



Princeton University Library

U.S. Legal Research Guide

- Introduction to U.S. Legal Research, p. 1**
- Ready Reference Tools, p. 2**
- Secondary Sources, p. 2**
 - Legal Encyclopedias, p. 3**
 - Treatises, p. 3**
 - Nutshells, p. 4**
 - Multistate Legal Resource, p. 6**
 - CALI: Computer Assisted Legal Instruction, p. 7**
 - American Law Reports (A.L.R.), p. 7**
 - Legal Periodicals (Law Journals and Law Reviews), p. 7**
- Primary Sources, p. 8**
 - Case Law, p. 9**
 - Statutes, p. 17**
 - Regulations & Administrative Legal Research, p. 20**
 - Constitutional Legal Research, p. 21**
- Updating/Shepardizing Primary Sources, p. 22**
- Electronic Legal Research (Westlaw and Lexis), p. 24**
- Legal Research Guides (non-Princeton), p. 24**

I) Introduction to the Princeton University Library Law Collection

The law collection at Princeton University Library is a rich, historical collection that has developed over the decades without supporting the research and teaching of a law school. The strengths of the collection are U.S. constitutional law, international law and comparative law. Princeton has an extensive collection of primary sources of U.S. (federal) law and New Jersey state law. With a combination of the print and electronic sources described in this guide, legal researchers at Princeton will find many of their research needs met. For detailed legal research, users may need to consult nearby law libraries at the Rutgers University (both the Rutgers-Camden and Rutgers-Newark Law Libraries are open to the public), the New Jersey State Library in Trenton, Columbia University, New York University, and University of Pennsylvania.

II) Introduction to U.S. Legal Research

Legal research, like the legal system itself, can be quite complex. Legal information is organized in a distinct and unique system and many of the sources and finding tools of the law are unique to legal research. Also, an understanding of legal authority, precedent and jurisdiction are usually necessary to effectively conduct accurate legal research. Finally, updating or “Shepardizing” each primary legal source, to make sure the law or legal rule located is current, may (depending upon the nature of the research) be necessary. In sum, legal

research can be quite different from the research most non-law students are used to conducting.

The most important tip for starting legal research is to begin with several relevant secondary sources. Do not begin by researching case law or statutes (either in print or on Westlaw or Lexis). Rather, locate information on your topic in a variety of secondary sources. This will provide substantive information on your topic and provide citations to relevant primary source materials. Conducting this preliminary secondary source research will result in far more effective primary source research afterwards.

This guide is intended to be introductory guide to legal research and should provide a road map to at least begin most legal research projects. If more detailed assistance is needed, please contact the David Hollander, Law & Legal Studies Librarian, (609) 258-5316, dholland@princeton.edu.

III) Ready Reference Tools

Below are some ready reference tools that are helpful for legal research.

Black's Law Dictionary (8th ed.)
Social Science Reference Center (SSRC), Ready Reference
KF156 .B53 2004
The standard legal dictionary.

Bieber's Dictionary of Legal Abbreviations
Social Science Reference Center (SSRC), Ready Reference
KF246 .B46 2001
Useful for deciphering legal acronyms and abbreviations.

Uniform System of Citation, 18th ed. (The Bluebook)
Social Science Reference Center (SSRC), Ready Reference
Donald E. Stokes Library (SPIA), Reference (17th ed.)
K50 .xU64
This book is the standard source for legal citation forms. The blue pages in the back describe the primary sources of law (and their abbreviations) for each of the 50 states and many foreign nations.

IV) Secondary Sources

Begin your research with secondary sources! Secondary sources are materials, written by legal scholars that summarize, explain, collect and/or analyze the law. Although a researcher's instinct may be to begin by jumping into primary sources on Westlaw, Lexis or print, it makes no sense to begin researching a legal topic from scratch when there may already be published legal research on that topic. Secondary resources will summarize the law on a topic and provide citations to primary sources. It will almost certainly be necessary to build upon this information by also conducting primary source research. But secondary resources will provide an important head start.

Secondary resources come in a variety of styles and formats.

A) Legal Encyclopedias: usually organized alphabetically by legal topic (similar to a general encyclopedia).

Corpus Juris Secundum (C.J.S.)

Law Cases and Statutes (LAW), Firestone

7607.269 [Note: shelved out of sequence]

A very comprehensive treatment of U.S. law (federal and state), focusing on case analysis.

American Jurisprudence 2nd (Am. Jur. 2d)

Electronic version available on Westlaw Campus. Similar in scope to *Corpus Juris Secundum* above.

West's Encyclopedia of American Law

Social Science Reference Center (SSRC), Firestone

KF154 .W47 1997

A basic description of major areas of U.S. law.

B) Treatises: a book or set of books, written by an expert, about an area of law. Some will provide a clear explanation of the state of the law on a topic (called “black letter law”) and others will provide detailed commentary and analysis. All types usually include citations to relevant case law. Hornbooks are usually one-volume treatises geared toward law students.

Selected treatises and hornbooks held by Princeton University Library include:

Calamari and Perillo on Contracts / Joseph Perillo

Social Science Reference Center (SSRC), Firestone

KF801 .C26 2003

Conflict of Laws / by Eugene F. Scoles ... [et al.].

Social Science Reference Center (SSRC), Firestone

KF411 .S28 2000

Constitutional Law / John E. Nowak, Ronald D. Rotunda.

Social Science Reference Center (SSRC), Firestone

KF4550 .N6 2000

Environmental Law / William H. Rodgers, Jr.

Social Science Reference Center (SSRC), Firestone

KF3775 .R59 1994

Environmental Law / Frank P. Grad, Joel A. Mintz

Social Science Reference Center (SSRC), Firestone

KF3775.A7 G73 2000

Federal Practice and Procedure / Charles Alan Wright ... [et al.]
Social Science Reference Center (SSRC), Firestone
KF8840 .W68 1982

The Law of Domestic Relations in the United States / by Homer H. Clark, Jr.
Social Science Reference Center (SSRC), Firestone
KF504 .C55 1988b

The Law of Federal Courts / by Charles Alan Wright.
Social Science Reference Center (SSRC), Firestone
KF8840 .W7 1994

The Law of Oil and Gas / by Richard W. Hemingway.
Social Science Reference Center (SSRC), Firestone
KF1849 .H44 1991b

Prosser and Keeton on the Law of Torts / W. Page Keeton, et. al.
Social Science Reference Center (SSRC), Firestone
KF1250 .P73 1984

C) Nutshells: although not scholarly works, these brief guides to selected areas of the law provide an overview of the key legal principles and highlight the important cases and statutes. Generally, researchers do not cite to Nutshells. Rather, they use them to provide an introduction to an unfamiliar area of the law.

Below is a selective list of Nutshells held by Princeton University Library:

Administrative Law and Process in a Nutshell / by Gellhorn & Levin.
Social Science Reference Center (SSRC), Firestone
KF5402.Z9 G4 1997

Advanced Criminal Procedure in a Nutshell / by Cammack & Garland.
Social Science Reference Center (SSRC), Firestone
KF9619.3 .C36 2001

American Indian Law in a Nutshell / by Canby, Jr.
Social Science Reference Center (SSRC), Firestone
KF8205.Z9 C36 1998

Comparative Legal Traditions in a Nutshell / by Glendon, Gordon, & Carozza.
Social Science Reference Center (SSRC), Firestone
K560 .G43 1999

Constitutional Civil Rights in a Nutshell / by Vieira.
Social Science Reference Center (SSRC), Firestone
KF4750 .V5 1998

Constitutional Law in a Nutshell / by Barron & Dienes.
Social Science Reference Center (SSRC), Firestone
KF4550.Z9 B35 2003
KF4550.Z9 B35 1999

Criminal Law in a Nutshell / by Loewy.
Social Science Reference Center (SSRC), Firestone
KF9219.3 .L63 2003

Criminal Procedure: Constitutional Limitations in a Nutshell / by Israel & LaFave.
Social Science Reference Center (SSRC), Firestone
KF9619.3 .I8 2001

Environmental Law in a Nutshell / by Findley & Farber.
Social Science Reference Center (SSRC), Firestone
KF3775.Z9 F56 2000

European Union Law in a Nutshell. 4th ed. / by Folsom.
Social Science Reference Center (SSRC), Firestone
KJE949.E976

Family Law in a Nutshell / by Krause
Firestone Library (F)
KF505.Z9 K7 2003

Federal Disability Law in a Nutshell / by Tucker.
Social Science Reference Center (SSRC), Firestone
KF480.Z9 T83 1998

Federal Jurisdiction in a Nutshell / by Currie.
Social Science Reference Center (SSRC), Firestone
KF8858.Z9 C87 1999

First Amendment Law in a Nutshell. 3rd.ed., 2004 / by Dienes.
Social Science Reference Center (SSRC), Firestone
KF4770.Z9 F77

Intellectual Property: Patents, Trademarks, and Copyright in a Nutshell /by Miller & Davis.
Social Science Reference Center (SSRC), Firestone
KF2980 .M52 2000

International Environmental Law in a Nutshell. 2nd ed. / by Guruswamy
Social Science Reference Center (SSRC), Firestone
K3585 .6 .G87 2003

International Human Rights in a Nutshell / by Buergenthal, Shelton, & Stewart.
Social Science Reference Center (SSRC), Firestone
K3240.4 .B84 2002

Introduction to the Study and Practice of Law in a Nutshell / by Hegland.
Social Science Reference Center (SSRC), Firestone
KF273 .H4 2000

Labor and Employment Arbitration in a Nutshell / by Nolan.
Industrial Relations Library (IR). Firestone
KF3425 .N638 1998

Labor Law in a Nutshell / by Leslie.
Industrial Relations Library (IR), Firestone
KF3369.3 .L39 2000

Land Use in a Nutshell / by Wright & Gitelman.
Social Science Reference Center (SSRC), Firestone
KF5698.Z9 W74 2000

Legal Research in a Nutshell / by Cohen & Olson.
Social Science Reference Center (SSRC), Firestone
KF240 .C54 2000

Public International Law in a Nutshell / by Buergenthal & Murphy.
Social Science Reference Center (SSRC), Firestone
KZ1242.5 .B84 2002

Real Property in a Nutshell / by Bernhardt & Burkhardt.
Social Science Reference Center (SSRC), Firestone
KF570.Z9 B47 2000

The State and Religion in a Nutshell / by Berg.
Social Science Reference Center (SSRC), Firestone
KF4865.Z9 B47 1998

Sports Law in a Nutshell / by Champion, Jr.
Social Science Reference Center (SSRC), Firestone
KF3989.Z9 C48 2000

D) Multistate Legal Resources: researching the law of several states can be time-consuming because each state's legal system is organized differently. The following sources are helpful in comparing state law.

Martindale-Hubbell Law Digests

Firestone Library, Social Science Reference Center
KF 190 .M3

Contains a summary of each state's law using the same subject headings for each state so comparison is relatively easy. Focus tends to be on commercial laws. Includes citations to state codes. Electronic version: Lexis State Capital - Click on Statutes, then click on Martindale-Hubbell Law Digests.

Subject Compilations of State Laws

Firestone Library, Social Science Reference Center (current issue)
Firestone Library (F) - back issues 1983 forward
KF240 .S795

An annual bibliography of law review articles, reports and other documents that analyze state laws. Includes brief information on to what extent state law is cited in the particular article or report.

Uniform Laws Annotated

Firestone Library, Social Science Reference Center
KF 165 .A5

Text of uniform laws proposed to state legislatures including annotations of cases interpreting those laws. Includes tables listing states that have enacted uniform laws.

National Survey of State Laws, 5th ed.

Firestone Library, Social Science Reference Center (current edition)

Firestone Library (F) - previous editions

KF386 .N38 2003

Contains comparison charts of state law on various legal topics.

The Book of the States

Firestone Library, General and Humanities Reference – current issue

Firestone Library, Social Science Reference Center – current issue

Firestone Library (F) – back issues

JK2403 .B62

Additional copy in Stokes Library

Annual yearbook containing information on state government structure and selected state laws.

Legal Information : How to Find It, How to Use It

Firestone Library, Social Science Reference Center

KF240 .O365 1999

This guide contains a well-written chapter on multistate legal research sources.

E) CALI: Computer Assisted Legal Instruction

The CALI database provides over 100 interactive lessons written by law faculty and law librarians. The lessons cover a great variety of legal topics in both substantive law and legal research, including Constitutional Law, Federal Courts, Treaty Research, and many more.

Please note that although this database is specifically intended for use by law students, it will still be helpful to members of the Princeton University community seeking legal information. To access the CALI lessons, choose CALI from Princeton University Library's Articles & Databases listing (either from the alphabetical listing or from the law databases).

- F) American Law Reports (A.L.R.):** “mini-treatises” (called annotations) published in a multivolume set and on Westlaw. Typically each annotation summarizes the state of the law on a single legal issue. Often the topic is one in which courts around the country disagree. If you can find an annotation on your topic it is extremely helpful.

American Law Reports (ALR 3d)

Firestone Library, Social Science Reference Center (LAW)

7683.123

American Law Reports (ALR, ALR 2d – ALR 6th, ALR Fed, ALR Fed 2d)

Westlaw Campus

- G) Legal Periodicals (Law Journals and Law Reviews):** periodicals, usually published by law schools, containing scholarly articles written by law professors. Often the subjects are highly detailed and narrow or address a cutting edge area of the law. The articles will contain hundreds of footnotes citing primary source material. Law journal and law review

pieces usually contain a high level of sophisticated analysis and therefore are often important sources for academic legal writing.

Note that law journals and law reviews also publish student written articles, often called “notes.” These articles do not carry the same scholarly weight as the professor-written articles. Before relying on a law review or law journal article, be sure was the work of a professor, not a student. If a student-written article must be cited, common practice is to note in the citation, that it was written by a law student.

The following journal indexes are all available from the Article Indexes and Research Databases page on the Princeton University Library web page.

Journal Indexes

Index to Legal Periodicals and Books – US law reviews and selected English language foreign law journals since 1980

Legaltrac – US law reviews and legal newspapers since 1980; selected UK and Australian law journals

Index to Foreign Legal Periodicals – selected foreign law periodicals and US law reviews focused on international law since 1985

Periodical Contents Index – historical periodicals index (electronic only)
Jones and Chipman Index (part of the electronic database Poole’s Plus and 19th Century Masterfile) – historical legal periodicals index

Full-text Databases

Hein On-Line – Law reviews (in PDF format) since the 19th century

Westlaw Campus – US law reviews since 1980’s

Lexis Academic – US law reviews and legal newspapers since 1980’s

NOTE: Hein On-Line, Westlaw Campus and Lexis Academic contain many of the same law journals; however, some law journals are unique to one database or the other. For completeness, check both databases.

V) Primary Sources

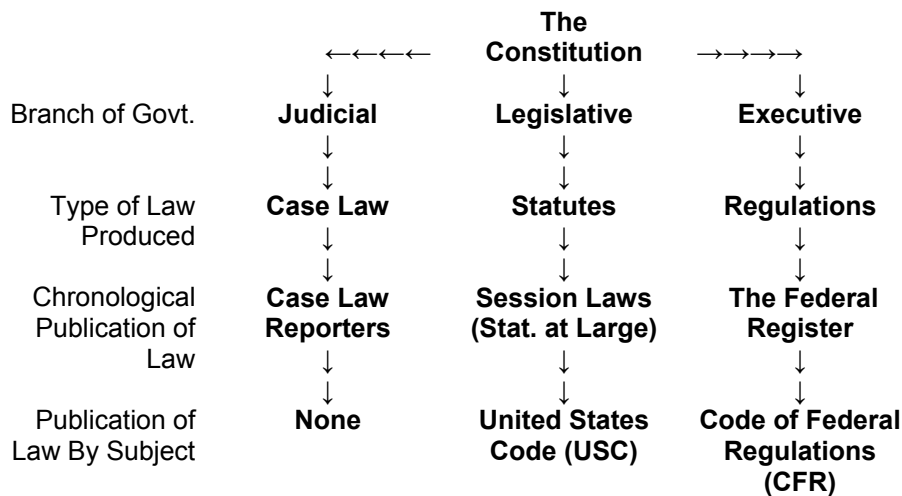
In legal research vocabulary, the term “primary sources” refers to sources of the law itself. In other words, primary sources of law are the texts of enactments by governments containing rules that govern a jurisdiction. In sum, secondary sources of law (discussed above) are works about the law; primary sources are the law itself.

There are two different general designations for primary sources of law: official and unofficial. Official primary sources of law are texts that are published and/or

printed by the enacting government. Unofficial primary sources of law are texts of law published by private publishers (often, but not exclusively, West or Lexis Publishing).

In some jurisdictions, there is no official publication of certain resources and only the unofficial version exists. For example, federal case law at the appellate and trial level is only published by West. In law practice, attorneys are usually required to cite to an official source, where one exists. However, for legal research, always use the **unofficial** source because the private publishers will add value to the text of the primary law by including tools and materials that will aid in the legal research process.

Each branch of government, both at the federal and state level, produces law. Understanding the overall landscape of the legal sources is helpful before beginning research of one source or one area of law. The chart below is a simplified overview of the universe of federal law, listing the major types of law publications of each branch. Most state governments will produce law in a similar set-up.



Note that each government branch produces law that is published chronologically. The public laws and regulations are then published in **codes** by subject. Case law is not published by subject (thus, research case law requires a “finding tool” to locate cases by subject). The following sections will discuss research of each type of primary law in detail.

A) Case Law

Courts in the U.S. legal system resolve disputes presented to them by parties. Courts issue written opinions explaining the court’s resolution of

the dispute and its underlying reasoning. If the opinion is published, it will be found in a case reporter.

1) Binding Authority and Precedent

Why would a legal researcher care what a judge decided in some legal dispute between two private parties? Central to the U.S. legal system is the idea of **binding authority** and **precedent**.

When a higher court publishes a decision on a point of law, that decision is binding on all lower courts in the same jurisdiction. The lower courts in that jurisdiction must follow earlier judicial decisions when the same points of law arise again in litigation. A court opinion that has this power has **binding authority** or **precedent**. This concept is formally called ***stare decisis*** (Latin – “to stand by things decided”).

Because this power extends only to lower courts in same jurisdiction as the higher court, often legal research will require a basic understanding of jurisdiction and court system structures. The federal court system and most state court systems maintain a three-tiered structure. The table below illustrates this typical structure in the federal system, New Jersey and New York.

Typical Court System Structure	State Courts (vary by state) (New Jersey) (New York)	Federal Courts
High Court	<i>State Supreme Court</i> (Supreme Court of NJ) (NY Court of Appeals)	United States Supreme Court
Intermediate Appellate Court	↑ <i>State Appellate Court(s)</i> (Appellate Division) (Appellate Division)	↑ United States Circuit Courts of Appeals
Trial court	↑ <i>State Trial Courts</i> (Superior Court of NJ) (Supreme Court of NY)	↑ United States District Courts

*Note that in NY, the trial court (the lowest court) is called the “Supreme Court.” Also many jurisdictions maintain several types of trial level courts in addition to the main trial court. These can include family courts, traffic courts, criminal courts, municipal courts, county courts and many others.

The U.S. Supreme Court’s opinions are binding on all courts in the U.S. In the federal system, the country is divided up into 13 circuits, each having a Circuit Court of Appeals, whose opinions are binding on all trial courts (District Courts) in that Circuit. New Jersey is part of the Third Circuit. The Third Circuit Court of Appeals sits in

Philadelphia. New York is part of the Second Circuit and its Court of Appeals sits in New York City. A map of all the circuits is posted at <http://www.uscourts.gov/images/CircuitMap.pdf>.

Each state has its own system for carving up the state and assigning jurisdictions. If your research requires knowledge of these jurisdictional divisions, many states post this information on the state court system's web site. Another helpful resources is the National Center for State Court's web site: <http://www.ncsconline.org>.

2) Case Law Reporters

Court opinions are published more or less chronologically in case law reporters. Cases from different jurisdictions are published in different reporters. Some courts, but not nearly all, still publish official reporters. The major publisher of unofficial case law reporters is West. When possible, it's helpful to use the West reporters when researching case law in print. West has designed an indexing system that makes finding cases by subject rather easy. This will be discussed in the section below on digests.

The table below outlines the federal case law reporters. Only the Supreme Court maintains an official reporter.

Federal Case Law Reporters		
Court	Reporter	Abbreviation
U.S. Supreme Court	United States Reports (official) Supreme Court Reporter (West) Lawyers' Edition (Lexis)	U.S. S. Ct. L. Ed.
Federal Circuit Courts of Appeal	Federal Reporter (West) Federal Reporter 2 nd Series Federal Reporter 3 rd Series	F. F.2d F. 3d
Federal District Courts	Federal Supplement (West) Federal Supplement 2 nd Series	F. Supp. F. Supp.2d

All of these federal case law reporters, except the Supreme Court Reporter, are located at law collection in the Social Science Reference Center (Law Cases and Statutes (LAW)). The Supreme Court Reporter is located in the stacks at Firestone Library at KF101 .A322 Vols. 1 – 112 (1882 – 1991) only.

For state case law, the West Regional Reporters publish opinions from the high courts and some intermediate appellate court of the 50 states. The table below lists all the states and the regional reporter where the case law from that state is printed.

State Case Law Reporters (West's Regional Reporters)

State	Reporter	Abbreviation
CT, DE, DC, ME, MD, NH, NJ, PA, RI, VT	Atlantic Reporter Atlantic Reporter 2 nd Series	A. A.2d
IL, IN, MA, NY, OH	Northeastern Reporter Northeastern Reporter 2 nd Series	N.E. N.E.2d
IA, MI, MN, NE, ND, SD, WI	Northwestern Reporter Northwestern Reporter 2 nd Series	N.W. N.W.2d
AK, AZ, CA, CO, HI, ID, KS, MT, NM, NV, OK, OR, UT, WA, WY	Pacific Reporter Pacific Reporter 2 nd Series Pacific Reporter 3 rd Series	P. P.2d P.3d
GA, NC, SC, VA, WV	Southeastern Reporter Southeastern Reporter 2 nd Series	S.E. S.E.2d
AR, KY, MO, TN, TX	Southwestern Reporter Southwestern Reporter 2 nd Series	S.W. S.W.2d
AL, FL, LA, MS	Southern Reporter Southern Reporter 2 nd Series	So. So.2d
NY	New York Supplement New York Supplement 2 nd Series	N.Y.S. N.Y.S.2d
CA	California Reporter California Reporter 2 nd Series California Reporter 3 rd Series	Cal. Rptr. Cal. Rptr.2d Cal. Rptr.3d

Princeton University Library only holds the Atlantic Reporter in full in print. It is located in the hallway outside the Social Science Reference Center (Law Cases and Statutes (LAW)). A partial set of the Northeastern Reporter is located in the stacks at Firestone Library KF135.N6 N63.

All of the regional reporters are full-text searchable on Westlaw Campus, Lexis Academic, Westlaw Commercial, and Lexis Commercial. However, only the West products allow access to West's digest system for finding cases by subject. For more information, see the sections below on digests and Westlaw.

3) Case Citations

A case is easily retrievable by citation, both in print and in the electronic databases. The structure of a case citation is "volume# / reporter abbreviation / first page of case":

Volume	Reporter Abbreviation	First Page of Case
120	U.S.	354

Sample Citations:

U.S. Supreme Court (official): 120 U.S. 354
 U.S. Supreme Court (West): 189 S. Ct. 698
 Federal Reporter: 1 F.3d 67
 Federal Supplement: 33 F.Supp.2d 87
 Atlantic Reporter: 608 A.2d 1341

A full case citation includes the case name, all reporters where the case appears, court information (except for the U.S. Supreme Court) and year:

Brown v. Board. of Ed., 347 U.S. 483, 74 S.Ct. 686, 98 L.Ed. 873 (1954).
National Abortion Federation v. Gonzales, 437 F.3d 278 (2d Cir. 2006).
Hollenbaugh v. Carnegie Free Library, 436 F.Supp.1328 (W.D. Pa. 1977).
Hummel v. Reiss, 608 A.2d 1341, 129 N.J. 118 (N.J. 1992).

4) The Structure of a Case in the West Case Law Reporters

West is the major private print publisher of case law reporters. In addition to the text of the court opinions, West includes several features that help the researcher quickly understand the case and find cases on a similar topic. The following research features appear in West case law reporters, *after* the court name, case parties, docket number, and date, but *before the actual court opinion begins*:

West Summary: a small paragraph briefly summarizing the entire case. This paragraph is written by editors at West Publishing, not the court, and therefore may not be cited as law.

Opinions Included: a listing of the of the court opinions, any concurring dissenting opinions, the authors or each opinion, and if applicable, who joined in each opinion.

West Headnotes and Key Numbers: one or more small paragraphs with a heading (consisting of a number, topical heading, and an icon that looks like a key with another number). These paragraphs summarize the each legal point and is assigned a “Topic” and a “Key Number” that represents a subtopic. The number at the left of the heading is the number of the headnote and will correspond to a number in the text of the court opinion where the court makes the legal point summarized in the headnote. In the example headnote below, the headnote is headnote 1. A number 1 will appear in the text of the court opinion where the legal point summarized in the headnote is made. The Topic is Negligence and the Key Number is 210. The headnotes are a good way to quickly learn what legal rulings the court made before reading the text of the case (which can sometimes be difficult to read). The topic and key number are used to find other cases that address that same topic. This is addressed in the section below on **digests**.

[1] Negligence  210

[272k210 Most Cited Cases](#)

(Formerly 272k2)

In every instance before negligence can be predicated of a given act, back of the act must be sought and found a duty to the individual complaining, the observance of which would have averted or avoided the injury.

Court Syllabus: a summary of the court's opinion, written by the court, but not part of the actual decision. Most opinions do not have a syllabus. Usually it is only U.S. Supreme Court decisions. The court's syllabus is longer than the West summary. This syllabus may not be cited as law.

Attorneys: following the syllabus (or, in the absence of a syllabus, following the headnotes) is a listing of the attorneys involved in the court case.

The Opinion: only after the listing of the attorneys does the court's opinion begin.

For an examples of West court opinions, with each of these features labeled, see links to the [Palsgraf](#) and [Gratz](#) cases from this section of the HTML U.S. Legal Research Guide on the Law & Legal Studies web page.

5) Finding Cases by Subject

If you do not have a case citation, and you need to find cases on a particular subject, you need to use some sort of "finding tool" because the cases in the reporters are published in (more or less) chronological order.

(a) Digests

Digests are the major tools to find cases by subject, both in print and on Westlaw. Each set of West-published case law reporters has a companion set of digests. The Decennial Digests covers cases across jurisdictions for a ten-year period.

The digests are organized by subject according to West's Topics and Key Numbers. By looking up the West Topic and Key Number that represents your research subject, you'll find a listing of every case in that case law reporter series that has been assigned your Topic and Key Number. Along with the case name will be a reprint of the headnote that is found along with the court's opinion in the case law reporter.

The first step in using the digests is to find a relevant Topic and Key Number. To find a Topic and Key Number, use the "Descriptive Word Index" at the end of the digest set. In the alternative, if you

have already located a relevant case (either from a secondary resource or from a full-text search), browse its headnotes for the Topic and Key Number that best suits your research subject. Finally look up the relevant Topic and Key Number in the digests. The same Topic and Key Number may be used in any digest for any jurisdiction.

The digest system is also accessible on Westlaw, where it is called **KeySearch**. Using the Topics and Key Numbers on Westlaw is quite simple and is often more effective than full-text searching alone.

Below is a listing of digests held by Princeton University Library:

Federal Digest

Firestone Library (F)
7683.34
Covers cases through 1939

Modern Federal Practice Digest

Firestone Library (F)
7683.34.64
Covers cases from 1940 through 1960

West's Federal Practice Digest (2d – 4th)

Firestone Library, Social Science Reference Center (LAW)
KF127 .W48
1961-present

West's Atlantic Digest 2d.

Firestone Library, Social Science Reference Center (LAW)
7683.133.2
Covers cases from 1940 to the present.

American Digest, Century Edition

Firestone Library, Social Science Reference Center (LAW)
7683.922.21
Abstracts of state court cases from 1658 to 1896.

American Decennial Digest

Firestone Library, Social Science Reference Center (LAW)

Decennial Edition, 1897 – 1906	7683.922.3
Second Decennial Edition, 1907 – 1916	7683.922.31
Third Decennial Digest, 1916 – 1926	7683.922.32
Fourth Decennial Digest, 1926 – 1936	7683.922.321
Fifth Decennial Digest, 1936 – 1946	7683.922.323
Sixth Decennial Digest, 1946 – 1956	7683.922.324
Seventh Decennial Digest, 1956 – 1966	7683.922.325
Eighth Decennial Digest, 1966 – 1976	7683.922.328
Ninth Decennial Digest, Part I, 1976 – 1981	KF141 1976
Ninth Decennial Digest, Part II, 1981 – 1986	KF141 1981
Tenth Decennial Digest, Part I, 1986 – 1991	KF141 1986
Tenth Decennial Digest, Part II, 1991 – 1996	KF141 1991

(b) Full-Text Searching

Full-text searching, while a powerful and important method to locate cases by subject, should not be the only research method used. Full-text searching is most effective when used in combination with the digests and the other methods discussed in this section. This is especially true for less-experienced legal researchers who have not been through law school and may be unfamiliar with legal language, legal reasoning and the typical structure of a court opinion. That stated, however, full-text searching on Westlaw and Lexis is a powerful way to find cases.

At Princeton, the primary way to conduct full-text case law research is on Westlaw Campus or Lexis Academic. Both databases are available on the Library's web page by following the "Articles & Databases" Link, choosing "Law" and then choosing "United States Law."

To find cases by subject in both Westlaw Campus and Lexis Academic first choose which type of case law you would like to search, federal or state. (Westlaw Campus will default to a legal research page, while on Lexis Academic you must follow the legal research link on the left). Then conduct either a "Terms & Connectors" search (similar to a Boolean search) or a "Natural Language" (keyword) search.

When viewing cases on Westlaw Campus, you'll see the same research features you'll find in the West case law reporters, including the headnotes, Topics and Key Numbers. There is also electronic access to the entire digest system, either by clicking on the Topic and Key Number in a case's headnotes or by conducting a KeySearch.

Lexis cases also have research features such as a summary of the case and headnotes. However the Lexis headnotes are not the same headnotes found in the print case law reporters.

(c) Secondary Sources

Secondary sources are an important way to begin research to learn about an area of law. They are also excellent ways to find cases by subject. Secondary resources will always include citations to case law of the subject area it is covering.

Once you have found a secondary resource on your subject, simply pull the cases in the citation. This is a great strategy for getting started on case law research.

It is helpful to think of secondary resources as legal research that is already completed. It does not make sense to start from scratch when someone else has already conducted the research and collected the case law on your topic.

(d) Statutes Annotated

While statutory research is discussed in detail below, the Statutes Annotated is also an effective case law research tool if you are looking for cases that apply a particular statute.

The Statutes Annotated are privately published (usually by West) statutes. They print the text of the statutes. After the text of each statute, the editors include annotations that provide detailed information about each statute. One of these annotations is called “Notes of Decisions,” which lists short summaries of all the cases that have addressed or applied that statute.

If you are seeking cases related to a statute or your issue is related to a statute, find that statute in the Statutes Annotated (using the index) and then check the Notes of Decision for relevant cases. See the section on statutes below for more information on statutory research.

(e) Shepard's/KeyCite

Checking the citing references of a case on Shepard's or KeyCite will provide citations to cases on the same subject. For more information see the section on Shepard's/KeyCite below.

B) Statutes

A statute is a law that is passed by the legislature and signed by the executive (president or governor). This law is first published, soon after enactment, as a **slip law** (in paper form). The slip laws for each legislative session are then published in a set of **session laws**, containing all the statutes passed in that session, in chronological order.

Then, each statute is codified (organized by subject) and put into a code near other statutes that deal with the same subject. Put differently, **codes** are statutes that are arranged by topic, reflecting the statutes on any given

subject that is **currently in force**, regardless of when passed. Contrast this with session laws that only reflect a particular statute at the moment it was passed or amended

The **code** should be used for most types of statutory research. Because the codes in electronic databases are usually up to date, it is usually not necessary to consult session laws.

Use **session laws**: (1) for historical research, since a code is constantly evolving to reflect statutes currently in force, as repealed and amended statutes (and sections of statutes) are integrated into the code; or (2) to see a full statute as it read when passed, since a single statute that address different subject areas can be split and placed in separate sections of the code.

Federal Statutes

Federal Session Laws: once enacted, federal statutes are called **public laws** and are identified by a public law number (citation form: P.L. 107-10). Since 1789, federal public laws are published in chronological order in session laws called the **Statutes at Large** (citation form: 888 Stat. 496).

Statutes at Large (Stat.)

Law Cases and Statutes (LAW), Firestone

KF50 .xU5

Organized by Public Law number (P.L., Pub. L.).

Statutes at Large (electronic)

- Hein Online (Articles & Databases from Library Web Page)
- Lexis Congressional Universe (click Legislative Histories, Bills & Laws)
- Library of Congress (1789-1875)
(<http://memory.loc.gov/ammem/amlaw/lwsl.html>)

Federal Code: federal statutes are codified into the official **United States Code (U.S.C.)**. Each subject area in the code is called a “title” and a statute is identified by a title and section: 8 U.S.C. § 1701.

United States Code (U.S.C.) – official government publication

Law Cases and Statutes (LAW), Firestone

KF62 2000 .A2

Editions prior to 1988 are located in Firestone (F) stacks

Unofficial U.S. Codes: private publishers publish annotated versions of the U.S. codes (as well as state codes). The annotations include a short summary of the history of the code section, citations to secondary sources related to the code section, practice materials and forms related to the code section, and citations to case law that is related to the code section. The unofficial codes are updated much faster than the official (using

“pocket parts” inserted into the back cover of the volume). **Use the unofficial codes when conducting statutory research.**

For all West-published annotated statutes: use the General Index to locate a statute or, if you know the name of the statute, use the Popular Name Table.

United States Code Annotated (U.S.C.A.) – published by West
Law Cases and Statutes (LAW), Firestone
7691.922.23

United States Code Service (U.S.C.S.) – published by Lexis
[Note: Princeton does not own this set.]

Electronic Unofficial Codes (*Note – statutes are a resource that many experienced researchers agree is easier used in print, especially to find which statute is related to your subject. Because codes are already organized by subject, using the index and flipping the pages can be more effective than electronic full-text searching):

Lexis (U.S.C.S.)
Westlaw (U.S.C.A.)

State Statutes

West publishes most annotated state statutes, although there are other publishers. Princeton University Library owns the following state session laws and codes in print. For other states, use the electronic databases.

Acts of the Legislature of the State of New Jersey

Law Cases and Statutes (LAW), Firestone
7787.07]

Holdings: 1776 through current

These are the session laws for New Jersey.

New Jersey Statutes Annotated (N.J.S.A.)

Law Cases and Statutes (LAW), Firestone
KFN1830 1937 .A42

This is New Jersey’s statutory code.

Laws of the General Assembly of the Commonwealth of Pennsylvania

Firestone Library (F)

7813.12

Holdings: 1861-2001, no. 116

Princeton does not own Purdon’s Pennsylvania Statutes Annotated by West in paper and Pennsylvania does not publish an official code. There is also no official web version of the Pennsylvania consolidated or session laws.

Laws of the State of New York Passed at the Sessions of the Legislature

Firestone Library (F).

7795.35

Holdings: 35th session (1812)- 224th session (2001)

Princeton does not own McKinney’s Consolidated Laws of New York Annotated (New York’s code) by West in paper.

Internet Resources

New Jersey State Legislature:

<http://www.njleg.state.nj.us/>

Scroll down on the left hand side for a browsable version of the State Statutes; a keyword search is available. There are also Chapter Laws (New Jersey's session laws) from 1996+. Chapter Laws show the laws as they appeared when they were passed (a chronological listing), as compared to the NJSA that compiles the statutes with amendments and annotations by subject. Bills are available back to 1996 as well.

New York Laws

<http://assembly.state.ny.us/leg/?sl=0>

From the State Assembly, view the consolidated laws, unconsolidated laws, or search by chapter number. Search for current bills by keyword or number from this site.

C) Regulations & Administrative Legal Research

Regulations and administrative law refer to the **regulations** (also called **rules**) **promulgated** by administrative agencies, both on the federal and state levels. Similar to statutes, regulations are published chronologically and then codified into a subject-based code of regulations.

Federal Regulations: chronologically published in the daily **Federal Register (Fed. Reg)**. This daily publication publishes both proposed and final regulations, executive orders and other official documents from the executive branch and is sometimes referred to as the executive branch's "daily newspaper." Next, the regulation codified in the **Code of Federal Regulations (C.F.R.)**. This set contains the current federal regulations in force organized by subject.

Federal Register (print)

Firestone Library, Social Science Reference Center (LAW)
Current year only in print

Federal Register (microfiche)

Firestone Library (F) 0800.017
Social Science Reference Center: Jan. 1985 – current
Microforms, C Level: 1936 – Dec. 1984

Annual Indexes to the Fed. Reg.

Firestone Library, Social Science Reference Center (LAW)
0800.017
1939 - current

CIS Federal Register Index

Firestone Library, Social Science Reference Center (LAW)
KF70.A2 C57
1984 - 1998

Code of Federal Regulations (C.F.R.)

Firestone Library, Social Science Reference Center (LAW)

7691.259.11

Current year only.

Electronic Databases

- Lexis Academic (Fed. Reg. - July 1, 1980 - current)
- Lexis Congressional (C.F.R. - 1981 edition - current)
- Westlaw Campus
- Hein On Line
 - Federal Register – vol. 1 (March 14, 1936) through vol. 45 (Dec. 31, 1980)
- GPO Access <http://www.gpoaccess.gov/index.html>
 - Federal Register – vol 60 (1995) through current
 - Code of Federal Regulations – portion of 1996, 1997 through current

State Regulations

New Jersey Register (N.J.R.)

Firestone Library, Social Science Reference Center

KFN2240 .A86q

Holdings: Sept. 1969 – current

Like the Federal Register, this publication contains both proposed and final New Jersey regulations.

New Jersey Administrative Code (N.J.A.C.)

Architecture Library (UES): Reference

KFN1835 1995 .A22q

Titles 5, 7, 14, 14A and 16 only

Electronic version available on Lexis State Capital

This set contains the current New Jersey administrative regulations.

D) Constitutional Research

A large part of constitutional research is actually **case law research** because it is the courts that decide whether a law is constitutional. However, secondary resources are especially important in constitutional research as well. Because issues of constitutional law are especially suited to complex analysis that is common in law reviews, law journals and monographs, these resources are especially helpful and important in constitutional research.

U.S. Code Annotated as a Constitutional Research Tool

Also, although the constitution is **not** a statute, the text of the constitution is printed in the first volumes of the U.S. Code Annotated. Each section of the constitution is annotated with citations to related secondary resources and, most importantly, citations to case law related to and applying that

section. The U.S. Code Annotated is an extremely important constitutional research tool.

United States Code Annotated (U.S.C.A.) – published by West
Firestone Library, Social Science Reference Center (LAW)
7691.922.23

Analysis and Commentary

Constitutional Law, 6th edition / Nowak & Rotunda
Firestone Library, Social Science Reference Center
KF4550 .N6 2000

Treatise on Constitutional Law, 3rd edition / Nowak & Rotunda
Firestone Library, Social Science Reference Center
KF4550 .R63 1999

This multi-volume treatise is more detailed than the single volume treatise above and is updated by annual pocket parts.

American Constitutional Law, 3rd edition / Laurence H. Tribe
Firestone Library, Social Science Reference Center
KF4550 .T785 2000

Constitutional Law in a Nutshell, 5th edition / Barron & Dienes
Firestone Library, Social Science Reference Center
KF4550.Z9 B35 2003

In sum, the U.S. Code Annotated, case law (and all the resources used to find case law, such as digests), law review articles, treatises and monographs (found through catalog searching) are the major resources for constitutional research.

VI) Updating/Shepardizing Primary Sources

Because the law is constantly evolving, it is often necessary to confirm that the case, statute, secondary resource or any other resource that you are currently using is up to date. This may not be necessary for historical research. However, if it is necessary to have law that is current, updating is an important step.

Statutes and some secondary resources (such as digests and legal encyclopedias) use **pocket parts** to update. Pocket parts are supplements slipped in the back cover of the volume. When using statutes or the digests in print, always check the pocket parts! On Westlaw or Lexis, the updates are usually integrated into the main body of the material as the law changes, so checking supplements online is not necessary.

Updating Case Law: Shepard's and KeyCite

Cases are frequently reversed or overturned. Therefore, if you want to verify that a case's ruling is still good law you must use a **citator**. There are two different case law citators: **Shepard's** (published in print and online by Lexis) and **KeyCite** (published only online, by West). The process of updating case law is often called "shepardizing" or "keyciting." Using the print Shepard's can be very difficult and time consuming. It is recommended to only use online Shepard's or KeyCite.

Shepard's and KeyCite are powerful research tools that tell the researcher much more than whether a case is still good law. Shepard's and KeyCite are "windows into the future" of a case. In other words, when you **shepardize** or **keycite** a case, you will learn happened to that case and to the legal rule from that case, after it was decided.

When learning how to shepardize and keycite, it's helpful to think of the following scenario: you've found a case and before using it you want to find out information about that case that is not available just from reading it. The three major types of information Shepard's and KeyCite provides about "your case" are:

- History: other court opinions from the same litigation handed down before "your case" was handed down.
- "Subsequent History": court opinions from the same litigation that were handed down after "your case" was handed down or court opinions from other litigations that affect the validity of the ruling in "your case." From this information you will learn:
 - If the case was **reversed** on appeal (and your case is "bad law")
 - If the case was **affirmed** on appeal
 - If the case was **modified** on appeal
 - If the case was **overturned** by a ruling in another litigation (and your case is "bad law")
- "Citing References": all cases, law review articles and other resources that have cited "your case." From this information you can find other cases on the same subject (since cases that cite each other are usually about the same subject) both those that agree and disagree with the court in "your case."

Citing references are designated according to how they treat the case you are shepardizing/keyciting ("your case") as positive (meaning citing reference agrees with "your case") or negative (the citing reference disagrees with "your case"). KeyCite breaks down

the negative treatment into more subcategories, such as “Called into Doubt” or “Declined to Extend” or “Distinguished.”

How to Use Shepard’s / KeyCite

Shepard’s (online) and KeyCite are quite simple to use. First, pull up the case you are interested in shepardizing/keyciting. You can do this by entering the citation or by doing a full-text or digest search.

Once you have the case on the screen:

- On Westlaw: keycite the case by clicking a link (full history, direct/graphical history, or citing references) in the white KeyCite box to the left of the case.
- On Lexis: click the Shepard’s link on the upper left corner of the case. This will bring up both the history (prior and subsequent) and all citing references. You can limit the list of citing references to negative or positive treatment of “your case.”

VII) Electronic Legal Research (Westlaw and Lexis)

Information about legal research on Westlaw and Lexis is integrated into each topic in this guide. At Princeton, versions of Westlaw and Lexis intended for non-law school use (Westlaw Campus and Lexis Academic) are available to the Princeton University community through the Articles & Databases link on the Library’s web page.

Westlaw Campus and Lexis Academic will serve most research needs of the Princeton community. The Princeton University Library maintains a very limited number of passwords to Lexis and Westlaw’s commercial versions. If you find that Westlaw Campus and Lexis Academic are not meeting your research needs, please contact the Law Librarian, who will help you with the research and/or provide access to the commercial Westlaw and Lexis (David Hollander, dholland@princeton.edu, (609) 258-5316).

VIII) Legal Research Guides

The following is a selective list of guides that provide more detail on legal research techniques and legal information sources:

How to Find the Law, 9th ed. / Morris Cohen, Robert C. Berring, and Kent C. Olson
Social Science Reference Center (SSRC), Firestone
KF240 .C538 1989
This guide has a particularly well-written chapter on legislative history and its sources.

Fundamentals of Legal Research, 7th ed. / Mersky
Social Science Reference Center (SSRC), Firestone
KF240 .J3 1998

Legal Information : How to Find It, How to Use It / Olson
Social Science Reference Center (SSRC), Firestone
KF240 .O365 1999

Legal Research in a Nutshell / Cohen & Olson
Social Science Reference Center (SSRC), Firestone
KF240 .C54 2003
KF240 .C54 2000

LLRX - Law Librarian's Exchange

<http://www.llrx.com/>

Well-written research guides prepared by attorneys and law librarians are available by clicking on the link "Resource Centers"



Written/Updated August 2006 by D. Hollander*

***(Based on Guide by D. Alford)**