

How do I Understand a Legal Citation?

written by Nancy Brent | August 31, 2012

Avoiding Liability Bulletin - January 1, 2013

In many of the bulletins, I have presented a case and its legal citation for your review. You may have asked "How can I understand this?" Understanding a legal citation is important, especially if you want to, as an example, read the case for yourself. So, a guide in helping you to do is a useful tool in your understanding of the law and your nursing practice.

I'll use the following citation as an example:

Uhr. v. Luthern General Hospital, 226 Ill. App. 3d 238, 589 N. E. 2d 723 (1992).

(1) (2) (4) (5) (6) (7) (8) (9) (10)
(3)

- (1) The name of the plaintiff at the trial court level. The name of the appellant in a case before a higher court such as a court of appeals.
- (2) The name of the defendant at the trial court level. The name of the appellee in a case before a higher court such as a court of appeals.
- (3) The names of the plaintiff and defendant or the appellant or appellee make up the name of the case.
- (4) Indicates the volume number of the book in which the case appears.
- (5) Indicates the name of the state reporter of cases decisions in which the case appears.
- (6) Identifies the page number on which the case begins in the state reporter of cases.
- (7) Most cases are published in national reporter books as well. This indicates the volume number of the national reporter of cases decisions.
- (8) Indicates the name of the national reporter of case decisions in which this case also appears.
- (9) Designates the page number on which the case begins in the national reporter of case decisions.
- (10) States the year in which the case was decided.

In addition to hard copies of reported cases in the state or national reporting books, cases can be found on the Internet as well. This is an easy and quick way to read a case, since you do not have to go to a law library or public library that may carry the state or national reporters.

Simply put the name of the case in your search bar and, if the case is readily available (and most are), you simply click on the link and the case will appear. One thing you must check is to make sure the citation is exactly the one you are looking for. If a case has been appealed to a higher court in a

particular state, or to a federal court (e.g., a federal appeals court or the United States Supreme Court), you may not have the most current decision.

You can also find court cases if you subscribe to on-line legal data bases, such as WESTLAW or LEXIS-NEXIS. One on-line reporting entity that does not require a monthly fee is FINDLAW. And, many state websites also provide access to laws and court decisions in that state that are free of charge.

Just for fun, try accessing a court case you might be interested in. Reading the case may not be as interesting as other reading you do, but it will give you some experience in finding a case and also in reading it first-hand.

Good luck!

REFERENCES

Guide adopted from: Elizabeth Hoque (1985). *Nursing and Informed Consent: A Case Study Approach*. National Health Publishing, 209.

Brent, Nancy J (2001). "Guidelines for Legal Research", *in* *Nurses and the Law: A Guide to Principles and Applications* by Nancy J. Brent (with 3 contributors). Philadelphia: W.B. Saunders, 511-514.