Taggart Law Library Research Guide #8: 
Environmental/Natural Resources Law

There are many different sources available to you to conduct environmental law research in the Taggart Law Library. If you need assistance locating or using any of these sources, do not hesitate to consult a librarian.

**Secondary Sources:**

- **Treatises:** Legal treatises, or books, are often a good way to begin researching a legal topic. These treatises can be one volume or multi-volume, and may be updated with pocket parts or as part of a looseleaf service. They provide a discussion of the law in that area and can give you citations to cases, statutes, and regulations, as well as references to other research materials.

A few of the general treatises on environmental and natural resources law available at the Taggart Law Library include:


- **Browsing the Stacks:** Sometimes by browsing the stacks in a particular area, you can find something better than what you were originally looking for! Here are the call numbers and locations of some environmental and natural resource law subjects:

<table>
<thead>
<tr>
<th>Call No.</th>
<th>Subject</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>KF 3775</td>
<td>Environmental law—United States</td>
<td>Law North</td>
</tr>
<tr>
<td>KF 5505</td>
<td>Natural resources—law and legislation—United States</td>
<td>Law North</td>
</tr>
<tr>
<td>KF 5624</td>
<td>Wetlands—law and legislation—United States</td>
<td>Law North</td>
</tr>
</tbody>
</table>

Of course, you can always use POLAR, the online catalog, to find books, call numbers, and locations.

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• **Encyclopedias:** Legal encyclopedias provide general overviews of legal topics and references to other research materials. These encyclopedias will have a subject index to help you find entries by topic. For example, if you wanted to look up the topic “National Environmental Policy Act” in the index, it might lead you to the encyclopedia’s article on “Pollution Control,” which you could then look up in the appropriate encyclopedia volume.

Taggart Law Library has two popular national legal encyclopedias:

- **American Jurisprudence, 2nd ed.** (AmJur2d)—Law North (also available on Lexis and Westlaw)
- **Corpus Juris Secundum** (CJS)—Law North (also available on Westlaw)

There are also encyclopedia sets available for many states if your research focus is state-specific. Ohio Jurisprudence (OJur), for example, is an Ohio legal encyclopedia. State encyclopedias can be found in the state materials section on the south side of the library.

• **A.L.R. Annotations:** Experts in a particular area of the law write the annotations, or articles, found in *American Law Reports*. They usually focus on a very narrow area of the law and can provide case citations and references to other secondary sources. Annotations can be found topically using the index or from citations found in other secondary sources. Looking up the topic “Wetlands” in the index, for example, would lead you to 46 ALR 3d 1422, an annotation titled “Conservation: Validity, Construction, and Application of Enactments Restricting Land Development by Dredging or Filling.”—Law South (also available on Lexis and Westlaw)
• **Research Guides/Bibliographies:** Sometimes helpful research sources for a particular area of the law have already been pulled together by someone else. An example of a print research guide on environmental law is:

  **Specialized Legal Research**, Chapter 6: Environmental Law and Land Use Planning. Leah F. Chanin, ed.  
  **KF 240.S64 1987—Law North and Law Reference**

**Online Research Guides:**

- University at Buffalo Law School Environmental Law Research Guide:  
- Georgetown Law Library Environmental Law Research Guide:  
  [http://www.ll.georgetown.edu/guides/environmental.cfm](http://www.ll.georgetown.edu/guides/environmental.cfm)
- American Society of International Law Electronic Resource Guide to International Environmental Law:  
  [http://www.asil.org/erg/?page=ienvl](http://www.asil.org/erg/?page=ienvl)
- Pace Law Library Environmental Law Collection of Legal Research Guides:  

**Journal Articles**

Articles from legal journals and law reviews can also be helpful in explaining an area of the law and providing research references. Articles can often be more current and more narrowly focused than books. For example, on the topic of the “Public Trust Doctrine” the article “Toward a New Social-Political Theory of the Public Trust Doctrine” from the Spring 2011 issue of the *Vermont Law Review* might be helpful.

**How do I find journal articles on my topic?**

There is usually a two-step process to finding journal articles:

1. Use a print or online index to find citations to articles by topic
2. Go to a print or online journal to get the full text of the article

For the above example, this process would look something like this:

1. Look in index under “Public Trust Doctrine” topic to find “Toward a New Social-Political Theory...” article
2. Go to the correct issue of the *Vermont Law Review* to get the actual article
Print and Online Journal Indexes:

**Index to Legal Periodicals and Books** (Beige in color)
- Articles indexed by subject and author from 1886-present; citations only—Law North (also available electronically through library’s Subscription Services page)

**Current Law Index** (CLI—Red & black in color)
- Articles indexed by subject, author, and title from 1980-present; citations only—Law North (also available electronically through library’s Subscription Services page as LegalTrac)

**Index to Foreign Legal Periodicals** (Burgundy in color)
- Articles indexed by subject, geographical area, and author from 1960-present—Law North (also available online through library’s Subscription Services page)

Online indexes can be accessed through the Library Subscription Services page. (See below)

Where do I go to get the full text of articles?

- **Bound Periodicals and Law Reviews**: Shelved in alphabetical order by journal title—Law North

- **Law Reserve**: The most current issues of our periodicals are kept on reserve. If the article is recent and you can’t find it on the shelves, ask at the Circulation Desk.

- **LEXIS and Westlaw**: Both LEXIS and Westlaw have databases for law reviews and journals. Coverage varies by title.
• **HeinOnline**: Full text of law reviews and journals; coverage varies by title—available at the law library from the Library Subscription Services web page (see below)

• **JSTOR**: Scholarly journal archive featuring full text page images of articles from journals in economics, history, political science, sociology, and many other disciplines; coverage varies by title—available through the Library Subscription Services web page (see below)

• **Google Scholar**: Searches scholarly literature (books, articles, etc.); search results include citations and links to full text. “OLinks” linking feature shows print and online access to materials at ONU and OhioLINK. Available at [http://scholar.google.com](http://scholar.google.com).

**Hein Online and JSTOR**

- **Foreign Law Guide**: Searchable database of the current codes and basic legislation of countries around the world; online version of the treatise by Reynolds and Flores. [Click here for off-campus access.](#)
- **HeinOnline**: Full-text page images of law reviews and journals, the CFR, Federal Register U.S. Code, Statutes at Large, and much more.
- **Index to Foreign Legal Periodicals**: Searchable index of legal literature worldwide, covering all forms of foreign (non-Anglo American) law from 1895-present, also includes full-text page images of print edition from 1960-1984.
- **Index to Legal Periodicals & Books (Wilson)**: Searchable index of English language with selected full text available from 1995-present, retrospective legal periodicals and books from 1908-1981 are also available [here](#).
- **InfoTrac/Legal Trac**: LegalTrac is a searchable index of law reviews, legal newspapers, bar association journals, and international legal journals; InfoTrac is a searchable index of general news and periodical articles, both contain selected full text articles from 1980-present. [Click here for off-campus access.](#)
- **JSTOR**: Full-text page images of academic journals across many disciplines, including the humanities, natural sciences, and social sciences. [Click here for off-campus access.](#)
- **Labor Relations Reporter/Labor & Employment Law Library**: Contains analysis, current awareness, court decisions, laws, regulations, and agency decisions about labor and employment issues. [Click here for off-campus access.](#)

• **Environmental and Natural Resource Law Periodicals**: There are several periodicals dealing with environmental and natural resource law. Some of these titles are listed below, with the law library’s holdings provided where applicable.

  o **Boston College Environmental Affairs Law Review**: Publication of Boston College Law School (former title: *Environmental Affairs*; vol. 1-current in Law Periodicals; also available on HeinOnline)

  o **Colorado Journal of International Environmental Law and Policy**: Publication of University of Colorado Law School (vol. 1-current in Law Periodicals; also available on HeinOnline)

  o **Duke Environmental Law & Policy Forum**: Publication of Duke University School of Law (vol. 1-current in Law Periodicals; also available on HeinOnline)

  o **Ecology Law Quarterly**: Publication of University of California Berkeley School of Law (vol. 1-current in Law Periodicals; also available on HeinOnline)
Case Law

Sometimes you might want to read cases to find out how the courts have dealt with your environmental and natural resources law topic.

How do I find cases dealing with my topic?

- **Secondary Sources**: As mentioned earlier, many secondary sources provide case citations. Examples include treatises, legal encyclopedias, ALR annotations, and journal articles.

- **West Digests**: A tool to help you find cases by subject. They are arranged by predefined topics and subtopics and there are index volumes with each digest set to help you access these topics.

  For example, if you looked up “Wetlands” in a West digest index, it could lead you to the topic of “Waters & Water Courses.” You could then go to the appropriate volume of the digest (topics...
are arranged alphabetically) to find that topic. “Waters & Water Courses” is further divided into subtopics that are called key numbers. West key numbers will have a key symbol next to the number of the subtopics that looks something like this:

Key number 96 under “Waters & Water Courses,” for example, deals with protection and use of wetlands. You could go directly to that key number in the digest and find short summaries of cases, as well as case citations.

Because there are different types of courts and jurisdictions, there are different digest sets, including:

- **State digests**: West digests for individual states located with state materials (Law South)
- **Supreme Court Digest**: Supreme Court cases (Law South)
- **Federal digests**: Only federal cases (Law South)
- **Decennial Digests**: West-reported state and federal cases in all 50 states (Law South)

West digest sets can also help you find a case by name, such as *Norton v. Southern Utah Wilderness Alliance*. They normally have a Table of Cases volume (or volumes) where you can search by case name in alphabetical order.

**Online Sources**:

- **Court Web Sites**: More and more courts, including the U.S. Supreme Court, are now providing their opinions on their official web sites. This can be a good source for finding recent cases, but coverage of past cases is probably limited.
- **LEXIS and Westlaw**: Cases can be found in these online databases by citation, by party name, or by using various search strategies.
- **Casemaker**: Online database of opinions from federal and selected state courts (including Ohio). Can be accessed for free by students who are Ohio State Bar Association members by using your last name and member number. Linked on the Library Subscription Services page and also available at [http://www.ohiobar.org](http://www.ohiobar.org)

**Statutes**

- **United States Code (USC)**: Arranged topically with 51 titles, there are two annotated versions of the United States Code, *United States Code Annotated* (USCA—burgundy in color) and *United States Code Service* (USCS—black). They are produced by different publishers and can differ in the annotations they provide, so it’s a good idea to check both sets.

Some statutes dealing with environmental law issues can be found in Titles 16, 30, 40, and 43. Other statutes may be found elsewhere—use the index volumes at the end of the set to find what you need, or there are volumes listing acts by popular name (National Environmental Policy Act, etc.) We keep copies of both sets in the Law South stacks.
• **State codes:** Annotated state codes work very much like the federal codes, but may have a different topical organization. For example, in Ohio, statutes dealing with conservation of natural resources are contained in Title 15 of the Ohio Revised Code. The Taggart Law Library has state codes for all 50 states in the state materials section on the south side.

• **Online sources:** The U.S. Code and state codes can be found online in various places. LEXIS and Westlaw offer annotated codes, while unannotated versions can be found elsewhere. An excellent online source for recent legislation and Congressional information is the Thomas website, [http://thomas.loc.gov](http://thomas.loc.gov), which is maintained by the Library of Congress.

**Regulations**

Administrative regulations are very similar to statutes, except they are produced by administrative agencies (e.g. the Environmental Protection Agency—EPA) instead of legislatures. There are two main sources for federal administrative regulations:

• **Code of Federal Regulations (CFR):** Codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the federal government. The CFR is organized into 50 titles, which represent broad subject areas. Regulations concerning public lands, for example, are contained in Title 43 of the CFR. The CFR publishes its own index, and there is now a multi-volume index to the CFR published by West. **GS 4.108—Law Documents (North)**

The CFR is available online in the following places:
  - HeinOnline: exact page images from 1938-2009
  - Lexis: current and historical, 1981-present
  - Westlaw: current and historical, 1984-present

• **Federal Register (FR):** The official daily publication for the Rules, Proposed Rules, and Notices of federal agencies and organizations, as well as Executive Orders and other Presidential Documents. The Federal Register is also the place to find agency contact information. The Federal Register has monthly and annual indexes in print to find materials by agency or subject. **GS 4.107—Law Documents (North).**

The Federal Register is also available online in the following places:
  - HeinOnline: exact page images from volumes and annual indexes, 1936-present
  - Lexis: 1936-present (**FEDREG database**)
  - Westlaw: 1936-present (**FR-ALL database**)

• **Agency Documents:** Documents of state and federal administrative agencies may also be useful sources in your research. The law library has collections of selected federal government documents in print, microform, and online formats. They can be found by searching POLAR by keyword, title, or author (by using the specific agency or department name as the author—e.g., United States Department of Agriculture). Government documents in print and microform can be found on the north side of the library.
Some agency documents and decisions can be found online. One good source for finding agency decisions online is through the University of Virginia Library at http://www.lib.virginia.edu/govdocs/fed_decisions_agency.html. Lexis and Westlaw also have databases of agency documents.

**Selected Links to Environmental/Natural Resource Law Websites:**

- When using the Internet for research, be sure to carefully evaluate the websites you are using to determine how authoritative they are and any potential bias they may have on the topic you are researching.

**ABA Section of Environment, Energy, and Resources**—Contains links to various committee web pages and publications, as well as current awareness items. http://www.americanbar.org/groups/environment_energy_resources.html

**Environmental Law Reporter (available through the Library Subscription Services page)**—Current awareness tool of the Environmental Law Institute that features federal, state, and international materials. http://www.elr.info/welcome.cfm

**Federal Agency Websites**—
- Department of the Interior: http://www.doi.gov/
  - Bureau of Land Management: http://www.blm.gov/
  - U.S. Fish and Wildlife Service: http://www.fws.gov/
  - National Park Service: http://www.nps.gov
- Environmental Protection Agency: http://www.epa.gov
- US Forest Service: http://www.fs.fed.us/

**Natural Resources Law: An Overview**—Produced by Cornell University’s Legal Information Institute (LII). Links to federal and state statutes, regulations, judicial decisions, and other resources. http://www.law.cornell.edu/wex/natural_resources

**State Agency Websites**—
- Ohio Department of Natural Resources: http://www.dnr.state.oh.us/

**Writing Resources**

Once you have finished researching your topic, you may want help in writing your paper. Listed below are some resources at the Taggart Law Library to assist you with questions you may have about writing in general and legal writing specifically.

**Style Guides and Citation Manuals**

ALWD Citation Manual: A Professional System of Citation, 4th ed. Association of Legal Writing Directors and Darby Dickerson. KF 245.A45 2010—Law Reference
KF 245.U54 2010—Law Reserve and Law Reference (multiple copies)


The Elements of Legal Style, 2nd ed. Bryan A. Garner.
KF 250.G37 2002—Law North and Law Reference


Writing Guides

KF 250.V6 2010—Law Reserve (multiple copies) and Law Reference

KF 250.C45 2007—Law North and Law Reserve

Effective Legal Writing: For Law Students and Lawyers, 5th ed. Gertrude Block.
KF 250.B6 1999—Law Reserve

Elements of Legal Writing. Martha Faulk and Irving M. Mehler.
KF 250.F38 1994—Law North (also available as an e-Book in POLAR)

KF 250.N48 2009—Law Reserve

KF 250.F35 2011—Law Reserve and Law Reference

If you have more questions or need more help after looking at this research guide, please see one of our librarians. We are ready to assist you with your research!

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