

## **TIPS FOR SHEPARDIZING CASES**

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### **Purpose:**

This Pathfinder provides guidance on how to Shepardize cases. Shepard's volumes are published for most of the case reporters. i.e. to Shepardize a case published in West's Pacific Reporter, Use Shepard's Pacific Reporter Citations.

- **Is My Case Still Good Law?** Use Shepard's as a tool to research whether a case is "good law" to discover subsequent history in the same case as well as other cases that question or overrule the holding in the original case.
- **Find Recent Cases:** Shepard's is used as a research tool to find cases citing the original case by court, jurisdiction, or headnote for a specific point of law.
- **Print Shepard's:** This pathfinder provides guidance in the necessary steps to "shepardize a case" using print Shepard's volumes.
- **Online Shepard's & Keycite:** Online Shepard's is available to authorized Lexis subscribers. Authorized Westlaw subscribers can use Keycite. Consult Lexis and Westlaw representatives or reference librarians for information.

For complete information about Shepard's, refer to the preface of any Shepard's volume for tips, lists of abbreviations and symbols, and citation examples.

**Location:** Regional Reporter Shepard's volumes are shelved on the 4<sup>th</sup> floor of the library following the cases. Federal and US Supreme Court Shepard's volumes are shelved in the Shepard's carrel on the 4<sup>th</sup> floor. New York Shepard's volumes are available on Stack 1: KFN 5059 .S54 N55 et. seq.

### **STEP 1: Locate all Bound Volumes and Paper Supplements Which Contain Your Citation**

→ **REMEMBER, VOLUMES ARE NOT CUMULATIVE (!):** Usually a researcher must consult multiple volumes to Shepardize one case.

Bound Volumes:	Dated on Spine
Bound Supplements:	Dated on Spine
Paperback Supplements:	Gold - Annual Cumulative Supplement
	Red - Cumulative Supplement
	White - Advance Sheets

### **STEP 2: Verify That You Have All Necessary Volumes and Issues**

*How do you know if you have all the necessary materials???*

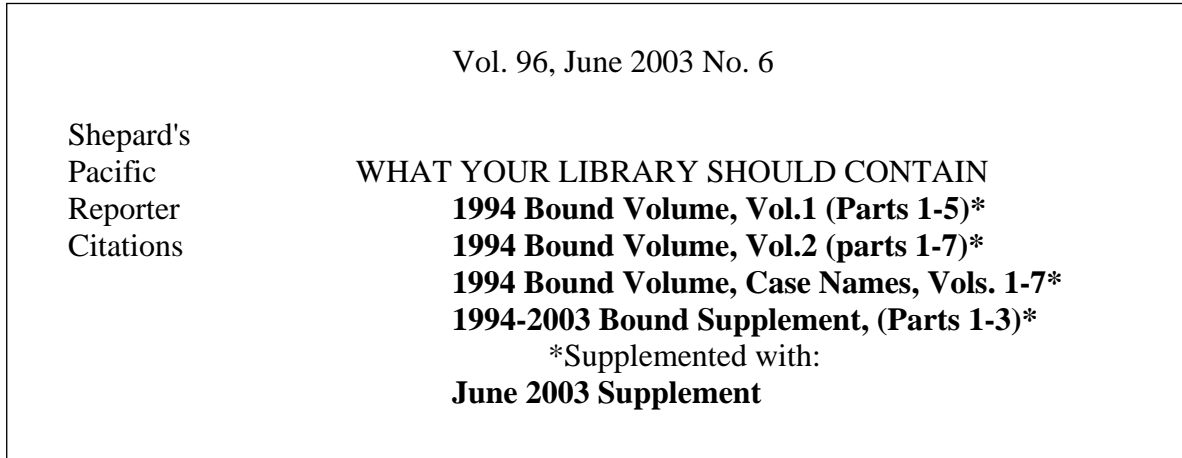
- Look at the front cover of the most recent pamphlet which contains your case citation.

**P A T H F I N D E R**

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- The month listed at the top of the pamphlet should be the present month, or the month immediately preceding.
- Once you have the most recent pamphlet, look at the box on the front cover that says: "**What Your Library Should Contain.**" Use this box as a checklist, making sure you consult all the items listed in the box.

**For Example**, to Shepardize a 1991 case in West's Pacific Reporter 2d Series, consult all volumes listed on the most recent Pamphlet's cover:



**STEP 3: Shepardize, Starting with the Most Current Paper Issue**

**→REMEMBER THE DIFFERENCE: Cited Material and Citing Material**

- **Cited** material is the cite you are shepardizing: a case, statute, regulation
- **Citing** material is another case, statute, law review article, or ALR annotation, etc. that cites the original case.
- **Locate your case in the Shepard's volume:** Shepard's is arranged by series (Pacific Reporter, Pacific Reporter 2d Series, Pacific Reporter 3d Series), Volume & Page.
- **Review cases and other documents citing your case.** See examples on page 3 of this guide.
- **Repeat these steps in pamphlets and bound Shepard's volumes.**

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**Example:** Shepard's Citing List: 406 U.S. 340 from Shepards United States Reports Citations

Page Number  
and Name of  
Cited Case

---340---  
Atlantic Coast  
Line Railroad  
Co. v Erie  
Lackawanna  
Railroad Co.  
1972

**(32LE110)**  
**(92SC1550)**  
s 404US909  
s 442F2d694  
s 31SFS357  
d **417US109**  
**460US197**  
j **460US200**

Cir. 1  
**f** 772F2d1021  
d 373FS845

**Cir. 2**  
497F2d1038  
514F2d955  
358FS152  
d 359FS1225  
434FS569  
451FS410

Cir. 3  
521F2d44  
567F2d563

**f** 571F2d784<sup>1</sup>

356FS613  
Cir. 5  
e 479F2d1042  
546F2d122  
798F2d163

Cir. 9  
474F2d852  
528F2d670  
451FS93

**NY**  
61NY644  
89NYAD959

**101YLJ492**  
12 AL2117s  
**13 AL344n**

Parallel Citations  
are in Parentheses  
=  
Same opinion  
published in  
other reporters

Citations in  
chronological order,  
oldest to most current

Treatment Symbol:

f = followed  
See inside cover for the  
definition of other  
symbols

A superscripted numeral means  
that the point of law, or West  
headnote number, is addressed  
in that case.

Arranged by jurisdiction  
(federal by Circuit then state):  
and from highest to lowest  
court.

Legal Periodical Citation  
to NY Law Journal

ALR citations:  
s = case cited in the supplementation  
n = case cited in the annotation

**P A T H F I N D E R**

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