Researching ORALL States:
Building on the Basics

10/20/16
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Kentucky Legal Research

• Courts
• Legislature
• Administrative Law
• Secondary Sources
Court Structure

Kentucky Cases

- Are published in South Western Reporter
- Are available online (http://apps.courts.ky.gov/supreme/sc_opinions.shtm)
- Court of Appeals 1996+
- Supreme Court 1999+
Kentucky Constitution

Current version adopted in 1891

Is wide-ranging and contains subjects covered by statutes in the federal and other states.

Kentucky Legislation

- *Kentucky Revised Statutes* is published as Baldwin’s Kentucky Revised Statutes Annotated (West) and Michie’s Kentucky Revised Statutes Annotated (Lexis).
- Available online at http://lrc.ky.gov/statutes/
Kentucky Legislature

Since 2000, meets every year. In odd-numbered years, the session has a time limit and special rules for appropriation and revenue legislation.

Before 2000, the General Assembly met in regular session only in even numbered years.

Kentucky Legislative History

Like most states, there are fewer types of documents than the federal version:

- Legislative records (published by Legislative Research Commission)
- Bills, amendments, votes
- Journals (no transcripts, only procedural activities)
- Audio Recordings of Committee Minutes (LRC library)
- Research reports, memos, and other publications
- Videotapes by Kentucky Educational Television
Kentucky Secondary Sources

UK/CLE (some titles available on LexisAdvance)
http://ukcle.com/
Baldwin Handbooks (available on Westlaw)
Kentucky Practice series (available on Westlaw)
*Kentucky Legal Research Manual* (Metzmeier et al. UK/CLE)
Law School Research Guides

Kentucky Administrative Law

Kentucky Administrative Regulations Service – published each August by LRC.
Updated with the Administrative Register of Kentucky, which is published once a month.

Review Agency Webpages for decisions and other material.
Ohio: So Much to Discover

- Courts
- Legislature
- Executive and Agencies
- Secondary Sources

Ohio Courts

- Supreme Court of Ohio
  - Court of Last Resort
- Courts of Appeals
  - Intermediate Appellate Courts
- Court of Claims
  - Trial Court
- Courts of Common Pleas
  - Trial Courts
- Municipal Courts
  - Trial Courts
- County Courts
  - Trial Courts
- Mayor’s Courts
  - Trial Courts
Ohio Cases Online

Print Published vs. Non-Print Published Cases

-Court disposed of difference between print published and non-print published distinction effective May 1, 2002.

-On July 1, 2012, Ohio’s official publication is online.

Cases freely available from Supreme Court.

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Ohio Reporters

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Ohio Case Law Quirks

- Syllabus Rule
- Reported trial court cases
- WebCite
  - This vendor neutral citation format was introduced in 2002.
    - It uses paragraph numbers instead of pages, so for pinpoint citations, you’ll see Welling, at ¶.

Ohio Constitution

Ohio has had two constitutions – original in 1803 and current one, from 1851.

Similar in structure to US Constitution, but

(1) For some rights, it provides greater protection than federal (e.g., religious freedom)
(2) contains provisions similar to state and federal statutes
(e.g., elections, corporations, gaming)

Great research guide at
http://guides.law.csuohio.edu/ohioconstitution
Ohio Legislature

Bicameral legislature – similar process to federal
Legislative Service Commission writes bills and produces reports that are helpful to track pending legislation or for legislative history purposes

Initiative & Referendum Process
https://www.sos.state.oh.us/sos/LegnAndBallotIssues/issues/InitiatedStatute.aspx

Ohio Legislature

Code
Ohio Revised Code (revised in 1953); published as Baldwin's Ohio Revised Code (West) and Page's Ohio Revised Code (Lexis); available online at http://codes.ohio.gov/.
Ohio Legislative History I

- No equivalent to federal committee reports or hearing documents, no published transcripts of hearings or debates.

- Documents that are available are
  - Session laws; bill amendments and substitute bills, LSC bill analysis, Fiscal notes & Local Impact Statements; Senate and House Journals; Bulletin of General Assembly and LSC Legislative Status Sheet, Digest of Enactments; Bill Synopsis
  - Fee-based services provide summaries of activity at hearings, etc.

Ohio Legislative History II

Sources of these documents
- Gongwer
- Hannah Capitol Connection
- Ohio General Assembly Website & LSC
- Ohio libraries; Ohio History Connection (Bill File)

- 1989+ Hannah is best; 2001+ GA website has a lot
Ohio Legislative History III

Tracking Ohio Legislation
legiscan.com/ - free tracking of bills
Gongwer, Lexis & Westlaw – subscription tracking of bills or subjects
Hannah – subscription tracking of bills, bills affecting a particular code section, or bills introduced by a particular legislator

Ohio Executive and Agencies

Similar to federal structure and process except:
Ohio agency rules are subject to legislative oversight. The Joint Committee on Agency Rule Review (JCARR) reviews proposed rules for various issues.

There is an annotated code of regulations in print and online (Baldwin's Ohio Administrative Code Annotated).
Ohio Secondary Sources

Ohio Jurisprudence
Baldwin’s Ohio Practice Treatises
LexisNexis Ohio Practice Treatises (e.g., Anderson’s)
Several Form Books and sets in print and online
Ohio State Bar Association Report
Ohio Jury Instructions; OSBA Jury Instructions
Research Guides @ Ohio Law Schools
Sampson, Hall & Broering-Jacob’s Ohio Legal Research
Steinglass & Scarselli’s The Ohio State Constitution
Putnam & Schaefgen’s Ohio Legal Research Guide

Questions?