

## **CHAPTER TWO: LEGAL RESEARCH AND REFERENCE MATERIALS**

By Don Craven

The Internet provides an incredible amount of research material, including legal research material available to reporters. The Illinois statutes are on-line, and many courts post new decisions on web sites. Given the usual shelf life of this Handbook, (the previous version did not include mention of the Internet) I will not include web addresses – they may change, and I do not want the blame.

There are a few basics every reporter should know about legal research. Before we start talking about statutes and case citations, let's get elemental:

1. Get Black's Law Dictionary. "Tort," "felony," "indictment" and other legal terms have specific meanings and appropriate uses. Using the wrong term in the wrong context has spawned more than one libel suit.

2. Get Lawyer's Handbook, Sullivan's or another legal directory. These publications list names and phone numbers of federal and state judges, court clerks, court reporters, associations and other law related groups. These references come in very handy when you are looking for a live-human type resource for an article. A similarly useful text is the Illinois Blue Book.

3. The most important resource available to any reporter covering the court is **PEOPLE**. Each courthouse has security personnel, courtroom bailiffs, courtroom clerks, personnel in the circuit clerk's office, etc. These people are in the courthouse all day, every day. They see and hear everything, know who is in court and know what has been filed. Spend a little time with them - the

rewards are tremendous.

4. The second most important resource is court files. Court files should be open for your inspection, unless there is a specific order sealing a file. Juvenile court records are not open.

## **CITATION FORMS**

Law has its own shorthand, and a court reporter needs to be familiar with the lingo. Statutes have one form of citation, and cases have another. Illinois statutes are cited in this way: 735 ILCS 5/8-901

I just cited section 1 of the Reporter Privilege Statute. **735** is the chapter number. Chapter 735 is the Code of Civil Procedure; together with the Supreme Court Rules, this Chapter sets many of the procedural ground rules for every courtroom. **5** is the act number. Chapter 735 will have several acts, each dealing with related topics. **8-901** is the section number. This numbering system has been in place since 1993. In older cases, the previous numbering system will appear. Most publications have conversion tables which give the old cite and the new cite.

Illinois cases are cited in this way: Wayne County Press, Inc. v. Georgia Isle, 263 Ill. App. 3d 511, 636 N.E.2d 65, 200 Ill. Dec. 874 (1994). This is the same case with three citations.

The “Ill. App.” cite refers to Illinois Appellate Reports, the official reports of the Illinois court system. “N.E.2d” refers to the Northeastern Reporter, a West publication that contains cases from Illinois and other states. “Ill. Dec.” refers to Illinois Decisions, another West publication that contains only Illinois decisions. The first number in the citation is the volume number; the second number is the page on which the case starts. Illinois Supreme Court decisions will use an “Ill.” citation form instead of “Ill. App.”

The West publications provide “headnotes” – short paragraphs at the beginning of the case that give hints about what the case says. These are helpful, but do not quote from them. Quote from the opinion itself.

Chicago and other major cities codified their city ordinances, and they are usually available from the city clerk, or may be available on the web.

The Reporter systems (such as Northeastern Reporter), the statutes and many other research tools are available at law libraries around the state. Many county courthouses have libraries, and most public libraries will have at least the current statutes. Many libraries will have access to on-line (Westlaw or Lexis, for instance) or CD research libraries.

The Administrative Office of Illinois Courts is an arm of the Supreme Court. When searching for statistical or background information about court systems, caseloads, expenses, etc. try the AOIC. If a source on a topic is not readily available, call the Chicago Bar Association or the Illinois State Bar Association. Either of those groups can provide helpful guidance.

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