

CHECK IT OUT

Lucille Stewart Beeson Law Library Newsletter
Cumberland School of Law of Samford University



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Alabama Legal Forms at Beeson Law Library

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A common reference request from student and attorney patrons alike is for legal forms addressing a specific legal issue and jurisdiction. There are various resources, in print and online, that can help fill that need. When beginning to search for a form, it is important to know in what jurisdiction the form will be used and the subject matter and type of action that the form would ideally address. The researcher must also understand, however, that any one library will not have forms for all jurisdictions on all conceivable legal topics. Legal form finding could, perhaps, be best described as a process of looking at the various sources of forms and finding the form that comes closest to meeting a research need and then reforming it to reflect that need and the current laws of the appropriate jurisdiction.

Ideally, the researcher may be able to find an appropriate form covering the subject matter in the jurisdiction needed. There are numerous Alabama-specific form books as well as treatises that include forms which may meet a researcher's needs. As with any other legal materials, the researcher **must evaluate the publication date of the volumes used** (or the pocketpart updates) in relation to any changes in that state's law for the topic. Below is a list of materials you may want to consider

when looking for Alabama jurisdictional forms:

ALABAMA AND FEDERAL COMPLAINT FORMS, by Robert Sellers Smith and Joan McIntyre, Madison Publishing Company, Huntsville, Alabama (1979). KFA533.A65 S64 (2nd Floor). Though dated, this form book provides a treasure trove of examples of Alabama-specific complaints in both federal and state jurisdictions.

ALABAMA AND FEDERAL MOTION FORMS, by Robert Sellers Smith and Joan McIntyre, Madison Publishing Company, Huntsville, Alabama (1983). KFA535.A65 S4 (2nd Floor). This volume provides an extensive, though dated, collection of motion forms with an excellent index in the back of the book.

ALABAMA AND FEDERAL ORDER AND JUDGMENTS FORMS, by Robert Sellers Smith and Joan McIntyre, Madison Publishing Company, Huntsville, Alabama (1983). KFA544.A65 S4 (2nd Floor). Though dated, this Alabama-specific work is a starting point for finding order and judgment forms. A good index can be found at the end of the volume.

ALABAMA AND FEDERAL PLAINTIFF DISCOVERY FORMS, by Robert Sellers Smith, Madison Publishing Company, Huntsville, Alabama (1984). KFA537.A65 S4 (2nd Floor). This volume provides an excellent collection of Alabama-specific interrogatories, post judgment forms, request for production forms, request for admission and notice of deposition forms.

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LAW LIBRARY SCHEDULE**MONDAY-THURSDAY****7:00 A.M.-12 MIDNIGHT****FRIDAY****7:00 A.M.-10:00 P.M.****SATURDAY****9:00 A.M.-10:00 P.M.****SUNDAY****1:00 P.M.-12 MIDNIGHT****Remember:**

**The hours for Spring break,
Easter and Finals will be
available on our [web page](#)
after March 1st.**

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ALABAMA APPELLATE PRACTICE GUIDE, by Ed R. Haden, Balch & Bingham LLC, [Birmingham, Alabama] (2009). KFA514.A9 H65 2009 (2nd Floor).

This volume provides example forms in the Appendices such as “Notice of Appeal,” “Docketing Statement” and “Transcript Purchase Order of Appellant.”

ALABAMA DIVORCE, ALIMONY AND CHILD CUSTODY HORNBOOK, FOURTH EDITION, by Penny A. Davis and Robert L. McCurley, Jr., Lawyers Educational Press, Inc., Tuscaloosa, Alabama (2005). KFA100.M285 2005 (2nd Floor). At the back of the volume, Part V is a large collection of forms on the topic, including annulment, legal separation, complaints of divorce, service of process, answer, judgment, income withholding, request for admissions, discovery, contempt, modification and appeal. The table of contents for chapter 42 is

your best entry point for finding forms in this work.

ALABAMA PLEADING, PRACTICE AND LEGAL FORMS: RULES OF CIVIL PROCEDURE, 3rd ED., by Jack B. Hood, Benjamin A. Hardy, Jr. and Charles H. Walker, Thomson West, 2003 (latest update 2018-2019). KFA530.A65 H64-2003 (Reference). This two volume set is organized by rule number from the Alabama Rules of Civil Procedure. At the beginning of each rule’s section, you will find research references from other West publications for that rule, the text of the rule and then the forms that are tailored for that rule. It is highly advisable to know the rule number with which you are dealing before accessing this set because there is no comprehensive index for these two volumes. There is an index at the end of each volume, but its coverage is only for that *specific* volume.

ALABAMA CIVIL PRACTICE FORMS, 4th ED., by Allen Windsor Howell, Michie Law Publishers, Charlottesville, Virginia (latest update 2018). KFA530.A65 H6-2005 (Reference). This two volume set is a good resource for finding Alabama-specific general practice forms. A comprehensive index, table of cases and a table of authorities cited is available at the end of the second volume.

ALABAMA CRIMINAL TRIAL PRACTICE FORMS, 2018 EDITION, by Jack B. Hood and Herbert H. Henry III, Thomson Reuters, Eagan, Minnesota (2018). KFA575.A65 H65 2018 (Reference). An up-to-date text of over 1800 pages, with almost all of it devoted to forms dealing with criminal trial practice.

ALABAMA DUI HANDBOOK: 2018-2019 EDITION, by Philip B. Price, Sr., Thomson Reuters, Eagan, Minnesota (2018-2019). KFA297.8-.P72 2010 (Reference). Author provides various forms, particularly in the chapters entitled “Law Office Management and Technology,” “Discovery,” “Pretrial Motions” and “The Trial.”

ALABAMA LAW OFFICE PRACTICE DESKBOOK, TWELFTH EDITION, by Robert L. McCurley, Jr., Cumberland School of Law, Samford University, Birmingham, Alabama (2018). KFA77.M3 2018 (Reference & Reserve). This book has been used heavily by practitioners and students alike over the years for finding forms and checklists involved in day-to-day practice.

ALABAMA RESIDENTIAL, COMMERCIAL & MINERAL LEASE LAW, by David C. Skinner, Lexis Law Publishing, Charlottesville, Virginia (last updated 1999). KFA117.S65 (2nd Floor). This treatise includes chapters of forms covering termination and litigation, residential lease provisions, mineral lease provisions as well as assignments, terminations and notices. The subtopics under “forms” in the index should be a good entry point for the researcher.

ALABAMA RULES OF CRIMINAL PROCEDURE, FOURTH EDITION, by Hugh Maddox, Matthew Bender & Company, Inc., New Providence, New Jersey (last updated 2010). KFA529.A22 2004 (2nd Floor). This two volume set includes in Appendix I the “Original Sample Forms,” and “Unified Judicial System Forms” distributed by the Administrative Office of the Courts.

ALLEN'S ALABAMA LIABILITY INSURANCE HANDBOOK, SECOND EDITION, by John Johnson II and Richard E. Smith, Matthew Bender & Company, Inc., New Providence, New Jersey (last updated 2018). KFA191.A1 A95-2008 (Reference). Found in the appendix, forms include "motion to intervene," "complaint," "reservation of rights: letter from claims supervisor," "complaint for declaratory judgment," "answer" and "complaint and jury demand."

ALABAMA WORKERS' COMPENSATION LAW AND HANDBOOK, SECOND EDITION by Robert W. Lee and Steven W. Ford, Matthew Bender & Company, Inc., Newark, New Jersey (2018 update). KFA342.L35 2004 (Reference). This treatise includes "Employer Forms," "Employee Forms," "Discovery Forms," "Medical Forms," "Mediation/Settlement Forms," "Trial Related Forms," "Appeal Forms," as well as tables of present values and life expectancy.

ALABAMA WORKERS' COMPENSATION WITH FORMS, FIFTH EDITION, by Jack B. Hood, Benjamin A. Hardy, Jr., and E.J. Saad, Thomson Reuters, Eagan, Minnesota, 2019. KFA342.H66 2019 (Reference). Forms can be found interspersed in the text of this treatise. Tables of present values and mortality can be found in Appendix I and II, respectively.

FAMILY LAW IN ALABAMA: PRACTICE AND PROCEDURE, FOURTH EDITION, by Rick Fernambucq and Gary Pate, Matthew Bender & Co., New Providence, New Jersey (latest update 2010). KFA94.5.A65 F35 2009 (Reference). Chapter 14 of this treatise, "Form Pleadings and Motions," provides forms as well as preceding explanatory text for each form.

Researchers should look at the subtopics under "forms" in the index for an entry point into the book.

LAW OF SHOPLIFTING: A GUIDE FOR LAWYERS AND RETAIL MERCHANTS, by T. Brad Bishop, [Samford University Press], Birmingham, Alabama [2007]. KFA568.T45 B57 2007 (2nd Floor). Author includes several forms in Part IV, "Guides to be Used in Preserving the Evidence for Trial."

MUNICIPAL COURTS: PRACTICE AND PROCEDURE IN ALABAMA, THIRD EDITION, by Thomas Brad Bishop, Samford University Press, Birmingham, Alabama, 2012. KFA518.B55 2012 (Reference). The Appendix beginning at p. 407 includes a generous number of forms on the topic.

PROSECUTION AND DEFENSE OF DUI CASES: A PRACTITIONER'S HANDBOOK, by T. Brad Bishop, Samford University Press, Birmingham, Alabama (2004). KFA297.8 .B56-2004 (2nd Floor). This book has numerous forms interspersed through the nine appendices dealing with the stages of handling a DUI case.

REAL ESTATE HANDBOOK: LAND LAWS OF ALABAMA, EIGHTH EDITION, by Robert L. McCurley, Jr., and Penny A. Davis, Matthew Bender & Company, Inc., New Providence, New Jersey (last updated 2018). KFA112.M33 2014 (Reference). This treatise devotes more than half its space to forms, starting at page 327. To find a particular form, look in the index under "forms."

SOUTHEAST TRANSACTION GUIDE: FLORIDA, GEORGIA AND ALABAMA, by Byron L. Sparber, Carl H. Cofer and Thomas A. Ritchie, Matthew Bender & Company, Inc., New Providence,

New Jersey (last update 2018). KFA1410.S6 (Reserve). This looseleaf multi-volume set includes forms for the three states indicated in the title for a huge variety of legal and business transactions. A definite plus is that the set is updated at least on an annual basis.

Pattern Jury Instructions

Pattern jury instructions are "forms" in the sense that they are model charges to the jury for use by lawyers and judges in a particular jurisdiction. In Alabama, there are separate jury instruction publications for criminal and civil court proceedings.

ALABAMA PATTERN JURY INSTRUCTIONS, CIVIL, 2ND ED., by Alabama Pattern Jury Instructions Committee, Thomson Reuters, Inc., Eagan, Minnesota. 2018-2019. KFA542.A9 2018-2019 (Reference).

PATTERN JURY INSTRUCTIONS—CRIMINAL PROCEEDINGS, compiled by Bill Bowen And Myra Sabel, 2013, (last updated 2017) Can only be found at the website of the Alabama Supreme Court and State Law Library at: <http://judicial.alabama.gov/library/juryinstructions>.

PATTERN JURY INSTRUCTIONS: (CIVIL CASES), 2005 ED., by Committee on Pattern Jury Instructions, District Judges Association, Eleventh Circuit. KF8984.P34 2005 (Reference, First Floor.) This work was created for use among the federal district courts within the Eleventh Circuit. You should use the margin index on the back cover of the volume to locate the appropriate part of the instructions and then locate needed text using the index found in the front of each part. The parts include "Preliminary Instructions Before Trial," "Basic Instructions," "Federal Claims Instructions," "State Claims

Instructions,” and “Supplemental Damages Instructions.”

PATTERN JURY INSTRUCTIONS: (CRIMINAL CASES), 2010 ED., by Committee on Pattern Jury Instructions of the Judicial Council of the Eleventh Circuit. KF8984.P35-2010 (Reference). This book is designed to be used in federal criminal trial cases of the Eleventh Circuit jurisdiction. The margin index on the back cover of the paperback volume will aid the reader in finding the appropriate instructions, including “Basic Instructions,” “Special Instructions,” “Offense Instructions” and “Trial Instructions.”



Professors in Print

The Law Library has received copies of the following publications.

Brannon Denning's 2018 Cumulative Supplement to Bittker on the Regulation of Interstate and Foreign Commerce. The bound volume and supplement can be found on the Second Floor, KF4606-.B58 2013.

Deborah Young's 2018 edition of Federal Sentencing Law and Practice. The new edition can be found on the Second Floor, KF9685 .H87-2018.

HeinOnline Update

ScholarCheck helps researchers quickly locate related material throughout HeinOnline.

ScholarCheck:

- Analyzes the most-cited journals, articles, and authors
- Enables users to view and access articles and cases cited by other articles and cases, and to see how many times an article has been accessed by other HeinOnline users within a rolling 12-month period
- Provides inline hyperlinking so users can quickly access related material across HeinOnline
- Allows users to sort search results by most-cited and most-accessed content
- Calculates metrics for ranking scholarly authors and displays these metrics in Author Profile pages
- ScholarCheck is available in most HeinOnline databases. Look for the icon to determine where it can be used.

See this video for more information: <https://help.heinonline.org/kb/scholarcheck-2>.

Study Materials - CD Series

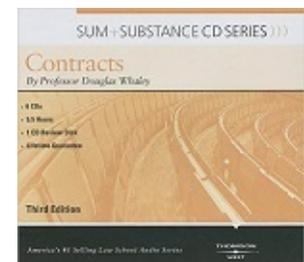
The Law Library has purchased some new editions, as well as replacements, of the **Sum + Substance CD series** listed below. Each are shelved on Reserve and can be checked out for three days.

Cheh, Mary M. Constitutional Law. Ninth edition. Eagan, MN : West Academic Publishing, [2016].

Dressler, Joshua. Criminal law. Seventh edition. St. Paul, MN : West Academic Publishing, [2018].

Dressler, Joshua. Criminal procedure. Seventh edition. St. Paul, MN : West Academic Publishing, [2018].

Miller, Arthur R. Civil Procedure. Eighth edition. St. Paul, MN : West Academic Publishing, [2016].



**Researching Judges
and Attorneys:
*Bloomberg Law, Lexis
Advance, and Westlaw Edge***

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Evening/Weekend
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In order to, successfully, engage in litigation practice, it is often helpful to evaluate the histories and past actions of the judges and the attorneys who are associated with particular cases. Bloomberg Law, Lexis Advance, and Westlaw Edge are subscription databases that provide useful tools that can be used to research judges and attorneys. The following is information about those platforms.

Bloomberg Law
Litigation Intelligence Center

Bloomberg Law's Litigation Intelligence Center combines dockets, primary sources, news, and other practice tools in one interface. This is done in an effort to help the user expedite the process of locating information that is essential to litigation practice. When researching judges and attorneys through this platform, Bloomberg's Litigation Analytics is a good starting point for finding key information.

Bloomberg's Litigation Analytics contains information about all active federal district court judges. Using this tool, a researcher can learn about a judge's career history. This information includes the number of times that the judge has granted a particular motion and how often

the judge has affirmed or reversed a decision. In addition to other useful information, recent news about the judge is provided.

Bloomberg's Litigation Analytics also provides information about approximately 100,000 lawyers, and, approximately 7,000 law firms. This tool allows the researcher to find out the names of the parties that the attorneys and the law firms have represented. It also allows the researcher to find out the types of cases that those attorneys and firms have litigated. Career and educational histories of attorneys can, also, be found.

Bloomberg Law's Litigation Analytics interface provides data visualization tools that allow the charting of information relevant to the activities of judges and attorneys.

Lexis Advance
Litigation Profile Suite

Lexis Advance's Litigation Profile Suite is a product that is, also, a good place to start in order to find information about judges and attorneys. The platform provides information about, approximately, 48,000 judges and over two million attorneys.

The platform provides profiles of both current and former federal judges. There are, also, profiles of judges on state courts of last resort. Attorney profiles are included in the database once they are verified, usually through state bar and law firm websites.

Lexis's Litigation Profile Suite allows the researcher to view graphs that depict things such as practice histories, ruling histories, and case involvement. The tool, also, provides the background information of over 365,000 expert witnesses.

Westlaw Edge
Litigation Analytics

When using Westlaw Edge, the researcher can use Westlaw's Litigation Analytics to find information about the judges and attorneys who are involved in various cases. The information is pulled from state and federal dockets, in addition to other sources. The researcher can search within search results, which allows the targeting of more specific, relevant information.

Like Bloomberg and Lexis, Westlaw provides data visualization tools that can be used when studying the activities of attorneys and judges.

**Popular Book -
New Edition!**

The Law Library has received three copies of the title: **Alabama Law Office Practice Deskbook, 12th ed., by Robert L. McCurley, Jr.** This new edition is published by Cumberland School of Law, Samford University. The classification number is KFA77- .M3 2018 and copy one is on Reserve, copies two and three are shelved in Reference.

**Director's Brief
Results of the Annual
Survey of Law Students
Regarding the Law
Library,
February 2019**

From Greg Laughlin
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The Law Library just completed its annual survey of law students. We had by far the highest rate of participation, with 101 students completing the survey. In each area the majority of respondents gave a response showing high levels of satisfaction. In only two areas—hours of operation and physical space and furnishings—did less than 75% respond as very or extremely satisfied. The highest negative responses were 8.1% dissatisfaction with the physical facilities (which, based on the comment section, appears to be focused on the lack of comfortable seating), and 7.1% dissatisfaction with the Law Library's hours of operation.

I. The following is a summary of the responses to each of the twelve questions designed to assess levels of law student satisfaction:

- Of those with an opinion, 84.8% were always or frequently able to find what they were looking for when visiting the Law Library. Only 1.1% were seldom or never able to do so. The remainder of those with an opinion responded that they were somewhat able to do so.

- Of those with an opinion, 86.7% were extremely or very satisfied with the overall services of the Law Library, with 1% not very or not at all satisfied. The remainder of those with an opinion responded that they were somewhat satisfied.

- Of those with an opinion, 95.9% responded that the Law Library is extremely or very helpful, with 1% responding that the Law Library staff was not very or not at all helpful. The remainder of those with an opinion responded that the Law Library staff was somewhat helpful.

- Of those with an opinion, 89.8% were extremely or very satisfied with the information resources available through the Law Library, with 1.1% not very or not at all satisfied. The remainder of those with an opinion responded that they were somewhat satisfied.

- Of those with an opinion, 90.4% were extremely or very satisfied with the Law Library's reference services, with 1.1% not very or not at all satisfied. The remainder of those with an opinion responded that they were somewhat satisfied.

- Of those with an opinion, 81.4% were extremely or very satisfied with the Law Library's information technology services, with 4.1% not very or not at all satisfied. The remainder of those with an opinion responded that they were somewhat satisfied.

- Of those with an opinion, 53.5% were extremely or very satisfied with the Law Library's hours of operation, with 7.1% not very or not at all satisfied. The remainder of those with an opinion responded that they were somewhat satisfied.

- Of those with an opinion, 85.7% were extremely or very satisfied with the Law Library's hours of operation, with 1.3% not very or not at all satisfied. The remainder of those with an opinion responded that they were somewhat satisfied.

- Of those with an opinion, 75% responded that it was extremely or very easy to find the books and journals they needed in the library catalog, with 6.3% responding that it was not very or not at all easy. The remainder of those with an opinion responded that it was somewhat easy.

- 93.5% of respondents indicated that they use the link provided on the Law Library web site to access the library catalog, with 6.5% indicating that they used other means to do so.

- Only 20% of respondents reported using a subject research guide on the Law Library web site.

- Of those with an opinion, 53.5% were extremely or very satisfied with the law physical space and furnishings, with 8.1% not very or not at all satisfied. The remainder of those with an opinion responded that they were somewhat satisfied.

II. Following the first twelve questions, which have been asked in past years, the survey had three questions which were designed to assess the Law Library's relaxed enforcement of our noise restriction policy and the need for a space within the Law Library where students can work collaboratively (and with fewer noise restrictions).

- Of those with an opinion, 56% favored the more relaxed enforcement of noise restrictions, with 44% favoring a return to more strict enforcement of our noise restrictions.

- The next two questions focused on whether the Lower Level should be turned into a collaborative work space or, alternatively, reserved for a quiet space, with the remainder of the Law Library being made available for collaborative work.

- Of those with an opinion, 57.4% favored turning the Lower Level into a learning commons space, allowing for more collaborative work and less noise restrictions, and more strict enforcement of noise restrictions on the remaining floors, 42.6% opposed this proposal.

- On the alternative proposal, 40.9% supported making the Lower Level a quiet space, and the remainder of the Law Library becoming a collaborative space, with an identical 40.9% opposed to this proposal because they support the Lower Level being turned into a collaborative space. The remaining 18.3% desire more strict enforcement of noise restrictions on all levels.

III. Finally, law students were given the opportunity to make comments. Sixty-three students did so. Space does not permit listing each and every comment, but the following were issues addressed by multiple respondents:

- Longer hours of operation for the Law Library (with some calling for 24/7 access and some calling for Sunday morning access).

- More comfortable chairs

- Upgraded and more printers (with concerns about the quality of the WEPA stations and in the computer labs)

- More reliable and distributed staplers and three-hole punches

- Uncleanliness and noticeable wear and tear in the library

- Need for more study rooms and isolated work spaces (with questions about whether the Lower Level former computer lab and adjacent room could be made available for such purposes)

- A coffee station or shop, along with more food options

- Table top outlets

- Concerns about the slowness of the computers in the computer labs

IV. Our initial response

Some areas of concern will require working with the administration to secure more funding, such as extended hours of access to the Law Library, better printers, outlets on the top of library tables, and a coffee shop or station.

As to other concerns, however, we intend to reallocate money from our existing budget to address issues raised in the comments.

- We are currently planning to designate the Lower Level as a collaborative work area beginning with the Summer Semester of 2018 and throughout the next academic year and resuming more strict enforcement of our noise policy for the remaining floors. Signs will be

posted to this effect. We are also exploring the purchase of more seats with built-in cushions and additional cushions which can be added to some of the existing seats.

- We are also planning to purchase more staplers and three-hole punches for wider distribution within the Law Library.

- We have already made a request for replacement of lab computers which are going off lease at the end of this fiscal year, so that one of the two second-floor labs should have new (and hopefully faster) computers beginning this summer.

Don't forget ... Daylight Saving Time begins at 2 a.m. on Sunday, March 10. Turn your clocks FORWARD one hour!



One more issue of **CHECK IT OUT** will be published this semester. If you have any ideas or suggestions as to ways we can improve, contact **Becky Hutto** via e-mail rmhutto@samford.edu.

