



# Cincinnati Law Library News

A Monthly Newsletter from the Cincinnati Law Library Association

November 2006

## Inside This Issue

- 1 Opinions Online**

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- 1 BNA Electronic Databases Available**

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- 1 Fastcase Gets Facelift, News**

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- 3 Tech Tip: One Stop Law Library Search**

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- 6 Members Only Access in 3 Easy Steps**

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- 7 Recent Print Acquisitions**

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- 8 CLE @ the Law Library**

## The Cincinnati Law Library Association

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## Opinions Online

David Whelan, Law Librarian

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Court sponsored websites are not, typically, a lawyer's first stop for an opinion, but that may change. There have been substantial developments in access to federal and state court opinions that make court websites worth visiting. And as small firm lawyers are pinched in the amount of fee-based services they can afford, using free court websites can supplement content from legal publishers' databases.

States have typically been all over the board in providing opinion access. For example, Alabama court opinions are only available from its website via a subscription to Alalinc (although Wallace, Jordan hosts its own copy at [www.wallacejordan.com](http://www.wallacejordan.com)). As with most other states, recent Alabama opinions are also available from Thomson Findlaw or LexisNexis' lexisONE, although the court's own content may be more extensive.

## Content Reliability

In some jurisdictions, such as Kentucky and California, "unpublished" opinions are available, but may not be cited. Other jurisdictions, such as Illinois, offer an online opinion — but it is not considered the official opinion. The slip

*continued on page 2*

## Law Library Adds BNA Online Resources

The Law Library licensed a number of popular Bureau of National Affairs titles for access within the Courthouse. The subscription includes the Criminal Law and Family Law Reporters, the ABA/BNA Manual on Professional Conduct, and employment law titles. All databases are available from within the Law Library and judges' chambers behind the county firewall from the County Intranet.

## Remote Access: Fastcase Gets Face Lift, Adds Newsbank

Fastcase has retooled its look and added Newsbank databases with Ohio newspaper content. Law Library members get free, 24-hour access to Fastcase.com through the Library's Web site. The changes to Fastcase make quick searching easier while still allowing you to do more advanced searching.

## Quick Case Law Search & History

The first screen you see in Fastcase is now the quick case law search, which

*continued on page 6*

*Opinions Online, continued from page 1*

opinion may be modified after it is posted to the Illinois Supreme Court's website, with the final copy going on to a publisher while the slip opinion atrophies in the public realm. This currency issue bedevils some case law providers as well as researchers, who grab an opinion from the court's website and must verify that it was not later revised or withdrawn.

Most courts appear to have taken a prospective view of their opinions, meaning that they chose a date and have only published online those opinions since that time. These dates may be the same for the entire court system, or vary by appellate court. Most trial court opinions are not available electronically (an exception: Delaware). File formats range from ASCII and HTML to WordPerfect 5.1 to 8.0 to Portable Document Format. PDF is not universal, but the most common.

Some courts, such as Connecticut and Delaware, have opinions from 2000 on. Others go back further — Alaska to the 1960s or California to the 1850s. (California's "Last 100 Hours" unpublished opinions feature is a reminder of just how many opinions some jurisdictions issue.)

In some jurisdictions, it is a mixed bag. In Ohio, Supreme Court opinions are available since 1992; Court of Appeals opinions start anywhere from 1999 to 2001, depending on the jurisdiction. Fortunately, for those

courts with varying coverage, the search interface usually helps researchers look at all courts regardless of date.

### State Courts Innovate

Courts are making innovative uses of technology, their own and others, to make opinions available. Many courts provide browse-only access to opinions. But some courts are using off-the-shelf search products to enable keyword searching to approximate legal research case databases. Tennessee uses dtSearch Corp.'s dtSearch. While the framed interface is not terribly convenient, the search is more powerful than a simple text query.

Hawaii and Ohio both use the Google search tool. North Dakota uses Microsoft's Index Server, which many websites use as a free search tool packaged with their Microsoft Windows server. It provides a number of options to query results. The court also has organized its opinions to be browsed by reporter, citation, topic, and judge.

Other courts have outsourced the opinion access function to research companies. California legal researchers can search state court opinions back to the 1850s through a LexisNexis-branded interface. The results are restricted to 10 hits at a time but it makes sense for the court to do what it does best, and let legal publishers do their own bit.

The Alaska State Law Library rolled out an innovative relationship with Thomson West last fall, where it negotiated public access to Alaska state court opinions back to 1960 as part of its contract to use the Westlaw product internally.

While both Thomson West and LexisNexis have been busy with other, more static products like statutes or court rules, these new case law partnerships may provide more value to lawyers and the public. The results do not include the significant added value content found in the fee-

*continued on page 5*



## One-Stop Law Library Search

Julie Koehne, Assistant Law Librarian

Have you ever checked multiple websites for the same material? Did you wish you could do a search only once and that search would tell you which libraries had what you needed?

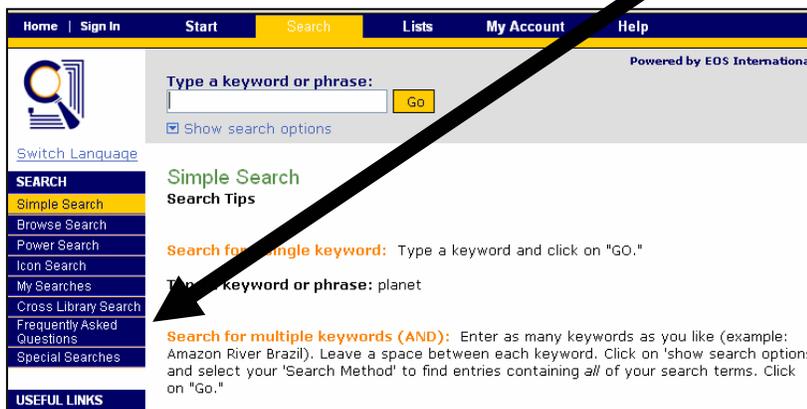
Well, stop wishing. Our Library catalog provides this feature. Our **Cross Library Search** allows you to search multiple libraries at the same time. This eliminates going to each individual catalog and doing the same search on each website. Below are the steps you can take to perform a Cross Library Search.

- 1 Go to the Law Library's Web site and click on the **Online Catalog** link on the menu bar.



- 2 When at the Library's Online Catalog main page, click on **Search**

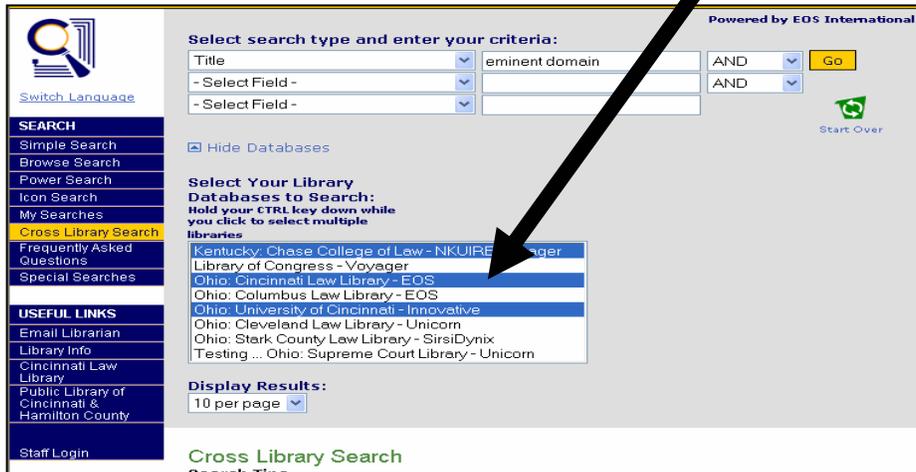
- 3 The menu on the left side of your screen will change. Select **Cross Library Search** from the choices.



- 4 Select the types of information you want to search – Title, Author, Keyword – from the drop down menus that appear. Then type your keywords in the fields next to each menu. You can select whether you want Title AND Author, Title OR Author, and so on. from the choices.



- 5 Normally, you would now start your search and our catalog would return information about print or electronic databases in our collection. The cross-library search allows you to select multiple collections. Hold down your **CTRL** key and click on each library you would like to search.

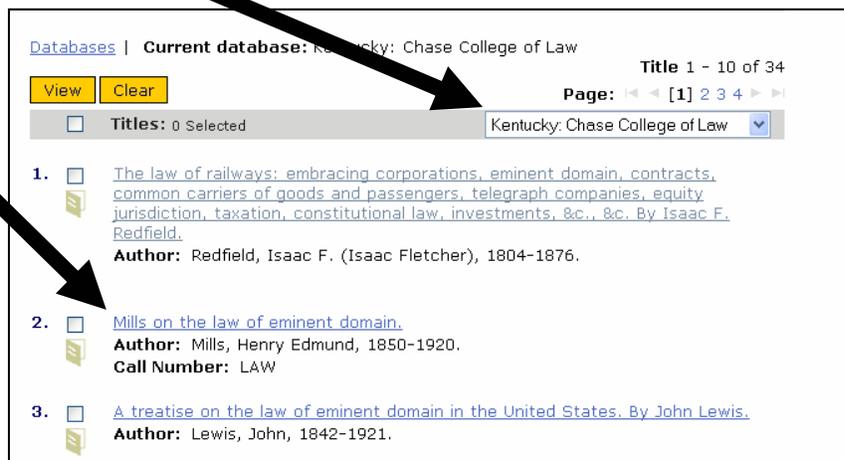


- 6 Click on **GO**

- 7 Your results will appear, grouped by library. Scroll down the page to see the results. Click on **View Results** to view a list of titles that match your search at each of the libraries.



- 8 Scroll down to view the titles. To see more information about any of the titles, click on the blue title link. To see the results from a different library, select it from the drop down menu.



based products, but it's still more than straight text, including searches by counsel, party, or citation.

### Federal Court Access

The federal courts have been more consistent in providing opinion access than states. The U.S. Supreme Court's website is remarkably weak in providing access to its own opinions, but they are readily available for free from many other sources.

The courts of appeal vary in scope and content, with some courts providing unpublished opinions and others not.

The federal district courts have been the weak link in providing opinion access. Each court has different opinions available, sometimes just notable cases or selected opinions. Because these trial court opinions are often sought after, and commonly published by fee-based providers, this was always a gap in free opinion availability. But now many more district court opinions are available. Researchers using the Public Access to Court Electronic Records (PACER) system can use their free subscription to search dockets and other information.

A recent policy change means that a free report is available for court opinions. As with any technology, only courts using a particular version of the Case Management / Electronic Court Filing (CM/ECF) software are participating, but the vast majority of courts are using CM/ECF now.

As with many custom applications, the report results are not necessarily intuitive to use, but that is offset by having quick access to district court opinions.

There is no question that fee-based publishers and mid-tier providers like Fastcase.com or Wolter Kluwer's Loislaw can provide extensive coverage of case law. As legal research costs rise, free sites, like those provided by the courts or even LexisNexis' lexisONE and Thomson Findlaw, can be a valuable resource for lawyers and firms cutting back the scope of their fee-based online access.



## Member Benefits

All members have access to the following valuable resources and services:

**Circulation privileges** to borrow from over 40,000 print volumes for **up to 6 weeks** at a time

Access to extensive electronic databases from the Law Library, including **LexisNexis**, **Shepards'**, **CCH Omnitax**, **CCH Human Resources Group**, and **CCH Business Group** resources, **Hein Online** Law Journals and Federal Register, and over 70 **Aspen / Loislaw** treatises in 15 substantive areas

**Wireless network** throughout the Law Library

Polycom **videoconferencing**

5 **meeting rooms** with speaker phones

Professional **reference service** by our law librarians, available via e-mail, telephone, and in person;

Free **document delivery** by fax or e-mail of print and electronic materials

Inexpensive **CLE seminars** throughout the year, on legal research and substantive topics

In addition, solos and members whose firm has a membership have **24-hour remote access** to Fastcase.com case law and Aspen/Loislaw treatises

## Cincinnati Law Library Association News

*Fastcase Gets Face Lift, News, continued from page 1*

sits above a short menu on the left and a history list in the middle. The history list shows your last 10 searches.

### My Library

You can now return to specific documents from prior searches. The **My Library** menu at the top

of the screen remembers documents you have looked at as well as *favorite* opinions to which you want to retain links.

### News

Fastcase has partnered with Newsbank, a newspaper archive, so you can now keyword search newspapers from all over the US, including

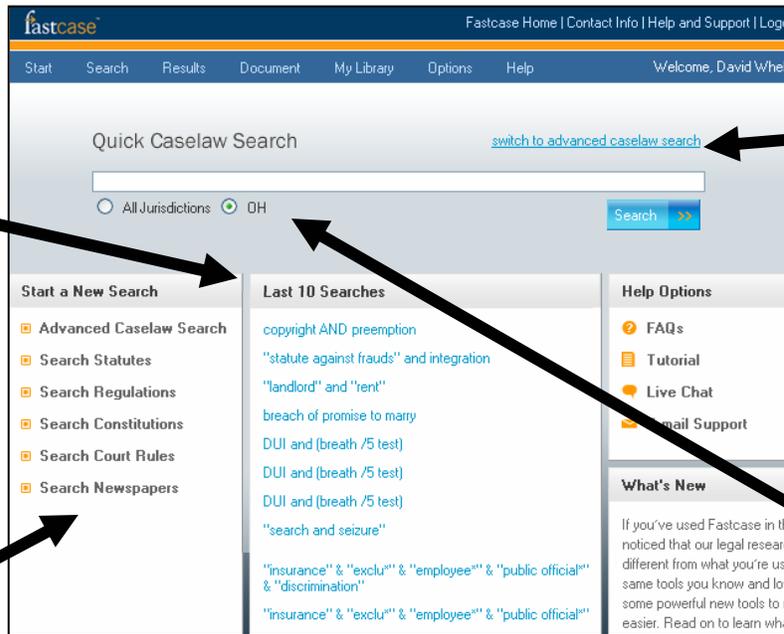
many Ohio newspapers.

### New and Improved

These improvements make your Fastcase member benefit even more valuable. If you need assistance using Fastcase, contact their online help (Live Chat) or the Law Library.

**Search History**  
A list of your last search results. Click on one to re-run the search.

**Get News**  
Access Newsbank's extensive newspaper archive, including Ohio newspapers



**Advanced Search**  
Select jurisdictions, search by citation, and more. This is the old Fastcase search interface.

**Jurisdictions**  
The jurisdiction you selected on your last advanced search will appear on your Quick Search screen.

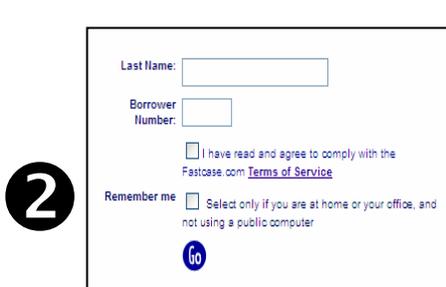
## Members-Only Access in 3 Easy Steps

Law Library Association members, who either are solos or work at firms where the entire firm has joined the Library, have 24 hour, remote access to a number of databases, including Fastcase.com for case law and news, and Aspen/Loislaw treatises in 15 substantive areas. Here is how you can access them.

Go to <http://www.cincinnatiilaw.org>. Click on "Member Log In" on the right side under the logo.

Type in your last name, your Law Library borrower number, and click the appropriate boxes.

Select a premium database from the left hand side of your screen.



## Recent Print Acquisitions

The Law Library collects print materials in a wide range of substantive areas. Feel free to recommend a title you think the library should collect. For more information about our new BNA electronic subscription (including the Criminal and Family Law Reporters), please see page 1.

### **Advanced Sales And Use Tax In Ohio (CLE)**

J. Donald Mottley and Stephen Nechemias  
(Lorman CLE 2006)

### **Advanced Workers' Compensation In Ohio (CLE)**

J. Miles Gibson (Lorman CLE 2006)

### **The AILA's Immigration Litigation Toolbox: Essential Materials for Administrative And Federal Court Practice**

Editor-in-Chief Charles Kuck, American  
Immigration Lawyers Association

### **Alternative Clauses to Standard Construction Contracts**

Glomer W. Jones, editor (Aspen 2006)

### **Annotated Manual for Complex Litigation, Fourth**

David Herr (Thomson-West 2006)

### **Annual Survey of Bankruptcy Law**

(Thomson-West 2006)

### **Basic Workers' Compensation In Ohio (CLE)**

Frank Consolo (Lorman CLE 2006)

### **Collier Handbook For Trustees And Debtors In Possession**

(Matthew Bender 2006)

### **Cross-Examination : Science And Techniques**

Larry S. Pozner & Roger J. Dodd (Lexisnexis  
2004)

### **Doing Business In States Other Than The State Of Incorporation (Alabama Through Michigan)**

(BNA Corporate Practice 2006)

### **Doing Business In States Other Than The State Of Incorporation (Minnesota Through Wyoming)**

(BNA Corporate Practice 2006)

### **Essentials Of Immigration Law**

Richard A. Boswell (AILA 2006)

### **Executive Compensation And Related-Party Disclosure : SEC Rules And Explanation**

James Hamilton (CCH 2006)

### **Immigration Procedures Handbook**

(Thomson-West 2006)

### **Know Your Code : A Guide To The Ohio Basic Building Code (OBBC)**

The Preview Group

### **Kurzban's Immigration Law**

Ira J. Kurzban (AILA 2006)

### **Navigating The Maze Of Land Use Regulations In Ohio (CLE)**

Anthony G. Covatta (Lorman CLE 2006)

### **The New E-Discovery Rules : Amendments To The Federal Rules Of Civil Procedure Scheduled To Take Effect Dec. 1, 2006**

(Dahlstrom Legal Publishing 2006)

### **Officer's Search And Seizure Handbook : State-To-State Case Summaries.**

Lexisnexis 2006

### **Partnerships : Dispositions Of Partnership Interests Or Partnership Business; Partnership Termination**

BNA Tax Management Portfolios

### **A Physician's Guide To Return To Work**

(AMA Press 2006)

### **Police Liability In Ohio (CLE)**

R. Kelly Hamilton (Lorman CLE 2006)

### **Simulation Of The Effect Of Blood In The Mouth On Breath Alcohol Concentrations Of Drinking Subjects [*Journal Article*]**

J.G. Wigmore

### **Stock Rights And Stock Dividends : Sections 305 And 306**

BNA Tax Management Portfolios

### **Vehicle Search Law Deskbook.**

(Thomson-West 2006)

**CLE @ the Law Library**

Trust Administration  
Under the  
Ohio Trust Code

Thursday, November 16  
10am – 11am

Joanne Hindel,  
V.P. & Sr. Personal Trust Officer  
Fifth Third  
Members: Free  
Non-Members: \$50

Approved for 1 hour of general CLE by the  
Ohio Supreme Court Commission on CLE

High Octane  
Internet Legal  
Research

Tuesday, December 5  
8:30am - noon

David Whelan  
Law Librarian  
Members: \$35  
Non-Members: \$70

Approved for 3 hours of general CLE by the  
Ohio Supreme Court Commission on CLE

Better Browser  
Research

Tuesday, December 12  
11am - noon

David Whelan  
Law Librarian  
Members: \$FREE  
Non-Members: \$50

Approved for 1 hours of general CLE by the  
Ohio Supreme Court Commission on CLE

For more information and CLE descriptions, visit <http://www.cincinnati.org/cle/>

**November 2006 Law Library Newsletter**

<b>INSIDE THIS MONTH</b>
• Legal Research: Opinions Online
• Fall CLE: Trusts and Legal Research
• Tech Tip: Searching Multiple Libraries
• New Electronic Resources from BNA

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