# Finding and Updating Cases

## In Print and Online

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## Introduction

Court decisions are found in court reports, sometimes called reporters. It is worth noting that most decisions which are published are from the appeals level; only a small portion of trial court decisions are published. West Publishing has reports covering the federal courts and the highest and intermediate appellate courts of each of the states (the "West Reporter System"). The state court reports are compiled into regional reporters. All the regional reporters in the library, with the exception of the *Southern Reporter*, are no longer up-to-date; later decisions must be searched online, through LEXIS or WESTLAW.

There are two types of court reports: official and unofficial. The unofficial reports are usually faster; unofficial reports will also provide parallel citations to the official reports if available at time of publication. In some states, the West regional reporter has been designated the official reporter.

## Federal Cases

### United States Supreme Court Opinions

*United States Reports* (U.S.) is the official reporter for Supreme Court opinions. Cite to this if available. Publication is very slow and a U.S. citation might not be available for a year or even two years after a case is decided.

The unofficial reporters are: *United States Supreme Court Reports, Lawyers Edition* (L. Ed.) and *Supreme Court Reporter* (S. Ct.).

### Other Federal Court Opinions

*Federal Cases* (F. Cas.) contains federal court decisions from 1789 to 1879.

*Federal Reporter* (F.) contains decisions of the U.S. District Courts and the U.S. Courts of Appeals from 1880 to1924. *Federal Reporter, 2d Series* (F.2d) contains decisions of the U.S. Courts of Appeals from 1924 to 1993 and decisions from the U.S. District Courts from 1924 to 1932. *Federal Reporter, 3d Series* (F.3d) contains decisions of the U.S. Courts of Appeals from 1993 to date.

*Federal Supplement* (F. Supp.) contains decisions of the U. S. District Courts from 1932-1998. *Federal Supplement, 2d Series* (F. Supp. 2d) contains the decisions of the U.S. District Courts from 1998 to date.

### Specialized Federal Reporters

*Federal Rules Decisions* (F.R.D.) contains selected opinions of U.S. District Courts, from 1939 to date, not published in F. Supp., on matters relating to the Federal Rules of Civil Procedure and the Federal Rules of Criminal Procedure. It also contains some textual material such as speeches and articles.

Other specialized federal reporters are: *Federal Claims Reporter* (previously called *U.S. Claims Court Reporter*); *West's Bankruptcy Reporter*; and *West's Military Justice Reporter* (not available at Tulane).

### Federal Decisions Online

On WESTLAW: Under “Cases,” choose “All Federal” for the ALLFEDS database.

On LEXIS: Under "Cases - U.S.," choose “Federal Court Cases, Combined.”

## State Cases

### State Court Opinions in Print

The West regional reporters contain opinions from each state's highest court and each state's intermediate appellate courts, with the following exceptions. As noted above, except for the *Southern Reporter*, you must use online sources (LEXIS and WESTLAW) for the most recent volumes of these reporters.

California and New York are treated differently. The *Pacific Reporter* has only Supreme Court opinions from California, and the *West California Reporter* (Cal. Rptr.) has both the California Supreme Court and California intermediate appellate court opinions. The *North Eastern Reporter* has only decisions for the Court of Appeals (the state's highest court) from New York, and the *New York Supplement* (N.Y.S.) has both the New York Court of Appeals opinions as well as the opinions of New York's intermediate appellate courts.

### State Court Opinions Online

On WESTLAW: Under "Cases," choose "All States" for the ALLSTATES database. Choose "Cases by State" for individual state databases.

On LEXIS: From "Cases - U.S.," choose either "State Court Cases, Combined" or "Federal and State Cases, Combined." Choose "States Legal – U.S" for individual state databases.

## Digests

### Generally

Digests serve to identify cases relevant to your research. Digests published by West are based on the West Key Number System, which assigns topics and numbers to legal subjects.

The library keeps the *Louisiana Digest*, *West's Federal Practice Digest 4th Series*, and the *United States Supreme Court Digest* up-to-date. For access to more recent cases, use LEXIS or WESTLAW.

### Using the Digests

Identify the topic and key number relevant to your research:

1. From the headnotes of a particular case known to be on point; or
2. Descriptive Word Index (the index to the digest); or
3. Topic Analysis (topic outline located at the beginning of each topic in the digest).

Digests also often contain Tables of Cases volumes (sometimes broken down by Plaintiff or Defendant) and Words and Phrases volumes (which help to locate cases using terms of art).

## Updating the Print Digests

Check:

1. Pocket parts
2. Pamphlets at the end of the entire set
3. Mini-digests in reporter volumes and advance sheets
4. WESTLAW

## On Using Headnotes

Use headnotes to determine if a case might be relevant, and to note where within the case your point of law is discussed. READ the case: DO NOT rely simply on the headnotes.

## Using the Digest Online

On WESTLAW: Choose "KeySearch." You may then type in terms in the search box, or find your particular topic by burrowing down the provided list of topic areas. Once a topic is chosen, the search screen lets you limit your results with a word search, and allows you to limit the search to particular jurisdictions, treatises, and law review articles.

## Updating Using KeyCite and Shepard's

Using an online resource (LEXIS or WESTLAW) is by far the most efficient way to update your research. LEXIS includes the *Shepard's* updating service, while WESTLAW provides *KeyCite*.

There is an online tutorial for *Shepard's* at (http://web.lexis.com/help/multimedia/detect.asp?sPage=shepards). Lessons on *KeyCite* are available online at the West Training Center (registration free but required) at http://lawschool.westlaw.com/shared/marketinfodisplay.asp?code=WT&id=1.