



# LOYOLA UNIVERSITY CHICAGO LAW LIBRARY



JUMP START YOUR SUMMER JOB 2010  
LEGAL RESEARCH SKILLS TUNE UP

# Summer 2010

## Legal Research Skills Tune Up

Greetings and best wishes for a successful summer experience. This brief review guide is intended to refresh your recollection with respect to some basic legal research skills, and to serve as a handy guide to finding more information if you need it. Of course, please don't hesitate to call on your law library reference staff at (312)915-7205, or visit our web site at [http://www.luc.edu/law\\_library](http://www.luc.edu/law_library) to make a Reference by Appointment Request, or to find a Reference Librarian's e-mail address. It's our goal to help you look good!

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**LOYOLA UNIVERSITY CHICAGO LAW LIBRARY**  
**GO TO LIST OF HELPFUL PLACES, NUMBERS & SITES**

**Law Libraries**

Loyola University Chicago Law Library  
25 East Pearson Street  
Chicago, IL 60611  
(312) 915-7205

DePaul University Law Library  
25 E. Jackson Blvd., 7<sup>th</sup> Floor  
Chicago, IL 60604  
(312) 362-8701

Northwestern Univ. Law Library  
357 E. Chicago Avenue  
Chicago, IL 60611  
(312) 503-8451

IIT-Chicago Kent Law Library  
565 West Adams Street  
Chicago, IL 60661  
(312) 906-5600

John Marshall Law School Library  
315 S. Plymouth Court  
Chicago, IL 60604  
(312) 427-2737

Univ. Chicago Law Library  
1121 E. 60<sup>th</sup> Street  
Chicago, IL 60637  
(773) 702-9615

Harold Washington Public Library  
400 S. State St.  
Chicago, IL 60605  
(312) 747-4300

Cook County Law Library  
2900 Daley Center  
50 W. Washington St., 29<sup>th</sup> Floor  
Chicago, IL 60602  
(312) 603-5423

**Key Research Contacts**

Loyola University Chicago Law Library Reference Desk: (312) 915-7205

Circuit Court of Cook County Information: (312) 603-4259

Illinois Legislative Reference Bureau: (217) 782-6625

Lexis Help Line: 1-800-45-LEXIS (1-800-455-3947)

Westlaw Help Line: 1-800-REF-ATTY (1-800-733-2889)

## Helpful Online Resources

Circuit Court of Cook County (general information/docket)

[www.cookcountycourt.org](http://www.cookcountycourt.org)

Cornell University/Legal Information Institute (links to legal information)

[www.law.cornell.edu](http://www.law.cornell.edu)

EISIL (Electronic Information System for International Law)

<http://www.eisil.org/>

FindLaw (links to various legal sites)

<http://www.findlaw.com/>

USA.Gov (U.S. government's official web portal)

<http://www.usa.gov>

GPO Access (U.S. government documents)

<http://www.gpoaccess.gov/index.html>

HierosGamos (international legal research and resources portal)

<http://www.hg.org/>

Illinois General Assembly (state legislation)

<http://www.ilga.gov/>

Illinois Secretary of State (gateway to all SOS services and forms)

<http://www.cyberdriveillinois.com/>

Law Library Resource Exchange (legal technology topics)

<http://www.llrx.com>

Loyola University Law Library

[http://www.luc.edu/law\\_library/](http://www.luc.edu/law_library/)

Loyola University Libraries (access to subject specific databases)

<http://libraries.luc.edu>

Pegasus (Loyola library catalog)

<http://pegasus.luc.edu/>

THOMAS (federal legislation)

<http://thomas.loc.gov/>

U.S. Courts (links to all federal court sites)

<http://www.uscourts.gov/>

## FINDING COURT CASES USING DIGESTS

### STEP 1: DETERMINE YOUR STARTING POINT

- If you have specific information about a particular case:
  - If you have only the party names – See the Tables of Cases located at the end of each Digest (See Step 2 to determine in which Digest in to look). Shepard’s Acts and Cases by Popular Name, Federal and State, is another index by popular name.
- If you do not have specific information about a particular case, but rather have a “research subject” consisting of a legal issue or fact pattern, or combination of the two, proceed to Steps 2 and 3 to find cases relevant to your research subject.
  - Keep in mind that Reporters are nothing more than chronological, jurisdiction-by-jurisdiction compilations of cases in their area of coverage (by jurisdiction or in some instances, by subject, such as bankruptcy). So to access the cases in the Reporters, you’ll need resources other than the Reporters themselves. That’s where Digests come in. Digests reprint the Headnotes of every case published in the Reporters, arranged by subject. Essentially, they constitute a massive subject matter index to the system of Reporters.

### STEP 2: CHOOSE THE PROPER DIGEST

The next step is choosing the proper Digest for the jurisdiction(s) in which you are researching. Because a key criterion of a case’s relevance is whether it comes from a controlling authority (e.g., Wisconsin Supreme Court cases will be of diminished precedential value in an Illinois court), it is important to be sure you are searching in the proper place. The following Digests will be most relevant to your research questions in Illinois:

#### ILLINOIS CASES

##### Digest Name

##### Reporters (Courts) Covered

Illinois Digest – 1818-1938  
Illinois Digest 2d – 1938 –

Federal Court Reporters\*  
United States Reports, Supreme Court  
Reporter, Federal Reporter,  
Federal Supplement, Federal Rules  
Decisions, Bankruptcy Reporter  
\*N.b., only Illinois federal case decisions are  
included in the Illinois Digests

**ILLINOIS CASES (CONTINUED)**

Illinois Digest – 1818-1938

Illinois Digest 2d – 1938 –

Illinois Court Reporters

Illinois Reports (Illinois Supreme Court)

Illinois Appellate Court Reports (Illinois Appellate Courts)

Illinois Decisions (Illinois Supreme Court and Appellate Courts)

North Eastern Reporter (All Illinois Courts)

**ALL FEDERAL CASES**

**Digest Name**

United States Supreme Court Digest (West)

Digest of United States Supreme Court

Reports (Lawyers' Co-op)

Federal Digest – pre 1939

Modern Federal Practice Digest – 1939-60

Federal Practice Digest 2d – 1961-75

Federal Practice Digest 3d – 1975-1988

Federal Practice Digest 4<sup>th</sup> – 1989 –

**Reporters (Courts) Covered**

U.S. Supreme Court Reporters

United States Reports

Supreme Court Reporter

Lower Federal Court Reporters

Federal Reporter

Federal Supplement

Federal Rules Decisions

Bankruptcy Reporter

**ALL FEDERAL AND ALL STATE CASES**

**Digest Name**

American Digest, Century Edition – 1658-1896

Decennial Digest – Each covers ten years, beginning with 1897

General Digest – updates from the last available Decennial to present

**Reporters (Courts) Covered**

All Federal Cases (See above)

All Regional Reporters (State Court Cases)

Atlantic Reporter

North Eastern Reporter

North Western Reporter

Pacific Reporter

## ALL FEDERAL AND ALL STATE CASES (CONTINUED)

South Eastern Reporter  
Southern Reporter  
South Western Reporter  
All 50 States' Supreme, Appellate and  
Lower Court official Reporters

### STEP 3: FIND RELEVANT CASES IN THE PROPER DIGEST USING TOPICS AND KEY NUMBERS

After you have chosen the proper Digest, analyze the factual and legal issues involved in order to define the subject of your research so that you can find it in the Digest. Digests arrange the Headnotes of the Reporter(s) they cover under some 400 alphabetically arranged subject headings known as “Topics” and myriad numerically ordered subdivisions of each Topic known as “Key Numbers.” Once you are clear on what you are looking for, there are three good strategies for finding relevant Topics and Key Numbers:

- **Use the Descriptive Word Index at the end of each Digest set.** You can look up either legal issues (causes of action, defenses, type of relief sought), or factual elements (persons, places or things involved). Be forewarned – while the Digest indexes are thorough, this can be a frustrating exercise. It will be helpful, as you go along, to pause to rethink issues, reframe questions, check synonyms and alternate terms (thesauri<sup>1</sup> or a legal dictionary<sup>2</sup> may help), and to follow up on cross-references. Once you have found a Topic and Key Number that looks good, turn to the appropriate Digest volume to begin finding Headnotes identifying relevant cases. Before you actually get into the cases, take just a minute to check the outline at the beginning of the Topic to make sure you are in the right legal context. You don’t want to end up in a discussion of procedural issues (burden of proof, for example) if you are looking for the substantive elements of a particular cause of action.
- **Go directly to the Topic Index to find the Topic and Key Numbers most relevant to your search.** There is a list of Topics and a Table of Contents in the front of every Digest volume. Looking through them can be helpful in clarifying issues or raising concerns you hadn’t thought of. But handle this approach with care – it can be time consuming and confusing, especially if you don’t already have a basic background in a given legal area. This method is probably best used

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<sup>1</sup>Burton, William C., Legal Thesaurus (2<sup>nd</sup> Ed. 1992)

<sup>2</sup>Black’s Law Dictionary (6<sup>th</sup> Ed. 1991)

in conjunction with a Descriptive Word Index search, or in an area you know well.

- **Use the Key Numbers from Headnotes from a relevant case you already have.** Once you have even just one good case on point, you can “leverage” it by looking in its Headnotes for the relevant issues. Then take those Key Numbers, and look in the appropriate Digest for additional cases. This is the easiest and most direct way to use the Digests. The trick, obviously, is to find that first toe-hold of a relevant case. Try starting out with one of the first two methods discussed above, or use the resources discussed in the Handout “Finding Background Information on Legal Topics,” to find that first relevant case. Remember – Key Numbers are the same in all jurisdictions, so even a case from another, noncontrolling jurisdiction can be helpful in finding a good Headnote to pursue in this way.

**ALWAYS REMEMBER TO UPDATE YOUR RESEARCH BY LOOKING IN THE  
POCKET PART, UPDATE PAMPHLET OR SUPPLEMENT OF ANY VOLUME  
OF THE DIGEST SET YOU ARE USING!**

## UPDATING CASE LAW USING PRINT OR ONLINE CITATORS

As at least one federal appeals court has ruled, “diligent research, which includes shepardizing cases, is a professional responsibility.”<sup>1</sup> “Shepardizing,” or “Keyciting,” a case is important for three primary reasons: first and foremost to insure that the case you are citing is still good law, i.e., has it been overruled or reversed; second, to determine how the case one is citing has been treated by subsequent courts, i.e., has it been followed, criticized, or distinguished; and third, to point one to potential additional research sources, on the theory that an authority that cites your case will have some relevance to the issue at hand.

In general, use of the Shepard’s series of citators in print is now considered substantially inferior to the online versions available on Lexis and Westlaw. However, if you find yourself in an environment where the use of print Shepard’s is necessary or desired, a helpful guide in pdf format can be found at [http://www.lexisnexis.com/shepards-citations/printsupport/shepardize\\_print.pdf](http://www.lexisnexis.com/shepards-citations/printsupport/shepardize_print.pdf)

An “at a glance” pdf guide to the use of Lexis’s online version of Shepard’s is found at [http://www.lexisnexis.com/literature/shepards/Quick\\_Ref.pdf](http://www.lexisnexis.com/literature/shepards/Quick_Ref.pdf)

Westlaw’s KeyCite system is the functional equivalent of Lexis’ proprietary Shepard’s citator, and a handy pdf guide to the KeyCite system is available at <http://west.thomson.com/documentation/westlaw/wlawdoc/lawstu/lskcqr04.pdf>.

While you probably have developed a preference for one or the other of the online research systems, an interesting, though now somewhat dated (it’s from 2000), comparison of Shepard’s and KeyCite can be found at [http://www.lexisnexis.com/literature/shepards\\_vs.KeyCite.pdf](http://www.lexisnexis.com/literature/shepards_vs.KeyCite.pdf).

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<sup>1</sup> *Cimino v. Yale University*, 638 F.Supp. 952, 959 n.7 (D. Conn. 1986), as quoted in Robert C. Berring & Elizabeth A. Edinger, *Finding the Law* 65 (11<sup>th</sup> ed. West 1999)

## FINDING CONSTITUTIONS AND STATUTES

### CONSTITUTIONS

#### A. FEDERAL

The official text of the Constitution of the United States is reprinted in The Constitution of the United States of America: Analysis and Interpretation, published by the United States Government Printing Office. It includes historical and interpretative comments, combined with references to court cases interpreting the provisions of the Constitution. (Such references are known as “annotations.”)

Copies of the Constitution are also reprinted in the first volumes of the United States Code Annotated and the United States Code Service. These services also include references to court decisions that have interpreted provisions of the Constitution, and are updated by pocket parts or cumulative supplements. The first volume of the United States Code also contains the text of the Constitution without annotations.

#### B. STATE

Each state has its own constitution. Most states reprint their constitution in the first volume of the statute set for that state, usually with annotations to court cases interpreting the constitutional provisions.

Illinois’ constitution can be found in the first volume of the Illinois Compiled Statutes (the official publication, but un-annotated). Annotated versions of the Illinois constitution, including references to cases and law journals, are included in the first volume of Illinois Compiled Statutes Annotated, and in two volumes at the end of West’s Smith-Hurd Illinois Compiled Statutes Annotated.

### STATUTES

#### A. FEDERAL

Federal statutes are printed officially by the government in the United States Code. Two commercial publishers print the federal statutes in the United States Code Annotated (“USCA”), and United States Code Service (“USCS”). The text of the statutes are the same in all three resources. The benefit of the latter two is that they include references to court cases that have interpreted the statute, and cross references to other sources dealing with the same subject. They are also updated much more frequently than the official version.

The statutes are arranged by title and section numbers. For example, if you have the cite “42 U.S.C. §211,” this means that you will find the text of the statute at title 42, section 211 in each of the United States Code, USCA, or USCS. The titles are arranged numerically within the volumes of each set.

There are two primary ways to find a statute:

- By subject – The last volume (or several volumes) of each set contains a detailed subject index to the statutes. The relevant subject heading will refer you to the title and section of the code that covers your specific topic.
- By popular name – If you know the popular name of a law (such as, for example, The Freedom of Information Act) all three sources have alphabetical indexes of statutes by their popular name. Shepard’s Acts and Cases by Popular Name, Federal and State, is another index by popular name.

Laws passed within the current year may not appear in any of the sources already mentioned. For the most recent laws, consult one of the following resources: USCA– Statutory Supplements, at the end of the USCA set, or USCS – Advance Service, at the end of the USCS set. United States Code Congressional and Administrative News also publishes laws in the order in which Congress passes them each year. Each of them contains a list of laws by name in the front of each volume, and a subject index at the back.

## **B. STATE**

State statutes are published in sets similar to federal laws. In Illinois, these laws are arranged by Chapter, Act and Section Numbers in the official state publication, the Illinois Compiled Statutes, which is published every other year by the Illinois State Bar Association under the auspices of the Illinois Legislature. As is the case with the federal statutes, there are also two commercial publishers who print annotated versions of the Illinois Compiled Statutes: the Illinois Compiled Statutes Annotated, by Lexis Publishing, and West’s Smith-Hurd Illinois Compiled Statutes Annotated, by West Publishing. And again, as is the case with the federal statutes, the text of, and the citation to, the actual text of the statutes is the same in all three resources. The benefit of the latter two sets is that they include annotations and cross references to other sources. Also, they are updated with pocket parts and supplements much more frequently than the official version.

All three versions are arranged by subject, with chapters and acts arranged numerically under nine unnumbered topic headings. The numbering arrangement is designed to provide each statute with a unique and unambiguous identifier. A complete citation contains a chapter, act and section identifier. The citation “755 ILCS 5/1–1,” for example, refers to Chapter 755 (Estates), Act 5 (Probate Act of 1975), Section 5/1–1. Again, as is the case with the federal statutes, all

three sets conform in their numbering system, so that a citation to one is always a citation to the others.

As is the case with the federal statutes, the primary way to find a statute is by subject – the last several volumes of each set contain a detailed alphabetical subject index to the statutes. The relevant subject heading will refer you to the ILCS chapter, act and section which covers your specific topic. In addition, the West’s Smith–Hurd version does contain a popular name index in the last volume of the index, and Shepard’s Acts and Cases by Popular Name, Federal and State, does include Illinois citations.

If you need to compare laws from various states on the same subject, there are several helpful sources. A five volume set titled, Subject Compilations of State Laws, lists articles and books comparing the laws of various states. Shepard’s Acts and Cases by Popular Name, Federal and State, allows access to laws in all states with the same popular name. The last volumes of the Martindale-Hubbell Law Directory contains short summaries of the laws of all fifty states, as well as selected foreign countries. Uniform Laws Annotated provides state-by-state citations to the various uniform laws (such as the Uniform Commercial Code) promulgated by the National Conference of Commissioners on Uniform State Laws, as adopted by various jurisdictions.

## UPDATING FEDERAL/STATE STATUTES IN PRINT

It's actually pretty easy to update statutes in print. However, you should use the annotated unofficial version to update the statutes in print because they are kept current with frequent supplements. Check the following table to determine which statute set you should use and where it is located in the Loyola Law Library.

|                      | Source  | Cite                  | Location   | Check First                 | Check Second                          | Check Third   | Check Fourth                                       |
|----------------------|---|-----------------------|--|-----------------------------|---------------------------------------|---|--|
| Federal (official)   | United States Code                                      | U.S.C.                | 4 <sup>th</sup> floor<br>KF 62<br>.A1                          | Main volume (every 6 years) | Annual bound supplements (cumulative) | N/A   | N/A  |
| Federal (unoffic.)   | United States Code Annotated                            | U.S.C.A.              | 3 <sup>rd</sup> floor<br>4 <sup>th</sup> floor<br>KF 62<br>.W4 | Main volume                 | Pocket Part/Cum. Supp.                | Quarterly Pamphlets (Update pamphlets, by code section)                         | USSCAN (monthly advance sheets, code tables)       |
| Federal (unoffic.)   | United States Code Service                              | U.S.C.S.              | 3 <sup>rd</sup> floor<br>KF 62<br>1972 .L38                    | Main volume                 | Pocket parts                          | Quarterly supplements (Cum. Later Case & Statutory Supplement, by Code section) | Monthly advance sheets, code tables                |
| Illinois (official)  | Illinois Compiled Statutes (ILCS)                       | Ill. Comp. Stat.      | 3 <sup>rd</sup> floor<br>KFI 1230<br>1996<br>.A44              | Main volume (every 2 years) | Annual supplement                     | N/A   | N/A  |
| Illinois (unofficia) | West's Smith-Hurd Illinois compiled statutes annotated. | Ill. Comp. Stat. Ann. | 3 <sup>rd</sup> floor<br>KFI 1230<br>1993 .A4                  | Main volume                 | Pocket parts                          | Interim Annotation Service (update pamphlets, by code section)                  | Illinois Legislative Service (code tables)         |
| Illinois (unofficia) | Illinois Compiled Statutes Annotated (Lexis)            | Ill. Comp. Stat. Ann. | 3 <sup>rd</sup> floor<br>KFI 1230<br>1993<br>.A42              | Main volume                 | Pocket parts                          | Advance Code Service (update pamphlets, by code section)                        | Advance Legislative Service Pamphlet (code tables) |

First, check the main volume that contains the title and section or chapter and section of the statute you are updating. By looking at the copyright date in the front of the volume or on the spine, you can tell how current the volume is.

Second, check to see if there is a bound supplement or pocket part for that volume. The official versions usually only have annual supplements, but the unofficial have annual supplements or pocket parts for each volume. This is as current as the official print versions of both Federal and Illinois statutes go, so use the unofficial version and proceed to the next step and gather more recent information.

Third, each unofficial version of the statutes has its own unique arrangement designed to provide updates for the statutes. The pamphlets usually are found at the end of the set and note on the front cover exactly what dates and Public Acts or Public Laws are covered by the pamphlet. These sets also provide tables that allow you to check quickly to see whether your particular statutory section has been affected by any of the Acts or Laws in that pamphlet.

This final step should bring you to within a month of the current date, provided you have all of the most recent volumes available to you on the shelf. If you are uncertain that you have the most recent pamphlets available for a set, check on Pegasus (the online catalog) or ask the Reference Librarian on duty for assistance.

## A QUICK GUIDE TO UNITED STATES LEGISLATIVE HISTORY

For general information about federal legislation, both current and recent, see Thomas, at <http://thomas.loc.gov>. Thomas is part of the Library of Congress website and contains federal legislative information.

Steps to take when you are assigned to check the legislative history of a particular named act.

Determine first whether the Act is Federal or State?

- If state, see the Guide to Illinois Legislative History on the next page
- If Federal, check the title of the Act in:  
*Shepards Acts and Cases by Popular Name* to find the Public Law number.  
(KF 90 .S52 1999-3rd floor Reference)

Next, check the text of the Public Law in *United States Code Congressional and Administrative News*, arranged by year and PL number (KF 48, 4th floor, Main Stacks). This set is the first reference in which to find quickly the text of statute. It also reprints the most important documents of legislative history in the Legislative History volumes for each Congress. It also lists the dates of debates on the floor of the US House and Senate.

To find the actual texts of those debates, see the *Congressional Record* in paper at KF 35 -4<sup>th</sup> floor, Main Stacks, and in microform (more complete) at KF 35, 4th floor-Microform room. Remember also that for recent debates (back to 1989-90), the Thomas site includes searchable text of the *Congressional Record*.

An additional resource for finding all relevant Congressional documents is the *CIS Index*, *Abstracts*, and *Legislative History* volumes prepared by the Congressional Information Service, at KF 49 C62, 3rd floor, Reference. The documents indexed by CIS are available in microfiche at KF 49, 4th floor Microform room. Look in the cabinets labeled *CIS* by year and CIS number.

Don't overlook the possibility that there may be a commercial compilation of the legislative history you need. These publications tend to be prepared only in connection with significant pieces of legislation, such as the 5 volume history of the USA Patriot Act, found at KF 9430 .A316 U83 2002 on the 5<sup>th</sup> floor of the Law Library. Check Pegasus under the name of the legislation, again as found in the Shepards or USCA popular name table.

## A QUICK GUIDE TO ILLINOIS LEGISLATIVE HISTORY

For general information about Illinois legislation, see the Illinois General Assembly web page at <http://www.ilga.gov>

### Steps in compiling an Illinois Legislative History:

1. Find the Public Act number by checking *West's Smith-Hurd Illinois Compiled Statutes Annotated* (KFI 1230 1993 .A4–3rd floor Main Stacks). The Popular Name Index is located at the end of the General Index following the letter Z . Alternatively, you can access the free online version of the Illinois Compiled Statutes at the Illinois General Assembly website, [www.ilga.gov](http://www.ilga.gov). No matter which version you are using, the first step is the same: Use the code section reference to look at the text of the statute, then find the source reference (in parenthesis) to find the Public Act (“PA”) and the date of enactment

2 The next step is to translate the Public Act No. into a Bill number. In print, the first step is to find the Public Act in the relevant volume of the *Laws of Illinois* (KFI 1255–3rd floor Main Stacks). The Acts are in numerical order for each Session of the General Assembly; the bill number immediately follows the “PA” designation at the beginning of each Bill. At the ILGA website, the next step is to use the “Previous General Assemblies” dropdown menu to find the “Public Act to Bill Number Conversion Table” for the relevant session of the General Assembly, and use the table to find the number of the bill that became the Public Act.

3. Next we’ll find a summary of the action on the bill. In print, use the Bill number to check the *Illinois Legislative Synopsis and Digest* (KFI 1207 .I4-- 3<sup>rd</sup> floor Main Stacks). Looking in the *Summary of Action* on the bill, make a note of the dates of the 2d and 3d readings in both chambers (House and Senate), and the dates of hearings in committees, and the summaries of any committee amendments, and the dates of the Governor’s signing message or veto. At the ILGA website, the next step is to go back to the home page for the relevant session of the General Assembly and use the “Listing” link next to “Legislation & Laws” to locate the Public Act, and the Bill Number. Click on the Public Act/Bill Number link, and when you get to the bill text, click on Bill Status. Now, skim the online synopsis of the bill’s passage through the Illinois legislature. Floor debates in the two chambers of the General Assembly are most likely to occur on those 2d or 3d readings, so make a note of the dates on which those second and third readings of the bill took place in the Senate and in the House? (Remember that a bill is considered in both houses of the legislature.)

4. In print, you can then also use the Bill number to check both the House and Senate Journals (at KFI 1218 .H and KFI 1218 .S–3rd floor Main Stacks). In the volumes for the session number, check the indexing chart at the end of the set for all the page numbers in the relevant journal on which the bill is mentioned. Check those page numbers, in particular for the

full texts of all floor amendments; conference committee reports; and the governor's signing statement. Other information may also be of interest; e.g. sponsors, votes in committee and on the floor. That information is also found on the Bill Status page of the ILGA site.

5. For transcripts of the floor debates of the House and Senate, while it is possible to find them on microfiche (ask a reference librarian if you want to pursue this route), it is much easier and faster, as well as free, to check the web site of the Illinois General Assembly: This is where knowing the dates and the "Legislative Day," from the Synopsis or Journal is important. Go to the proper session of the General Assembly, by clicking on "Previous General Assemblies," under "Additional Resources" in the lower right of the home page. Then choose the relevant Session, and select the House or Senate Transcript you wish to find. Scroll to the relevant Legislative Day and click it to pull up the transcript. You can then browse or do a Control <F> to search within the transcript for references to your Bill number. The ILGA site does have a search function as well, so you can search the transcripts by key word.

6. Current and more recent bill texts (only after 1991), can also be found on *LEXIS*. Use the following path: *States Legal - U.S.* > *Combined States* > *Statutes & Legislative Materials* > *Bill Text* > *State Full Text of Bills, All States 1991*. The search must then use the file with the appropriate year and the search terms which must include: State (IL) and the bill number or relevant subject terms. *Westlaw* has a similar database called BILLTXT-OLD which also begins coverage in 1991 and allows for searching by state, i.e. "ST(IL)".

## FINDING FEDERAL AND ILLINOIS ADMINISTRATIVE LAW

### Federal Regulations

The official print source for currently effective federal regulations is the *Code of Federal Regulations* (CFR), (KF 70 .A3, 4<sup>th</sup> floor, Loyola Law Library). Regulations are indexed by subject in the *CFR Index and Finding Aids* at the end of the set. The official website for the CFR online is <http://www.gpoaccess.gov/cfr>, where it is available as text and PDF files. Updates are done on the same schedule as the print version, essentially once a year, so incremental updating is required (see below). The official CFR site can be searched by citation, keyword, and agency. Previous versions of the CFR are accessible at the government site, from 1996 to the current year. LexisNexis (CFR) and Westlaw (CFR) have CFR databases which are current within two weeks.

The GPO also publishes an unofficial online version, called the Electronic Code of Federal Regulations (e-CFR), at <http://ecfr.gpoaccess.gov>. The e-CFR is a great place to start a regulation search. This site updates the CFR daily, reliably within two business days, and shows the currency of updates on all the e-CFR pages. It is searchable by keyword or Boolean searches. The e-CFR is not official, but all updates cite to pages in the *Federal Register*, which is the full-text, official, daily print record for federal regulations.

The *Federal Register* is available in print (KF 70 .A2 at the Loyola Law Library) and free online at <http://www.archives.gov/federal-register/>, as well as in LexisNexis (FEDREG) and Westlaw (FR). The free, government online source is updated faster than the paid subscription databases. HeinOnline also has the *CFR* and *Federal Register*.

### Updating Federal Regulations

To make sure a regulation in the CFR has not changed, update it either in print or online. The print process requires several steps, and once you do it, you will find that updating at <http://www.gpoaccess.gov/lsa> follows essentially the same steps, but, with more ease online. Here are the print steps, easily adapted if you go online:

- 1) Note the date of the CFR volume that contains the title and section you need to update.
- 2) Check the *most recent* monthly *List of Sections Affected* pamphlet (these will be at the end of all the CFR volumes), and work backwards until you find an update to your CFR title and section. If a section is affected, a page number will be given for the *Federal Register* where the text of this change is printed. You might work through all the monthly LSA issues and not find a change, but if you do find one, you can stop looking at the LSA, because it is cumulative. Information in the most current LSA is a few months behind the current issue of the *Federal Register*. To complete a final update in print or online, this gap must be addressed.

3) Check the *Federal Register* for the last day of each month, starting with the first month after the latest LSA, up to the last complete month. Consult the table located at the back of the *Federal Register* on the last business day of each month in the gap, called “CFR Parts Affected During (name of current month).” This is not the same as the “parts affected in this issue” list located in the contents at the beginning of each *Federal Register* issue, which relates to *any* agency activities, not final changes effective in the CFR.

4) Check the most recent *Federal Register* in the current month. It’s a good idea to do this last part online, since there may be a gap in delivery of the print *Register* of a week or more. Regulations can also be updated using Shepard’s or KeyCite, which will simply yield the most recent version of the regulation, not a retracing of the changes, and are not always current within days after a change.

## **Illinois Regulations**

Illinois regulations in print are not easily accessible. There is a print version, Weil’s *Code of Illinois Rules*, ( KFI 1235 .I41 2000, green loose leaf series, 3<sup>rd</sup> floor at Loyola Law Library). It is a cumbersome set to use, and requires a lot of updating in the Illinois Register. Its primary utility is if a paper source for a known cite is required. It is much more practical to find Illinois regulations on the web. The best free version is on the Illinois General Assembly’s site, found at <http://www.ilga.gov/commission/jcar/admincode/titles.html>. It is published on the General Assembly website by the Joint Committee on Administrative Rules (JCAR), and allows browsing by title and keyword searches. LexisNexis (ILADMN) and Westlaw (IL-ADC) both have an up-to-date version of the Illinois Administrative Code, but, in general, the JCAR version, which is free, is a good place to start. The Illinois Administrative Code is updated daily online in the Illinois Register and every week in the printed Register.

### Updating an Illinois Administrative Regulation Online

The version of the Illinois Administrative Code maintained at the JCAR website, is the official version, and is updated frequently, but it is not updated on a regular basis to include new regulations, or amendments or repeal of existing regulations. You can tell how recently your regulation has been updated in the Code by checking the date in parentheses at the end of the regulation. In order to insure that your citation to a regulation is up to date, it is necessary to access the *Illinois Register*, either in print or online, to check for any amendments and updates that may have occurred since that date.

The most straightforward way to proceed is through the website of the Illinois Secretary of State, which publishes the Illinois Register: <http://www.cyberdriveillinois.com>. In the menu bar, click on “Departments,” underneath the picture of the Secretary of State, and select “Index,” from the menu of choices that appears. That will take you to another menu/index page, where you will select “Administrative Code Services,” the third item on the list. When you reach the next page, scroll down a little until you see “Administrative Code Indexes,” and click on that link.

The final link on that page is the “Sections Affected Index,” and clicking on it will take you to an index of Illinois Administrative Rules acted upon. Rules which have been affected by subsequent action are listed in the accumulative Index by Title number, Part number, Sections, Action type, Action code, and Page number. To find the relevant action, you will need to actually go to the relevant page number of the Illinois Register to find the agency action. The page number is listed in parentheses to the right of the citation to the affected section. Sections are listed first by Title, then by part. Make a note of the page(s) affecting the Title and Part you are seeking and then either open a new browser page, or go back to the preceding page, where there is a link to “Archived Illinois Register.” When you click on it, it will link to a list of editions of the Illinois Register, with the page numbers listed beside each issue. Choose the issue containing your page number, and use the search function of the PDF reader (the binoculars icon) to find the relevant page. That will take you to the most up to date version of your regulation. It is a somewhat onerous process, but still easier than the print version!

It is wise to check with the agency in charge of a particular rule, if there is any reason to think something is about to happen. If rulemaking is in progress, develop an agency contact!

## **Illinois Administrative Law – Online Free Resources:**

### Illinois Administrative Code

<http://www.ilga.gov/commission/jcar/admincode/titles.html>

### Illinois Register

<http://www.cyberdriveillinois.com/departments/index/register/>

### Joint Committee on Administrative Rules (JCAR)

The bipartisan legislative committee which oversees administrative rulemaking in Illinois, and publishes the Illinois Administrative Code. Their Web site contains several helpful links.

<http://www.ilga.gov/commission/jcar/>

### Flinn Report

Also known as Illinois Regulation, this is a weekly summary of decisions of Illinois state agencies and actions taken by JCAR tracking the Illinois Register.

<http://www.ilga.gov/commission/jcar/flinn/flinn.asp>

### Illinois Governor's Office

<http://www.illinois.gov/GOV/>

### Illinois Handbook of Government

This page includes organizational charts for the Executive Branch and contact information for major Illinois administrative agencies (PDF file).

<http://www.cyberdriveillinois.com/publications/handbook/handbooktoc.html>

### Illinois Agencies List

A list of links to Illinois administrative agencies and Constitutional offices; many of the linked pages include the agencies' own rules, forms, and administrative decisions.

<http://www.illinois.gov/government/agency.cfm>

### Cook County Agencies List

A list of links to Cook County administrative bodies; the linked pages may include the agencies' own rules, forms, and administrative decisions.

[http://www.co.cook.il.us/portal/server.pt/community/county\\_agencies/317](http://www.co.cook.il.us/portal/server.pt/community/county_agencies/317)

### City of Chicago Agencies List

Use the "Local Government" link, then the "City Departments" link. Lists links to the City's administrative bodies; may include the agencies' own rules, forms, and administrative decisions.

<http://www.cityofchicago.org>

### Illinois Attorney Registration and Disciplinary Commission Publications Page

Includes several publications on ethics and professional responsibility.

<http://www.iardc.org/pubs.html>

## LOISLAW AND OTHER “FREE” ALTERNATIVES TO LEXIS AND WESTLAW

*Loislaw* is a lower cost online legal research service alternative to LexisNexis and Westlaw. The Library’s subscription gives students **free access** to a wide range of legal content and supporting materials, including: up-to-date cases, statutes, rules and regulations, and other primary law for all 50 states and federal jurisdictions; expert-authored online treatise libraries, focused around practice areas. Although not as well known as Westlaw and LexisNexis, *Loislaw* has similar primary source content. It also offers some Aspen Publishing Treatises through a relationship with Aspen Publishers. *Loislaw* offers Boolean searching; intuitive navigation and hyperlinks among cases, statutes, and other documents; efficient searching across multiple jurisdictions; and many practical, fillable forms for downloading to the user's hard drive. **The key benefit for law students using *Loislaw* is that it does not have the “academic use” restrictions of Lexis and Westlaw, meaning you can use it for work related research with a clear conscience. It is also available to you for six months after your graduation date.**

To register for *LoisLaw*, go to [www.loislawschool.com](http://www.loislawschool.com). Click on the “Register Here” tab near the top of the page, and you’ll find a brief datasheet to fill in. Toward the end of the datasheet there’s a blank field for the “Law School Access Code.” For security reasons, please call the reference desk at (312)915-7205 , and we’ll give you the access code. After that, you create your own user name and password, which will allow you to access *Loislaw* 24/7 from any computer with web access.

*Loislaw* can also be accessed through [http://www.luc.edu/law\\_library](http://www.luc.edu/law_library) , the Law Library’s home page. Select the “Subscription Databases” link, in the gold-rimmed box near the top middle of the page. Then choose the *Loislaw* link on the resulting page. You will still need to log in with your own user name and password.

Several other valuable online resources are linked from the Subscription Databases page, including HeinOnline, a full text searchable database of law review articles, SmartBooks, the online version of the popular IICLE handbooks, and a group of business sources from CCH online services. Note that some of these services may only be accessed from the LUC computer network, so plan your research strategy accordingly.

## PRACTITIONER RESOURCES - FORMS FOR LITIGATION AND TRANSACTIONS

### FORM COMPLAINTS, ANSWERS AND MOTIONS

-Am Jur Pleading and Practice **KF 8836.A5**  
(Westlaw ID: AMJUR-PP)

-Illinois Civil Practice Forms (Callaghan's) **REF KFI 1730.A65 C55**  
(Westlaw ID: IL-CIVPRAC)

-Causes of Action **KF 8863.S53 1993**  
(Westlaw ID: COA)

-Circuit Court of Cook County Online Forms  
<http://www.cookcountyclerkofcourt.org?section=FormsPage>

-Findlaw Court Forms  
<http://forms.lp.findlaw.com/>

-Illinois Institute For Continuing Legal Education (IICLE) Handbooks  
(Various call numbers. Online by subscription only. Access through the Law Library website.)

-Illinois State Bar Association: Illinois Law-Related Links  
<http://www.isba.org/Research/> (Members Only)

-Nichol's Illinois Civil Practice **KFI 1730.N5**  
(Westlaw ID: NICHOLS-ILCP )

-Washlaw Legal Research on the Web: Legal Forms  
<http://washlaw.edu/legalforms/>

-West's Federal Forms **KF 8836.W4**  
(Westlaw ID: FEDFORMS)

## **DISCOVERY-DEPOSITIONS**

-Am Jur Proof of Facts **KF 8935.A52**  
(Westlaw ID: AMJUR-POF)

-Bender's Forms of Discovery  
(LexisNexis File: Various. See LexisNexis directory for details.)

-Illinois Institute For Continuing Legal Education (IICLE) Handbooks  
(Various call numbers. Online by subscription only. Access through the Law Library website.)

-Pattern Discovery (Danner)  
(Various call numbers. See *Pegasus* for details.)  
(Westlaw ID: Various. See Westlaw directory for details.)

## **DISCOVERY-INTERROGATORIES**

-Am Jur Proof of Facts **KF 8935.A52**  
(Westlaw ID: AMJUR-POF)

-Bender's Forms of Discovery  
(LexisNexis File: Various. See LexisNexis directory for details.)

- Pattern Interrogatories (Danner) **KF 8900.A3 D35**

-Illinois Institute For Continuing Legal Education (IICLE) Handbooks  
(Various call numbers. Online by subscription only. Access through the Law Library website)

## **JURY INSTRUCTIONS**

-Illinois Pattern Jury Instructions (IPI)  
**REF KFI 1742.A872 (Civil) KFI 1783.A65 I55 2000 (Criminal)**  
(Westlaw ID: IL-IPICIV and IL-IPICRIM)

-Illinois Non-Pattern Jury Instructions **REF KFI 1742.6 .R6 2001**  
(Westlaw ID: IL-NPJICIV and IL-NPJICRM)

-Illinois Forms of Jury Instruction **REF KFI 1742.6 .I44 1991**  
(LexisNexis File: IFJURY)

## **NON-LITIGATION (TRANSACTIONAL)**

-Am Jur Legal Forms **KF 170.A542**  
(Westlaw ID: AMJUR-LF)

-Illinois Forms Legal and Business **KFI 1268.I42**  
(Westlaw ID: IL-LF )

-Illinois Institute For Continuing Legal Education (IICLE) Handbooks  
(Various call numbers. Online by subscription only. Access it through the Law Library website.)

-Midwest Transaction Guide **KFI 1413.A65 Y682**  
(LexisNexis File: MSTRAN)

-West's Legal Forms **KF 170.W4 1996**  
(Westlaw ID: WEST-LF)

## **TRIAL**

-Am Jur Proof of Facts **KF 8935.A52**  
(Westlaw ID: AMJUR-POF)

-Am Jur Trials KF 8915.A74  
(Westlaw ID: AMJUR-TRIALS)

-Illinois Institute For Continuing Legal Education (IICLE) Handbooks  
(Various call numbers. Online by subscription only. Access through the Law Library website.)

Check the LexisNexis and Westlaw directories for other databases that contain subject specific and jurisdiction specific forms. Search *Pegasus* to locate additional form books in the Loyola Law Library.