

Finding Legal Cases

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Special Feature

Much of the content of **Police Labor Monthly** consists of summaries of recently reported federal and state court decisions related to public safety labor and personnel issues. The goal of these summaries is to provide readers an overview of recent rulings and trends in the labor relations field.

A subscriber seeking further details about a particular decision may wish to read the entire court decision. This article provides a short overview of where readers may find a complete court decision for in-depth study.

With the single exception of U.S. District Courts, only *appellate* courts issue written opinions. Thus, the opinions reported in **Police Labor Monthly** originate at the U.S. Supreme Court, the U.S. Courts of Appeal, or the appeals courts of the various states. Federal District Judges do issue written opinions in some, but not all, matters they hear. The case citation follows the case summary. Each case opinion is listed by name of the parties - Smith v. Jones - and an alphanumeric citation describing the book title (known as the “reporter”), the volume number, and the beginning page number of the decision. An abbreviation of the court name and the year of the decision follows. This standardized citation system has been used by lawyers for over 150 years.

The table on Page 2 displays the reporter name and the corresponding courts’ decisions which appear in that particular reporter, as well as the commonly used reporter abbreviations. For a reader to easily locate a particular decision, the alphanumeric citation is normally the minimum information needed. The same labeling protocol is followed for all decisions - volume number, followed by reporter name, followed by starting page. Thus, the famous case of *Miranda v. Arizona*, 384 U.S. 436 (1966), is found in volume 384 of *United States Reports* beginning on page 436. Likewise, a citation that reads “*Smith v. Jones*, 18 S.W.3d 199” means that the opinion in the case of *Smith versus Jones* begins on page 199 of volume 18 of *South Western reporter*, third series. (In order to avoid four digit numbers, many of the reporters have a first, second, and third series with repeating volume numbers. The reader must include the correct series number to locate the opinion in question.)

Legal researchers have four options in actually obtaining a complete copy of a case opinion. First, the clerk of the issuing court can be contacted and a copy of the opinion requested. Since court opinions are public records, citizens can obtain copies just like any other public record. This process can be slow and cumbersome, particularly if the decision is issued by a court in a distant jurisdiction.

Second, researchers can subscribe to fee-based legal databases such as Westlaw™, LexisNexis™, or VersusLaw™. In addition to rapid access to court decisions, these services offer a wide range of legal research materials. However, many may view them as

expensive, particularly for the casual user.

Third, a reader can use the traditional method of case location, looking in the printed volumes. This is relatively easy providing one has access to the reporters in question. Because of cost and storage requirements, most lawyers do not maintain extensive collections of case reporters. Often a lawyer in private practice will have only the case reporters from the local state and possibly some of the federal materials, such as Supreme Court rulings. These lawyers may rely upon a local governmental law library or law school collection for access to the additional materials. Virtually every public and college library receives U.S. Supreme Court opinions. Any citizen would normally have access to such libraries. Law schools hold the most extensive collections of legal research materials, but many universities that do not operate a law school nonetheless subscribe to a portion of the case reporters. If a law school library is not readily accessible, a reader should seek help at a major university library or at a college that operates a paralegal or criminal justice degree program. They are likely to maintain some basic legal materials.

The fourth and easiest means of accessing case reports is via the Internet. Most federal and state appellate courts maintain a searchable database for case opinions. Accessing these cases is normally cost free. Many of these databases contain only the court’s opinions from the last few years, however, and may be ill-suited for conducting extensive legal research. While a reader may go directly to the particular court’s website, such as www.supremecourtus.gov, to search for a case, it is often easier to go through a legal portal such as www.findlaw.com. This portal is an entry point to each jurisdiction’s Internet legal materials. By clicking on the “U.S. Laws: Cases and Codes” label, the researcher is taken to the appropriate jurisdiction where the desired case may be found by name of the parties or case citation. Be aware that each state’s website functions differ slightly and contain varying materials. Some files may require the use of Adobe Acrobat Reader® software that is available free from www.adobe.com.

Other popular legal research portals are www.nolo.com and www.alllaw.com. These sites will also lead the user to courts’ web pages. *(This special feature was requested in the 2002 PLM Reader Survey.)*

Reporter Abbreviation	Reporter Name	Courts Included
U. S. F.3d F. Supp.2d A.2d	United States Reports Federal Reporter Federal Supplement Atlantic Reporter	Supreme Court U.S. Courts of Appeal U.S. District Courts Atlantic Coast and New England states
N.E.2d N.W.2d	North Eastern Reporter North Western Reporter	N.Y., Mass., Ohio, Ill., and Ind. Midwestern states west of Great Lakes
S.E.2d S.W.3d So.2d P.3d	South Eastern Reporter South Western Reporter Southern Reporter Pacific Reporter	Va., W.Va., N.C., S.C., and Ga. Tx., Mo., Ark., Ky., and Tn. Fl., Miss., Ala., and La. Western states plus Kansas and Oklahoma
Cal. Rptr.2d N.Y.S.2d	California Reporter New York Supplement	Intermed. Cal. appeals courts Intermed. N.Y. appeals courts