

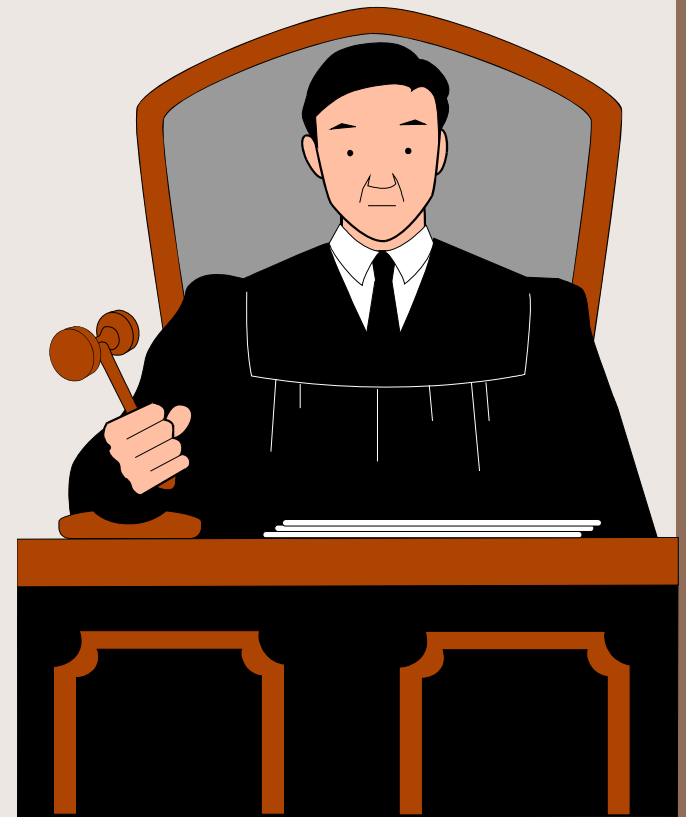
How to find case law

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Overview

- Sources of case law
- Federal courts
- State courts
- Online tools
- Questions?



Sources of case law

Federal courts:

- US District Courts: Each state has at least one District Court - Oregon has one District Court
- US Circuit Courts of Appeal: Appellate courts organized by region - Oregon is within the Ninth Circuit
- US Supreme Court: Hears cases from the lower appellate courts and state Supreme Courts

Sources of case law (cont.)

State courts:

- Circuit Courts: Trial-level court at the county level - decisions are not reported and do not create "new" case law
- Land Use Board of Appeals ("LUBA"): Special appellate court that hears appeals of land use cases from local government



Sources of case law (cont.)

State courts (cont.):

- Oregon Court of Appeals: First level of appellate review after Circuit Court. Also hears appeals from LUBA
- Oregon Supreme Court: Hears appeals from lower appellate courts



Federal courts

US District Courts: Select decisions published in the Federal Supplement - "F. Supp." and "F. Supp. 2d"

- Example: Okure v. Owens, 625 F. Supp. 1568 (N.D.N.Y. 1986)

US Circuit Courts of Appeal: All published decisions printed in the Federal Reporter - "F." "F2d" and "F3d"

- Example: Okure v. Owens, 816 F2d 45 (2nd Cir. 1987)

Federal courts (cont.)

US Supreme Court: All decisions published in 3 different books:

- US Reports: The official publication of the court - "US"
- Supreme Court Reporter: Annotated publication printed by West Publishing - "S. Ct."
- Lawyers' Edition: Annotated publication printed by Lawyers' Publishing - "L. Ed." and "L. Ed. 2d"
- Example: *Owens v. Okure*, 488 US 235, 109 S. Ct. 573, 102 L. Ed. 2d 594 (1989)

Federal courts (cont.)

Federal Practice Digest 4th: Published by West Publishing

- Summarizes cases published in federal reporters by topic, using the West key number system
- Covers federal cases since about 1980



State courts

LUBA: All opinions published in the Oregon LUBA Reports - "Or LUBA"

- Example: Dolan v. City of Tigard, 22 Or LUBA 617 (1992)

Oregon Court of Appeals: All opinions published in the Oregon Court of Appeals Reports - "Or App" AND in the regional Pacific Reporter - "P." "P2d" and "P3d"

- Example: Dolan v. City of Tigard, 113 Or App 162, 832 P2d 853 (1992)

State courts (cont.)

Oregon Supreme Court: All opinions published in the Oregon Reports - "Or" AND in the regional Pacific Reporter - "P." "P2d" and "P3d"

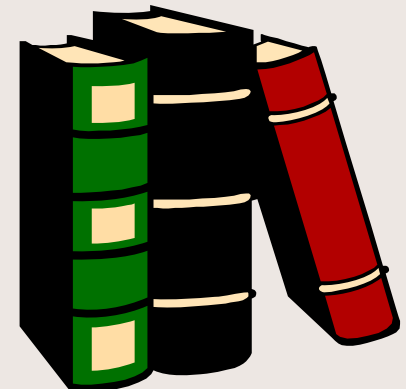
•Example: Dolan v. City of Tigard, 317 Or 110, 854 P2d 437 (1993)



State courts (cont.)

Oregon Digest: Published by West Publishing

- Organized the same as the Federal Digest, except it includes only Oregon case law
- Lists both federal cases pertaining to Oregon (Supreme Court, 9th Circuit, and Oregon District Court) and Oregon appellate courts



Online tools

Two principal sources:

- Westlaw: Created by West Publishing
- Lexis: Created by LexisNexis

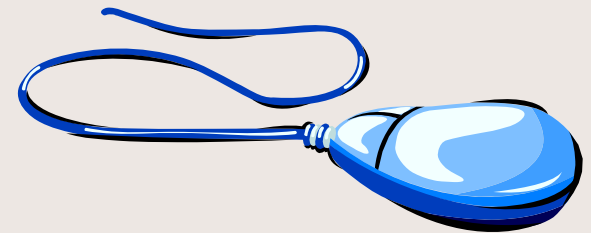


Other online tools

www.findlaw.com: Useful if you already know a case name - good for federal case law

www.publications.ojd.state.or.us: Search for Oregon Court of Appeals or Supreme Court opinions by topic or by citation - not as powerful as Westlaw or Lexis, but it is free

www.oregon.gov/LUBA/Opinions.shtml: Search for LUBA opinions by year from 1999 on - useful if you are looking for a particular case or you know a case was decided in a particular year



Questions?

