

Finding a Legal Decision

How to find a case:

- All of the federal court cases and cases decided by the state supreme courts are printed in volumes called **case reporters**. **Federal cases** are recorded in the various federal reporter series; **state cases** are compiled by region. (For example, Iowa Supreme Court decisions are reprinted in the Northwest Reporter series.)
- To find an opinion, you can visit a law library and go through the volumes and indexes there, OR you can use one of the online legal services. (See online legal research below.)
- The quickest method of finding a decision is searching by the case's **citation**, if you know it. The citation, which appears after the case name, indicates the **volume number** of the reporter in which the case appears in print, the **case reporter** in which the case appears, the **page number** on which the case appears, and the year in which the case was decided. For example, *Schenck v. United States*, 249 U.S. 47 (1919) indicates that the case was decided by the U.S. Supreme Court in 1919 and appears in the United States Reporter that records those cases, in volume 249 on page 47. *Feller v. Scott County Civil Service Commission*, 435 N.W.2d 387 (Iowa 1988) shows that the case was decided by the Iowa Supreme Court in 1988, and can be found in the Northwest Reporter Second, volume 435 on page 387.

How to read a legal case:

- **Headnotes:** Luckily, many court cases (and all U.S. Supreme Court cases) start out with headnotes and/or a syllabus that describe what the case is about and what the court decided. However, you still have to read the case carefully, because sometimes the person summarizing the case has made a mistake.
- **The facts:** The judge writing the case usually begins with a summary of the facts of the case — what brought the parties to court.
- **The issue:** The legal issue that the case is all about. Sometimes the judge writing the opinion will refer to the “issue presented” or “question presented” by the case. (There is always at least one.)
- **The holding:** What the court decided — its answer to the question presented by the case. Sometimes the judge will spell it out by using language like “we hold that”
- **Legal reasoning:** The court must explain why it decided the case the way it did, spell out what precedent it relied on, what facts it considered important.
- **Concurrences and dissents:** If a judge agrees with the result in a decision, but not the reasoning or has something to add, the judge may write a **conurrence**. If a judge disagrees with the opinion of a majority of the judges, the judge may write a **dissent** explaining why the judge disagrees. Occasionally, a dissenting opinion will gain credibility and credence over time and eventually become the majority opinion in later cases, though the evolution may take decades. The concurrences and dissents have no value as legal precedent (that is, judges aren't obliged to follow them in deciding subsequent cases, though sometimes they quote them as persuasive arguments).

Online Legal Research

Tips for online legal research:

- **If you are looking for a specific case:** Many legal search engines allow you to search by case name (one or both parties) or citation. To start out, you might need to know what court made the decision (i.e. whether you are searching for a federal court or state court decision, a U.S. Supreme Court decision, a federal Circuit Court decision, a decision made by the supreme court of a particular state).
- **U.S. Supreme Court cases** are relatively easy to find online. While more and more legal material is available electronically, especially from the federal courts, if the case you are looking for is a state court decision or an older case, you may need to go to a law library to look it up in one of the **case reporters** (the bound volumes of legal cases from a particular jurisdiction published in chronological order in which they were decided).
- **When you go to the law library**, have the case citation ready to show the librarian. The librarian can direct you to the case reporter you need to find.
- **If you are looking for general material** on an area of the law (for example, defamation and the Internet): First try doing a search on Google or another general-interest search engine. Then, check out some of the legal search engines and run searches in the areas devoted to legal journals and magazines, law reviews, specific legal topics (i.e. Intellectual Property), and legal news.

Helpful Legal Links

Georgia State University law school: <http://gsulaw.gsu.edu/metaindex>

American Bar Association: www.abanet.org/tech/ltrc/lawlink/home.html

Washburn University School of Law: www.washlaw.edu

American Law Sources On-line (ALSO!): www.lawsources.com/also

Legal Information Institute: www.law.cornell.edu

FindLaw: findlaw.com

Legal Links: www.romingerlegal.com

The Law Engine: www.thelawengine.com

Searchbug: www.searchbug.com/legal

Iowa court system and cases: www.iowacourts.gov

Links to state and federal courts, law schools, and legal sources:
http://www.ncsconline.org/D_KIS/info_court_web_sites.html

