# Chapter 6

## BIBLIOGRAPY OF CALIFORNIA LAW RESOURCES

This chapter lists a wide variety of California legal materials and includes both print and Internet sources. This bibliography begins with the California Constitution, and then is arranged by branch of government: legislative branch resources (e.g., codes, statutes, bills), judicial branch resources (e.g., case law, digests, court rules, jury instructions); executive branch resources (e.g., administrative rules and regulations); and municipal and county codes and ordinances. Also included are sources related to California attorney and judges as well as secondary sources (e.g., form books, legal encyclopedias, treatises, practice guides, and handbooks). This document includes hyperlinks throughout. For a list of URLs, please see the end of this chapter.

For self-help sources, readers should refer to Chapter 9: <u>Assisting Self-Represented Litigants</u> and Chapter 10: <u>Bibliography of Self-Help Resources</u> of this publication. Also be sure to review Chapter 1: <u>Introduction</u> to determine how each of these types of materials, such as legislative codes, case law reporters, administrative rules and regulations, and secondary sources, relate to each other, as well as Chapter 5: <u>California Law</u>, which gives an overview of California law.

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# California Constitution

The California Constitution is the supreme law of California. Copies of the California Constitution are available at nominal cost from the Legislative Bill Room, State Capitol,

in Sacramento.<sup>1</sup> The Constitution is reprinted in the <u>annotated codes</u> and is also available on the <u>State Constitution</u> page of the <u>California Legislative Counsel</u> Web site, the official site for California legislative information.<sup>2</sup>

# California Legislative Branch Materials

This section will cover finding aids, statutes, codes, bills and resolutions, initiatives referenda, ballot propositions, and legislative process resources.

#### Statutes & Codes

# Finding Aid

LARMAC Consolidated Index to the Constitution and Laws of California. Matthew Bender. Annual.

A handy, one-volume index, LARMAC uses "non-legalese" and offers a detailed subject index to the codes. Also note that the publications listed below under *Statutes* and *Codes* also include their own indexes and tables.

#### • Statutes

Newly passed legislation is bound and printed in chronological order (by date passed into law). These chronological compilations are either called statutes or session laws.

California Statutes and Amendments to the Codes. Annual.

This is an official publication of all laws enacted by the legislature in a given year, prior to codification in the annotated code sets. This set includes tables and indexes.

The <u>California Statutes</u> page on the <u>California Legislative Counsel</u> site provides the full text of California statutes from 1993 to present. Users may search by

<sup>&</sup>lt;sup>1</sup> Phone inquires/orders may be placed by calling the Legislative Bill Room at 916-445-2323. One may download order forms from the <u>Legislative Bill Room</u> Web page.

<sup>&</sup>lt;sup>2</sup> Please note that in the fall of 2011, the <u>California Legislative Information beta</u> site was launched. As of Nov. 4, 2011, the neither the California Codes nor the California State Constitution had been added to the new site.

chapter number<sup>3</sup> or by keyword.<sup>4</sup>

#### Codes

Legislative code sets are collections of current statutes, arranged by subject. Some people consider code sets to be easier to use than session laws because similar statutes are placed together in the code sets and because of an enhanced index. Code sets may be either annotated with editorial enhancements or unannotated.

#### Annotated Codes

These sets provide the text of the statute as well as references to court decisions and secondary sources that serve to explain the meaning of the code section. For that reason, annotated code sets are the most often used source for legislative research. Two complete sets of annotated codes are available from commercial publishers LexisNexis and West. Both sets include the full text of the codes, the California Constitution, and Rules of Court.

Deering's California Codes, Annotated. LexisNexis. 175+ vols. Pocket parts. With Deering's California Codes Advance Legislative Service.

West's Annotated California Codes. Thomson West. 180+ vols. Pocket parts. With West's California Legislative Service.

#### Unannotated Codes

Typically these sets are compilations of one or a few of the 29 California code titles. Calling them "unannotated" is a bit of a misnomer, as they often include a minimal amount of annotations.

Deering's California Desktop Code Series. LexisNexis. Various code subjects and Rules of Court. Annual.

Parker's California Codes. Michie. Various code subjects and Rules of Court. Annual.

<sup>&</sup>lt;sup>3</sup> A bill is "chaptered" by the Secretary of State after it has been approved by both houses of the legislature and has been signed by the governor (or becomes law without the governor's signature).

<sup>&</sup>lt;sup>4</sup> Supra, note 2.

The Standard California Codes: 6 in 2. LexisNexis. Includes the following codes: Civil, Civil Procedure, Evidence, Family and Probate, as well as California Rules of Court. Annual.

West's California Codes, Desktop Edition. Thomson West. Various code subjects and Rules of Court. Annual.

The <u>California Law</u> page on the <u>California Legislative Counsel</u> site provides full text access to all 29 California codes. One must select a code and click on "Search" to display the table of contents for a code or select one or more codes and enter keywords in the search box at the bottom of the page. Also note that to search the entire code, select the box next to "All" at the bottom of the list of codes.

## Legislative Process Materials

## • Finding Aids

<u>Legislative Index</u>. California Legislative Counsel.

Provides a subject matter index to all legislative measures for the current legislative session; indicates the subject of each bill, constitutional amendment, and current or joint resolution as introduced and as amended. Note that entries are not removed from the index when the subject matter is deleted from the measure in the course of passage.

<u>Table of Sections Affected.</u> California Legislative Counsel.

An index to each section of the California Constitution, codes and uncodifed laws affected by measures introduced; PDF and html documents include links to the bill measures and chapter number (if applicable).

#### • Bills & Resolutions

The <u>Legislative Bill Room</u> provides copies of all legislative publications to the public, including single copies of individual bills.

<u>Legislative Hearings & Reports Index</u> (U.C. Hastings Law Library, 1984 to present).

<u>Legislative Highlights</u> (California Senate Office of Research, from 1991)

Search for "legislative highlights"; this source provides a wonderful and succinct review of legislation.

<u>California Law Revision Commission Recommendations on Legislation</u> (1957-current). This commission is the seminal bipartisan bill evaluator and legal issue researcher for our state.

The <u>Bill Information</u> page on the <u>California Legislative Counsel</u> site provides the full text of bills, resolutions, and constitutional amendments. Users may view the status, history, votes, analysis, and veto messages as well. Search by bill number, by author(s) or keyword. Available from the 1993-1994 legislative session to the current legislative session. Note the link to an <u>Index</u>, which lists all bills introduced in the Assembly and Senate.<sup>5</sup>

# • Legislative Publications

Journal. California Legislature. State Printing Off. 1849/50-

Contains an account of the proceedings of each house, not a verbatim record of the debates, titles of all measures introduced, considered, or acted upon, the full text of all amendments to any such measures, the text of all house resolutions, roll calls, messages from the Governor, and the rules of the Senate and Assembly. Includes an alphabetical subject index and a bill action index.

<u>Senate Daily Journal</u>. California Legislature. State Printing Office. 1850 to present. Available online through the Legislative Counsel, under "Legislative Publications," from October 2002 to present. Click on hyperlinked title above.

Assembly Daily Journal. California Legislature. 1849 to present. Online resources include the State Assembly Web page for current issues of the Daily Journal and the Chief Clerk's Archive page for issues dated before 1994:

<u>California State Assembly</u> Web page. 1995 to present. <u>Chief Clerk's Archive</u>. Office of the Chief Clerk, California State Assembly. 1849-2005.

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<sup>&</sup>lt;sup>5</sup> Again, at the time of this revision, the Legislative Counsel released a beta site for California legislative information: <a href="http://leginfo.legislature.ca.gov/">http://leginfo.legislature.ca.gov/</a>. As of November 2, 2011, it included new functionality to the *Bill Search* feature and the bill *Text Search* feature had been improved with the addition of a Boolean search option.

Daily File. California Legislature.

The *Daily File* is the agenda of business for each legislative day. It also contains a table of all bills and constitutional amendments with their dates of introduction. The *Assembly File* includes titles of all committee hearing notices and all measure eligible for floor actions.

<u>Current Assembly & Senate Daily File(s)</u> are available on the <u>Legislative</u> Counsel Web site.

<u>Current Assembly Daily File</u> is available on the <u>California Assembly</u> Web site.

## Initiatives, Referenda, Ballot Pamphlets & Propositions

<u>California Elections, Ballot Measure Update</u>. California Secretary of State.

Provides current information on ballot measures; the complete ballot pamphlets for the current and previous elections, from March 1996 to present. Links to the University of Hastings College of Law's *California Ballot Initiatives and Propositions Databases*. Links to *Initiatives & Resources* (which includes links to historical voter information guides, from March 1996 to present).

<u>California Ballot Measures Databases</u>. University of California Hastings College of the Law Library.

The *California Ballot Propositions Database* and the *California Ballot Initiatives Database* are comprehensive (from 1911 to 2003) and searchable. The databases contain the full text of the propositions and initiatives, along with any accompanying material, including ballot pamphlets.

<u>California Ballot Propositions</u>. Los Angeles County Law Library.

Users may browse ballot propositions from 1980 to current.

# California Judicial Branch Materials

### **Court Decisions**

Court decisions are published in bound volumes called reporters. California has both official and unofficial reporters. The text of the case opinion is the same in both sources, but the editorial enhancements will differ.

# • Official Court Reporters

Reporters that are sanctioned by the State of California to contain published case law are called official reporters.

California Reports. LexisNexis.

Includes full text opinions of California Supreme Court cases. The first series includes volumes 1 to 220 (1850-1934); *California Reports, 2nd* includes volumes 1 to 71 (1934-1969); *California Reports, 3rd* includes volumes 1 to 54 (1969-1991); *California Reports, 4th* includes volumes 1 to present (1991-).

California Appellate Reports. LexisNexis.

Includes published opinions of the California Courts of Appeal and Appellate Departments of the Superior Courts. First series includes volumes 1 to 140 (1905-1934); California Appellate Reports, 2nd includes volumes 1 to 276 (1934-1969); California Appellate Reports, 3rd includes volumes 1 to 235 (1969-1991); California Appellate Reports, 4th includes volumes 1 to present (1991-).

California Official Reports (Advance Sheets). LexisNexis.

Recent court decisions appear in advance sheets (paperbacks which are discarded when bound volumes arrive).

<u>Court Opinions</u> on the <u>California Courts</u> Web site. Judicial Council of California. The entire run of *California Official Reports* & *California Appellate Reports* is available for free at this official Web site.

In addition, <u>slip opinions</u> from the last 120 days for the California Supreme Court and the California Courts of Appeal that have been either certified for publication or ordered published are available on the <u>Opinions</u> page of the <u>California Courts</u> Web site as well. Supreme Court opinions are posted immediately after filing. Court of Appeal opinions are usually posted within hours of filing. These slip opinions may become superseded during the time they are made available on this Web site – so proceed with caution.

# • Unofficial Court Reporters

Unofficial court reporters are published commercially and do not have government sanction. Court decisions are reprinted in their entirety by commercial publishers West, the Daily Journal Corporation and Incisive Media (formerly ALM). West's reporters use the ubiquitous "key number system" to categorize cases by subject, as do the West's digests, for subject access to case reporters.

California Reporter. Thomson West.

First series includes volumes 1 to 286 (1960-1992). *California Reporter, 2d* includes volumes 1 to 135 (1992-2004), and *California Reporter, 3d* includes volumes 1 to present (2004 -) with advance sheets. This series contains decisions of the Supreme Court, Courts of Appeal and Appellate Departments of the California Superior Courts.

# Pacific Reporter. Thomson West.

First series includes volumes 1 to 300 (1883-1931) and *Pacific Reporter*, 2d includes volumes 1 to present (1991-) with advance sheets. This series contains appellate decisions from fifteen western states, including California. It ceased publication of California Courts of Appeal decisions in 1960, but continues to publish California Supreme Court opinions.

# *Daily Appellate Report (D.A.R.).* The Daily Journal.

This publication is an insert in the *Los Angeles Daily Journal* and the *San Francisco Daily Journal*, both published by the Daily Journal Corporation. This publication contains the full text of both Supreme Court and Courts of Appeal decisions within a few days of the decision. It also includes full text of decisions from the U.S. Ninth Circuit Court of Appeals, the Ninth Circuit Bankruptcy Appellate Panel, the U.S. Supreme Court, and the California Attorney General.

#### Cal Law. ALM.

A regional news source from Law.com. Cal Law is a subscription based Web site for California opinions. The subscription fee is heavily discounted if you also subscribe to *The Recorder*, which is the daily legal newspaper for Northern California. This site also contains the *California Daily Opinion Service* (C.D.O.S.), which is similar to the *Daily Appellate Report* that was described directly above.

# FindLaw's California Cases. Thomson Reuters (West).

FindLaw provides the full text of California Supreme Court and appellate court opinions dating back to 1934. Registration is free. Unannotated.

#### <u>LexisNexis Communities</u>. LexisNexis.<sup>6</sup>

Search the last ten years of State & Federal Courts and U.S. Supreme Court from 1781 to present.

<sup>&</sup>lt;sup>6</sup> LexisNexis Communities have replaced lexisOne. You will still be able to access the same <u>free forms</u> and <u>free case law</u> through the Communities Portal.

## **Digests**

Digests provide the only means of conducting comprehensive subject searches of court decisions in the print format. Find an appropriate legal topic and subtopic by using the index volumes and you'll be directed to the main digest volumes, where you will find short summaries of all decisions in your jurisdiction. The subject headings, or "headnotes," are assigned to a case by the publisher, and correspond to the subject headings in that publisher's digest.

The following digest sets correspond to the West Reporter sets:

West's California Digest. West Group. 1850 to 1949. West's California Digest, 2nd. Thomson West. 1950 to present.

West's Pacific Digest. Thomson West. 1962-present.

These digest sets correspond to the former official reports:

McKinney's New California Digest. Bancroft-Whitney. 1850-1968.

California Digest of Official Reports, 3rd & 4th series. Bancroft-Whitney. 1969-2003.

#### Court Rules

Court rules ensure the proper control of litigation by establishing uniform procedures. There are rules that apply to all California state courts, to all appellate courts, and to all trial courts. There are also "local rules" that are set by each individual court. A litigant must abide by all applicable court rules.

Deering's California Codes: Rules Annotated. LexisNexis. 4 vols.

Deering's California Desktop Code Series. Rules of Court & 9th Circuit Rules. LexisNexis. Annual.

California Rules of Court, State. Thomson West. Annual.
Also in West's Annotated California Codes (Court Rules)

California Civil Practice Statutes & Rules, Annotated. Thomson West. Annual.

Official California Rules of Court. Judicial Council of California.

#### **Local Court Rules:**

Court Rules: Northern California. Daily Journal Co. Loose-leaf. 9 vols.

Court Rules: Southern California. Daily Journal Co. Loose-leaf. 8 vols.

Metropolitan News-Enterprise Rules of Court. Metropolitan News Co. Loose-leaf. Publishes court rules for individual counties as well as state court rules.

Official Local Court Rules. Judicial Council of California.

Provides links to the local rules of the superior courts of California. Alphabetical by county.

# Jury Instructions

During a trial a judge gives specific instructions to a jury before deliberation begins. The use of the CACI (for civil cases) and CALCRIM (for criminal cases) jury instructions are strongly encouraged by the California Rules of Court. The older sets of jury instructions, BAJI and CALJIC, were drafted by the Committee on Standard Jury Instructions, and include notes explaining their use, history, and relevant cases. Most of the publications below are updated with a new edition each year or twice each year. In most cases, your local library will retain the latest edition only.

# • Civil Jury Instructions

*Judicial Council of California, Civil Jury Instructions (CACI).* Matthew Bender. 2 vols.

*Judicial Council of California, Civil Jury Instructions (CACI).* Thomson West. 2 vols.

Civil Jury Instructions (CACI). Judicial Council of California.

California Jury Instructions, Civil (BAJI). Thomson West. 2 vols.

### • Criminal Jury Instructions

Judicial Council of California Criminal Jury Instructions (CALCRIM). Matthew Bender.

Judicial Council of California, Criminal Jury Instructions (CALCRIM). Thomson West. 2 vols.

Criminal Jury Instructions (CALCRIM). Judicial Council of California.

California Jury Instructions Criminal (CALJIC). Thomson West.

California Jury Instructions Criminal Forms (CALJIC). Thomson West. 2 vols.

CJER Mandatory Criminal Jury Instructions Handbook. California Center for Judicial Education and Research.

# California Executive Branch Materials

California's executive branch is large and complex.<sup>7</sup> There are hundreds of executive, administrative, and advisory agencies. Most California administrative law research will focus on regulatory rules and regulations, which begins this section. Also covered are agency reports, decisions and orders as well as executive orders and proclamations.

# Administrative Rules & Regulations

Administrative rules and regulations are issued by state agencies and are designed to implement or explain legislation. Administrative rules and regulations carry the same force of law as legislation and published case law.

Barclay's Official California Code of Regulations. Barclays Law Publishers. 25+ vols. 1980-present. Loose-leaf. Formerly California Administrative Code.

The full text of the <u>California Code of Regulations (CCR)</u> is available for free online in full text (except for Title 24), maintained by West under contract with the State of California Office of Administrative Law.

California Regulatory Notice Register (Z-Register) contains the most recent notices of proposed actions by state agencies which relate to the repeal, adoption, or amendment of regulations contained in the California Code of Regulations.

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<sup>&</sup>lt;sup>7</sup> Please see the organizational chart, available at <a href="http://www.cold.ca.gov/Ca\_State\_Gov\_Orgchart.pdf">http://www.cold.ca.gov/Ca\_State\_Gov\_Orgchart.pdf</a>.

The <u>California Regulatory Notice Register</u> is online (in PDF) on the California Office of Administrative Law Web site. From 2002 to present.

California Regulatory Code Supplement (Digest of New Regulations).

This source offers the official changes (*final* actions) to the *California Code of Regulations*, on a weekly basis. From the point in time that the changes are published in this source, the changes await codification into the *California Code of Regulations*. Note that this source only includes those changes that have actually been made, whereas the Z-Register includes all proposed changes (which may not actually become law).

<u>Title 24 of the California Code of Regulations</u>, called the California Building Standards Code, is published independently of the rest of the California Code of Regulations.

It is published every three years and updated by supplements in intervening years. It is available to the public at no cost through <u>depository libraries</u> (click on the "DOC" link for a list of names and addresses for depository libraries throughout California).

There are several parts to the *California Building Standards Code*:

California Building Standards Administrative Code (Part 1)

California Building Code (Part 2).

California Residential Building Code (Part 2.5)

California Electrical Code (Part 3)

California Mechanical Code (Part 4)

California Plumbing Code (Part 5)

*California Energy Code* (Part 6)

California Historical Building Code (Part 8)

California Fire Code (Part 9)

California Existing Building Code (Part 10)

California Green Building Standards Code (CAL Green Code) (Part 11)

California Reference Standards Code (Part 12)

<u>2010 Triennial Edition of CCR, Title 24.</u> California Buildings Standards Commission. Applies to all occupancies that applied for a building permit on or after January 1, 2011, and remains in effect until the effective date of the 2013 triennial edition.

For more information on Title 24 of CCR and the selected parts that are available online, please visit the <u>California Buildings Standards Commission</u> Web site.

# California Agency Decisions, Orders & Reports

Some agencies have decisions and orders posted online. The quickest way to find out is to search that agency's Web site. The State of California posts an Agency Directory (link below), which provides links to the agencies' sites. Reports are rarely posted online. To find out if an agency has published a report, go to the Legislative Counsel's <u>Agency Reports</u> database.

## California State Agencies Directory. State of California.

Alphabetical listing of state agency Web sites. Links to State agencies, departments, boards and commissions. Also includes links to frequently requested projects, programs, and other nonprofit organizations related to government.

## Agency Decisions & Orders

Note that the print version of an agency decision may be deemed the controlling or official version. Contact the individual agency directly for availability of the print decision. In addition, because of the transitory nature of the Internet, some of the links below are sure to have been changed since the publication of this chapter. If a link is broken, please use the <u>Agency Directory</u> to find the agency Web page and look for either a tab or link to the publications listed below. Indeed, listed below are a just a few examples of agency decisions and orders posted online.

## Office of the Attorney General's Legal Opinions.

The legal opinions of the Attorney General issued since 1986 are posted to this Web site. Search opinions by year, by keyword or phrases, and by specific citations. Yearly indexes (since 1997) are also posted to this site.

<u>1972-2010 Reported CEQA Cases.</u> California Natural Resources Agency. Provides online access to court decisions relating to the California Environmental Quality Act (CEQA). Includes court reporter citations.

## Fair Employment and Housing Commission Decisions.

Precedential decisions from 2000 to 2010.

Department of Managed Health Care Complaint & Arbitration Decisions.

Once a year, the Department of Managed Health Care prepares a report on complaints and Independent Medical Reviews. These reports (from 2000) are posted on this page. Also on this page, scroll down to view the link, is the Arbitration Decisions database, which the public can search and view.

## Department of Social Services Precedential Decisions.

This page summarizes cases and provides links to the decisions (in PDF).

## Fair Political Practices Commission.

Access to <u>Opinions</u> (from 1975-2006), <u>Enforcement Summaries</u>, <u>Advice Letters</u> (1990-present), and <u>Complaint Closure Letters</u> (from 2009-present).

## Medical Board of California Precedential Decisions.

Decisions that contain a significant legal or policy determination of general application that is likely to recur may be designated as precedential. Once a decision is designated as precedential, the Board may rely on it and parties may cite to such a decision in arguments to the Board and courts. May search decisions by keyword or by index.

## Office of Administrative Hearings' Special Education Decisions & Orders.

Search for decisions from July 1, 2005 to present. May search by keyword, name of judge, case number, and school district. May also browse a listing of all decisions. Links to decisions issued prior to July 1, 2005 are located at the bottom of this page.

## Agency Reports

# Agency Reports. California Legislative Counsel.

This database provides information about reports by various state and local agencies. The information is processed and updated continuously by the Legislative Counsel. For a copy of the report, one must contact the agency directly.

## The Governor's Executive Orders, Proclamations & Press Releases

<u>Executive Orders</u>, <u>Proclamations</u>, <u>Public Notices</u> and <u>Press Releases</u>. The Governor of the California.

View current press releases, speeches, executive orders, proclamations, and public notices. After you have selected one of the aforementioned types of documents (e.g., *Executive Orders*), notice the links under *Archives* on the left side

of the screen. If the links above fail, go to the <u>Governor of California</u> page and place your mouse over *Newsroom*.

# California Municipal & County Codes, Ordinances

Many city and county municipal codes and ordinances are posted online. If a city or county self-publishes its codes and ordinances, you will find a link on the city or county's Web site. Normally, a self-published municipal code will have limited search features and may not be updated frequently.

There are several commercial publishers of municipal codes. UCLA Law Library has a comprehensive list of those publishers on one of its LibGuides pages, Municipal codes online, which is on the "Local Gov't Law" tab of the guide called Online Legal Research: Beyond LexisNexis & Westlaw. Please note that none of these databases is comprehensive. You will find a state's cities in more than one database. For this reason, researchers who need to search for codes in multiple cities and would like to do one general search (rather than search the codes of each city and county separately) will face some difficulties.

If you are looking for one city or one county's municipal code or ordinances, the easiest thing to do is to simply use a search engine such as Google or Yahoo or Bing to find the city's Web site or search for the city name and "municipal code."

An excellent source for California municipal and county codes and ordinances is the Institute of Government Studies Library, UC Berkeley, <u>California Local Codes and Charters</u> page.

# California Attorneys & Judges

# Professional Responsibility

Rules of Professional Conduct must be adhered to by California attorneys and judges. Ethics Opinions serve to guide the ethical conduct of attorneys through the use of hypothetical situations that are commented on. State Bar Court slip opinions are ethical rulings regarding California attorneys, but are not final opinions and thus are not citable in a court document.

## Digest

*California State Bar Court Reporter.* Office of the State Bar Court. 1990- . 6 vols. Loose-leaf. Includes topical digests and a table of cases (including case numbers and subsequent history notations).

## • California Rules of Professional Conduct & Code of Judicial Ethics

<u>California Code of Judicial Ethics</u> (PDF). Amended by the Supreme Court of California effective April 29, 2009.

California Rules of Professional Conduct, State Bar Act. State Bar of California. Annual.

California Rules of Professional Conduct. State Bar of California.

The linked title above should take you to the Rules of Professional Conduct page on the California Bar site. On this page, there are links to the current rules, previous rules, and the proposed rules of professional conduct.

# • Ethics Opinions & Rulings

California Compendium on Professional Responsibility. Committee on Professional Responsibility and Conduct, State Bar of California. Paul W. Vapnek, editor in chief. 1983-. Loose-leaf. Includes formal opinions, California Rules of Professional Conduct, the State Bar Act, and proposed rules.

<u>Ethics Opinions.</u> The State Bar of California Committee on Professional Responsibility and Conduct. 1965 to present.

California State Bar Court Reporter. Office of the State Bar Court. 1992- . Loose-leaf.

<u>Published Slip Opinions</u>. The State Bar Court, Review Department. The full text of slip opinions are posted here, where they remain until they are published in their final form in the <u>California State Bar Court Reporter</u>. These are not finalized opinions and thus are not citable in a court document.

### **Directories**

Attorney/Member Search. State Bar of California.

The member records directory of the California State Bar provides contact information and education history for members of the state bar. In certain circumstances, incidents of public discipline are also provided. The Advanced Search page allows users to search for names that "sound like" your entered term. This feature helps if you are not certain of the spelling of an attorney's name.

California Courts and Judges. Deborah Bogen. James Pub. Co. 2001-. Annual. Provides information on California's federal and state court judges and describes court structure and function of judges.

California Directory of Attorneys. Daily Journal Corp. 2009.

California Lawyers. Daily Journal Corp. 1990-. Semiannual.

Contains an alphabetical list of names and addresses of California attorneys in Northern and Southern California. Also contains a listing of federal and state courts as well as federal and state officials.

Court Directory Los Angeles. Daily Journal Corp. 1989-. Biweekly.

Published as a biweekly insert in the Los Angeles Daily Journal. It contains detailed contact information.

*Judicial Profiles (Southern California).* Daily Journal Corp. 1995-. Loose-leaf. Profiles current California federal and state court judges.

*Judicial Profiles (Northern California).* Daily Journal Corp. 1995-. 7 vols. Loose-leaf. Profiles current California federal and state court judges.

Martindale-Hubbell Law Directory. Martindale-Hubbell. 17 vols.

Volume 2 and contains a listing of California firms and attorneys. Attorney profiles include biographical information as well as areas of practice.

<u>Martindale-Hubbell Lawyer Locator</u>. Contains credentials and contact information for over one million attorneys.

2009 Parker Directory of California Attorneys. (90th ed.). LexisNexis. 1980-. Annual. This directory lists practicing attorneys and law firms in California by county but only provides addresses and telephone numbers.

San Diego County Attorney Directory 2009. (52nd ed.). The Daily Transcript Corp.

San Diego Lawyer Directory 2008. San Diego County Bar Association.

# West's Legal Directory on FindLaw.

This directory offers credentials and contact information on attorneys from the U.S. and Canada.

# Secondary Sources for California Legal Research

Secondary sources offer two major benefits – they summarize an unfamiliar area of law, and they provide citations to the law. There are many forms of secondary sources. With few exceptions, traditional secondary sources are not available on the free Internet. So unless a hyperlink is included below, assume that the listed resource is a print resource. However, there is an online book, published by the Office of the Assembly Chief Clerk, which may be helpful to those researchers who need an introduction to the legislative process and state government.

# <u>California's Legislature.</u> Office of the Assembly Chief Clerk. (2006)

This book is "an in-depth introduction to the legislative process and state government. This heavily illustrated book is an excellent resource for students, lobbyists, state employees, and the general public. Topics include state history, constitutional and election law, term limits, state emblems, legislative procedure, the executive and judicial branches, and a legislative glossary."

Access it <u>online</u> for free (in PDF) or order from the <u>Legislative Bill Room</u> for \$5.00 per copy by calling (916) 445-2645 or placing an order by mail by filling out the <u>order form</u> (PDF).

This section begins with a short list of resources on California legal research. Legal encyclopedias, treatises, practice guides and handbooks, and formbooks follow.

## California Legal Research Guides

California Legal Research Handbook, 2nd ed. Larry D. Dershem. William S. Hein. 2008.

Henke's California Law Guide, 8th ed. Daniel W. Martin. LexisNexis. 2006.

Legal Research in California, 6th ed. John K. Hanft. Thomson West. 2007.

## Legal Encyclopedias

Legal encyclopedias include many short narrations of the law, arranged by topic. References to California case law and statutory law are included. Since the topics are numerous and the narrations are short, it is the perfect way to start the research process when you are researching an unfamiliar area of law: You'll likely find something related to your issue, and it will not be overly detailed. Because of the brevity of the narrations, it is nearly always necessary to consult a more detailed secondary source (see the next section on Treatises, Practice Guides, and Handbooks) before proceeding to primary law research.

There is one legal encyclopedia directly relating to California law: *California Jurisprudence 3d*. Thomson West. 1972-. 74+ vols.

#### Witkin Treatises

Bernard Witkin was a legal scholar who dedicated most of his professional life to writing a series of treatises covering all aspects of California law. After his death in 1995, the Witkin Legal Institute continued his legacy by updating and then producing new editions of his works. Despite its grand title, *Summary of California Law* covers civil law only. His co-author in the criminal law set is Norman L. Epstein.

California Criminal Law, 3rd ed. Witkin Legal Institute. 2000-. 6 vols.

California Evidence, 4th ed. Witkin Legal Institute. 2000-. 3 vols.

California Procedure, 5th ed. Witkin Legal Institute. 2008-. 10 vols.

Summary of California Law, 10th ed. Witkin Legal Institute. 2005-. 16 vols.

#### Treatises, Practice Guides & Handbooks

The <u>California Continuing Education of the Bar (CEB)</u> publishes several excellent handbooks, some of which are listed below. In addition, the CEB publishes Action Guides, which are pamphlet sized, inexpensive publications containing basic how-to instructions for a variety of legal situations. <u>The Rutter Group</u> and <u>Matthew Bender</u> also produce many useful practice guides for California law. For a full list of legal publishers, please see Chapter 8.

What follows are major California secondary source works by legal subject. Those subjects include <u>Corporations</u>, <u>Civil Procedure</u>, <u>Employment Law</u>, <u>Estate Planning</u>, <u>Family Law</u>, <u>Landlord-Tenant</u>, <u>Real Property</u>, and <u>Taxation</u>. Sources are listed alphabetically by title.

## • Corporations

Advising California Nonprofit Corporations, 3rd ed. Continuing Education for the Bar of California. 2009-. 2 vols. Loose-leaf.

Ballantine & Sterling California Corporation Laws, 4th ed. Henry W. Ballantine. Matthew Bender. 1962-. 7 vols.

California Corporation Practice & Forms Manual. Data Trace Publishing Company. 1999-. 3 vols.

California Practice Guide: Corporations. Hugh C. Friedman. The Rutter Group. 1984-. 2 vols. Loose-leaf.

Counseling California Corporations, 3rd ed. Continuing Education for the Bar of California. 2008-. 2 vols. Loose-leaf.

Financing and Protecting California Businesses. Lawrence S. Branton. Continuing Education of the Bar, 2006-.

Marsh's California Corporation Law, 4th ed. Harold Marsh, Jr. et al. Aspen Publishers. 4 vols. 2000-.

Organizing Corporations in California, 3rd ed. Keith W. McBride, et al. Continuing Education of the Bar. 2001-. 2 vols. Loose-leaf.

#### • Civil Procedure

California Civil Discovery Practice, 4<sup>th</sup> ed. Continuing Education of the Bar. 2006. 2 vols. Loose-leaf.

California Civil Litigation Forms Manual. Continuing Education of the Bar. 2 vols. Loose-leaf.

California Civil Practice: Procedure. Thomson West. 1992-.

California Civil Procedure Before Trial, 4th ed. Continuing Education of the Bar. 2004-. 3 vols. Loose-leaf.

California Depositions and Discovery Practice. Matthew Bender. 1987-. 3 vols. Looseleaf.

California Practice Guide: Civil Procedure Before Trial. Weil, Robert I., and Ira A. Brown, Jr. The Rutter Group. 1983-. 3 vols. Loose-leaf.

California Procedure, 5th ed. Witkin Legal Institute. 2008-. 10 vols.

California Trial Practice: Civil Procedure During Trial, 3rd ed. Continuing Education of the Bar. 1995-. 3 vols. Loose-leaf.

Matthew Bender Practice Guide: California Civil Discovery. Matthew Bender. 2003-. 1 vol. Loose-leaf.

Matthew Bender Practice Guide: California Pretrial Civil Procedure. Matthew Bender. 2003-. 3 vol. Loose-leaf.

Matthew Bender Practice Guide: California Trial and Post-Trial Civil Procedure. Matthew Bender. 2006-. 2 vols. Loose-leaf.

Younger on California Motions. Thomson West. 2008.

### • Employment Law

Advising California Employers and Employees, 2<sup>nd</sup> ed. Continuing Education of the Bar. 2005-. 3 vols. Loose-leaf.

California Employment Law. Matthew Bender. 1989-. 4 vols. Loose-leaf.

*California Practice Guide: Employment Litigation.* The Rutter Group. 2001-. 3 vols.

Labor and Employment in California, 2<sup>nd</sup> ed. Matthew Bender. 1997-. 1 vol. Looseleaf.

Wage and Hour Manual for California Employers, 13th ed. Richard J. Simmons. Castle Publications. 2008.

Wrongful Employment Termination Practice, 2nd ed. Continuing Education of the Bar. 1997-. 2 vols. Loose-leaf.

## • Estate Planning

California Decedent's Estate Practice, 2nd ed. Continuing Education of the Bar. 2009-. 3 vols.

California Estate Planning. Continuing Education of the Bar. 2002-. 2 vols.

California Practice Guide: Probate. The Rutter Group. 1986-. 2 vols. Loose-leaf.

California Probate Practice. Matthew Bender. 1991-. 4 vols.

California Probate Procedure, 6th ed. Matthew Bender. 1998-. 2 vols. Loose-leaf.

California Trust Administration, 2nd ed. Continuing Education of the Bar. 2001-. 2 vols. Loose-leaf.

California Trust and Probate Litigation. Continuing Education of the Bar. 1999-. 2 vols.

California Trust Practice. Matthew Bender. 1996-. Loose-leaf.

California Wills and Trusts. 1991-. 3 vols. Loose-leaf.

California Will Drafting, 3rd ed. Continuing Education of the Bar. 1992-. 3 vols. Loose-leaf.

*Drafting California Irrevocable Trusts*, 3rd ed. Continuing Education of the Bar. 1997-. 2 vols. Loose-leaf.

*Drafting California Revocable Trusts,* 4th ed. Continuing Education of the Bar. 2003-. 2 vols. Loose-leaf.

# Family Law

Bassett on California Community Property Law. Thomson West. 1988-. Annual pamphlet.

California Child Custody Litigation and Practice. Continuing Education of the Bar. 2006-. Loose-leaf.

California Community Property With Tax Analysis. Matthew Bender. 1985-. Looseleaf.

California Domestic Partnerships. Continuing Education of the Bar. 2005-. Looseleaf.

California Family Law Litigation Guide. Matthew Bender. 1992-. 5 vols. Loose-leaf.

California Family Law, Practice and Procedure, 2nd ed. Matthew Bender. 1994-. 6 vols. Loose-leaf.

California Guardianship Practice. Continuing Education of the Bar. 2005-. Annual pamphlet.

California Marital Settlement & Other Family Law Agreements, 3rd ed. Carol Amyx, et al. Continuing Education of the Bar. 2005-. 2 vols. Loose-leaf.

California Practice Guide: Family Law. William P. Hogoboom. The Rutter Group. 1981-. 3 vols. Loose-leaf.

Dividing Pensions and Other Employee Benefits in California Divorces. Continuing Education of the Bar. 2006-. Loose-leaf.

Family Law. Financial Discovery. Continuing Education of the Bar. 2008-. Looseleaf.

Practice under the California Family Code: Dissolution, Legal Separation, Nullity. Continuing Education of the Bar. 1992-. Annual pamphlet.

West's California Code Forms: Family, 2nd ed. Thomson West. 2006.

#### Landlord-Tenant

California Eviction Defense Manual, 2nd ed. Myron Moskovitz et al. Continuing Education of the Bar. 1993-. 2 vols. Loose-leaf.

California Landlord-Tenant Practice, 2nd ed. Myron Moskovitz et al. Continuing Education of the Bar. 1997-. 2 vols. Loose-leaf.

California Practice Guide: Landlord-Tenant. The Rutter Group. 1989-. 2 vols. Looseleaf.

Matthew Bender Practice Guide: California Landlord-Tenant Litigation. Matthew Bender. 2003-. Loose-leaf.

# Real Property

California Civil Practice. Real Property Litigation. Thomson West. 4 vols. Loose-leaf.

California Mortgage, Deeds of Trust and Foreclosure Litigation, 4th ed. Continuing Education of the Bar. 2009-. Loose-leaf.

California Practice Guide: Real Property Transactions. The Rutter Group. 2001-. 2 vols. Loose-leaf.

California Real Estate Finance Practice: Strategies & Forms. Continuing Education of the Bar. 2000-. 2 vols. Loose-leaf.

California Real Estate Law and Practice. Matthew Bender. 1973-. 17 vols. Loose-leaf.

California Real Property Practice Forms Manual. Continuing Education of the Bar. 1988-. Loose-leaf.

California Real Property Remedies and Damages. Continuing Education of the Bar. 2002-. 2 vols. Loose-leaf.

California Real Property Sales Transactions, 4th ed. Continuing Education of the Bar. 2 vols. 2007-. Loose-leaf.

Miller & Starr California Real Estate, 3d ed. Thomson West. 2000-.

Miller & Starr California Real Estate Forms, 2nd ed. Thomson West. 2005-. Looseleaf.

Real Property Exchanges. Continuing Education of the Bar, 3rd ed. 2002-. Looseleaf.

#### • Taxation

California Estate and Gift Tax Planning: Forms and Practice Manual. Data Trace Publishing. 1999-. 2 vols. Loose-leaf.

California Small Business Guide. Formation, Operation and Taxation. Matthew Bender. 1998-. 4 vols. Loose-leaf.

Guidebook to California Taxes. Commerce Clearing House. 1950-. Annual pamphlet.

Taxing California Property. Thomson West. 2008-. 3 vols. Loose-leaf.

#### **Formbooks**

California Civil Litigation Forms Manual. Continuing Education of the Bar. 1980-. 2 vols. Loose-leaf.

California Civil Practice. Thomson West. 1992-. 40+ vols. Loose-leaf.

California Forms of Pleading and Practice, Annotated. Matthew Bender. 55+ vols. Looseleaf.

California Judicial Council Forms Manual. Continuing Education of the Bar. 1981-. 4 vols. Loose-leaf.

California Legal Forms: Transaction Guide. Matthew Bender. 36 vols. Loose-leaf.

California Points and Authorities. Matthew Bender. 24 vols. Loose-leaf.

California Transaction Forms, Thomson West.

West's California Code Forms with Practice Commentaries. Thomson West. Keyed to specific California legislative code sections.

West's Judicial Council Forms, Thomson West. 1986-. 4 vols. Annual pamphlet.

<u>California Judicial Council forms</u> are also available on the <u>California Courts</u> site.



# List of Internet Sources Cited in this Chapter

California Legislative Counsel's Official California Legislative Information:

Home page: http://www.leginfo.ca.gov/index.html

State Constitution: <a href="http://www.leginfo.ca.gov/const.html">http://www.leginfo.ca.gov/const.html</a>

Statutes: <a href="http://www.leginfo.ca.gov/statute.html">http://www.leginfo.ca.gov/statute.html</a>
Codes: <a href="http://www.leginfo.ca.gov/calaw.html">http://www.leginfo.ca.gov/calaw.html</a>

Bill Information: <a href="http://www.leginfo.ca.gov/bilinfo.html">http://www.leginfo.ca.gov/bilinfo.html</a>
Bill Index: <a href="http://www.leginfo.ca.gov/bilindex.html">http://www.leginfo.ca.gov/bilindex.html</a>

Legislative publications, including Daily File, Legislative Index, Table of Sections Affected, Senate Daily Journal, Assembly Daily Journal, Assembly Handbook, and Agency Reports:

http://www.leginfo.ca.gov/legpubs.html

California's Legislature, Order Form:

http://www.leginfo.ca.gov/pdf/Order Form CaLegi06.pdf

Agency Reports: http://www.agencyreports.ca.gov/

California's Legislature: <a href="http://www.leginfo.ca.gov/califleg.html">http://www.leginfo.ca.gov/califleg.html</a>

Order Form: <a href="http://www.leginfo.ca.gov/pdf/Order">http://www.leginfo.ca.gov/pdf/Order</a> Form CaLegi06.pdf

## • Other legislative materials:

California State Legislature: <a href="http://www.legislature.ca.gov/">http://www.legislature.ca.gov/</a>

California State Senate: http://www.senate.ca.gov/

California State Assembly: <a href="http://www.assembly.ca.gov/defaulttext.asp">http://www.assembly.ca.gov/defaulttext.asp</a>

Office of the Chief Clerk: <a href="http://www.assembly.ca.gov/clerk/">http://www.assembly.ca.gov/clerk/</a> Publications Archive: <a href="http://192.234.213.35/clerkarchive/">http://192.234.213.35/clerkarchive/</a>

Legislative Bill Room: <a href="http://www.dgs.ca.gov/osp/Programs/BillRoom.aspx">http://www.dgs.ca.gov/osp/Programs/BillRoom.aspx</a>

Legislative Hearings & Reports Index (U.C. Hastings Law Library):

http://library.uchastings.edu/Welcome.html

Senate Office of Research's Legislative Highlights: <a href="http://sor.govoffice3.com">http://sor.govoffice3.com</a>

California Law Revision Commission recommendations on Legislation (1957-current):

http://www.clrc.ca.gov/Mreports-publications.html

### • Judicial Council of California's California Courts:

Opinions: <a href="http://www.courts.ca.gov/opinions.htm">http://www.courts.ca.gov/opinions.htm</a>
Forms: <a href="http://www.courts.ca.gov/forms.htm">http://www.courts.ca.gov/forms.htm</a>
Rules: <a href="http://www.courts.ca.gov/courts.htm">http://www.courts.ca.gov/courts.htm</a>

California Jury Instructions: <a href="http://www.courts.ca.gov/966.htm">http://www.courts.ca.gov/966.htm</a>

California Code of Judicial Ethics (linked on the Rules page, see above):

http://www.courts.ca.gov/xbcr/cc/ca\_code\_judicial\_ethics.pdf

#### • Executive Branch Materials:

California Office of Administrative Law: www.oal.ca.gov

California Code of Regulations: <a href="http://www.oal.ca.gov/CCR.htm">http://www.oal.ca.gov/CCR.htm</a>

California Regulatory Notice Register: <a href="http://www.oal.ca.gov/Notice Register.htm">http://www.oal.ca.gov/Notice Register.htm</a>

California Code of Regulations, Title 24, see California Building Standards Commission:

http://www.bsc.ca.gov/default.htm

California State Agencies Directory: <a href="http://www.ca.gov/CaSearch/Agencies.aspx">http://www.ca.gov/CaSearch/Agencies.aspx</a>

Office of the Attorney General Legal Opinions: <a href="http://oag.ca.gov/opinions">http://oag.ca.gov/opinions</a>

Reported CEQA cases: <a href="http://ceres.ca.gov/ceqa/cases/">http://ceres.ca.gov/ceqa/cases/</a>
Fair Employment and Housing Commission Decisions:

http://www.fehc.ca.gov/act/decision.asp

### • Initiatives, Referenda, Propositions, Ballot Propositions:

California Secretary of State (Initiatives, Referenda, Propositions):

http://www.sos.ca.gov/elections/elections j.htm

California Ballot Measures Database, from UC Hastings (Propositions, Initiatives, Referenda, Ballot Pamphlets):

http://library.uchastings.edu/library/california-research/ca-ballot-measures.html

LA Law Library's Ballot Propositions Page:

http://www.lalawlibrary.org/research/ballots/default.aspx

### • Attorneys & Judges:

State Bar of California: <a href="http://www.calbar.ca.gov/">http://www.calbar.ca.gov/</a>

Attorney/Member Search:

http://members.calbar.ca.gov/fal/MemberSearch/QuickSearch

Rules of Professional Conduct page:

http://rules.calbar.ca.gov/Rules/RulesofProfessionalConduct.aspx

Ethics Opinions: <a href="http://ethics.calbar.ca.gov/Ethics/Opinions.aspx">http://ethics.calbar.ca.gov/Ethics/Opinions.aspx</a>

Published slip opinions, State Bar Court of California:

http://www.statebarcourt.ca.gov/Opinions/PublishedOpinions.aspx

Martindale-Hubbell: http://www.martindale.com/Find-Lawyers-and-Law-Firms.aspx

FindLaw's Lawyer Directory: <a href="http://lawyers.findlaw.com/">http://lawyers.findlaw.com/</a>

#### • Secondary Source Publishers:

Continuing Education of the Bar (CEB): http://ceb.com

The Rutter Group: <a href="http://www.ruttergroup.com">http://www.ruttergroup.com</a>
Matthew Bender: <a href="http://www.bender.com">http://www.bender.com</a>

#### • Other Sources of California Court Opinions:

Cal Law: http://www.callaw.com

lexisONE.com:

http://www.lexisone.com/lx1/caselaw/freecaselaw?action=FCLDisplayCaseSearchForm

FindLaw's California Cases: <a href="http://www.findlaw.com/cacases/">http://www.findlaw.com/cacases/</a>