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NOTES FROM THE UNDERGROUND

Volume 5, Number 12

April 18, 2006



Notes From the Underground is a bi-monthly law school-wide newsletter distributed electronically. We hope you find our newsletter useful and informative.

SUPREME COURT VOTES TO ALLOW CITATION TO UNPUBLISHED OPINIONS IN FEDERAL COURTS

On April 13 the US Supreme Court voted to allow citation to unpublished opinions in federal appellate courts. This will be reflected in new Rule 32.1, slated to read:

Rule 32.1. Citation of Judicial Dispositions

(a) **Citation Permitted.** *A court may not prohibit or restrict the citation of federal judicial opinions, orders, judgments, or other written dispositions that have been designated as “unpublished,” “not for publication,” “non-precedential,” “not precedent,” or the like.*

(b) **Copies Required.** *If a party cites a federal judicial opinion, order, judgment, or other written disposition that is not available in a publicly accessible electronic database, the party must file and serve a copy of that opinion, order, judgment, or disposition with the brief or other paper in which it is cited.*

According to Tony Mauro of American Lawyer Media, “Under the new rule, circuits will still be able to give varying precedential weight to unpublished opinions, but they can no longer keep lawyers for citing them—in the same way lawyers cite rulings from other circuits of other authorities, such as law review articles.” (see: <http://www.law.com/jsp/article.jsp?id=1127207112718>)

Interested researchers may wish to consult the research guide, *Citing Unpublished Opinions in Federal Appeals* by the Federal Judicial Center, 2005, in the law library stacks at KF9052 .A459 R43.

Barring any further action, the new rule will take effect January 1, 2007.

RIA CHECKPOINT

We are pleased to announce the addition of *RIA Checkpoint* to our virtual library collection of electronic databases.

Tax practitioners have a number of very good tax databases to choose from. *RIA Checkpoint* is one of them. To start tax research, *Checkpoint* includes such well respected RIA secondary sources as *United States Tax Reporter* with its annotations and RIA explanations, and the Federal Tax Coordinator as well as access to such Warren, Gorham, and Lamont treatises as *Bittker & Eustice: Federal Income Taxation of Corporations & Shareholders*, and *Saltzman: IRS Practice and Procedure*.

All of the important primary tax law materials are here: the Internal Revenue Code, Regulations, Committee Reports, Current Pending/Enacted Legislation, Federal Tax Cases, IRS Publications, and the important IRS Rulings and Releases. Those who need to look into the legislative intent behind the Code will find *Checkpoint*'s legislative source material particularly helpful.

To keep up with developments in tax law, *Checkpoint* offers Cummings' Corporate Tax Insights, Federal Taxes Weekly Alert Newsletter, and RIA Tax Watch among its News/Current Awareness selections.

RIA Checkpoint is easy to use. “Home,” “Research,” “Newsstand,” “Tools,” and “Practice Development” tabs open into directories which can be opened and used as tables of contents. Once specific databases or areas of interest are checked, keyword searching is permitted.

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LAW LIBRARY HOURS

NOTE EXTENDED HOURS FOR FINALS ON PAGE 2.

Regular Hours:

Monday-Thursday
7:30 a.m. to 10:30 p.m.

Friday
7:30 a.m. to 9:00 p.m.

Saturday
10:00 a.m. to 7:00 p.m.

Sunday
10:00 a.m. to 10:30 p.m.

STUDY ANNEX HOURS

Monday-Friday
8:30 a.m. to 6:00 p.m.

Comments or questions about our newsletter?

Email Janet Fischer at jfischer@ggu.edu

<http://www.ggu.edu/lawlibrary>

RIA CHECKPOINT (continued)

The library has purchased a site license for *Checkpoint*, which means we can gain access from any computer terminal at 536 Mission. If the researcher would like to be able to keep research projects in Checkpoint's system for up to six months, a username and password can be created. (Ask Michael Daw for this access.)

For those who may be accustomed to using CCH's *Omni-tax*, give *RIA Checkpoint* a try and see what you think. *RIA Checkpoint* can be reached via the [Virtual Library](#) or from the "Search Law Library Electronic Resources" link at [library.ggu.edu](#). Law faculty and students will be prompted for their GGU ID number for access from off campus.

GGU LAW LIBRARY EXTENDED HOURS MAY 1 THROUGH MAY 17

MON.-FRI. 07:30 AM to 10:30 PM
SAT 09:00 AM to 10:30 PM
SUN 10:00 AM to 10:30 PM

****Law Library closes at 8PM, Thursday, May 18 and at 6PM, Friday May 19.**

COMPUTER LAB UPDATE

During final exams the computer labs have an almost 70% spike in paper and toner usage. Golden Gate University does not have a pay-for-print system in place. Therefore you are, theoretically, able to print everything you need at no additional cost to you.

However, we ask that you print only what you need. As technology advances, more and more materials, such as prior exams and answers, are available online. The intent of putting them online is to save paper. It is reasonable to print out one or two exams, but drilling down the whole list and printing them all wastes both paper and time. We offer these simple printing guidelines:

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- Print only what you need.
- Print only one copy of a PDF/Acrobat file at a time. The printer treats these documents as images and it cannot spool multiple copies of huge files.
- Exams, due to their graphical scanning, take extra time to print. Please be patient.
- We ask that professors not use dark colors with white text for PowerPoint presentations. These slides result in pages full of black toner when printed. Alternatively, print four or more slides to a page to minimize the amount of toner used.
- Please be courteous to your peers and only print exams during off-peak hours. If there is a lab full of people printing their final assignments and you are holding up the printer with multiple pages of exams, your fellow students are going to get frustrated as everyone is inconvenienced.
- If you print it, please pick it up.

Please remember to keep your voices down and talking to a minimum in the labs; voices carry out into the quiet library. Thank you, and good luck on your final exams!