

**An Attorney's Guide to Law Library Sources of State Court Briefs:
Organized in Reverse Chronological Order for Periods of Coverage**

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Important Caveat: the Courts and the California State Archives as Venues of Last Resort

This guide reflects one law librarian's unsurprising bias, but it works to your advantage. I favor your use of law libraries because (as of 2005) they collectively offer you the fastest AND the most comprehensive access to state court briefs. However, if a law librarian can not help you, and neither Westlaw nor Briefserve.com yields results, you have two alternatives.

For briefs within the last 30 years, contact the clerk's office of the deciding court to see if the court continues to store the briefs, among other case-file records, at the State Records Center. (Most state appellate courts store briefs there for less than 30 years.) Expect delays of up to a month, and prepare yourself for a crapshoot, as the case file might have missing contents, including the briefs.

For briefs not available from the court, including filed briefs over 30 years ago, try the California State Archives. Call the Archives Reference Desk at 916-653-2246 with the party names and the docket number. Click [here](#) for information about fees. Note that "staff time is limited," so expect delays. (The Archives also has a finding aid, "[Supreme Court of California Records](#).") If the Supreme Court reviewed a Court of Appeal opinion, these records may include the briefs in the Court of Appeal case.

Contacts for Referenced Sources

Allow up to 24 hours for turnaround by referenced document delivery services.

- [Bernard E. Witkin State Law Library](#) ("CA"): 916-654-0185 / cslaw@library.ca.gov
 - You can ask the reference staff of your local county law library to borrow briefs that the Library has. Otherwise, unless you work for a firm with a

¹ I gratefully acknowledge the indispensable assistance of my colleagues, with special thanks to Beth Owens, Senior Librarian, Witkin State Law Library; Marcia Bell, Director, San Francisco County Law Library; and Kurt Shuck and Jennifer Marshall of the NOCALL Public Relations Committee.

librarian, or can visit the Library, you will need a document retrieval service to copy Library holdings of briefs.

- [Los Angeles County Law Library, Document Delivery](#) (“LA”): 213-629-3531 / info@lalaw.lib.ca.us
- [Bernard E. Witkin Alameda County Law Library](#), Document Delivery (“AC”): 510-208-4832
 - Click [here](#) for holdings.
- [Orange County Law Library, Document Delivery](#) (“OC”): 714-834-3397
- [San Diego County Law Library Document Delivery](#) (“SD”): (619) 531-3900 / ill@sdcll.org
- [Hastings College of the Law Library Micrographics Center](#) (“Hastings”): 415-565-4751
 - The Library staff does not offer document delivery, and can not confirm that briefs are available, but the public can use the Library in-house. California-licensed attorneys have evening and weekend access.
- [University of San Diego Pardee Legal Research Center](#) (“UCD”)
 - The Library staff does not offer document delivery, and can not confirm that briefs are available, but the public can use the Library in-house.
- [McGeorge School of the Law, Gordon D. Schaber Law Library](#) (“MCG”)
 - The Library staff does not offer document delivery, and can not confirm that briefs are available, but California-licensed attorneys can use the Library in-house.
- Westlaw Reference Attorney (“Westlaw Attorney”): 800-733-2889
- BriefServ.com: Thomson-West Court Record Services. Open an account at <http://www.briefserve.com/home.asp>. 215-535-6610 / .info@BriefServe.com

California Courts of Appeal

Years Covered	Source / Format / ² Arrangement ³	Extent of Coverage ⁴	Comments
July 1996 – present	BriefServ.com / pdf / docket number or case name LA / paper for 1998 – / docket number	Briefserve.com obtains briefs from SD and LA within a month of receipt, and, unlike Westlaw, includes briefs filed in unpublished opinions.	Free in-house access to BriefServ.com expected at SD , CA, LA, and AC in 2005. Microfiche for CA, SD, LA and AC expected.
July 1996 – June 2003	CA / paper / docket number;	Has different gaps from Briefserv.com	Briefserv.com access at CA expected 2005.
1987 – present	CA-APP-BRIEF or KeyCite on Westlaw / Official Reports citation	Selected “hot” cases	Call Westlaw Attorney to confirm availability.
1902 – present	LA / paper / docket number	Incomplete, dates covered vary by Appellate District	Click here for holdings.
1996 – 2002	OC / microfiche / Official Reports citation	Extensive, with gaps	

² Microfiche has a multitude of sins with respect to quality of print and integrity of content. Beware.

³ Where you see arrangement by docket, you have a chance of obtaining briefs for opinions not published in the Official Reports. Arrangement by Official Reports means that coverage is limited to briefs for published opinions.

⁴ Gaps in coverage vary according to the format and the sources of microfiche. Consider, for example, Courts of Appeal briefs for 1905 – 1935 and Supreme Court briefs for 1895 – 1935. CA’s paper and microfiche holdings for these periods may have different gaps in coverage, because the microfiche represents briefs that AC received, while CA’s print holdings include briefs that CA received. You might also find different gaps with respect to OC’s and LA’s microfiche holdings for 1996 – 1998, because the briefs are microfilmed from different sources. Finally, no one – except Alice’s Rabbit – knows how wide the gaps are.

1996 – 1998	LA / microfiche / docket number	Extensive, with gaps	Call or e-mail LA Information Staff to confirm availability.
October 1969 (1 Cal. App. 3d – July 1996 (46 Cal. App. 4th)	CA, AC, OC and Hastings / microfiche / Official Reports citation	Extensive, with gaps; Microfiche based on briefs received by AC; Limited to published opinions	CA has a microfiche index.
1979 – 1995	SD / paper / docket number	Extensive, with gaps	
1905 – 1969	CA / paper / Official Reports citation	Extensive, with gaps; Limited to published opinions	CA stores bound volumes of paper briefs off-site.
1905 – 1935 (Cal. App. 1st)	CA (paper and microfiche); OC, SD, UCD and Hastings (microfiche only) <u>Microfiche</u> : Case name index on microfiche	Published and selective unpublished opinions. Microfiche based on briefs received by AC	CA has its own bound volumes, arranged by Official Reports citation. Stored off-site

California Supreme Court

Years Covered	Source / Format / Arrangement	Extent of Coverage	Comments
1999 – present	LA / paper / docket number	Incomplete	
July 1996 – present	BriefServ.com / pdf / docket number or case name CA-BRIEF or KeyCite on Westlaw / Official Reports citation	According to Westlaw Library Relations, CA-BRIEF has <u>briefs for all opinions since July 1996.</u>	Free in-house access to BriefServ.com expected at SD , CA, LA, and AC in 2005. Microfiche for CA, SD, LA and AC expected
July 1996 – June 2003	CA / paper / docket number;	Has different gaps from Briefserv.com	Briefserv.com access at CA expected 2005
1996 – 2002	OC / microfiche / Official Reports citation	Extensive, with gaps	
1985 – July 1996	CA-BRIEF or KeyCite on Westlaw / Official Reports citation	Selected “hot” cases, 1985 – July 1996	Call a Westlaw Attorney to confirm availability.

October 1969 – July 1996 (1 Cal. 3d – 12 Cal. 4th)	CA, AC, LA, MCG / microfiche / Official Reports citation	Extensive, with gaps; Microfiche based on briefs received by AC; Limited to published opinions	CA has a microfiche index.
1979 – 1995	SD / paper / docket number	Extensive, with gaps	
1867 – 1995	LA / paper / docket number	Incomplete	Click here for holdings. Includes coverage of opinions not published between 1850 and 1909. ⁵
1906 – 1978	Hastings ⁶ / paper / index	Extensive, with gaps	For holdings and scope of index, click here .
1863 – 1969	CA / print / Official Reports citation	Extensive, with gaps; Limited to published opinions	CA stores bound volumes of paper briefs off-site.
1895 – 1935	CA (paper and microfiche); OC, SD, UCD and Hastings (microfiche only) <u>Microfiche</u> : Case name index on microfiche	Published and selective unpublished opinions. Microfiche based on briefs received by AC	CA has its own bound volumes, arranged by Official Reports citation. Stored off-site

⁵ “From 1859 to 1909, California Supreme Court and appellate decisions were selectively published.” Youmans et al., “Questions and Answers [on Depublication],” 82 LAW LIB. J.641 (1990), citing Strauss, “Written Opinions,” 39 CAL. ST. B.J. 127, 131 (1964). See also the preface to 1 *California Unreported Cases* (1913).

⁶ Hastings is custodian of a briefs collection that San Francisco County Law Library owns.