

Legal and Law-Related Reference Sources for Indiana Public Libraries

Tim J. Watts
Public Services Librarian
School of Law Library
Valparaiso University
Valparaiso, IN

A businessman wants to know if the city council can hold a closed meeting to consider his request for a loading zone. A high school student needs to find out if a bill he read about has become Indiana law. A local woman needs to find an attorney in another city to probate her mother's estate. The dietician for the local hospital needs to know if the Indiana Department of Health has changed its standards for patient nutrition.

The foregoing situations are only a few in which public librarians may be called upon to provide legal or law-related information. Public librarians often have only a vague idea of what legal materials are available, what functions they perform, where to obtain them and how much they cost. This article outlines the material available,

especially that material related to Indiana. Prices when indicated are current in 1983, but may be subject to unannounced change. Prices are also intended as a general guideline because discounts and split payments are available which would result in far less cost for libraries. No attempt has been made to designate a "best" source in the different categories; each title has its own good points. Librarians must decide the best source for their particular situation.

Titles have been arranged according to the subject area with which they deal. The first group deals with the Indiana Code, the entire body of Indiana law grouped by subject area. Patrons seeking information on current Indiana law should search this group. Those users who wish to know about a particular law passed by the current or past Indiana legislature should use titles from the second group.

Not all law is passed by the legislature; regulatory agencies can make rules with all the force of law. When people are concerned with the specific powers and procedures of government body, they probably should search the materials on administrative regulations.

The fourth group, *Indiana Law Encyclopedia* and *Indiana Digest*, contains the only materials relating directly to court cases which are included. The published texts of Indiana Court of Appeals and Supreme Court are available but should not play a role in a public library. While public librarians have a duty to educate, they should not encourage potential *pro se* litigants to undertake complex litigation. A question could also be raised about how often published cases would be used and whether the expected use could justify the cost. The digest and encyclopedia included here can act as a guide to court cases for further investigation by interested users; cases themselves may be obtained on interlibrary loan or at a law library.

The fifth group of titles is a sort of miscellany of reference sources useful to Indiana citizens. These sources are primarily directories and guides to agencies. Patrons needing information regarding who to contact about a certain problem will search here. These titles also include some information on the legal system of Indiana available nowhere else.

The final group of sources are titles which may prove useful but which deal with more than merely Indiana legal matters. They will

supplement the Indiana legal materials with national information. Questions of general law should be referred to this group.

The following list is by no means exhaustive. The items are strongly recommended for consideration for purchase. Librarians can provide information about the law; they must remember that legal advice is provided only by an attorney.

STATUTORY SOURCES - CODES

Burns Indiana Statutes Annotated Code Edition. 36 volumes. Charlottesville, VA: Michie/Bobbs-Merrill, 1972—present. Cost: \$900 (Includes supplements and index which are \$235 and \$60 respectively).

Indiana Code. 7 volumes. St. Paul: West for the Indiana Legislative Council, 1976—present. Cost: \$306.77.

West's Annotated Indiana Code. 55 volumes. St. Paul: West Publishing Company, 1978—present. Cost: \$2120 (Includes one year's free service with purchase).

State codes are the arrangement of state law by subject areas and are basic to any search of the law. In Indiana, the code is divided into thirty-six titles. Each title is divided into articles, subdivided into chapters, which are in turn divided into sections. A citation to a part of the code would be written as title-article-chapter-section ("20-13-31-1" for example). Because Indiana's code is arranged in this manner, all three codes are very similar. Acquisition of these codes should be considered on the basis of suitability for users, availability, cost, and ease of access.

The Burns and West Codes are annotated and contain relevant references to court cases, previous laws and related subjects and articles; these items are primarily of interest to practicing attorneys. Both are kept current by yearly pocket parts which cumulate changes in the law since publication of the main set. The update service costs \$235 for Burns and \$101 for West. The Indiana Legislative Council's Code is not annotated, although separate volumes of annotations are available. This code is updated by means of cumulative supplemental volumes, issued each year for a cost of \$35.

Each set is accessed primarily by means of a general subject index. "See" references are used, but lay users may have some difficulty discovering the appropriate legal term. The completeness of

indexing varies, although all sets cover the same basic material. Under the topic "Newspapers," for example, Burns' index had 15 entries, while West had 48; the Indiana Legislative Council's version had over 70.

Public librarians should also be aware that West's Code is still being published in permanent volumes; as the set nears completion, a number of attorneys are replacing the older Burns' Code with West's. The receipt of a copy of the Indiana Code as a charitable gift should be explored, although librarians must always remember the annual costs of keeping their set current.

STATUTORY SOURCES - STATUTES

Burns' Advance Legislative Service. Charlottesville, VA: Michie/Bobbs-Merrill, three times yearly. Cost: \$50.

West's Indiana Legislative Service. St. Paul: West Publishing Company, seven times yearly. Cost: \$70.

Digest of Acts, Indiana General Assembly. Indianapolis: Indiana Legislative Council, annual. Cost: \$5.

Laws of the State of Indiana. Indianapolis: Indiana Legislative Council, annual. Cost: \$32.29 (Known as "Indiana Acts" also, from spine).

These sources deal with laws passed in a particular session of the Indiana General Assembly. The Burns' and West legislative services make available changes in the law, prior to the annual publication of pocket parts. They and the Indiana Legislative Council's *Laws* print the actual texts of public laws, arranged in the same order in which they passed. *Laws of the State of Indiana*, however, is published as a hardbound book, and comes out months after the softbound legislative services; the latter are printed while the legislature is in session. Each publication includes a table of Indiana Code sections affected by that session's laws, allowing a patron to check rapidly for pertinent changes in the code.

The *Digest of Acts* is published in a soft cover immediately at the end of the legislature's session. It briefly summarizes each public law and includes sections of the Indiana Code affected. The *Digest* also includes a list of vetoed bills, summaries of resolutions and a table of bill numbers with corresponding public law numbers—all hard to find information.

ADMINISTRATIVE REGULATIONS AND DECISIONS

Indiana Administrative Code. Indianapolis: Indiana Legislative Council, 1979. 9 volumes. Cost: \$205. (Annual supplements are \$35; the entire Administrative Code will be reprinted by Spring 1984 with all current amendments).

Indiana Register. Indianapolis: Revisor of Regulations, monthly. Cost: \$175.

Official Opinions of the Attorney General of Indiana. Indianapolis: Attorney General's Office, biannual. Cost: \$7.75.

These sources deal with non-legislative law. Other administrative materials are published by various state agencies but they have not been included for reasons of space. Librarians interested in receiving these materials should communicate directly with the agencies.

The *Indiana Administrative Code* supersedes an earlier one published by Burns. Similar to the *Indiana Code* published by the same Council, the *Indiana Administrative Code* contains 930 sections which organize administrative rules by subject. The *Administrative Code* is kept current by means of cumulative supplements issued annually. Indexing is good and the work is easy to use.

The *Indiana Register* is similar in purpose to the *Federal Register*, printing new regulations and rulings by administrative bodies. It also reprints the text of opinions from the Indiana Attorney General. Each of the monthly issues includes a cumulative index to all issues of that volume. A volume is published each year.

Official Opinions of the Attorney General of Indiana is now published every two years (until recently it was an annual). Opinions are arranged in the order in which they were issued; access without an opinion number may be obtained through the index. The *Indiana Register* will provide very current access to the Attorney General's Opinions, but the biannual *Official Opinions* is more convenient for obtaining older opinions.

DIGESTS AND ENCYCLOPEDIAS

West Indiana Digest. St. Paul: West Publishing Company 41 volumes. Cost: \$1455.50 (Annual update service is \$101).

West's Indiana Law Encyclopedia. St. Paul: West Publishing Company. 34 volumes. Cost: \$1445 (Annual update service is \$82.50).

The *Indiana Digest* arranges cases from the state of Indiana according to subject. The key number system developed by West Publishing Company is used. Under this system, each facet of all topics of the law is assigned a number and all cases which deal significantly with that facet are indexed by that number. The *Indiana Digest* gives a brief synopsis of each case under a key number, with a citation to where the full case may be found. For this reason, the *Indiana Digest* can be invaluable to help one locate Indiana cases on a topic of law.

The *Indiana Law Encyclopedia* is arranged in the same way. It gives a brief statement of the current law in Indiana in each key number area, then expands and explains what this means. The explanation is heavily footnoted with references to Indiana cases which illustrate or set forth this point of law.

Both titles are accessed by means of an index and both are kept current by yearly updates and occasional new volumes.

GENERAL INDIANA LEGAL AND LAW-RELATED REFERENCE MATERIALS

Indiana General Assembly Legislative Directory. Indianapolis: Indiana State Chamber of Commerce, biannual.

Indiana Judicial Report. Indianapolis: Indiana Supreme Court, Division of State Court Administration, annual Free.

Indiana Legal Directory. Dallas: Legal Directories Publishing Company, annual, Cost: \$27.31.

Indiana State Offices Telephone Directory. Indianapolis: Department of Administration, Telecommunications Division, 1980.

Roster of State and Local Officials of the State of Indiana. Indianapolis: State Board of Accounts, Statistical Department, irregular. Cost: \$4.

The titles in this group offer directory information on persons and things related to Indiana law. With the exception of the *Indiana Judicial Report*, all are arranged in usual directory fashion. Librarians should attempt to get new directories as often as possible, since state and local officials often change after elections. The *Indiana Legal Directory* will remain valuable for a longer period of time, but current editions are useful to indicate new associates and firms, especially those in other Indiana cities.

The *Indiana Judicial Report* offers a roster of judges throughout the state at the different levels of courts. More importantly, it makes available a wide range of information about the different state courts. The introduction is probably the best summary of the Indiana court system available.

GENERAL LEGAL REFERENCE MATERIALS

Legal Encyclopedias

American Jurisprudence, Second Edition. Rochester, New York: Lawyer's Co-operative Publishing Co., 1976 - present. Cost: \$4018.50. (Purchase price includes 2 years free update service; normal annual cost for updates is \$508).

Corpus Juris Secundum. Minneapolis: West Publishing Co., 1936-present. Cost: \$2983.50 (Purchase price includes 2 years free update services; normal annual cost for updates is \$185).

The Guide to American Law. Minneapolis: West Publishing Co., 1983. Cost: \$660.

The first two items are very similar to the *Indiana Law Encyclopedia*, briefly stating the current law and then expanding and explaining, with footnotes to illustrative cases. The third set is a new publication, intended to be a layman's guide to American law. It combines short, definition-style entries with fewer but longer analytical articles. Access is through an index, with tables of cases, statutes, and popular names of acts. Cases mentioned are fully cited to allow further research.

Law Dictionaries

Black, *Law Dictionary.* Minneapolis: West Publishing Co., 1979. Cost: \$18.95.

Good law dictionaries can be extremely valuable to discovering the legal meaning of words. They may also suggest synonyms for searching in indexes to other legal publications. This dictionary is only an example.

Legal Directories

Martindale-Hubbell Law Directory. Summit, NJ: Martindale-Hubbell, annual. Cost: \$145.

Lawyers Register by Specialties and Fields of Law. Solon, Ohio: Jury Verdict Research, Inc., annual. Cost \$49.50.

Martindale-Hubbell Law Directory is the most famous of the law directories. Its first volumes are a state-by-state listing of attorneys. The final volume contains a brief digest for each state and a number of foreign countries, stating what the current law is in the

different areas. *Lawyers Register* is a good method of finding experts in particular fields of law. Also, Legal Directories Publishing Co., which produces the *Indiana Legal Directory*, publishes a directory for each state.

Federal Law

United States Code. Washington, DC: Government Printing Office, 1976-1982. Cost: \$415, plus supplements.

United States Code Annotated. Minneapolis: West Publishing Co., 1927—present. Cost: \$2406 (Purchase price includes service; normal annual cost for updates is \$440).

United States Code Service, Lawyers Edition. Rochester, NY: Lawyers Co-operative Publishing Co., 1937—present. Cost: \$1890 (Purchase price includes three years free up-date service; normal annual cost for update service is \$630).

These titles correspond to the Indiana codes, although, of course, they deal with federal law. The official code, from the Government Printing Office, has annual supplements, with a new edition coming out every six years. The annotated versions are supplemented annually with pocket parts to bring them up to date.

Federal Statutory and Regulatory Law

United States Statutes at Large. Washington, DC: Government Printing Office, annual. Cost: \$34 (1981 session).

U.S. Code Congressional and Administrative News. Minneapolis: West Publishing Co., monthly. Cost: \$140 (One year subscription free when *United States Code Annotated* is purchased).

Code of Federal Regulations. Washington, DC: Government Printing Office, annual. Cost: \$615.

Federal Register. Washington, DC: Government Printing Office, Monday through Friday. Cost: \$300.

These titles all have counterparts among the Indiana materials. They publish laws and regulations as they are printed and collect them at the end of the year. Librarians should again consider the expenses in money and space used and consider if these titles are worthwhile.

Hornbooks and Treatises

Generally speaking, these books are learned discussions of certain points of law, generally with many citations to cases. Because most cover all jurisdictions and not just Indiana, the place of hornbooks in Indiana public libraries is questionable. Since they are written for people with some knowledge of the law, their value for the lay public is also questionable. Some publishers, however, produce specially condensed versions, such as West's "Nutshell" series. These condensed versions are usually easier to read and are more suitable for the lay reader.

The Indiana Continuing Legal Education Forum (ICLEF) produces treatises and books which deal specifically with Indiana law. These works are produced specifically for the Indiana attorney and may not prove suitable for the lay public.¹

Conclusion

Public librarians should be selective in their collection of legal reference material. Most legal reference materials must be continuously updated to be of value and the long-term commitment can be very costly. Most publishers will offer special introductory deals such as free supplements for a newly purchased set or discounts for multiple purchases. Librarians considering a purchase should talk carefully to the publisher's local representative.

Librarians interested in finding out more about legal reference sources are referred to two books: Morris T. Cohen, *How to Find the Law*, 7th ed. (West Publishing Co., 1976), and J. Myron Jacobstein and Roy M. Mersky, *Fundamentals of Legal Research* (Foundation Press, Inc., 1977). Both works cover the different legal sources and include information on such things as legal citations and abbreviations. Anyone who examines the Cohen or Jacobstein and Mersky books will realize the list of items covered in this article only scratches the surface of what is available. Many sources have been purposely omitted because of limited utility for a public library. Chief among these are published court cases reporters. The use of these volumes will probably never justify the expense in money and space which their collection will entail. Reporters will be used mostly by persons preparing their own court cases, a questionable practice which no librarian should encourage.

In contrast, the sources cited in this article are intended to educate patrons as to their legal rights and make them more aware of whom they can consult when they may have a legitimate grievance. The greater purpose of this article, however, is to outline sources which can educate the public in legal and law-related matters. My hope is that this will help public librarians in their duty to educate.

Note

¹ The following addresses are for major publishers of Indiana and national legal reference sources. Those based outside of Indiana have local representatives for different areas; they will gladly inform inquirers of their local representative and how they can get in touch with them.

Indiana Legislative Council
302 State House
Indianapolis, Indiana 46204
(317) 269-3712

Lawyers Co-operative Publishing Co.
Aqueduct Building
Rochester, New York 14694
(716) 546-5530

Michie Company/Bobbs-Merrill
P.O. Box 7587
Charlottesville, Virginia 22906
(804) 295-6171

West Publishing Company
P.O. Box 3526
St. Paul, Minnesota 55165
(612) 228-2637