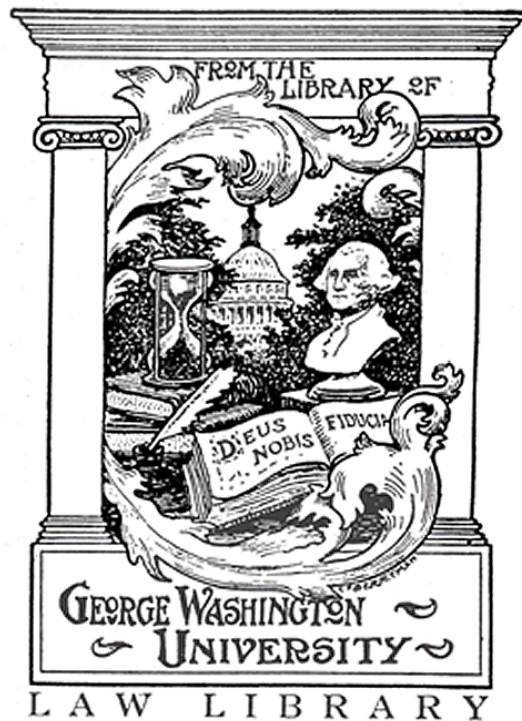




LEGAL RESEARCH GUIDE SERIES
BASIC RESEARCH GUIDE # 5

**FINDING CASES AND INTERPRETING
CITATIONS**



**THE GEORGE WASHINGTON UNIVERSITY
LAW SCHOOL
JACOB BURNS LAW LIBRARY**

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FINDING CASES & INTERPRETING CITATIONS

Introduction

The purpose of this guide is to identify print and electronic resources for finding cases and interpreting case citations. It is intended primarily for users of the Jacob Burns Law Library, and indicates the location of materials within the Library or online.

To determine if a source listed in this guide is available through LexisNexis or Westlaw:

LexisNexis: Select the “**Find a Source**” tab and then type the name of the source or file name in the search box.

Examples: State Court Cases, Combined or STCTS

Westlaw: If you are using Westlaw.com, type the name of the source in the “**Search for a database**” box. If you are using WestlawNext, type the name of the source in the WestlawNext search box and then select the resource from the drop down list.

Examples: American Law Reports or ALR

I. Interpreting Case Citations

A. Deciphering a Case Citation

Here is an example of a case citation:

***Mattel, Inc. v. MCA Records, Inc.*, 296 F.3d 894 (9th Cir. 2002).**

Mattel, Inc. v. MCA Records, Inc. = Names of the parties in the case.

In the trial court, the first name listed is the plaintiff, the party bringing the lawsuit. The name following the “v.” (“versus”) is the defendant. If the case is appealed, the name of the appellant, the party appealing, is commonly listed first and the name of the appellee is listed second. If the defendant in the trial court case files the appeal, the defendant’s name may be listed first in the appellate case. In this example, Mattel, Inc. brought the lawsuit and also appealed the trial court’s ruling; MCA Records, Inc., the defendant, filed a cross-appeal.

296 = Volume number of the reporter containing the full text of the court’s opinion.

F.3d = Abbreviation for the reporter (in this example, *Federal Reporter, Third Series*) containing the court's opinion.

894 = First page of the court's opinion in the reporter.

9th Cir. = Court abbreviation.

If a reporter contains decisions from multiple courts or jurisdictions, information is required to identify which court issued the decision. In this example, because the *Federal Reporter* contains decisions of all of the U.S. Courts of Appeals, the Ninth Circuit is identified as the court issuing the opinion.

2002 = Year the case was decided.

B. Reporters

Reporters publish court decisions from the appellate level federal and state courts that are designated by the courts for publication, usually by court rule. Federal reporters contain opinions from federal courts, and state reporters contain opinions from state courts. Regional reporters, published by West, contain court opinions from designated state regions. Reporters are kept current by advance sheets, before new bound volumes are available, and are located on the Second Floor of the Library.

C. Publications Containing Federal Court Decisions

1. Reporters of Supreme Court of the United States Decisions

U.S. = *United States Reports*

(Only the printed bound volumes of the *United States Reports* contain the final, official opinions of the Supreme Court.)

S. Ct. = *Supreme Court Reporter*

L. Ed., L. Ed. 2d = *United States Supreme Court Reports, Lawyers' Edition, First & Second Series*

2. Reporters of U.S. Courts of Appeals Decisions

F. = *Federal Reporter*

F.2d = *Federal Reporter, Second Series*

F.3d = *Federal Reporter, Third Series*

F. App'x = *Federal Appendix*

(Contains decisions that have not been designated for publication in the *Federal Reporter*. Local court rules should be consulted to determine if and how these cases may be cited.)

3. Reporters of U.S. District Courts Decisions

F. Supp. = *Federal Supplement*

F. Supp. 2d = *Federal Supplement, Second Series*

F.R.D. = *Federal Rules Decisions*

(Contains decisions concerning the Federal Rules of Civil Procedure and Criminal Procedure that have not been designated for publication in the *Federal Supplement*.)

4. Early Federal Cases

F. Cas. = *Federal Cases*

(Covers U.S. Circuit and District court cases from 1789 to 1880.)

D. Publications Containing State Court Decisions

West's Regional Reporters

A., A.2d, A.3d = *Atlantic Reporter, First, Second, & Third Series* (CT, DE, DC, ME, MD, NH, NJ, PA, RI, VT)

N.E., N.E.2d = *North Eastern Reporter, First & Second Series* (IL, IN, MA, NY, OH)

N.W., N.W.2d = *North Western Reporter, First & Second Series* (IA, MI, MN, NE, ND, SD, WI)

N.Y.S., N.Y.S.2d = *New York Supplement, First & Second Series* (NY)

P., P.2d, P.3d = *Pacific Reporter, First, Second, & Third Series* (AK, AZ, CA, CO, HI, ID, KS, MT, NV, NM, OK, OR, UT, WA, WY)

S.E., S.E.2d = *South Eastern Reporter, First & Second Series* (GA, NC, SC, VA, WV)

So., So. 2d, So. 3d = *Southern Reporter, First, Second, & Third Series* (AL, FL,

LA, MS)

S.W., S.W.2d, S.W.3d = *South Western Reporter, First, Second, & Third Series*
(AR, KY, MO, TN, TX)

Cal. Rptr., Cal. Rptr.2d, Cal. Rptr.3d = *California Reporter, First, Second, & Third Series* (CA)

N.Y.S., N.Y.S.2d = *New York Supplement, First & Second Series*

E. Other Abbreviations and Acronyms

The following sources may help to determine the meanings of other abbreviations and acronyms:

Mary Miles Prince, *Prince's Bieber Dictionary of Legal Abbreviations: A Reference Guide for Attorneys, Legal Secretaries, Paralegals, and Law Students* (6th ed., W. S. Hein 2009)

- **Print:** Ready Reference (1st FL) and Reserve (1st FL): KF246.B46 2009
- **Commercial Databases:** LexisNexis (LEXREF;BIEBLA)

Larry L. Teply, *Legal Writing Citation in a Nutshell* (Thomson/West 2008)

- **Print:** Reserve (1st FL): KF245.T47 2008

Black's Law Dictionary (9th ed., West 2009)

- **Print:** Ready Reference (1st FL), Reference (1st FL), Reserve (1st FL): KF245.T47 2008
- **Commercial Databases:** Westlaw (BLACKS)

The Bluebook: A Uniform System of Citation (19th ed., Harvard Law Review Association 2010)

- **Print:** Ready Reference (1st FL) and Reserve (1st FL): KKF245.B58

II. Finding Cases

A. Digests

One way to research and find cases is to use a digest. Digests are annotated indexes to reported cases, providing brief statements of court holdings or facts of the case, arranged by legal topic and subdivided by jurisdiction. They can be used to locate cases by legal topic or by case name. Digests are updated with pocket parts and supplementary pamphlets. Published by West, digests feature the "Key

Number” system found in the West reporters. A West key number comprises a topic and a number that together refer to a specific subtopic within the broader legal topic. For example:

115 DAMAGES

k57. Mental suffering and emotional distress

Under the digest Topic Number 115, “Damages,” Key Number 57 (“k57”) represents the subtopic “mental suffering and emotional distress.” To locate an appropriate topic or key number to conduct a subject search, use the “Descriptive-Word Index” volume that accompanies each digest, or use a key number already found in a relevant case.

For a complete outline of all West digest topics, key numbers, and subtopics, see:

West’s Analysis of American Law: With Key Number Classifications (West 1994-)

- **Print:** Ready Reference (1st FL): KF435.W48
- **Commercial Databases:** Westlaw (see the “West Key Number Digest Outline” under the “Key Numbers” tab)

Note: When using digests, it is important to conduct research in the set that is most likely to produce relevant results. In looking for cases from a particular state, it is often more efficient to use a state digest (if available) than one that indexes cases for the entire U.S. When looking for cases from the Supreme Court of the United States, it is often more efficient to use a digest that focuses on decisions of that court (e.g., *Digest of United States Supreme Court Reports*), than one which indexes cases from all federal courts (e.g., *Federal Practice Digest*).

B. Digests in the Jacob Burns Law Library

The following digests are held by the Jacob Burns Law Library. Except for those indexing cases from local jurisdictions (i.e., District of Columbia, Maryland, and Virginia) and those specialized digests indexing particular topics, digests are located on Burns, Second Floor of the Library. Digests for local jurisdictions are located in the Stockton Reading Room (the large room with the double glass doors on the Second Floor, across from the elevator).

1. Federal Courts

i. All Federal Courts

<u>Digest</u>	<u>Coverage</u>
<i>Federal Digest</i> (red)	1754-1938
<i>Modern Federal Practice Digest</i> (green)	1939-1960
<i>West's Federal Practice Digest 2d</i> (blue)	1961-1975
<i>West's Federal Practice Digest 3d</i> (red)	1976-1988
<i>West's Federal Practice Digest 4th</i> (blue)	1989-

ii. Supreme Court of the United States

United States Supreme Court Digest
Digest of United States Supreme Court Reports

2. State Courts

i. Regional Digests

<u>Digest</u>	<u>States Covered</u>
<i>West's Atlantic Digest 2d</i>	(CT, DE, DC, ME, MD, NH, NJ, PA, RI, VT)
<i>West's North Western Digest 2d</i>	(IA, MI, MN, NE, ND, SD, WI)
<i>West's Pacific Digest</i>	(AK, AZ, CO, HI, ID, KS, MT, NV, NM, OK, OR, UT, WA, WY)
<i>West's South Eastern Digest 2d</i>	(GA, NC, SC, VA, WV)
<i>West's Southern Digest</i>	(publication ceased in 1988)

Note: There are no digests for the *North Eastern Reporter* or the *South Western Reporter*. Individual state digests or the *American Digest* should be consulted for jurisdictions covered by those sets.

ii. State Digests

The Library maintains current subscriptions for the following state digests:

West's California Digest 2d
West's District of Columbia Digest
West's Illinois Digest 2d
West's Maryland Digest 2d
West's New York Digest 4th (Current edition only)
West's Ohio Digest
West's Pennsylvania Digest 2d
West's Virginia and West Virginia Digest

3. Specialized Digests

West's Bankruptcy Digest

Covers decisions from U.S. Bankruptcy Courts, bankruptcy decisions of U.S. District Courts, U.S. Courts of Appeals, and the Supreme Court of the United States, and bankruptcy points of law from state courts.

- **Print:** SL3: KF1515.3.W48

United States Federal Claims Digest

Covers decisions by the U.S. Court of Federal Claims reported in *West's Federal Claims Reporter*.

- **Print:** SL2: KF125.C551 U49

4. All Jurisdictions

<u><i>American Digest</i></u>	<u>Coverage</u>
<i>Century Edition</i>	1658-1896
<i>First Decennial</i>	1897-1906
<i>Second Decennial</i>	1907-1916
<i>Third Decennial</i>	1916-1926
<i>Fourth Decennial</i>	1926-1936
<i>Fifth Decennial</i>	1936-1946
<i>Sixth Decennial</i>	1946-1956
<i>Seventh Decennial</i>	1956-1966
<i>Eighth Decennial</i>	1966-1976
<i>Ninth Decennial, Part 1</i>	1976-1981
<i>Ninth Decennial, Part 2</i>	1981-1986
<i>Tenth Decennial, Part 1</i>	1986-1991

<i>Tenth Decennial, Part 2</i>	1991-1996
<i>Eleventh Decennial, Part 1</i>	1996-2001
<i>Eleventh Decennial, Part 2</i>	2001-2004
<i>Eleventh Decennial, Part 3</i>	2004-2007
<i>Twelfth Decennial, Part 1</i>	2008-2010
<i>General Digest, 13th Series</i>	2010-

Note: The *General Digest* volumes are cumulated into a *Decennial* digest.

C. Cases Online

1. LexisNexis

There are a number of ways to find cases on LexisNexis, including the “Citation” toolbar, the “Get a Document” tab, the “Research Tasks” tab, and LexisNexis’s hierarchically-structured directories of legal topics and concepts.

2. Westlaw

There are a number of ways to find cases on Westlaw, including the “Find by citation” box, the “Finding Tools: Find a Case by Party Name” option, and the “KeySearch” research tool, which uses the West Key Number System.

Note: Use either Shepard’s on LexisNexis or KeyCite on Westlaw to determine whether a particular decision has been overruled either totally or partially or not, if it has been distinguished, or it has been followed by other courts, as well as to find cases and other sources that cite it.

3. Web

Increasingly, judicial opinions are being made available on federal and state courts’ Web sites. Search capabilities and formats vary by jurisdiction.

Federal Courts

Supreme Court of the United States: <http://www.supremecourt.gov>

U.S. Courts: The Federal Judiciary: <http://www.uscourts.gov>

FindLaw: Cases and Codes: <http://www.findlaw.com/casecode>

Google Scholar: <http://scholar.google.com>

State Courts

National Center for State Courts: <http://www.ncsc.org>

FindLaw: State Resources: <http://www.findlaw.com/11stategov>

Google Scholar: <http://scholar.google.com>

Legal Information Institute: <http://www.law.cornell.edu/states>

D. Legal Encyclopedias

Legal encyclopedias can be used to obtain helpful background information on various legal topics. They also provide citations to the leading cases on a topic. All of the encyclopedias listed below are arranged by topic with detailed indexes. Many also provide tables of cases or statutes and regulations. Encyclopedias published by West often include references to Key Numbers, which can be used throughout West's National Reporter System to locate case law.

1. National Encyclopedias

Corpus Juris Secundum (C.J.S.)

- **Print:** Legal Reference (LL1): KF154.C67
- **Commercial Databases:** Westlaw (CJS)

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

- **Print:** Legal Reference (LL1): KF154.A42
- **Commercial Databases:**
 - Westlaw (AMJUR)
 - LexisNexis (2NDARY;AMJUR)

2. State Encyclopedias

The Library maintains current subscriptions for the following state encyclopedias.

California: *California Jurisprudence III*

- **Commercial Database:** Westlaw (CALJUR)
- **Print:** Burns (2nd FL)

D.C.: *District of Columbia Code Encyclopedia* (discontinued in 1980)

- **Print:** Stockton (2nd FL)

- Maryland: **West’s Maryland Law Encyclopedia**
 • **Commercial Database:** Westlaw (MD-ENC)
 • **Print:** Stockton (2nd FL)
- New York: **New York Jurisprudence 2d**
 • **Commercial Database:** Westlaw (NYJUR)
 • **Print:** Burns (2nd FL)
- Virginia: **Michie’s Jurisprudence of Virginia and West Virginia**
 • **Commercial Database:**
 LexisNexis (2NDARY;VWVJUR)
 • **Print:** Stockton (2nd FL)

E. *American Law Reports*

American Law Reports (ALR) contain articles, called annotations, which analyze specific legal issues and summarize court decisions from a variety of jurisdictions discussing the relevant legal topic. Each annotation includes the full text of a case illustrating the legal topic. The annotations are updated by pocket parts or later case services. The *ALR Index* can be used to find annotations on a particular point of law in the all of the series listed below except the first series.

<u><i>A.L.R. Series</i></u>	<u>Coverage</u>
<i>ALR</i>	1919-1948
<i>ALR 2d</i>	1948-1965
<i>ALR 3d</i>	1965-1980
<i>ALR 4th</i>	1980-1991
<i>ALR 5th</i>	1991-2005
<i>ALR 6th</i>	2005-
<i>ALR Federal</i>	1967-2005
<i>ALR Federal 2d</i>	2005-

- **Print:** Legal Reference (LL1): KF132.A5
- **Commercial Databases:**
 Westlaw (ALR)
 LexisNexis (ALR)

F. Hornbooks & Treatises

Hornbooks and treatises can be useful for finding cases. Hornbooks generally provide brief overviews of subject areas with citations to or discussions of leading cases on the topic. Treatises, which are often multi-volume, provide more in-depth discussion and analysis of legal issues, as well as provide citations to relevant cases. They often are updated by pocket parts or looseleaf pages. Treatises and hornbooks usually include tables of cases, which list court decisions discussed in the text.

All treatises in the Library can be located using JACOB, the Library's catalog: <http://jacob.law.gwu.edu>. Some treatises are also available online, including in Westlaw and LexisNexis. For assistance in locating treatises on a particular topic or for a particular jurisdiction, or for help finding cases or interpreting case citations, visit or contact the Reference Desk: (202) 994-6647 or ereference@law.gwu.edu.