

INTRODUCTION

Introduction to the Law provides an examination of the American legal system, court procedures, appeals procedures, and the use of legal reference materials with selected cases. Most related print sources (such as books, periodicals) are located on 4th floor & 10th floor in Houston Cole Library (HCL), electronic sources (such as databases) can be accessed via computer stations on each floor.

PRINT SOURCES

Books and print journals are the main print sources in the HCL providing a foundation for research. Books and journal articles may also contain useful bibliographies which may lead to additional sources of research. When looking for print materials, consult the Library of Congress Subject Headings to select the proper term(s) to use as subjects under "Library Catalog". Some possible subject headings can be: Law—United States, Law—United States—Cases, Law—United States—History, Law—United States—Periodicals, Constitutional law—United States, Judicial process, Legislation, and etc. "Keyword Anywhere" & "Title" searches can also be conducted under the "Library Catalog" (<http://library.jsu.edu/>). The following table shows law in the Library of Congress System:

K	General; Comparative and uniform law; Jurisprudence	KD	United Kingdom and Ireland
KDZ	America. North America	KE	Canada
KF	United States	KF 501-553	Family law
KF 560-720	Property	KF 801-1241	Contracts
KF 1246-1327	Torts	KF 1384-1480	Corporations
KF 1501-1548	Bankruptcy	KF 1601-1666	Trade regulation
KF 1971-3192	Intellectual property	KF 3301-3580	Labor law
KF 4501-5130	Constitutional Law	KF 8700-9075	Courts; Procedure
KF 9201-9760	Criminal law and procedure		

JSU students can also use ALLIES (Alabama Libraries Exchange Services, <http://library.jsu.edu/cgi-bin/Pwebrecon.cgi?PAGE=dbPage>) to borrow circulating books from UAB Sterne Library, University of Alabama, Auburn University, Auburn University at Montgomery, either on-site with the student ID or by requesting the items through the library catalog.

ELECTRONIC RESOURCES

Electronic Databases are the main electronic sources in the HCL providing indexes, full textbooks (via netLibrary), articles, statutes, and legal cases, etc. To access the HCL subscribed databases off-campus, your student ID and your Last name are required for log-in at: <http://www.jsu.edu/library/resources/>. The following table lists some commonly used databases for your research:

Database Title	Description	Full Text?
Academic Search Elite	Journal articles in all subject areas.	Yes
Expanded Academic ASAP	Scholarly journals, news magazines, and newspapers	Yes

GPO Access	U.S. Congressional and government publications.	Yes
LegalTrac	Articles in all major law reviews, law journals, specialty law and bar association journals and legal newspapers.	Yes
Omini File	Full text articles, page images, article abstracts, and citations from over 4,000 journals.	Yes
ProQuest Databases	U.S. and international news sources.	Yes
Westlaw Campus Research	Federal and state statutes, administrative codes, cases, encyclopedias, law reviews	Yes

Some Core Electronic Journals are:

Denver University Law Review (Call Number: K4.E5)

ABA Journal (Call Number: K1.M385)

Alabama Law Review (Call Number: K1.A47)

The Alabama Lawyer (Call Number: K1.L2)

Duke Law Journal (Call Number: K4.U5)

Yale Law Journal (Call Number: k29.Y25)

CASES

Cases are published in volumes called "case reports", "report(s)" or "reporter(s)". Every reported (published) case has a unique citation. As long as you have the citation, you can find any case published in a standard case reporter. A case citation usually contains the case name, the name of the reporter(s) where the case is published, the volume number(s) of the reporter(s), the page number, and the year the case was decided. The following is an example of a case citation:

Miranda v. 384 U.S. 436 (1966)
Arizona

Case name	Vol. No.	Abbreviated name of reporter	Page No.	Year of the decision
-----------	----------	---------------------------------	----------	-------------------------

Ways to Locate the Citation:

1. Citations in the encyclopedias

Encyclopedias are a good place to start to get case information on a specific topic. Includes general legal encyclopedias:

- *American Jurisprudence* (abbreviated Am. Jur.) (Call Number: **REF/KF105.A53**)
- *Guide to American Law* (Call Number: **REF/KF156. G77**)
- *Corpus Juris Secundum* (abbreviated C.J.S.) (Call Number: **REF/KF105.C6 1936**)
- *West's Encyclopedia of American Law* (Call Number: **REF/KF154.W47**)

The citations of the cases are given under the relevant entry (most of them in footnote form). These encyclopedias are compiled in an alphabetical order; you may start searching with the index and remember to try terms under different synonyms.

2. Case notes that follow statutes

If you are searching a case that has interpreted a relevant statute, summaries which contain a case citation are given at the end of the entry of the state's code (*Code of Alabama 1975*; Call Number: **REF KFA 30 1975**) or the United States Code annotated version (*United State Annotated*: Call Number: **REF KF62 1927 W65**).

3. Case Digest

Digest is a publication reprinting in a subject arrangement. The summaries are grouped under alphabetically arranged topics and the topic-related case(s) and the citations are given. Several digests are available in our library.

- *West's Federal Practice Digest*, 2d, 3d, & 4th editions (**REF KF 127.W48**)
- *Southern Digest* (**REF.KF 135.S81S64**)
- *West's Alabama Digest*, 2d edition (**REF KFA47.1A2**)
- *Campus Research Database* (<http://www.jsu.edu/depart/library/graphic/articles.htm>)

4. **Shepard's Case Citators**

Shepard's case citators are often used by researchers to study and verify the current authority of decisions relevant to their research. Citations to the case may look like this:

-473-	-----	Page Number

In re Pierce v. Alabama	-----	Case Name

1974	-----	Year of the decision

(296So2d218)	-----	Parallel Citation

419US1130		
42LE830	-----	History references and citations

95SC816		
292Ala467		
293Ala776		
294Ala664		
294Ala671	-----	Other treatment citations by the Alabama Courts

Cir. 10		Other treatment citations by the federal courts
649FS1018	-----	

36Law55		
64VaL408	-----	Citations in legal periodicals

Case Sources

You can find cases in print or in electronic format in our library; you can also find cases through the Library subscribed database (Campus Research), or Internet. Details of the print/electric sources and the URLs of the case finding web sites are given below.

1) ***United States Reports*** (U.S.)

Official Supreme Court reports. Covering cases and decisions from the year 1790 to present.
 Print Access: Vol. 259- Present (Call Number: **REF KF101.U5**, Location: 10th Floor, Reference Section), Electronic Access: **Campus Research** database; Internet Access: Findlaw.com

2) ***United States Supreme Court Reports, Lawyer's Edition*** (L.Ed.)

Commercial Supreme Court reports. Covers all Supreme Court decisions since the court's inception in 1790.

Print Access: Vol. 1- Vol. 67 (Call Number: **REF KF101.U52** , Location: 10th Floor, Reference

Section)

Electronic Access: **Campus Research** database; Internet Access: Findlaw.com

3) **United States Supreme Court Reporter** (S.Ct.)

Commercial Supreme Court reports. Covers Supreme Court cases since 1882.

Print Access: Vol.52-Vol.110A (Call Number: **REF KF 101.S9**, Location: 10th Floor, Reference Section)

Electronic Access: **Campus Research** database; Internet Access: Findlaw.com

4) **Federal Supplement** (F. Supp.)

U.S. District Court cases and decisions. Includes decisions of the U.S. Court of International Trades cases.

Print Access: Vol. 176-Vol.949 (Call Number: **REF KF 120. F4**, Location: 10th Floor, Reference Section)

Electronic Access: **Campus Research** database

5) **Federal Reporter Second Series/Third Series** (F.2d/F3d)

Lower federal cases and decisions of the U.S. Courts of Appeals from 1880. More emphasis on the U.S. temporary emergency at present. Compiled chronologically under each circuit court.

Print Access: F.2d: Vol. 176-Vol.999, F.3d: Vol. 1- Vol. 104 (Call Number: **REF KF 105.F42**, Location: 10th Floor, Reference Section); Electronic Access: **Campus Research** database

6) **Alabama Reporter** (Ala.)

Report cases argued and determined in the Supreme Court of Alabama. Compiled chronologically.

Print Access: Vol. 97-Vol. 687 (Call Number: **REF KFA 45.A22**, Location: 10th Floor, Reference Section)

Electronic Access: **Campus Research** database

7) **Alabama Appellate Court Reports** (Ala. App.)

Report cases argued and determined in the court of appeals of Alabama. Compiled chronologically.

Print Access: Vol. 16-Vol. 57 (Call Number: **REF KFA 47. A2**, Location: 10th Floor, Reference Section)

Electronic Access: **Campus Research** database

THE OPINION OF A COURT

When a judge hears a case and arrives at a judgment, an explanation or analysis of the reasoning behind the decision is frequently written. The analysis, called an opinion, is then published in the "Reporter" for the court. Significant decisions are published also in other Reporters.

When several judges are sitting on the court that hears the case, the decision of the court can be unanimous, split, or determined by a simple majority. A judge is assigned to write the opinion if the court, but any participating judge may write a separate opinion of his own. He may agree with the majority on the most points but disagree on others, elaborating on points of agreement and disagreement. He may agree with the majority decisions for reasons other than those given in the majority opinion. He may disagree with the court's decision and write a dissenting opinion of his own, or he may disagree without writing an opinion. Dissent in the courts appears to have increased over the years. Frequently, the reader will have to glean the relevant facts, issues, and holding from the body of the opinion. To facilitate this, Reporters generally print a brief summary of the case, called "Headnotes", prior to the actual text of the court's opinion. These headnotes are not authoritative, but merely reader aids.

A case opinion appearing in a Reporter will usually contain the following general categories of information: title, facts, issue, decision, decree.

- Title: Usually the title includes name of litigants. The full citation contains the volume and the page of the volume in a book of law or a Reporter. If there was an appeal, the preface to the case will usually report the court from which the appeal came and the dates the case was argued and decided. The attorneys who argued the case, and others who assisted in preparing the briefs are noted. The justice delivering the opinion is also reported.
- Facts: Facts include the circumstances, events, or occurrences as they actually took place and can also be physical objects as they actually exist or existed. A fact is an actual and absolute reality as distinguished from fiction or error. It is an event. The parties may have disputed the facts, as well as the law, so the “facts” given in the opinion are the facts as determined in a hearing or trial. If the facts are not in disputes, the court will usually say so.
- Issue: An issue is the disputed point or question of law to which the parties in an action have narrowed their claims or allegations, and upon which they are desirous of obtaining the decision of the proper tribunal. When the plaintiff and defendant have arrived at some specific point or matter affirmed on the one side and denied on the other, they are said to be “at issue”.
- Decision: The court makes a judgment or decree in settlement of a controversy submitted to it; it is an authoritative answer to the questions raised before it. A decision of the court is its judgment; an opinion is the reason given for that judgment.
- Decree: A decree is the resolution for the actual litigants which is pronounced on hearing and understanding all the points in an issue, and determining the right of all the parties to the suit, according to equity and good conscience. Decrees in equity are either final or interlocutory: a final decree fully and finally disposes of the whole litigation leaving nothing that requires further judicial action; an interlocutory decree is provisional or preliminary decree which is not final and does not determined the suit but directs some further procedures preparatory to the final result. The interlocutory decree is pronounced by the court for the purpose of ascertaining matter of law of fact preparatory to a final decree.