

Guide Series

FINDING CASES

I. HOW TO FIND A CASE WHEN YOU KNOW THE CITATION

A. DECIPHERING LEGAL CITATIONS

1. CASE CITATIONS

A case citation includes: the names of the parties, the volume number of the case reporter, the abbreviated name of the reporter, the page number where the case can be found, and the year of the decision.

EXAMPLE: *Reserve Insurance Co. v. Pisciotta*, 30 Cal.3d 800 (1982).

Reserve Insurance Co. v. Pisciotta = names of the parties
30 = volume number of the case reporter
Cal. = abbreviated name of the case reporter, *California Reports*
3d = series number of the case reporter, *California Reports*
800 = page number of the case reporter
(1982) = year of the decision

2. ABBREVIATIONS OF REPORTER NAMES

The abbreviations used in citations can be deciphered by consulting:

- a. *Bieber's Dictionary of Legal Abbreviations*, 4th ed.
(Ref. KF 156 .D554 2001)
- b. *Black's Law Dictionary* (Ref. KF 156 .B624 1999).
This legal dictionary contains a table of abbreviations. Copies of *Black's* are located on dictionary stands throughout the library, as well as in the Reference Collection.

3. REPORTERS AND PARALLEL CITATIONS

A case may be published in more than one reporter. Parallel citations indicate the different reporters publishing the same case.

EXAMPLE: *Reserve Insurance Co. v. Pisciotta*, 30 Cal.3d 800, 180 Cal. Rptr. 628, 640 P.2d 764 (1982).

This case will be found in three places: the "official" *California Reports 3d* (30 Cal. 3rd 800); and the two "unofficial" West reporters: the *California Reporter* (180 Cal. Rptr. 628), and the regional *Pacific Reporter 2d* (640 P. 2d 764).

"Official" reporters are either published or sanctioned by a court; "unofficial" reporters are commercially published. However, West's National Reporter System has been designated the "official" reporter by some states which no longer publish a separate official reporter. In addition, the LRC has all of the regional reporters published by West. These reporters, including the states each covers, and the abbreviations, are listed at the end of this Guide.

West's *Federal Reporter* and *Federal Supplement* have been designated the official reporters of the federal appellate and district courts, respectively.

B. SOURCES OF PARALLEL CITATIONS

1. NATIONAL REPORTER BLUE BOOK

When the researcher has only the "official" cite, the parallel citation to the "unofficial" regional reporter can be located by consulting the *National Reporter Blue Book* (KF 150 .N37). The *National Reporter Blue Book* lists all official state reporters in alphabetical order, and provides the parallel volume and page numbers to the appropriate regional reporter.

2. SHEPARD'S CITATIONS

The citators published by Shepard's/McGraw-Hill are an excellent source for parallel citations. Every regional reporter has a companion Shepard's citator. Check the online catalog under the title "Shepard's" for the call number of the desired citator.

3. ONLINE CITATORS

Shepard's is available through LEXIS. WESTLAW has Key Cite.

C. WEST'S REGIONAL REPORTER SERIES (WITH ABBREVIATIONS)

1. *Atlantic Reporter* (A., A.2d), KF 135 .A7 A842.
Connecticut, Delaware, District of Columbia, Maine, Maryland, New Hampshire, New Jersey, Pennsylvania, Rhode Island, Vermont.
2. *North Eastern Reporter* (N.E., N.E.2d), KF 135 .N6 N672.
Illinois, Indiana, Massachusetts, New York, Ohio.
3. *North Western Reporter* (N.W., N.W.2d), KF 135 .N7 N672.
Iowa, Michigan, Minnesota, Nebraska, North Dakota, South Dakota, Wisconsin.
4. *Pacific Reporter* (P., P.2d), KF 135 .P2 P342.
Alaska, Arizona, California, Colorado, Hawaii, Idaho, Kansas, Nevada, Montana, New Mexico, Oklahoma, Oregon, Utah, Washington, Wyoming.

The Pacific Reporter does not contain California Courts of Appeal cases after 1959.

5. *South Eastern Reporter* (S.E., S.E.2d), KF 135 .S6 S682.
Georgia, North Carolina, South Carolina, Virginia, West Virginia.

6. *South Western Reporter* (S.W., S.W.2d), KF 135 .S7 S682.
Arkansas, Kentucky, Texas, Missouri, Tennessee.
7. *Southern Reporter* (S., S.2d), KF 135 .S8 S682.
Alabama, Florida, Louisiana, Mississippi.

D. OTHER FREQUENTLY CITED REPORTERS (AND ABBREVIATIONS)

1. *California Appellate Reports* (Cal.App., Cal.App.2d, Cal.App.3d, Cal.App.4th), KFC 48 .A2-.

Official reporter for decisions of the California Courts of Appeal, and selected decisions of the Appellate Departments of the Superior Courts.
2. *California Daily Opinion Service* (C.D.O.S.), Ref. KFC 47.C3

Quickest unofficial print source for U.S. Supreme Court cases, federal appellate and district cases, and California cases. LRC keeps 3 months at the Reference Desk.
3. *California Reporter* (Cal. Rptr., Cal. Rptr.2d), KFC 47 .W53.

Unofficial reporter of decisions of the California Supreme Court, the Courts of Appeal, and Appellate Division of the Superior Court.
4. *California Reports* (Cal., Cal.2d, Cal.3d, Cal.4th), KFC 45 .A2-.

Official reporter for decisions of the California Supreme Court.
5. *Daily Appellate Report* (D.A.R.), KFC 48 .A33.

Quickest unofficial print source for U.S. Supreme Court cases, federal appellate and district cases, and California cases. LRC keeps 6 months.
6. *Federal Reporter* (F., F.2d, F.3d), KF 105 .F421.

Selected decisions of the U.S. Court of Appeals, U.S. Court of Customs and Patent Appeals (prior to 1982), and Temporary Emergency Court of Appeals.
7. *Federal Supplement* (F. Supp.), KF 120 .F421.

Contains selected decisions of the U.S. District Courts.
8. *United States Reports* (U.S.), KF 101 .U5.

Official reporter for U.S. Supreme Court decisions.
9. *United States Law Week* (U.S.L.W.), KF 100 .U59.

Unofficial, weekly print sources for U.S. Supreme Court cases.
10. *U.S. Supreme Court Reports, Lawyers' Edition* (L. Ed., L. Ed. 2d), KF 101 .U51.

Unofficial reporter for U.S. Supreme Court decisions.
11. *West's Supreme Court Reporter* (S. Ct.), KF 101 .U521.
Unofficial reporter for U.S. Supreme Court decisions.

II. HOW TO FIND A CASE WHEN YOU DO NOT KNOW THE CITATION

A. DIGESTS

Digests contain indexes which are useful if you do not have much information about a case other than the name of one or more of the parties involved.

At the end of each digest set are volumes entitled Table of Cases. It is an alphabetical listing of every case abstracted in that set, organized by the name of the plaintiff. If you only know the name of the defendant, there is also a set of volumes at the end of the digest entitled Defendant-Plaintiff Table of Cases. This is a listing of every case abstracted in the digest, arranged in alphabetical order by the name of the defendant. If you do not find your case in the Table of Cases, try the Defendant-Plaintiff Table of Cases, because the order in which the parties are named may be switched as the case progresses through the appellate courts.

B. CITATORS

1. *Shepard's Acts and Cases by Popular Names: Federal and State* (Ref. KF 90 .S52 1999)

These volumes are useful if your case is well-known and referred to by a nickname instead of the actual names of the parties involved. Be aware that this is a selective listing, not all cases are included. Use the paperbound supplement for newer cases not referenced in the bound volumes.

2. *Shepard's United States Supreme Court Case Names Citator* (Ref. KF 101.2 .S53)

Use this source if you are searching for a case that was decided by the United States Supreme Court. It contains an alphabetical listing of all reported cases decided by the U.S. Supreme Court from 1900 to the present. For recent cases, remember to check the gray paperbound supplement.

3. *Shepard's Federal Case Names Citator - Ninth Circuit Cases* (Ref. KF 112 9th.2 .S53)

This work contains an alphabetical list of all cases decided in the Ninth Circuit from 1940 to the present. Refer to the gray paperbound supplement for newer cases not found in the hardbound volumes.

4. *Shepard's California Case Names Citator* (Ref. KFC 59 .S54)

This set provides an alphabetical list of all state cases decided in California from 1950 to the present. Use the gray paperbound supplement for newer cases not found in the hardbound volumes.

C. TREATISES

Treatises provide scholarly analyses of discrete areas of law. In developing an analysis, the author will discuss key cases and provide references to the citations, either in a footnote or a table of cases.

To find a treatise in the LRC:

1. Determine what area of law the case falls under. If you are not sure, consult with the Reference librarians for suggestions.

2. Use SALLY to perform a keyword search following one or more of the following examples. Substitute your actual area of law in place of "Area of Law."

Select "keyword" search-

[area of law] and hornbook

or

[area of law] and nutshell

3. Scan the entries, noting the call number and location in the library of each work you want to consult. Note: Many recent, heavily-used treatises are located in the Reserve Room.
4. If you know the names of the parties, check the treatise for a table of cases. If you do not know the names of the parties use the treatise's table of contents and index to locate the relevant section in the text.

D. PERIODICAL INDEXES

The periodical indexes contain references to articles in legal journals. They also have citations to cases that have been written about in those journals. If you know the names of the parties, you can turn to the table of cases in the appropriate volume. Included with each entry is the case citation and the reference to the law review article. If you do not know the names of the parties, use the subject index to compile a list of potential law review articles to scan. Be aware that the printed indexes are not cumulative; you may have to check more than one volume. The most heavily used printed indexes are: *The Index to Legal Periodicals* (Ref. Index K 33 .I32) and the *Current Law Index* (Ref. Index K 33 .C87). The LRC also has a Web based periodical index called "LegalTrac." LegalTrac contains a cumulative listing of law review references and cases from 1980 to the present.

V. ONLINE RESOURCES

You can also search for cases on LEXIS or WESTLAW if you have only the names of the parties. Choose the appropriate database (individual state, federal), and enter the parties' names.

FOR EXAMPLE: LEXIS: **name(roe w/5 wade)**
WESTLAW: **title(roe /5 wade)**

To search for cases to which you know the citations:

FOR EXAMPLE: LEXIS: **lexsee 410 us 113**
WESTLAW: **find 410 us 113**

NOTE: Use of LEXIS and WESTLAW at the LRC is limited to currently enrolled USD law students, law faculty, and staff.

CONTACT A REFERENCE LIBRARIAN FOR FURTHER ASSISTANCE