“You Want Me To Research WHAT?!”
(Getting Background &
Keeping Current)

Jennifer Behrens
April 7, 2008
Today's Agenda

- **Getting Background**
  - Research Strategies
  - Legal Encyclopedia
  - Legal Journals and News Sources
  - Other Secondary Sources

- **Keeping Current**
  - Alert Services in Lexis/Westlaw
  - Legal Blogs
  - RSS feeds
Research Strategies

- Ask a Librarian!
- Online research guides
  - Zimmerman’s on Lexis
  - Library Research Guides
- Research guidebooks
  - By jurisdiction
  - By subject
Duke University Law Library

Location: Science Dr. and Towerview Road
Durham, NC, 27708-0361

Contact the Reference Staff

<table>
<thead>
<tr>
<th>IN PERSON</th>
<th>At the Law Library Annex Reference Desk</th>
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<tr>
<td>BY PHONE</td>
<td>(919) 613-7121</td>
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<tr>
<td>BY E-MAIL</td>
<td><a href="mailto:PFE@law.duke.edu">PFE@law.duke.edu</a></td>
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<td></td>
<td>E-mail reference service available to Duke University faculty, students and staff during regular reference hours.</td>
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<tr>
<td>BY APPOINTMENT</td>
<td>(919) 613-7121</td>
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<td>Students may schedule an appointment during the day to discuss research strategies with an individual reference librarian.</td>
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<td>A reference librarian is available during Reference Desk hours on the AOL, Yahoo, and MSN instant messaging services.</td>
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</table>

Monday-Friday 8:00 a.m. - 5:00 p.m.
Online Research Guides

Zimmerman’s (LexisNexis)
http://www.lexisnexis.com/infopro/zimmerman

“Online encyclopedia for legal researchers.”

Free; no Lexis login required.

Provides tips and tricks for researching a wide variety of topics, with links to many free resources.
Zimmerman’s Research Guide

An Online Encyclopedia for Legal Researchers by Andrew Zimmerman.

About the Guide

Find interest rate judgment in All Fields

Browse by Topic:
A B C D E F G H I J K L M N O P Q R S T U V W Y Z

Topics include legal as well as non-legal (e.g., researching specific industries).

Can browse the alphabet or search by keywords.

Abbreviations & Acronyms

ABCNY – See:
Association of the Bar of the City of New York

Accountants – See:
Accounting
Accounting Firms
Certified Public Accountants

January 2008
Interest Rate on Judgments

For Federal judgments, the interest rate on judgments is determined by 28 USC §1961 for Civil cases, 40 USC 258a for Condemnation cases or 18 USC 3612 for Criminal cases. Information on calculating the interest due under these sections is posted on the Web site of the Administrative Office of the U.S. Courts (www.uscourts.gov/postjud/methods.html).

Treasury Rates: All three USC sections rely on the interest rates paid on U.S. Treasury securities. Formerly, the key figure was the interest rate paid on the 52-week Treasury bill. Starting December 28, 2000, the key figure became the "weekly average 1-year constant maturity Treasury yield" (P.L. 106-554).

To get the current rate, call the recording put up by the Administrative Office of the U.S. Courts (202-502-4369) or visit the Web site of the U.S. District Court for the Northern District of Texas (www.txnd.uscourts.gov/publications/pjrate.html).

Historical rates are posted back to 1982 by the Northern District of Texas and the Administrative Office of the U.S. Courts back to 1982. Historical rates are also published in West's Federal Civil Judicial Procedure and Rules, following 28 USC 1951. Alternatively, you're supposed to be able to get the historical interest rates by calling the clerk at any U.S. district court.

State Rates: State post-judgment interest rates are generally determined by a section of the state's statutory code. For example, New York rates are prescribed by CPLR §5004 and Ohio rates are prescribed by CRC §1343.03. Check the index of the relevant state statute or search an online edition for the terms "interest" and "judgment."
Library Research Guides

NOTE: Due to the 2007-2008 renovation project, much of the Law Library book collection is in storage and inaccessible. Consult the online catalog to determine the availability of a particular title listed in these guides, or contact a reference librarian for assistance.

Foreign & International Materials
- Canadian Legal Research
- Council of Europe
- English Law
- English Legal History
- European Union
- Foreign & Comparative Law
- GATT / WTO
- International Criminal Law
- International Law
- NAFTA
- Treaties
- United Nations

Online-Only Materials
- Finding Legal Materials in PDF
- Government Documents
- Legal Research on the Internet

U.S. Materials
- Court Rules
- Directories of Courts & Judges
- Directories of Lawyers
- Environmental Law
- Federal Administrative Law
- Federal Legislative History
- Federal Tax
- Form Books
- Intellectual Property Law Resources
- Introduction to the US Legal System
- Legal Ethics
- Legal Research for Non-Lawyers
- North Carolina Practice
- UCC
- US Supreme Court

Written by reference librarians on a variety of legal topics, highlighting the best resources for research in both electronic and paper formats.

Researching an unlisted topic? Try Cornell's Legal Research Engine, to search for additional research guides from selected U.S. law libraries.
Legal Research Engine Home

Find Legal Research Guides: [new york legislative hist] [Go]
Easy access to authoritative guides on every subject.
Add this search engine to your Google homepage:

Search the Legal Internet: [Go]
The best of the legal web, courtesy of InSite.

Search Academic Blawgs: [Go]
Expert commentary from law professors.

I want it all: [Go]
Search all three at once.

Last Modified: 9 Jan 2008 3:00 PM
Legal Research Engine

Find Legal Research Guides: new york legislative hist Go!

Easy access to authoritative guides on every subject

Results 1 - 10 for new york legislative history. (0.10 seconds)

nystatleg
This set contains the current laws of New York arranged in 65 subject titles, with annotated references to legislative history, federal and state case law,
...
www.law.nyu.edu/library/nystatleg.html

Washington State Legislative History
When researching a legislative history, it is particularly important to know when to stop.... Including New York City and the District of Columbia 1323-67. ...
lib.law.washington.edu/ref/washlegehis.html

Reference from Coast to Coast - State Legislative History | LLRX.com
The Maine State Law and Legislative Reference Library's Maine Legislative History; New York State Library's The Legislative History of a New York State Law ...
www.llrx.com/columns/reference34.htm

Georgetown Law Library: New York Resources
Legislative History, Legislative History of a New York State Law (Tutorial from the New York State Library); Legislative Intent (New York State Library) ...
www.ll.georgetown.edu/states/newyork.cfm
Custom Search

- Not all law school research guides are included.
- If you do a lot of research for a particular state’s laws, create your own custom search for the research guides of all of the law school libraries in that state.
Research Guidebooks

- Research guidebooks are published for all 50 states and the District of Columbia.
- There are also many guides to research on specific topics (e.g., tax, intellectual property, etc.).
- Search WorldCat (http://www.worldcat.org) for titles, or ask your firm librarian.
Getting Background

Legal Topics
Legal Encyclopedia

Legal encyclopedias are a great way to quickly find background information on a topic, with references for further reading.

- Am Jur / CJS
- State-specific encyclopedias
- Wex (Cornell LII)
American Jurisprudence 2d (AmJur)

- Published in print by West, and available online in both Lexis and Westlaw.
- Practice with the print— it’s much cheaper than accessing online!
- Organized by alphabetical legal topics and divided into outline sections.
§ 36 Federal kidnapping statute

Notwithstanding Congress’s desire to prevent parental kidnappings, such kidnappings are not within the scope of the federal kidnapping statute, unless the parent taking the child has lost his or her parental rights terminated by a final court order. The immunity, under the federal kidnapping statute, in favor of a parent kidnapping his or her own minor child also extends to aiding and abetting by the parent in such a kidnapping, as well as the parent’s participation in a conspiracy concerning a kidnapping of this kind.

In addition to the federal kidnapping statute -- 18 U.S.C. § 1201 -- Congress has also enacted statutes (International Child Abduction Remedies Act (ICARA)) implementing the Hague Convention on the Civil Aspects of International Child Abduction in the United States. The remedy under the Convention and related legislation is only available when a child is removed from one signatory country and retained in another signatory country. A court considering an International Child Abduction Remedies Act (ICARA) petition has jurisdiction to decide the merits only.
Corpus Juris Secundum (CJS)

- Published in print by West, and available online only on Westlaw.
- Similar to AmJur, but provides more extensive case references.
- Alphabetical topic outline differs from AmJur in places.
A parent may be guilty of the offense even though the parent does not know that custody has been awarded to the other parent where he or she has knowledge that proceedings for the child's custody are pending, but the parent's act does not constitute kidnapping where he or she does not know of the institution of proceedings for the child's custody.

Pursuant to the Federal Kidnapping Act, the kidnapping of a minor by his or her parent is excepted from the operation of the act. This provision is to be strictly construed, and it does not include the stepfather of a minor.


Many states have their own jurisdiction-specific encyclopedia.

Some may be available on Lexis/Westlaw.

A good list is available at the Harvard Law Library:

http://www.law.harvard.edu/library/services/research/guides/united_states/basics/alr_legal_encyclopedias.php
Affirmative defense to a kidnapping charge for relatives of kidnapped child is designed to treat more leniently the tragic taking of a child by a relative, often a parent, because of a custody battle, and is intended to provide an affirmative defense to a person with at least potential legal rights to, and certainly a legal relationship with, the abducted parent, with no legal rights or responsibilities with respect to child. McKinney’s DRL § 114; McKinney’s Penal Law §§ 135.00, subd. 3, 135.20, 135.30. People v. Brown, 702 N.Y.S.2d 739 (App. Div. 4th Dep’t 2000).

[END OF SUPPLEMENT]

[FN34] CLS Penal Law § 135.30(a).

[FN35] CLS Penal Law § 135.00(3).

[FN36] CLS Penal Law § 135.30(b).
For a general discussion of takings of children for custodial purposes, see treatment of custodial interference and substitution of children in §§ 4027 et seq.
Wex

- [http://www.law.cornell.edu/wex/](http://www.law.cornell.edu/wex/)
- The Wikipedia of legal research (for better or for worse)
  - Free
  - Collaboratively edited (with more control than Wikipedia)
  - Divided into “definitions” and “law about...” sections
  - Links for further research
Main Page

From Wex, everyone's resource for law learning

Welcome

Welcome to Wex, a collaboratively built, freely available legal dictionary and encyclopedia.

What is Wex?

Wex is an ambitious effort to construct a collaboratively-created, public-access law dictionary and encyclopedia. It is sponsored and hosted by the Legal Information Institute at the Cornell Law School. Much of the material that appears in Wex was originally developed for the LII's "Law about..." pages, to which Wex is the successor.

More information about Wex, its aims, and project plans can be found in the Wex FAQ.

A list of all existing pages is here.
Insurance

*insurance law: an overview*

In the absence of insurance, three possible individuals bear the burden of an economic loss; the individual suffering the loss; the individual causing the loss via negligence or unlawful conduct; or lastly, a particular party who has been allocated the burden by the legislature, such as employers under *Workmen's Compensation* statutes.

While types of insurance vary widely, their primary goal is to allocate the risks of a loss from the individual to a great number of people. Each individual pays a "premium" into a pool, from which losses are paid out. Regardless of whether the particular individual suffers the loss or not the premium is not returnable. Thus, when a building burns down, the loss is spread to the people contributing to the pool. In general, insurance companies are the safekeepers of the premiums. Because of its importance in maintaining economic stability, the government and the courts use a heavy hand in ensuring these companies are regulated and fair to the consumer.

Up until 1944, insurance was not considered "commerce" and not subject to federal regulation. But in United States v. South-Eastern Underwriters Association, the Supreme Court held that Congress could regulate insurance transactions that were truly interstate. Congress then enacted the *McCarran-Ferguson Act* (15 U.S.C. § 1011) which provided that the laws of the several states should control the insurance business, but that the *Sherman Act*, the *Clayton Act*, and the *Federal Trade Commission Act* were applicable to the insurance business to the extent that it was unregulated by state law.

The McCarran-Ferguson Act, broadly speaking, gives states the power to regulate the insurance industry. While state insurance statutes override most federal laws, some portions of federal law (like federal tax laws) are always commanding. Therefore, when researching whether a particular law governs, a good rule of thumb is to ask whether the inquiry is related to the "business of insurance" (where state law governs), or whether it is related to peripherals of the industry (labor, tax, securities - where federal law governs).

Categories: accidents and injuries business sectors overview

menu of sources

Federal Material

U.S. Constitution and Federal Statutes

- U.S. Code:
  - 15 U.S.C., Ch. 20 - McCarran-Ferguson Act Recognizing State Regulation of Insurance
  - 15 U.S.C., Ch. 65 - Liability Risk Retention
  - 12 U.S.C., Ch. 15 - Federal Deposit Insurance Corporation (FDIC)
  - 7 U.S.C., Ch. 36 - Crop Insurance
  - 42 U.S.C., Ch. 50 - Flood Insurance
  - 5 U.S.C., Ch. 87 - Federal Employee Life Insurance
  - 5 U.S.C., Ch. 89 - Federal Employee Health Insurance

CRS Annotated Constitution
Legal Journals and News

- Legal journals and newspapers can be a great source for information on a topic.
- Law review articles can also provide good background (e.g., legislative history), but may not be as helpful for newer, cutting-edge legal topics.
Law Library

Welcome to the Duke Law Library website. Duke is ranked among the finest academic law libraries in the United States and offers its users the resources of an outstanding collection of legal materials, direct access to a variety of sources of electronic legal information, and the services of a highly-trained staff... » more about the Law Library

D.U.L.L. News

Library Renovation FAQ » more
POLICE ALERT: Laptop Thefts Reported » more
Prepare for Summer with a Research Refresher » more

Services & Forms

Circulation Services
Exams on File
Faculty Services
Missing Item Report Form
Request Articles/Books

Research Help

Ask a Librarian
Duke Libraries Catalog
Legal Databases & Links
More Research Databases
Online Full-Text Journals
Research Guides

Help Options

Home

Catalog Search

Title Keywords
Go

Quicklinks

 HeinOnline
LegalTrac
LexisNexis
Westlaw

Circulation Desk
(919) 613-7128
Reference Desk
There is a difference between searching “keyword” and “entire document” in this database—“keyword” looks only in selected parts of the article. To search for a term in the full text, use “entire document”.
Results sorted by type of publication – let’s look at each more closely.
The backbone of legal scholarship is student-edited law reviews, which publish articles from professors as well as student-authored notes. Can range from examination of a single case to a history of an entire legal doctrine. Give extensive footnote references for further research.
Law Reviews

- **Lexis** and **Westlaw** offer full-text of many law reviews and legal journals, generally dating back to around 1980.

- **Historical** law review and journal articles can be found in PDF in many databases, such as **HeinOnline** and **JSTOR**.

- Pre-publication articles might be posted free on the journal’s web site, or **SSRN** ([http://www.ssrn.com](http://www.ssrn.com)).
Results for Advanced Search (ke (parent) And (tx (kidnapping or abduction))

- **Academic Journals**: 96 results
- **Magazines**: 18 results
- **Books**: 0 results
- **News**: 25 results
- **Multimedia**: 0 results

Limit to: 
- full-text
- with images

Sort by: Publication Date

1. **International parental child abduction Part II: the respondent's case. (Family Law)**, Rana Holz.
   - Florida Bar Journal 77.7 (July-August 2003): p.625 (4620 words)

2. **The petitioner's case. (International Parental Child Abduction, part 1)**, Rana Holz.
   - Florida Bar Journal 77.6 (June 2003): p.874 (3041 words)
Magazines (Legal Journals)

- Bar association journals can be a good place to locate articles about current or pending cases.
- Articles are written with the practicing lawyer in mind (i.e., what impact will this case have on future arguments in this area of law?).
Results for Advanced Search: (ke (parent!)) And (br (kidnapping or abduction))

- **Academic Journals** (96)
- **Magazines** (19)
- **Books** (0)
- **News** (25)
- **Multimedia** (0)

**Limit to:**
- full-text

**Sort by:**
- Publication Date

1. **Providing succor to desperate parents**, June D. Bell.

2. **Law and children (preventing parental abduction)**, Andrew Schepard:

3. **Between two mommies. Same-sex couples raising children**
Legal News

- Legal newspapers and newsletters are another source for practicing attorneys to read about the latest cases and settlement information.
- Law.com is a mega-site from the publishers of several major legal papers. Free registration.
E-Discovery Guru Not Yet Wed to XML
Law Technology News
March 25, 2008

EDD special master Craig Ball writes that he wants to love XML. He really does. He wants to believe that the markup language will deliver all the functionality of native electronic evidence coupled with the ease of identification, reliable redaction and intelligibility of paper documents. Some colleagues see XML as a dragon slayer. Why, then, has Ball not succumbed to its allure?
Not Full-Text?

- If you have a citation to an article, but could not find the full text, check the Law Library’s Online Full-Text Journal link.
- Will lead you to full-text sources for a particular journal or newspaper title, other than Lexis and Westlaw.
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<th>Title</th>
<th>ISSN</th>
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<tr>
<td>New York law journal</td>
<td>0028-7326</td>
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<tr>
<td>New York Law School human rights annual</td>
<td>8756-8926</td>
</tr>
<tr>
<td>New York Law School journal of human rights</td>
<td>1046-4328</td>
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<tr>
<td>New York Law School journal of international and comparative law</td>
<td>0736-4075</td>
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<td>New York University environmental law journal</td>
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<td>New York University Journal of International Law and Politics</td>
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*Source: New York law journal [0028-7326]*

**Full text available via**

- **General OneFile**: Available from 1995
- **Factiva**: Available from 2001.
Factiva link resolves to the News Page. To search for a specific publication, select Search tab, then: Select Sources.
If your firm has a library, they may have a subscription, either in print or with an online password.

Check with your firm librarian about obtaining the full-text of specific sources.
Other Secondary Sources

- Nutshells
- Hornbooks
- Treatises
- *American Law Reports*
- 50 State Surveys
- Pattern Jury Instructions
Nutshells

Concise, pocket-size outlines of the “general rules” on a legal topic.

Good background, not-so-good authority (i.e., don’t cite in memo!!)

Published by West, but not available on Westlaw (on Duke passwords, at least).
Hornbooks – larger, one-volume discussions of an area of law.
Provide more citations than a nutshell (i.e., will lead you to important cases). Also considered more scholarly/authoritative.
Published by West but not available on Westlaw.
Treatises

Expansive, multi-volume sets of analysis on a legal topic, written by leading law scholars. Provide a lot of footnote references. Considered scholarly and authoritative—courts often cite.

Major titles published by West (available on Westlaw) and Matthew Bender (available on Lexis).
Legal Treatises by Subject

Legal treatises are books that provide an in-depth analysis of subjects such as bankruptcy, patents, criminal procedure, etc. They are highly organized explanation, analysis and summaries of legal subjects in formats, including multi-volume sets, single volumes, and selected, notable legal treatises by subject. They are one-volume overviews aimed at the law student.

Legal treatises are updated on varying schedules, depending on the subject and publisher information for a particular legal treatise by subject.

To determine the titles of additional treatises, please consult legal treatises in the Reference Room. Ask for assistance at the Langdell reference desk, fourth floor of Langdell Hall with any questions.

Administrative Law

Administrative Law by Alfred C. Aman, Jr. and William T. Mayton, 2nd ed. 2001 (Reading Room & Reserve KF 5402 .A8 2001) (Hornbook)

American Law Reports

- Lengthier encyclopedia-like entries (called “annotations”).
- Provide more discussion and analysis of the “general rule” and link to an extensive number of cases, arranged by jurisdiction.
- Published in print by West and available online only in Westlaw.
In practice, it might be easier and more cost-effective to look in the print index and use print volumes of ALR.

If you must search online, a good trick is to restrict at least some of your search terms to the title field.
ALR does not attempt to be comprehensive – there may not be an annotation precisely on point. But if you can find one, it will give you a lot of case references, sorted by topic and jurisdiction.

1. 80 A.L.R.5th 117 (Originally published in 2000)
   American Law Reports ALR5th: The ALR databases are made current by the weekly addition of relevant new cases. Emergency jurisdiction of court under §§ 3(a)(3)(i) and 14(a) of Uniform Child Custody Jurisdiction Act and Parental Kidnapping Prevention Act, 28 U.S.C.A. §§ 1738A(c)(2)(C)(i) and 1738A(f), to protect interests of child notwithstanding existence of prior, valid custody decree rendered by another state.

2. 78 A.L.R.5th 465 (Originally published in 2000)
   American Law Reports ALR5th: The ALR databases are made current by the weekly addition of relevant new cases. Abandonment jurisdiction of court under §§ 3(a)(3)(i) and 14(a) of Uniform Child Custody Jurisdiction Act and Parental Kidnapping Prevention Act, 28 U.S.C.A. §§ 1738A(c)(2)(C)(i) and 1738A(f), notwithstanding existence of prior valid custody decree rendered by second state.

3. 73 A.L.R.5th 185 (Originally published in 1999)
50 State Surveys

- 50 state surveys compile the laws on a particular topic from all jurisdictions; provide researchers with easy access to specific code sections for a topic.
- Search “fifty state survey” in WorldCat (www.worldcat.org) to find titles on a particular topic, or use a general overview source.
50 State Surveys

- Available in Westlaw as the SURVEYS database.
Clicking on a survey topic brings up a text version with links to state statutes; there is also an option to download as PDF.
50 State Surveys

- Westlaw also offers a separate database of regulatory surveys, which link to administrative codes.
- Tend to focus on heavily technical areas like environmental law, health care, and tax.
- Access by short name REG-SURVEYS.
State Taxation of S Corporations
Approx. 5 pages

The attached table organizes the content into the following subtopics:

- How a Corporation Becomes an S Corporation
- Whether an S Corporation Is Required
- Whether Withholding Is Required
- Whether Nonresident Shareholders Pay Income Tax on the S Corporation

Use Westlaw's Find feature and the State Stat Surveys State S Corp.

Alabama
AL ADC 810-2-4-.18 Deduction For State Income Tax
AL ADC 810-2-8-.01 Taxable Income
AL ADC 810-2-8-.02 Determination of Taxable Income
AL ADC 810-3-2-.02 Corporations Subject To Tax
AL ADC 810-3-31-.01 Tax On Corporations
AL ADC 810-3-35.1-.01 Carryforward
AL ADC 810-3-39-.01 Corporation Retirement
AL ADC 810-3-40-.01 Tax To Be Refunded
AL ADC 810-3-82-.02 Declaration Of Date
AL ADC 810-3-160-.01 Qualification
AL ADC 810-3-161-.01 Computation
Lexis also offers 50 state legislative and regulatory surveys, although they are in a combined database.

Each survey is priced at $125.00 (which sounds expensive, but is a deal compared to searching in “All 50 State Codes” database!).

Can be saved as spreadsheet with active links to the code sections.
Pattern Jury Instructions (PJI)

- Pattern Jury Instructions (PJI) are delivered by judges to a jury, to explain the causes of action and issues.
- They often include case references and clear descriptions of the elements and causes which must be proven in order for a party to prevail.
Pattern Jury Instructions

- Sometimes called “Model” jury instructions, depending upon state.
- Often posted freely on state court’s web site.
- Occasionally, only published in print, or exclusive online access in Lexis, Westlaw, Loislaw, or Casemaker.
CRIMINAL JURY INSTRUCTIONS 2d

INTRODUCTION:

Preface
History of Added Charges
How to Retrieve & Print
CJ12d Citation Form
Contact Us

CHARGES:

FULL SAMPLE CHARGES
INDIVIDUAL GENERAL CHARGES
PENAL LAW CRIME CHARGES
OTHER CRIME CHARGES
FORMER CHARGES
## Kidnapping, Coercion & Related Offenses

<table>
<thead>
<tr>
<th>OFFENSE</th>
<th>PENAL LAW</th>
<th>DESCRIPTION</th>
<th>WORD PERFECT</th>
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<td>-</td>
<td>WP</td>
<td>PDF</td>
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<tr>
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<td>135.10</td>
<td>Expose victim to serious physical injury</td>
<td>WP</td>
<td>PDF</td>
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<tr>
<td>KIDNAPPING 2</td>
<td>135.20</td>
<td>-</td>
<td>WP</td>
<td>PDF</td>
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<tr>
<td>KIDNAPPING 1</td>
<td>135.25(1)</td>
<td>Ransom</td>
<td>WP</td>
<td>PDF</td>
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<td>Held for more than 12 hours; physical injury or abuse sexually</td>
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<td>PDF</td>
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<td>Held for more than 12 hours &amp;: Advance a felony; Terrorize a person; Interfere with government;</td>
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<td>PDF</td>
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<td>Victim Dies</td>
<td>WP</td>
<td>PDF</td>
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<td>Person Entrusted to Another</td>
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<td>Relative of a Child Who Removes Child from State</td>
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<td>Person Entrusted to Another Who Removes from State</td>
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<td>Relative of a Child Who Endangers Child</td>
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<tr>
<td>Person Entrusted to Another Who Endangers Victim</td>
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</table>

The defendant's sole purpose was to assume control of such person. The term "relative" includes a parent [or an ancestor] [a brother] [a sister] [an uncle] [an aunt].

Under our law, the defendant has the burden of proving an affirmative defense by a preponderance of the evidence. In determining whether the defendant has proven the affirmative defense by a preponderance of the evidence, you may consider evidence introduced by the People or by the defendant.

A preponderance of the evidence means the greater part of the believable and reliable evidence, not in terms of the number of witnesses or the length of time taken to present the evidence, but in terms of its quality and the weight and convincing effect it has. For the affirmative defense to be proved by a preponderance of the evidence, the evidence that supports the affirmative defense must be of such convincing quality as to outweigh any evidence to the contrary.

Therefore, if you find that the defendant has not proven the affirmative defense by a preponderance of the evidence, then, based upon your initial determination that the People had proven each of the elements of Kidnapping in the Second Degree beyond a reasonable doubt, you must find the defendant guilty of that crime as charge in the _____ count.
Keeping Current
Both Lexis and Westlaw offer search alerts, to re-run your search terms at various intervals or to alert you when new items appear in a Shepard’s/KeyCite report.
**SHEPARD’S SUMMARY**

Unrestricted Shepard’s Summary

- No subsequent appellate history. Prior history available.

**Citing References:**

- Citing Decisions: Citing decisions with no analysis assigned (5)

**PRIOR HISTORY (2 citing references)**

- Select for Delivery
You can set up alerts from any individual case or search results screen. Access all of your existing alerts and create new Shepard’s alerts at the Alerts tab.
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<th>Last Updated</th>
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Search | Research Tasks | Get a Document | Shepard’s | Alerts | Total Litigator | Transactional Advisor | Counsel Selector

History | Delivery Manager | Switch Client | Preferences | Help

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Alert Center Directory

To select the alerting service you wish to access, click on the arrow to the left of the name. The most recent view will show a complete list of entries for each service, click on the View All... link below the displayed entries.

Alert Summary Report

Open All | Close All | Save As Default Display | Alert Center Preference

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Docket Alert | View All | Create | Tips

Agency Tracker | View All | Create | Tips

Profiler Alert | View All | Create | Tips

D&B Alert | View All | Create | Tips

Your D&B Alert Directory contains no entries.
Title: DOE 1 ET AL v. CIOLLI ET AL
Court: U.S. DISTRICT COURT UNITED STATES DISTRICT COURT FOR THE
Case Number: 3:07CV00909

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Motions, Pleadings and Filings

This docket is current through 03/26/2008
For an updated version of this docket, click UPDATE
“Looseleaf” Services

Lawyers used to receive updates in particular areas of law through looseleaf services, which sent new issues/pages at various intervals.

Many of these services have moved to electronic formats, although some libraries still receive in paper.

See Bluebook T15 for a list of services.
BNA includes *U.S. Law Week* (recent and pending U.S. Supreme Court decisions); *Criminal Law Reporter; Environment Reporter; Securities Regulation and Law Report*; many other specialized titles.

**CCH titles include the Standard Federal Tax Reporter; Medicare and Medicaid Guide; Corporation Report Bulletin.**

Another publisher, RIA (further down this listing), includes other tax-related services.

You can receive these issues by email or read at the sites.
Click “Home” to sign up for email updates. Scroll to bottom of the home page and choose “E-mail preferences”.

### Core Plus

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Legal Blogs

- Legal blogs (a.k.a. "blawgs") exist for virtually every specialized legal topic, although they vary in quality and frequency of updates.

- Check the Library’s “Legal Links” page for Legal Blogs to locate blawg directories and search engines.

- [http://www.law.duke.edu/libblogs](http://www.law.duke.edu/lib/blogs)
Legal Blogs

Web logs, or "blogs", have grown increasingly popular in recent years. The legal community, in particular, has taken advantage of the blog format as a way to quickly disseminate legal news. Legal blogs (also known as "blawgs") can be located through the following links.

Directories

- **ABA Journal Blawg Directory**: Topical directory of legal blogs, with results sortable by "most popular".
- **Blawg**: Directory of legal blogs, by topic.
- **Jurist Novus Law Blog Links**: Organization of links to blogs by and for various categories of the legal community including: law professors, law students, practitioners and law librarians.
- **MyLaw Blawg**: Large list of links to legal blogs, organized by categories such as "Lawyers" and "Law Professors", as well as geographical listings. The "New Blawgs" section is particularly useful.
- **Taxonomy of Legal Blogs**: Topical organization of links to law-related blogs into numerous categories including: law firm blogs, law professor blogs, judge blogs, case blogs, statute blogs, trial blogs, news blogs and humor blogs.

Blog Search Engines

- **BlawgSearch**: Indexes the content of more than 1,000 legal blogs ("blawgs").
- **Google BlogSearch**: Allows simple and advanced keyword searching of blogs.
- **Technorati**: The largest blog search engine on the Web, Technorati indexes the content of approximately 84 million blogs. Since many of these are non-legal in nature, using the tags "blawg", "law blog" or "legal blog" in...
RSS Feeds

- Blogs and many government web sites offer **RSS (Really Simple Syndication) feeds**, which automatically notify you of changes or additions to the site.
- You need to “subscribe” to the feed through an aggregator service, such as **Google Reader** or **Simply RSS** (on Facebook).
- Look for a link which says “RSS” or “Subscribe”, or this symbol: 📨
RSS Feeds

- Paste the RSS feed address (usually ends in .xml or .rss) into your aggregator.
- As new posts are made, they will appear in your aggregator – no need to check each individual site.
**US News Law School Rankings: Why March Madness Started Early This Year in the Legal Academy**

from Law Librarian Blog by Joe Hodnicki

Corrections & Clarifications for the ABA Journal Article When I worked for the Chicago Tribune, the paper published a follow-up "Corrections & Clarifications" column whenever the paper goofed in one of its articles. Here's a howler for the ABA Journal...

**HeinOnline's Tip of the Week: Bookmark Your Search Query**

Do you often run the same search when returning to HeinOnline for subsequent research sessions? Have you ever wanted to save a search and re-run it later to see if there are any new hits (especially after a monthly content release)? This week, we will focus on bookmarking your search query using your web browser features. This allows you to re-run a search query with the click of a mouse the next time you return to HeinOnline. Below are two short how-to videos, one illustrating this option using Firefox and the other using Internet Explorer.

For Internet Explorer Users:
D.U.L.L. News

Research Refreshers = Successful Summer Jobs March 25

Search Four Area Library Catalogs in One! March 25

By now, veterans of the Law Library renovation already know that they can borrow those pesky “Unavailable” Law Library materials in person at any of the nearby university libraries from the Triangle Research Libraries Network (TRLN), by bringing along your DukeCard.

But now there’s an easy way to tell at a glance whether the item you want is available on the shelves at UNC-Chapel Hill, North Carolina Central University, or North Carolina State University. SearchTRLN combines the library catalogs from all four TRLN schools into one simple-to-use interface. You can even submit an interlibrary loan request directly from the search results! Items which are available at TRLN libraries should generally arrive within 2 business days.

In May, the Duke University Libraries expect to unveil a customized local version of the SearchTRLN interface, with additional features and functionality for the Duke community. In the meantime, the SearchTRLN mega-catalog is available for a test-drive. Check it out!

Read More

POLICE ALERT: Laptop Thefts Reported March 18
Upcoming Research Refreshers

All classes* take place from 12:15-1:15 in room 4172.

- **Tuesday 4/8**: Life After Rewards Points: Free & Cheap Legal Research
- **Thursday 4/10**: Putting it All Together: Taking a Work Assignment from Start to Finish
- **Friday 4/11**: Business Law Boot Camp (*a special 2-part, 3-hour refresher; students can opt to attend the first or both parts)