii Each set of West Reporters has a companion “digest.” The digests list the cases by topic and key number, reprinting the headnotes from the cases and listing case citation.
- iii Use the “Descriptive Word Index” to determine the topic and key number that represents your research subject. Then look up your topic and key number in the main digest set. Browse the headnotes and use the citation to look up the cases that you will need.
- iv Digests are placed on the library shelf along with its reporter. To find a digest, first find the case law reporter that you wish to research. For locations of the reporters see Sections IV.A.1 and IV.A.2 above.
- v Digests and headnotes are also available electronically on Westlaw Campus. Cases from the West reporters may be retrieved on Lexis, but the West Headnote/Topic/Key Number/Digest system is not available on Lexis. Lexis maintains its own Headnote system.

(b) ***United States Code annotated. Constitution of the United States annotated; annotations from federal and state courts*** [Location: 7691.921 Law Cases and Statutes (LAW). Firestone]. Abstracts of cases dealing with constitutional issues are organized by subject under each Article and Amendment of the Constitution.

(c) ***The Oxford guide to United States Supreme Court decisions, by Kermit L. Hall, editor (1999)***. KF4548 .O97 1999 [Social Science Reference Center (SSRC). Firestone]. Indexes leading U.S. Supreme Court cases and provides summaries of their history and holdings.

## 2) Electronic finding tools:

(a) ***Lexis Academic*** and ***Westlaw Campus***. (Library homepage, under Find Article and Databases)]. Cases, both federal and state, can be retrieved from the databases Lexis and Westlaw, by citation, with party names or by using keywords to search by subject.

**V) Other Helpful Resources:** Beyond the news media and the topics you are covering in class, the following sources can provide you with timely information about individual rights issues that are currently being reviewed by the U.S. Supreme Court or simply debated in American society.

**A) Briefs:** briefs are the legal documents that attorneys file with an appellate court. In these briefs, attorneys make legal arguments and cite legal authority (cases and statutes) in support of their arguments.

1. ***Landmark Briefs and Arguments of the United States Supreme Court Firestone Library.*** [Social Science Reference Center KF101.8 .K87]. Transcripts of oral arguments and briefs for important cases (2-3 per court term). Index through 1990 term.
2. ***Records and Briefs of the Supreme Court of the United States.*** [Firestone Library, Social Science Reference Center]. Microfiche or Microcard.
  - a. 1930 – 1973 (organized by citation to the United States Reports)
  - b. 1973 – current (organized by U.S. Supreme Court docket number)
  - c. 1916 – 1957 – selected briefs in print located Offsite at Forrestal Annex A
3. ***LexisNexis Academic, LexisNexis*** (commercial version) and ***Westlaw*** (commercial version) all contain U.S. Supreme Court briefs since 1993 and selected briefs since 1979. ***Westlaw*** (commercial version) contains briefs from the U.S. Circuit Courts of Appeal and selected state appellate courts.
4. ***The Skinny on Briefs***  
<http://www.llrx.com/columns/reference43.htm>  
A useful guide on how to obtain briefs from both federal and state courts.

**B) Current Awareness Publications:**

- 1) ***CQ Researcher, 1991-present.*** *CQ Researcher* provides a series of in-depth, non-biased, issue-oriented reports published weekly and available online at <http://library.cqpress.com/cqresearcher>. Each report summarizes a single current and controversial issue, and

discusses many sides of the debate. Bibliographies and other aids to researchers are included. Users may browse through articles in the current issue or search for past articles using words, dates or other criteria.

- 2) ***The United States Law Week, Supreme Court Today.*** 7680.922 [Social Science Reference Center (SSRC). Firestone]. This weekly print publication chronicles the proceedings of the U.S. Supreme Court, lists all docketed and recently filed cases, and summarizes the arguments made in important cases.

**C) Websites:** Many organizations monitor, litigate and lobby on behalf of individual rights issues. The following organizations' websites can serve as an indicator of current controversies, and often provide extensive information and resources, such as cases, legislation and reports.

- 1) ***American Civil Liberties Union*** (<http://www.aclu.org/>).
- 2) ***First Amendment Center*** (<http://www.firstamendmentcenter.org/>).  
The First Amendment Center is funded by the non-partisan Freedom Forum and affiliated with the Vanderbilt University's Institute for Public Policy Studies.

**\*Research Note:** These websites are offered as sources for leads on current First Amendment-related issues and controversies, as well as possible sources for information and authority. However, before you rely on a source found on a website to support your own arguments, be sure to evaluate the reliability of the information. Ascertain who is maintaining the site and try to determine their level of expertise. Many websites have a clear and explicit political bias. Is the website selective in its coverage of an issue or topic in its attempt to support its position? Is the information it provides current and up-to-date?

While much of the information on these sites is highly reliable, and includes well-organized access and links to primary sources that may be invaluable if not essential to your own analysis of an issue, it will no doubt be necessary to support your arguments with scholarship found in books and articles.

**VI) Drafting Legal Arguments:** While traditional style and citation guides, such as Chicago, Strunk or Turabian, will probably suffice for your seminar paper, legal analysis and writing sometimes presents unique dilemmas and challenges. The following legal style and citation manuals may be useful as you are writing and making reference to legal authority.

### A) Legal Writing Style Manuals:

- 1) ***Case analysis and fundamentals of legal writing*, by William P. Statsky (1984).** KF 240 .S78 1984 [Social Science Reference Center (SSRC), Firestone].
- 2) ***Dictionary of modern legal usage*, by Bryan A. Garner (1995).** KF 156 .G367 1995.[Social Science Reference Center (SSRC), Firestone].
- 3) ***Legal writing: sense and nonsense*, by David Mellinkoff (1982).** KF 250 .M44 1981b [Social Science Reference Center (SSRC) Firestone].

### B) Legal Citation Manuals:

- 1) ***The Bluebook: a uniform system of citation*, 17<sup>th</sup> ed. (2000).** K50 .xU64 [Social Science Reference Center (SSRC), Ready Reference, Firestone]. The classic citation manual for sources of law
- 2) ***User's guide to the Bluebook*, by Alan L. Dworsky (2000).** KF245 .D853 2000 [Social Science Reference Center (SSRC), Firestone]. This short guide simplifies and explains the often inscrutable citation rules found in The Bluebook.
- 3) ***Prince's Bieber dictionary of legal citations: reference guide for attorneys, legal secretaries, paralegals, and law students*, by Mary Miles Prince (2001).** KF 246 .P73 2001 [Social Science Reference Center (SSRC), Ready Reference, Firestone]. This dictionary of legal abbreviations can help you to decipher references to legal sources you may encounter.



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