

WHY SHEPARDIZE CASES

Shepardize cases to trace their history and determine their status.

- *Shepard's* allows you to trace a case's history by giving references to proceedings in the same case.
- In addition, the first time *Shepard's* cites a case, *Shepard's* provides parallel cites (a reference to the same case, printed in a different reporter) for the case.
- *Shepard's* also tells you if a case is still good law, has been overruled, or if legal principles established by the case have been affected by later cases.

Shepardize cases to find other sources.

- *Shepard's* may give you references to later cases, attorney general opinions, articles and other sources which have cited a case.

Note that in addition to *Shepard's Citators* for cases, there are *Shepard's Citators* for statutes, regulations, court rules, law review articles and more. You can use these *Shepard's* to find cases, attorney general opinions, articles, etc. which have cited these other sources. *Shepard's* also publishes a few subject citators which you can use to shepardize cases, agency decisions, law review articles and other sources.

HOW TO SHEPARDIZE CASES

Step 1: Choose the appropriate *Shepard's Citator* set.

To shepardize a case decided by the U.S. Supreme Court (the reporter abbreviation will look like U.S., L. Ed. or S. Ct.) use *Shepard's United States Citations*.

- Note, to find law review articles that have cited a Supreme Court case, you may also use

Shepard's Federal Citations for Selected Law Reviews.

To shepardize a case decided by a federal circuit or district court (the reporter abbreviation will look like F. or F. Supp.) use *Shepard's Federal Citations*.

- Note, to find law review articles which have cited a federal case you may also use *Shepard's Federal Citations for Selected Law Reviews*.

To shepardize a case decided by an Arizona, California, Colorado, Florida, Idaho, Illinois, Montana, Nevada, New Mexico, New York, Texas, Utah, Washington or Wyoming court:

- choose either the state *Shepard's* or the appropriate regional *Shepard's*. For example, to shepardize a Utah case you may usually use either *Utah Citations* or *Pacific Citations*.
- Results will vary depending on whether you choose the state or regional *Shepard's*. For example,

<i>Utah Citations</i> shows	<i>Pacific Citations</i> shows
<u>if a case was cited by:</u>	<u>if a case was cited by:</u>
-The U.S. Supreme Ct.	-The U.S. Supreme Ct.
-Federal Courts	-Federal Courts
-Utah cases in the	- All cases in regional
<i>Pacific</i> or <i>Utah Reporters</i>	reporters
-Recent <i>American Law</i>	-Recent <i>American Law</i>
<i>Reports</i> annotations	<i>Reports</i> annotations
-Over twenty journals	

To shepardize cases decided by state courts other than those listed above, you must use regional citators. On the right is the regional citator to use when you want to shepardize cases decided by courts of the states on the left.

Alabama	Southern
Alaska	Pacific
Arkansas	Southwestern
Connecticut	Atlantic
Delaware	Atlantic
Georgia	Southeastern

Hawaii	Pacific
Indiana	Northeastern
Iowa	Northwestern
Kansas	Pacific
Kentucky	Southwestern
Louisiana	Southern
Maine	Atlantic
Maryland	Atlantic
Massachusetts	Northeastern
Michigan	Northwestern
Minnesota	Northwestern
Mississippi	Southern
Missouri	Southwestern
Nebraska	Northwestern
New Hampshire	Atlantic
New Jersey	Atlantic
North Carolina	Southeastern
North Dakota	Northwestern
Ohio	Northeastern
Oklahoma	Pacific
Oregon	Pacific
Pennsylvania	Atlantic
Rhode Island	Atlantic
South Carolina	Southeastern
South Dakota	Northwestern
Tennessee	Southwestern
Vermont	Atlantic
Virginia	Southeastern
West Virginia	Southeastern
Wisconsin	Northwestern

Step 2: Decide which report of the case to shepardize.

If the same case is reported in more than one reporter, you may have to decide which report of the case to shepardize.

- For example, U.S. Supreme Court cases are reported in the *U.S. Supreme Court Reports* (U.S.); *U.S. Lawyer's Edition* (L. Ed.); and the *Supreme Court Reporter* (S. Ct.). To shepardize a Supreme Court case you must select one of the three reporter cites to shepardize in *United States Shepard's Citations*.

- Results may vary depending on the cite shepardized.
 - ▶ For example, if you shepardize a *U.S. Reports* cite, you will see references to *U.S. Reports* citations, but not *Lawyer's Edition* citations, because *Shepard's* only lists citations from the reporter of the case being shepardized.

Step 3: Make sure your *Shepard's* set is complete.

You will have to check more than one *Shepard's* volume to do a complete search. To do a complete search:

- Locate the most recent supplement (usually at the end of the set), then look at the section on the front cover which states, "What Your Library Should Contain."
- That section tells you the *Shepard's* volumes you must look in to do a complete search.

Step 4: Locate the case's cite (the reporter's volume number, followed by the reporter's abbreviated name and the first page of the case) in the *Shepard's* volumes.

- Look for the volume number on the top corner of the citator's pages.
- Look for the first page number of the case in bold in the columns on the citator's pages. Beneath this number will probably be a list of cases or articles which have cited the case.

Step 5: Decipher *Shepard's* symbols.

***Shepard's* uses parentheses, letters, numbers and court identifiers to give you information about the cite you are shepardizing.**

- **Parentheses** tell you that the cite is a parallel cite (a reference to the same case, printed in a different reporter) to the case you are shepardizing.
 - ▶ Note that *Shepard's* only gives parallel cites the first time *Shepard's* cites a case.
 - ▶ You can also use the *National Reporter Blue*

Book, located at the northeast end of the *Shepard's Citators*, to find parallel cites.

- **Letters** in front of a citation, tell you about a case's history and subsequent treatment of the case.
 - ▶ For example, an "a" in front of a cite suggests that the case was affirmed on appeal; an "o" in front of a cite suggests that the citing case overruled the case you are shepardizing.
 - ▶ For a list explaining other letters, look for the list of history and treatment abbreviations in the first pages of the citator volume.
- **A raised number** to the right of a reporter's abbreviated name tells you that the citing case discusses the same legal principle as the headnote, corresponding to the raised number, of the case you are shepardizing.
 - ▶ Head notes summarize the points of law discussed in a case and are listed consecutively by number at the beginning of a case.
 - ▶ Make sure that you are shepardizing the correct report (for example, if your case is reported in *Lawyer's Edition* then you should shepardize the *Lawyer's Edition* cite) as Head notes vary from reporter to reporter.
- Within each citation column, *Shepard's* identifies the court by circuit, district or state where the case was decided.
 - ▶ Exception--*Shepard's* initially lists decisions from the court, without identifying the court, which decided the case you are shepardizing. Then, *Shepard's* identifies other courts and lists the citing cases decided by those courts.

***Shepard's* also abbreviates court, reporter, journal and other names.**

- If you do not recognize an abbreviation, look it up in the abbreviation lists, located in the first pages of the citator volume.

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