

Secrets of the Super Searchers III – Law – Transcript of audio

Please stand by for realtime captions.

Good afternoon, everyone. Welcome to the FDLP Academy. We have a terrific webinar for you today. My name is Joe Paskoski and I'm with my GPO colleague Ashley Dahlen as tech-support and our webinar today is Secrets of the Super Searchers III , law. Part of our great sequence of our super searchers series. Our presenter is Jennifer Morgan. She is a associate librarian and lecture and law. And adjunct associate Professor of information and library science Indiana University school of informatics, computing and engineering. As a reference librarian and federal depository coordinator, Jennifer provides general legal reference assistance in the use of U.S. government information and U.S. government depository program. Jennifer teaches an advanced legal research course from the law school as well as an LIS course in government information with her teaching partner Andrea from Indiana University. Jennifer recently served on the Depository Library Council and is a member of indigo, Indiana networking for government information and organizations in the American Association of Law libraries, government documents special interest section. With that I will hand the virtual microphone over to Jennifer who will take it from here.

Thanks, Joe. Can you hear me all right?

We can hear you.

I'm happy to be here with everyone this afternoon. When Joe invited me to present a legal research webinar in the Secrets of the Super Searchers series, I tried to imagine what insights and information about legal research of the FDL community would find compelling, which felt really daunting because the FDL community is made up of different types of libraries that serve a really diverse population of user reps. I would share some stories of more challenging legal research projects, projects that involve hunting down hard to find legal documents and documents and help you with some of the strategies that worked for me. I'm going to start with the most complex government branch to research. The judiciary. Finding judicial branch publications can be a challenge for government information folks because a lot of these publications and documents are not distributed through the FDLP. Most of the case are published. Court documents are hard to find using government sources. Everything isn't online or in print. Some court documents aren't even made publicly available. The core structures can be confusing and legal concepts in terms of -- can be unfamiliar. I find when you are doing research with judicial documents and court records it helps to educate yourself as to legal vocabulary and court structure and there's two sides I would recommend that you check out , the website of the U.S. courts is a great place to start to learn about the court system. They provide links to court websites, information about the role and structure of the courts, comparison of the federal and state courts, information about the U.S. Court of Appeals and information about different types of cases. The other site is the judicial learning center and they also have information about the different levels of the federal courts, state courts versus federal courts and the Supreme Court and if you see the link at the top of this page, they have an educational resource. In the PDF, which you will get at the end of the webinar, a lot of these images are linked. Glossaries will help you understand legal terms of -- that you don't understand. Legal terms are specialized words or phrases with precise meanings within the context of the legal field these terms carry specific implications and may have different meanings or interpretations in law than they do in everyday language. The glossaries will also describe what the different court documents and pleadings are and about the different types of briefs. Again, in order to find the documents, you need to

know what the source is so that the court structure equals the information sources. I wanted to point out this source if you are doing any kind of state-level research, the state structure starts are very helpful resources because they summarize the key features of each states court organizational structure. This version here, the one state court structure chart in this top row, if you click on any state in the map, what you get is a one-page diagram of that state court system and then they have this app here called understanding state courts and what it is, is an interactive chart that teaches about the state court structures and cased type jurisdiction and you can see, you can compare up to six different states at a time. Over the years our law faculty have asked me to find a lot of court documents. Here's a list of some of the more challenging or complicated research request. You can see a lot of these are older cases involving different court levels, jurisdictions, and multiple types of court documents like complaints, pleadings, briefs and memorandum. When you think of a court case you might picture lawyers arguing in front of a George -- judge and jury. But the majority of the time spent on court cases consists of formal writing and responses. This formal writing breaks down into two categories of documents. Pleadings and motions. A pleading demand that the other party do something while emotion requests the judge in the case do something. These documents can be submitted to the court before, during or after the trial. Pleadings are typically filed at or near a cases beginning. Pleadings are formal documents that state the parties basic positions and include complaints, memoranda of points and authorities, answers, replies and motions. These documents are useful for researchers because they can provide additional insight into the arguments presented to the court, arguments which either persuaded or failed to persuade the court. Pleadings often include the facts of the case, the legal issues presented in the case and the legal arguments that support or refute those issues. Court briefs and oral arguments are a part of the court record and often are of interest to researchers. Before presenting their oral arguments, counsel for both sides will submit a legal brief, which is a written document that summarizes the facts of the case as well as the legal reasoning behind their arguments. And oral argument are the oral presentations and questions by the judges or justices. Oral argument is like this high-powered conversation between the justices and the attorneys where the attorneys have the opportunity to supplement their arguments contained in the written briefs and clear up any misconceptions or questions raised by their briefs. There is three different kinds of briefs, certiorari stage briefs are the efforts by party to tell the court what it should or should not take the case, once the support court is granted, it each party has the opportunity to file merits briefs unlike the CERT stage briefs which tells the court why should or should not take the case, the merits briefs tell the court why they think each party thinks it deserves to win. And then an amicus curiae brief is a friend of the court brief filed by a person, group or entity that is not a party to the case but nonetheless which is to provide the court with its perspective on the issues. And then a court docket is a record of all of the documents filed by the court, parties or any other entity in court proceeding. The docket will include all of these filings. In a civil matter, the docket usually begins with the filing of a summons and complaint while in a criminal matter the docket begins with an indictment. Docket research is generally used to find information about a particular case, docketing --. The parties and attorneys involved, the facts and events of the case and more. Dockets are generally useful for researching trial level cases. Some trials may last many years and involve many events and there won't be any written opinion. That's why the dockets are so important for locating information about these cases. This is a docket sheet and once an action has commenced in a court case, the court maintains a docket sheet, which is a chronological list noting the date and description of each docket filed in the action. The docket sheet outlines the lifespan of that case and it lists the parties, the participating attorneys, the nature of pseudocode and all of the filings and events. This can be an important tool for finding out which lawyers, or law firms are representing clients in the case. If you scroll down further in that document sheet, you will see details that give the date of the event argument or docket submission as well as some information about the event. The items, the individual documents are assigned sequential docket item number, which is noted

in this column. Usually it's on the left side of the sheet along with the filing date of the document, the date of entry, that is the date that the clerk entered the entry into the docket sheet and then sometimes you will see a notation about the party or entity who filed the documents. Since electronic filing has become the norm in federal courts, many documents are available online in a PDF format. If the underlying document is publicly available, then you will see that number is hyperlinked, like number 4, it is hyperlinked so this docket -- you can click and get that document but number 3, this document isn't linked. It's unavailable for some reason. One good thing to know about dockets, they are kept throughout the lifetime of a pending action and after the final disposition of a case, but not all docket information is available online because some records might be sealed or even destroyed. The term docket number is used generally synonymously with the term case number. I have seen those used interchangeably. Course assigned each newly filed docket number to make it easy to track.

Understanding how these docket numbers are constructed can be helpful for determining where and when a case is filed. Each court generally has its own system for assigning docket numbers. Which might include the year the case was filed in a two digit or four digit format. The court that the case was filed in represented by a letter or number, the case type code. You will see CV stands for civil. C are for criminal and BR for bankruptcy. You will see a reference number usually assigned sequentially to each case that was filed and then some district courts add judges initials or other identifying information. When searching for a docket in a database like Bloomberg law or recap, you generally want to skip any of the letters or the numbers after the sequential case number because it's not officially part of the document. It's just a local not. In this District Court opinion, you see how I highlighted 17 CV 00866. That would be the chunk of the case number that you would use it to search. You might have to drop that CV with just a -- and maybe drop those leading zeros. Every database works differently and it's a little maddening. A law professor, let's call him Louise recently asked me to find the complaint for Alan versus the state board of elections. This was a boarding cased in 1969. One easy way to find information about a case history if you don't have access is to find the Wikipedia entry. This Wikipedia entry, I googled it because Luis didn't give me all the citations. He just knew the name of the case. I found that the case rose on appeal from the Eastern District of Virginia and the Southern District of Mississippi. It attempts to have these cases heard in the circuit courts failed and the cases are about three years old when they were combined into one case and heard in the Supreme Court. Luis wanted the complaint. So, I needed to find the docket for the district court decisions. He was more interested in the Eastern District of Virginia than he was in the Mississippi, so I went to pacer and the docket was unavailable in pacer, probably because being a case from 1969 it is too old. One a party in a case is unhappy with the decision of a lower Oort, the party can choose to file a brief asking the supreme court to secure its case but that brief is called a petition for writ of certiorari and the rules of the Supreme Court provide the guidelines for what should be included in the petition for CERT. Its appendix and some the called a joint appendix. The petition for CERT should come with its own appendix and that appendix typically includes documents and records from the lower court proceedings that are essential for the Supreme Court to assess the legal questions presented in the petition. Those documents might include trial transcripts, court opinions, pleadings, exhibits orders and other materials. The joint appendix is a collection of documents exhibits or records that are relevant to a case and they are compiled and submitted jointly by the parties involved in the case. The appellant and the appellee. That collaborative effort ensures that both sides have a say in determining which materials are included and it helps avoid disputes over the content. The joint appendix according to the rules should include copies of important documents like the pleadings, motions, orders, trial transcripts, exhibits, and those documents help the court understand the background and facts of the case. You see where I'm going? I thought, I will see if I can find the appendix for the petition for CERT to see if I can find the complaint for the District Court. We have ProQuest Supreme Court insight and it is an online collection of full opinions from the Supreme Court argued cases including decisions, dockets or arguments, the joint appendices and the amicus

briefs. They present all of these materials in a case history for each case and the case history is the compilation of every publication that is filed or created as the case is appealed to the Supreme Court, which is the petition stage. After it has been granted CERT, which is the merit stage and as it is argued, decided and disposed of. I was able to find the case history for Alan versus the state board of elections and it has a searchable PDF of the appendix to the petition for the writ of CERT. I downloaded the PDF and opened it up and I found it. The complaints for the Eastern District court in Virginia. This is the complaint that Luis asked for. That was pretty easy. A few years ago in 2020, the same law professor asked me to find, can you find the pleadings for an older Supreme Court case, Lassiter versus Northampton County Board of elections decided in 1959 by the U.S. Supreme Court. He specifically told me, I want to know how the plaintiffs presented their claim. This is a race Oort literacy test case, but the court doesn't talk about that. They did not talk about the race issue at all. So he wanted to know how the plaintiffs pled. Did they plead that it was a race case and the court ignored it or not. I set about to see if I could find a case history for him. And what documents I could find. This was back three years ago and this is a list of the resources that I had, which are mostly the same as what we have today. Our library, the Jerome Hall law library as a depository, one of 10 depositories, four Supreme Court briefs. We have those in print back to 1925. We also have a collection of Supreme Court records and briefs and micro-fame --. It would be in that micro card collection. We have two online databases with digitized Supreme Court records and briefs. There is Gales making of modern law, which I will refer to as M.O. ML and he goes from 1832 to 1978 and that a few years back, ProQuest decided they were going to start digitizing briefs and create their own database. They started in the mid-70s where MOML left off and they went, they are now current, but in 2020 they went up to 2017 and then we have the U.S. Supreme Court website which, only has filings attached to the documents back to 2017. What I had back then was MOML . All you have to do is search for the case name. I was able to find four briefs and one other document called a transcript of record. It is the printed record of the proceedings and pleadings of the case. It is required by the appellate court so that they have a review of the history of the case. I had to retrieve our print volumes of the records and briefs from our off-site storage facility, which is really easy. I compared what was in the printed briefs with what was available online and it matched equally. It wasn't anything different. I looked at that micro cards and we had these old junky micro card reader but I did look at it. The same stuff was there. I thought, I really want to be thorough. I want to find the docket sheet. And the docket sheet wasn't available in MOML or in the print or micro cards but I knew from being on the Supreme Court's website, on their docket search page, they have this statement. This is the engrossed dockets from 1791 to 1995 have been scanned by the national archives from its microphone collection and are available in its catalog. If you click on that link you will go to the catalog where the docket sheets are arranged ontologically by term and then by case number, which I have the case number. I found that docket sheet for Lassiter and I discovered it listed several pleadings on it that we didn't have in MOML or in print, including the motion to dismiss. So, the motion to dismiss contains a review of the history of the litigation, help will grab mound -- background documents, District Court opinion and statutory history. I didn't have the document so I knew that ProQuest was in the process of digitizing older briefs. So I emailed my rep and told her what I was looking for. I wanted any pleadings they might have for Lassiter and she contacted the company and they had one document that we didn't have. They had the motion to dismiss that was listed in the docket sheet. Here it is, and my lesson learned was that, one source might not have everything that you need, not even the print. To be thorough, you need to check all the resources that you have at your disposal. Last year a law professor asked me to find something called an expert report from a 1978 seventh circuit Court of Appeals case. What you think the first thing I wanted to find was? If you just yelled docket sheet at your computer, you would be correct. Really quick I want to show you something important that you need to know about pacer. This is the pacer case locator. If you -- it's like a general search across all of the courts. I typed in the docket number and the jurisdiction type appellate. I did a general search for that docket

number across all the appellate courts and it pulled up five cases, but it didn't include the case I was looking for, which was Bradley versus -- from 1998. You can search by specific court, so if you click on specific court and you select the U.S. Court of Appeals seventh circuit and then you log into the Seventh Circuit electronic case filing management system through pacer, they have a link. It says search seventh circuit filed before January 1st 2008. That is their legacy system. And it is not accessible through the pacer case locator, which is that national index. I clicked on that link and I was able to simply type in the docket number and then the docket came up and if you click on the docket report, you get this download confirmation page and two dollars later you have a 17 page docket sheet. Here is the docket sheet. Bradley -- there was no mention of Dr. Moore, the expert witness or his reports. Also notice the docket sheet there is no links. So there is no underlying filings that would be available in pacer. So because the appellate court document didn't venture mentioned Dr. Moore and his updated. I wanted to see how the court referred to his expert report and what I learned is that his affidavit was filed at the trial level but it was excluded from the evidence in the Southern District of Indiana. Just to see what the report was about, I read further and learned that it contained extensive research on the history of racial discrimination in Lake County, Indiana. Then I pulled the docket sheet for the District Court case from pacer to see how the affidavit or the report was filed. Note again, the docket entry numbers, they are not linked so these filings are not available from pacer. I want to do that docket and I didn't see Moore's report listed as an entry but I saw how some other affidavits were listed and then further down this is item 246 and 247, I saw that it was entered but it references a motion to strike Dr. Moore's affidavit and then there is a brief in support of striking his affidavit, so not included. Since pacer didn't help me out in finding any of the filings, I thought, if I go back to the Seventh Circuit briefs for the appellate case, maybe it will have a case history with the filings from the District Court appended. But, the fiche was missing so, no luck there. really wanted that report, so I wanted to help him. I called the clerk of the court in the Southern District of Indiana to find out where they have archived those records and the clerk told me that the case file was archived at the Chicago Federal records Center. I called them and got a very helpful person who told me how to formally request a copy of Dr. Moore's affidavit and the even went and found the box containing the case records and they gave me all the information, accession number or location number box numbers and I made my formal request and they told me they would write me back and let me know if they found it and how much it would cost to send us copies. And then, here's the response at the Federal records Center. They couldn't find the document. Turns out, Dr. Moore's expert record was considered an exhibit. Exhibit are considered nonrecord materials. Not to be deterred, I wasn't ready to give up. I googled Dr. Moore and I found him pick he teaches at McGill University. After some back and forth with Louis, I convinced him to contact Dr. Moore and ask him about his experience in the case. emailed him and asked him if he was willing to chat or if you could send Louis the report . They had a zoom session and then Dr. Moore emailed Luis and told him he didn't have a copy of the affidavit and he actually didn't really remember the details of the case. This was a lot of effort on my part and I was disappointed in the outcome but I did feel I gained a lot of knowledge about tracking down some District Court or appellate court records and I was happy and confident that I was able to provide solid research assistance to that faculty member. This is my last court records story. It is a little bit more complicated and it is not for , it's for another law professor . Let's call her Donna. She asked me to find court documents for the two cases listed here. There were pleadings and briefs from the Second Circuit and the Southern District of New York. The main case here is U.S. versus Chiarella and Chiarella is a landmark insider trading decision. It was the first person ever to go to trial in a criminal insider training case and it was the first insider-trading case to reach the Supreme Court. Donna was writing an article delving into the back stories of Chiarella, the prosecution and Supreme Court litigation and explore how the federal prohibition of insider-trading was shaped by the securities and exchange commission. The Department of Justice, and those defense attorneys who were involved in the case during its various stages of litigation in the 1970s. She was contemplating a book project that would

explore the stories behind all five of the Supreme Court's insider-trading decisions. My first thing, because I was looking in two different jurisdictions was to create a research log. It's really important to keep track of all of the different places you looked. This is part of my research log for Chiarella, both the Southern District of New York case and the appellate decision in the Second Circuit. You can see they were both decided in 1978. In this column for FDNY you can see and that parentheses the content coverage. It only went back to 82 in Bloomberg and went to 89 Westlaw dockets, 1990 and Second Circuit stuff, not early enough coverage. Both in Westlaw and Lexis to have separate databases for docket sheets and for their filings. In Westlaw, when you look at the case, there is a row of tabs on the top and one of those tabs says filings. If you click on that it makes it really easy to see if there are any trial or court documents. And for the Second Circuit decision, there were four briefs and one motion. Lexis dockets, they don't give you any information about content coverage. I searched what I had, party names, docket numbers, nothing and their reefs, pleadings and motions database. And my law library we have a collection of the Second Circuit of appeals microfilm but it is only from 1980 to 2001. That didn't help me either. What did I do? I went to the Supreme Court inside and looked up Chiarella supreme court case history to see if those court records were appended. It did. They had a case history and docket sheet, oral argument and governments brief in opposition to the petition for the writ of certiorari. This is the docket sheet. You can see, I'm so disappointed in the yellow highlight, there was a motion to dispense with the printing of the appendix and the court granted it. That whole appendix, all that lower court materials, not published. But Donna was excited to see this brief, the brief with the government's opposition to search. Long story short about the Southern District of New York court records, Donna did a lot of travel for research. She went to the NARA in Washington, D.C. She went to the courthouse for the Southern District of New York. She is also interviewing attorneys and judges who are involved in this case and when she went to the courthouse interview, she asked about the records from this SDNY for Chiarella and they had just recently thrown them away. I couldn't believe it when she told me. They threw the records away. They didn't send them to the records under and they didn't send them to NARA. That was crazy. So, here is another lesson, same case. It's not what you know it is who you know. I have a warmer colleague who at that time was working at Cornell. It is in New York and New York is one of three states in the Second Circuit. I emailed him and asked him what he knew about Second Circuit Court of Appeals briefs and if they have them at Cornell. They did have them on microfiche from 1974 for 2005. It was really easy for him to recall these for me. Emailed them to me and we have a machine that digitizes fiche or film and create PDFs. I did a lot of digitization for Donna. I listed what I did for her. I did these briefs, I digitized the petition and she Chiarella fiche had a joint appendix with a ton of the lowercase documents. For Newman, there were no briefs for Newman and the fiche but there was the joint appendix. There was a docket sheet and the briefs were not listed in the docket sheet. Donna ended up super happy with the records I was able to get for her from Cornell and digitize and she told me that she shared those digitized documents that I made for her with the securities and exchange historical society online Museum and I have a quote. She says, your work will pay dividends for many other scholars in addition to me. That was happy. I was trying to find some of the stuff for Newman and ProQuest Supreme Court insight has a collection for a certain denied case. Newman was denied assert by the Supreme Court but remember, when they submit their petition for the writ of certiorari there will be an appendix with the lower court filings and they had it and so I was able to find -- Donna was looking for an unpublished opinion issued by a judge in the Southern District of New York. It was a decision that was dismissing the indictment. I was able to get that for Newman. And then Donna told me about the S.E.C. settled a civil enforcement action against Chiarella for insider-trading in 1977. She wanted that completed as well and what I did was email the S.E.C. librarian asking if at the S.E.C. they keep the records of their own complaints and I was told that if the complaint is in the S.E.C. case files, it will be in the building. But if it is in their permanent files is at NARA and in either situation I was told I would have to file a FOIA request to retrieve it. At that time the S.E.C.'s average for

your processing time was 12 working days for simple request and 515 working days for complex requests. They have a request form, like a template on their website. Just some quick information about drafting a FOIA request. People sometimes have to do this a lot to get agency documents or court records. Your request has to be done in writing and has to be formal and clearly labeled as a freedom of information act request. Here is a sample letter that you can use. There is also some information at the FOIA wiki and for you.gov about how to do this. Also, they have fee waivers and expedited reviews you can request. Individual agencies promulgate their own regulations regarding fee waivers and expedited reviews. If you are an educational institution or if you are in a category of requesters who might have to pay, you might be able to get a waiver if you can prove that disclosure of the information you are providing is in the public interest. Here is a list of the FOIA requests that I did. These are court records that I requested from the S.E.C. It was their complaint that they filed in the Southern District of New York. I was able to get those. I requested I memorandum from their general counsel to the S.E.C. regarding Chiarella and they were thinking about proposing rulemaking to regulate insider-trading. I wasn't able to get that. I filed a FOIA request with the department of justice office of the solicitor general for any and all correspondence between their office and the S.E.C. regarding the Chiarella case. They assigned that to their complex processing track and told me they were going to extend their time limit by 10 days and 10 months later I got a letter from them saying they got no pertinent records. I'm going to end my case story on this high note with a successful FOIA request and Donna told me, with this and the Chiarella complaint, you helped me find two lost pieces of history. Which I thought was pretty cool. There is two things I want to point out about pacer. Pacer is the docketing system for the federal Appellate District and group C courts. It is fee-based and so what you need to understand about is it doesn't cost anything to register an account. This is the page where you learn what the fees are but they bill quarterly and if you are a user who has not incurred more than \$30 and a quarter, you don't pay anything and then you start back at zero the next quarter. They say over 75% of active pacer users each quarter don't pay any bills. Keep that in mind. Then I want to show you how to find the content coverage for each of the courts in pacer. If you click, if you go to this main page, click find a case and search by national index it takes you to the pacer case locator which is that national index. It is a tool that you can use to conduct a nationwide search to determine whether or not a party is involved in federal litigation but keep in mind it might not pull records from any legacy systems. The case locator is updated every night and usually cases appear within 24 hours. To find the coverage click court information and then this is where you can check for dates of coverage for all of the courts. All of the courts are listed alphabetically with district courts, vagrancy courts and appellate courts. You can search and this search box. You can put Second Circuit or just put the word circuit and all the circuit courts would appear your state. I can type in Indiana and then all of the federal courts the northern and southern districts, the bankruptcy courts would appear. There is two columns with dates. Be advised, earliest cases means they have some old cases like Alabama middle District Court has an old cases back to 1966. That's not comprehensive. Coverage date column shows the date from which a court has daily case access available. That is your comprehensive coverage time. If you haven't heard of recap, it is an alternative to pacer. It is pacer spelled backwards. The recap archive which is called court listener is a database that has 10th of millions of federal court cases and hundreds of millions of docket entries. If you are a pacer user, consider installing the recap extension on your browser because it will automatically upload any pacer documents you are viewing and it will upload them to this archive. To search the archive when you go to court listener, make sure you click on the recap archive and you can search by party name, docket number, what have you and then the case law content of court listener is similar to other free online courts opinion databases, which you can see listed here and it gives you searching, ritual or browsing by citation. I put together a list of the online resources for U.S. Supreme Court records and briefs. There is a wide variety of availability by source. The most comprehensive collections seem to be the subscription databases like gale or ProQuest. ProQuest has completed back

to 1933. They are working on digitizing back to 1897 for the cases that were hard for and then we have the module. We have parts of these which are really expensive. There is a wide variety of what is covered in the legal research databases that we have access to. Don't forget print. Like I said, we are a print repository back to 1925 at Indiana University. We have microfilm. Here are the OCLC numbers if you ever want to submit an library request with us. Finding briefs as we have seen for the U.S. courts of appeals and district courts is way more challenging. Gail has a new module and they are making a modern lot series where they have digitized some -- they have cherry picked the most cited cases from the U.S. warts of appeals for these modules. It is not a comprehensive collection. I don't know what their specific formula is a for selecting the most cited case but my guess, it is an overall citation count which brings up a problem of field normalization. Not all subjects get cited the same amount. It can easily be washed out by other field that do. For example, constitutional law or criminal law. Maybe the most cited cases in each circuit are constitutional law cases. Westlaw hasn't appellate court briefs. Varies by circuit dating back to 1987. Lexus doesn't want to tell me their coverage so I have no idea. Our library has these microfilm collections. For the Second Circuit, Seventh Circuit, Ninth Circuit and D.C. Court of Appeals for and again, I give you the OCLC numbers. In print we have a small collection of the seventh circuit courts of appeals in print. OCLC number there. Also, Seventh Circuit briefs before 1982 can be ordered from the Chicago Federal records Center. That was my world when tour of judiciary research and I want to tell you a few things about legislative history research. Inform yourself. Understanding what ledges light of history consists of as well as the value of the different legislative history documents requires an understanding of the legislative process. Here are some good resources that will take you through the legislative process. This is from the Congress.gov and then I linked two resources. In my class that I teach, I teach the general textbook legislative process to illustrate where the sources of legislative documents are but major policy is more likely to deviate from the traditional legislative path of enactment and be the product of unorthodox lawmaking. This is a podcast that we linked in the slide deck if you want to listen to it. It is a lively discussion on the messy partisan labyrinth process of modern-day legislation. Here are all of the resources I use. That are listed in alphabetical order. I use Congress.gov a lot, got info, Mike two favorites is ProQuest what is light of insight and printed documents. It select all of the documents from Congress here. Challenges, there are some challenges to doing legislative history research. One question I got recently is, when you are viewing a bill in Congress.gov, is there a way to see from that bill of record if that bill has been reintroduced in later congresses or if it was previously introduced in previous congresses? If the bill doesn't get enacted within that to your Congress then it dies and it would have to be reintroduced again. This is one of my students. He said what if that same substantive bill is reintroduced but that name is slightly or even completely changed? There is no link. But something like that would be helpful. This is an example of recent legislation that was enacted with a slight title change after being introduced for three successive congresses. You can see the bill that was enacted but had no committee report. The same bill that was proposed in the 117th and 116th Congress, there were committee reports. Noticed the name change. That name of the bill changed for the version that was introduced in the 118th Congress. Previously was called that notice to airmen improvement act but then they changed it to NOTAM which stands for notice to intermission. If we do a search at Congress.government. It doesn't pull up notice to airmen. The one continuous thread for these bills is the sponsors. I told my student, without any such linking between interim versions of bills, what you need to do to trace previous or subsequent legislation is use keywords in your searches. There are subject terms that you can try and use as opposed to filter or up research. There is policy area designations you can use sponsor name because it tends to be the same sponsor possibly and then also if you have a committee report for one of these pieces of legislation, there is a legislative history section. You can look at that and see if it mentions any previous legislation being introduced. So, what I think they should do, the folks at the Library of Congress, they should make a new tab or put that information in that related bills tab. Always when you are doing just let of history

research, be aware that legislation can take many years to be enacted. NOTAM took three years back the amendments to some environmental law, it took 10 years to be enacted. So if you have ProQuest legislative insight can be really helpful because the compiled legislative history will include all of the bills introduced in previous congresses and hearings that were had in previous congresses, committee prints, it is all there. Another question I got was about one legislation is combined. CDs massive omnibus bills. What if you're looking for a log that got thrown into one of these massive bills? She gave me the name of the act and she had the bill number. She had everything. And her act was called build America by America but it got folded into the infrastructure investment and jobs act and she said she looked at the committee report and I didn't say anything. So, what I did was to pull up the bill that became the big omnibus act. First thing I looked in the titles tab in the bill record for the name, build America by America just to see --. I didn't know if related bills would contain all of the smaller bills that got folded into that omnibus legislation. It wasn't listed there. The thing I did then was, I ran a search in legislation in Congress.gov for the phrase, build America by America, and that I was able to find two bills from the 117 Congress Senate bill and house bill. You can see the Senate bill has committee report. Further down the page there was even a bill for build America by America from the 116th Congress. Look at that bill and I compared it with the language in the larger infrastructure act and it was that. It looks like the Senate version that got folded into the act. And then I showed her how to find Florida discussion. If you select congressional record, search by source and then congressional record, I ran a search for the name of the act and then pulled up all of these results and I pointed out this one. It was the daily addition infrastructure where they were discussing infrastructure and you can see from the statement, Senator Brown, chair Brown the sponsor of the act says he originally introduced the legislation in 2017 which was the 115 Congress and that he talks about how it died in committee and later on why he thought it was so important to pass. Another example of how legislation will get introduced over and over again. And then tax code. These are tough questions. A lot of text legislation gets dumped into these omnibus bills as well. This one started with a code citation. They gave me a code citation. You go to the end of the section of that code and look for the history credits and it gives you a citation to the public on number for the and acting legislation. Also you want to look at editorial notes and statutory notes. This is in U.S. code.house.gov, which is the official online version. These notes are also in Lexis and Westlaw. Maybe they will want you to how any amendments affect statutory language. I had to clarify a question. I didn't know if she wanted legislative history. She just wanted generally wide the policy reason for enacting this legislation. Thankfully, the entire compiled legislative history was in legislative insight. I did a search of that language, repurchase of corporate stock, and I found out it was not that section she was looking for was not in the bill. It wasn't in the committee report. Where it came from was Senator Sherrod Brown, his own act of 2021. I was able to trace that legislative history of that particular provision of the code as introduced by Senator Brown. A modified version of Senator Brown's bill was then added to the engrossed version of the house bill. It was enacted as the inflation reduction act of 2022, which is the PDF of that act is like 1300 pages. What helped me also were secondary sources. I went to the Senate finance committee website to look for press releases about stock buybacks, Senator Brown was really concerned about stock buybacks and has some press releases on his own sponsored legislation. I found a CRS report discussing excised taxes and then I used USA.gov to search government websites. Last thing I threw in here for you was something I think about a lot with historical research, agency chronology and history. If you are looking for historical records and publications from executive branch agency, you need to find out what the agency was and research of their history to determine these possibilities in the name of the agency was changed, if any subdivision was created within an agency, if a new department with new bodies and functions was created or if an agency was transferred from one department to another. There is to really great resources that can help you figure out agency chronologies. One is Andreotti and the other is the 1909 checkless. Andrea is still in print. Is called guide to U.S. government publications, and former editor. It is three volumes organized by agency and --. The

helpful part is the agency genealogy which tells you which agencies and which ones have been established. The 1909 checkless includes a sublist of everything published by the government publishing office from 1789 to 1909. It tells you have those apartments change as well. The 1909 checkless is in print. I think it is in the Internet archive as all. Documents from a certain time period were published in two editions, the executive branch documents publishes --. That will tell you if the segments were put in the serial set. We have a few minutes left. Here is just the agency chronology chart that I created for a seminar on immigration to show the evolution of the Bureau and how it started. I really want to recommend the Library of Congress is orientation to legal research webinar series. Gives you an introduction to legal resources and research techniques. They do it for case law, statutes, legislative history. Congress.gov is having a public form tomorrow online and in person where they will update about some things. And that is the end of my very lengthy presentation. If you have any questions, I'm sure you can put them in the chat and I think Joe said he would forward them to me. Fantastic webinar.

I have to unfortunately end, but if you could please come if you have any quick questions, we can figure out how to answer questions later to you. We have a couple of minutes.

I see Kevin asked about the S.E.C. library women's email information. Is it on the slide? Joe, you will send me the chat, right?

Yes.

Jennifer, can you let us know who sent you that Chat? Is as Kevin Garson. Oh, it's privately. Sorry. Sorry, Kevin. I will write you back, Kevin.

Name the scanning machine used to digitize for microfilm.

downstairs on the ground floor. I don't know it off the top of my head but I will figure it out and I can email you that, Adrian. We have had several over the years and this is a newer one.

Katie asked about the reporting. That will be up in a day or so with the slide deck and all of that. There is a satisfaction survey, if you have a moment to fill that out, we would really appreciate it. I'm just about ready to close out. I have to say goodbye. I'm very sorry to do that. Jennifer, thank you so much. Terrific webinar. Everyone, come back to the Academy. We have a great census webinar. And there are more webinars to come. If you think you are a super suture, right, Jennifer certainly is. Let me know and you can set something up. Thank you, everyone. Thank you again, Jennifer. Have a great rest of the day.

Bye, everybody. Thanks for coming. Thank you.