

Cases

how to find them and
how to update them



1

overview

- what's a case
- why cases
- what cases can be found
- how to find a case
- how to make sure it's current

WILLIAM A. WISE LAW LIBRARY

2

what's a case

- judge's written opinion in a particular case
- can be from any level court
- most are appellate level or higher
- cases are law

WILLIAM A. WISE LAW LIBRARY

3

why cases

- common law: our legal system is built on the principles of precedent and *stare decisis*
- know what the law is: cases are a court's application of law to facts

WILLIAM A. WISE LAW LIBRARY

4



Stare Decisis -- What does it mean? Where does it fit?

Stare Decisis

Latin for "to stand by things decided." Stare decisis is essentially the doctrine of precedent. Courts cite to stare decisis when an issue has been previously brought to the court and a ruling already issued. Generally, courts will adhere to the previous ruling, though this is not universally true. See e.g. [Planned Parenthood of Southeastern Pennsylvania v. Casey 505 US 833 \(1992\)](#).

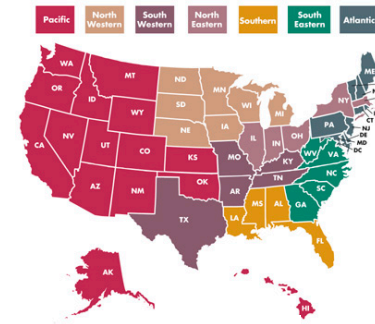
what cases can be found

- mostly appellate
- some trial (note these are *not* transcripts)
- published v. unpublished
- *cf.* civil law jurisdictions

where to find cases

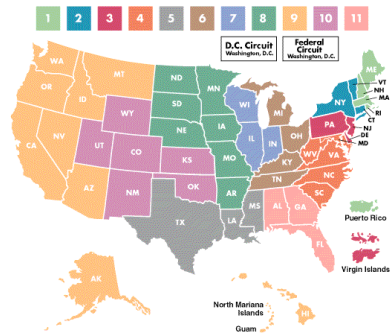
- cases are published in several forms
- slip opinions ▶ advance sheets ▶ books
- official and unofficial
- competing unofficial

West state reporters



State cases from appellate and courts of last resort

federal judicial circuits



Federal cases reported in F. Cas., F. Supp., F.3d, F.App'x, etc.

National Reporter System

- federal cases: in the *Supreme Court Reporter, Federal Reporter and Federal Supplement*
- state cases: in the regional reporters
- other cases: in specialized reporters, e.g. *Bankruptcy Reporter*

how to find a case

- citation, e.g. 400 U.S. 1
- names of parties
- subject matter or legal concept
- secondary sources

table of cases

- lists party names
- try a Colorado case, *Anderson v. Judd*

Key Number Digest

- index: all cases indexed at the concept level
- choice of jurisdiction: select the digest element that covers your courts
- use the same number: find the term you want to check in the index, check it in any digest (therefore any jurisdiction).

Key Number Digest

- two parts to each concept: topic and key number
- about 400 topics
- tens of thousands of key numbers

find a Key Number

- “one good case”
- descriptive word index
- browse topic outline
- secondary sources

use a Key Number

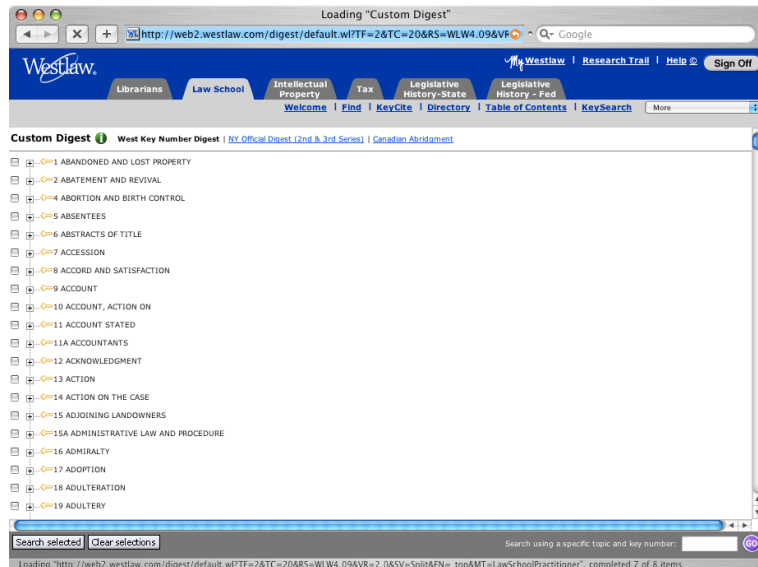
- select the best digest element to use
- consult topic and key number
- browse case summaries
- read relevant cases and update

example

- find a 1965 Colorado case about a city council reconsidering an ordinance, resulting in economic damage to a land owner
- update to find a similar case in the western U.S.

how to update

- start in bound volume
- check pocket part
- check update pamphlets
- check recent reporters and advance sheets



how to tell if your case is still good law

- a later court might have changed the law
- usually you'd find this in your research
- *always* double check using a citator: *Shepard's* or *Key Cite*
- do this online

other ways to find cases

- encyclopedias: both provide numerous references to cases
- annotated codes: notes of decisions
- law review & ALR articles: footnotes
- treatises, hornbooks, etc.: try a keyword search in the library catalog.

questions?