



# NEW YORK STATE LEGAL RESEARCH GUIDE

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## **NEW YORK STATE LEGAL RESEARCH**

**Check the library's "Location Guide" and the Library Online Catalog for the current location of sources mentioned in this pathfinder.**

### **PURPOSE:**

This pathfinder is a guide to the resources available at the Barclay Law Library for legal research on the laws of New York State. Included are basic sources for legislation, legislative history, administrative law and agency opinions and decisions. The final section to this guide provides the researcher with a list of reference titles.

### **OUTLINE:**

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### I. LEGISLATION

#### A. Bills

New York bills are available in a variety of formats. Older bills are available on microform as part of the Governor's Bill Jacket collection (**note**: there is a 4 year delay in receiving Bill Jackets on microfilm).

The Governor's Bill Jacket collection is in microfiche located on Floor 2.

If you cannot find a particular Bill Jacket, it can be obtained from the legislative secretary of the Governor's Counsel **(518) 474-7182**.

Older Bills are also available from the N.Y.S. Library **(518) 474-5355**. Current year bills are available online as noted below.

FORMAT	COVERAGE	LOCATION
Microform	1905, 1921 – present (4 year delay)	<b>KFN 5040 .B54</b>
* Westlaw	current year	<a href="http://lawschool.westlaw.com">http://lawschool.westlaw.com</a>
* Lexis	current year	<a href="http://www.lexis.lawschool.com">http://www.lexis.lawschool.com</a>
Internet	current year  current year	<i>New York Bills Online – Assembly Site</i> <a href="http://assembly.state.ny.us/">http://assembly.state.ny.us/</a> <i>New York Bills Online – Senate Site</i> <a href="http://www.senate.state.ny.us/bills.html">http://www.senate.state.ny.us/bills.html</a>

#### B. New York Session Laws

The first publication of a law is known as a slip law. At the end of each legislative session, the slip laws are cumulated into chronological (chapter number) order as Session Laws.

FORMAT	COVERAGE	LOCATION
Paper	1972 – present	various titles, see list below
* Westlaw	current year 1987 –	<a href="http://lawschool.westlaw.com">http://lawschool.westlaw.com</a>
* Lexis	1990 – present	<a href="http://www.lexis.lawschool.com">http://www.lexis.lawschool.com</a>
Internet	current year  current year	<i>New York Chapter Laws Online – Senate Site</i> <a href="http://www.senate.state.ny.us/bills.html">http://www.senate.state.ny.us/bills.html</a>

- *McKinney's Session Laws of New York* **KFN 5025 .M34** Stack 1
  - Coverage 1951 – present.
  - Published by West.
  - Laws arranged by chapter number (chronological).
  - Legislative and governor's approval memoranda.
  - Subject index.
  - Updated by monthly paper supplements.
  
- *New York Consolidated Laws Service: Session Laws* **KFN 5030 .A45** Stack 1
  - Coverage 1976 – present.
  - Published by Lexis
  - Arrangement and content comparable to *McKinney's Session Laws*.
  
- *Laws of New York* **KFN 5025 .N48** Stack 1
  - Coverage 1777 – 1994.
  - Official publication of the Session Laws.
  
- *Colonial Laws of New York* **KFN 5025 .N46** Stack 1
  - N.Y. laws for 1664 – 1775.

### C. Codes

Codes are subject arrangements of laws and amendments currently in effect for a particular jurisdiction. Unofficial versions include annotations, references and notes.

FORMAT	COVERAGE	LOCATION
Paper		various titles, see list below Stack 1
* Westlaw	current issues	<a href="http://lawschool.westlaw.com">http://lawschool.westlaw.com</a>
* Lexis	current issues	<a href="http://www.lexis.lawschool.com">http://www.lexis.lawschool.com</a>
Internet	current issues	<i>New York State Consolidated Laws Online</i> <i>Findlaw New York State Consolidated Laws</i> <a href="http://www.findlaw.com/11stategov/ny/laws.html">http://www.findlaw.com/11stategov/ny/laws.html</a>

- *McKinney's Consolidated Laws of New York, Annotated* (McKinney's) **KFN 5030 .A43**; Stack 1
  - Published by West (uses key number system).
  - Arranged by Title (broad subject area) and Section number.
  - Subject index to entire set (updated annually).
  - Individual indexes for each title.
  - Annotations provide Chapter number, date of enactment and list of amendments, historical notes, citations to cases, administrative law and law review articles.
  - Updated by annual pocket parts - must be consulted to determine current status of law.
  - Forms are available in a separate set: *McKinney's Forms* **KFN 5068 .W4** Stack 1

- *New York Consolidated Laws Service: Annotated Statutes With Forms (CLS)*, **KFN 5030 .A45** Stack 1
  - Published by Lexis.
  - Text of laws identical to McKinney's.
  - Fewer annotations - only cites major cases.
  - More references to administrative rules and regulations than McKinney's.
  - Includes references to ALR and other Lawyer's Cooperative publications.
  - Forms are included following statutes

## D. Citators

Citators are sources, available in print and electronic format, that provide the subsequent history and interpretation of cases, statutes and regulations.

Citators also provide references to a variety of secondary sources. Citators are used to update a particular case, statute, or regulation to ensure that it is still good law.

FORMAT	COVERAGE	LOCATION
Paper	current Stack 1	<i>Shepard's New York Statute Citations</i> <b>KFN 5039 .S54 N68</b>
* Westlaw	current	KeyCite Service
* Lexis	current	Shepard's Citator Service

## II. ADMINISTRATIVE LAW

### A. Rules and Regulations

Rules and Regulations are statements of general or particular applicability made by administrative agencies, which are designed to implement, interpret, or prescribe laws passed by the legislature. Rules and regulations have the same legal force as statutes.

FORMAT	COVERAGE	LOCATION
Paper		various titles, see list below Stack 1
* Westlaw	current	<a href="http://lawschool.westlaw.com">http://lawschool.westlaw.com</a>
* Lexis	current	<a href="http://www.lexis.lawschool.com">http://www.lexis.lawschool.com</a>

- *New York Code of Rules and Regulations (NYCRR)* **KFN 5035 .A22** Stack 1
  - Full text of current rules and regulations.
  - Arranged by issuing agency with a subject index.
  - Not always current - check date on page, bring up-to-date by calling agency directly.
- *New York State Register* **KFN 5036 .N48; Microform KFN 5036 .N48** Stack 1
  - Official weekly publication
  - Proposed and actual rules and regulations

- Quarterly indexes

## B. Agency Decisions (Selective List) Stack 1

Agencies authorized by law adjudicate controversies arising out of the violation or interpretation of statutes or regulations. The results of these adjudications are issued as decisions of the individual agencies. To find agency decisions, you typically search under the agency name.

The following list highlights the most important New York State agency decisions.

- *Decisions and Orders of the NYS Labor Relations Board* **KFN 5557.1 A55 S7**
  - Coverage 1937 – 1982.
- *Public Employment Relations Board (PERB)* **KFN 5568 .P8 A5**
  - Coverage 1979 – present.
- *Department of Education Reports* **KFN 5648 .A55 U5**
  - Coverage 1962 – present.
- *New York State Public Service Commission Reports* **KFN 5457.1 A55**
  - Coverage 1907 – 1986.
- *Opinions of the Attorney General* **KFN 5745 .L38;**
  - Formal and informal opinions from 1796 – present.
  - CD-ROM: 1977 – present **Electronic Research Center**
- *Opinions of the Comptroller* **KFN 5908 .A55 A81**
  - Coverage 1979 – present.
- *State Department Reports* **KFN 5780 .A55 D4**
  - Coverage 1917 – 1958.
  - Reports, rulings and opinions from state agencies.

## C. Citators

FORMAT	COVERAGE	LOCATION
Paper Stack 1	current	<i>Shepard's New York Statute Citations</i> <b>KFN 5059 .S54 N68</b> (Includes a section on the NYCRR by title and section)
*Westlaw	current	<a href="http://lawschool.westlaw.com">http://lawschool.westlaw.com</a>
*Lexis	current	<a href="http://www.lexis.lawschool.com">http://www.lexis.lawschool.com</a> (Shepard's )

## III. CASE LAW

### A. Reporters:

Reporters are compilations of judicially-decided cases, arranged in chronological order by jurisdiction and court. Official reporters are those sanctioned by statute or court rule, while unofficial reporters are those published without legislative or judicial authority.

FORMAT	COVERAGE	LOCATION
Paper		various titles, see list below Stack 1
* Westlaw	1885 – present	<a href="http://lawschool.westlaw.com">http://lawschool.westlaw.com</a>
* Lexis	1884 – present	<a href="http://www.lexis.lawschool.com">http://www.lexis.lawschool.com</a>
Internet	1990 – present	<i>New York Court of Appeals Decisions</i> <a href="http://www.law.cornell.edu/ny/ctap/">http://www.law.cornell.edu/ny/ctap/</a>
	current week only	<i>New York Law Journal Online</i> <a href="http://www6.law.com/ny/">http://www6.law.com/ny/</a>

- *New York Reports* (NY) and *New York Reports, 2nd* (NY2d) **KFN 5045 .A33**  
Stack 1
  - Official reporter of cases from the NY Court of Appeals.
  - Coverage 1847 – present.
- *Appellate Division* (AD) and *Appellate Division 2nd* (AD2d) **KFN 5048 .A22**  
Stack 1
  - Official reporter of cases from the Appellate Division of the Supreme Court of New York.
  - Coverage 1896 – present.
- *New York Miscellaneous* (Misc) and *New York Miscellaneous 2nd* (Misc2d)  
**KFN 5051 .A5** Stack 1
  - Official reporter of select cases from New York courts other than the Court of Appeals and the Appellate Division of the Supreme Court, including some trial cases (not comprehensive).
  - Coverage 1892 – present.
- *New York Supplement* (NYS)
- *New York Supplement 2nd* (NYS2d) **Stack 1**
  - Unofficial reporter that includes all cases from the three official reporters.
  - Coverage 1888 – present.
  - Published by West (uses the key number system).
- *New York Law Journal* **Unclassified Magazine Rack (Floor 3), Floor 5 & Microform**
  - Legal newspaper covering New York State.
  - Includes Appellate Division opinions unavailable elsewhere.
  - Annual digest to cases located at **KFN 5047.1 .C62**.

## B. Digests

Digests contain abstracts of court decisions, arranged by subject. Digests are used to located specific cases in the reporters.

- *New York Digest, 2d, 3d, 4th* **KFN 5057 .A32**, Stack 1;
  - West's topical index to the case law of New York.
  - Uses the West key number system.
  - See the pathfinder "West Case Reporters and Digests" for additional information.
- *New York Law Journal Digest-Annotator* **KFN 5047.1 .C62** Stack 1
  - Digests cases reported in the *New York Law Journal*.
  - Organized by Title and Section of *McKinney's*.
  - General subject index.

### C. Citators

For more information about using citators for case law research, consult the "Tips for Shepardizing Cases" pathfinder.

FORMAT	COVERAGE	LOCATION
Paper Stack 1	current	<i>Shepard's New York Court of Appeals Citations</i> <b>Unclassified Stack 1</b>
	current	<i>Shepard's New York Supreme Court Citations</i> <b>Unclassified Stack 1</b>
	current	<i>Shepard's New York Miscellaneous Citations</i> <b>Unclassified Stack 1</b>
	current	<i>Shepard's New York Supplement Citations</i> <b>Unclassified Stack 1</b>
* Westlaw	current	<a href="http://lawschool.westlaw.com">http://lawschool.westlaw.com</a>
* Lexis	current	<a href="http://www.lexis.lawschool.com">http://www.lexis.lawschool.com</a> (Shepard's)

### IV. LEGISLATIVE HISTORY

To research the legislative history of a law, begin with the year and chapter number of the legislation. *McKinney's* includes citations to the original legislation as well as to subsequent amendments.

To research an un-enacted bill, you will need the bill number. Bill numbers are in the *State of New York Legislative Digest* and in the *New York State Legislative Record*.

For a more in-depth analysis of NY legislative history research, consult the "New York State Legislative History" pathfinder.

- *State of New York Legislative Digest* **KFN 5721 .A393** Stack 1
  - Coverage 1985 - present
  - Arranged by bill number with a subject index
  - Includes summary of each bill and legislative background (debates, reports, etc.)
  - Includes text of Governor's approval and veto messages as well as

Executive Orders.

- *New York State Legislative Record and Index*, **KFN 5721 .A39** Stack 1
  - Predecessor to the *State of New York Legislative Digest*.
  - Coverage 1912 – 1984.
- *New York Legislative Annual*, **KFN 5720 .A152** Stack 1
  - Coverage 1946 – present.
  - Governor's memoranda on bills approved and vetoed.
  - Supporting memoranda from legislators and other interested parties for some bills.
  - Indexed by statute, chapter and subject.
- *New York Assembly and Senate Documents*, **Microform KFN 5005 .N4941**
  - Coverage 1890 – 1918.
  - Legislative documents, including departmental and committee reports.
- *New York Legislative Documents* **Microform KFN 5005 .N4941**
  - Coverage 1919 – 1975.
  - Includes a variety of reports and other documents submitted to the legislature while considering bills.
- *New York State Governor's Bill Jackets* **Microform KFN 5040 .B54**
  - Coverage 1905, 1921 – (there is a 4 year delay in converting jackets to microfilm).
  - Collections of documents solicited by Governor while considering legislation.
  - Includes bill, memoranda, letters and opinions from bar associations, agencies and citizens.
- Bird Library, Government Documents **3rd Floor**
  - Bird Library collects many New York State documents which are not available in Barclay Law Library.
  - Bird's government documents holdings are indexed in the Library Online Catalog.

## V. REFERENCE SOURCES

- *New York Jurisprudence 2nd* Floor 3
  - Legal encyclopedia with citations to statutes, administrative law and cases.
- *New York Law Finder* **Stack 1; KFN 5061 .N482; KFN 5061 .N482**
  - Selective index to West publications for New York State.
- *New York Lawyer's Deskbook, (multi volume)* **Reference KFN 5077 .N353**
- *New York Legal Research Guide* **Reference KFN 5074 .G53; KFN 5074 .G53**
- *New York Red Book* **Reference KFN 5074 .A14 N48; KFN 5074 .A14 N48**
  - Annual directory and biographical information for NYS government officials.
  - Current year on Reserves, older years in stacks.
- *New York State Directory* **Reference JK 3430 .N52**
  - Annual directory for New York State government.
  - Library keeps current year only.
    - *New York State Statistical Yearbook* **Reference KFN 5070 .N48**
    - Also includes directory of State agencies.



- Library keeps current year only.
- “*Siegel’s*” *New York Practice*, 3<sup>rd</sup> edition **Reference KFN 5995 .S54 1999**
  - Definitive hornbook on New York legal practice
  - Comprehensive treatment of basic rules, principles and issues affecting NY practice. Supplemented annually.
- *Simon’s New York Code of Professional Responsibility Annotated* **Reference KFN 5076.5 .S46**