



## Research Guide to VIRGINIA LAW

This guide provides users with information on selected resources for Virginia legal research available at the Judge Kathryn J. DuFour Law Library or publicly accessible through the Internet. For more information on performing research in this jurisdiction please consult *Legal Research in the District of Columbia, Maryland and Virginia*, 2d ed. (Reference and Reserve KFD1275 .C47 2000). Please note that *LexisNexis*<sup>®</sup> and *Westlaw*<sup>®</sup> provide full-text coverage of many of the resources listed below. **L** and **W** indicate availability on these databases respectively.

### 1. Virginia Case Law

The Virginia judicial system consists of the Supreme Court, a Court of Appeals, circuit courts in thirty-one judicial circuits, general district and juvenile and domestic relations district courts in thirty-two districts, and magistrates in offices in thirty-two districts. Reported decisions of Virginia courts are collected in the following publications:

- *Virginia Reports* (KFV2445 A2) 1790-present: The official publication for decisions of the Supreme Court of Virginia. Note that the first 74 volumes are often cited using the nominative reporter title (e.g. Gratt, Rob, Leigh, etc.). **L W**
- *Virginia Court of Appeals Reports* (KFV2448 A2) 1985-present: The official reporter for published decisions of the Virginia Court of Appeals. **L W**
- *South Eastern Reporter* (4<sup>th</sup> floor) 1887-present: An unofficial reporter for Virginia Supreme Court and Court of Appeals cases (also included are cases from the state courts of Georgia, North Carolina, South Carolina, and West Virginia). **L W**

Recent ('95- ) decisions from the Supreme Court and the Court of Appeals (including unpublished opinions) are available on the Internet at <http://www.courts.state.va.us/opin.htm>.

### 2. Case Indexes and Digests:

The following publications can be used to locate Virginia case law:

- *West's Virginia and West Virginia Digest* (KFV2457 W3): This West Key Number product provides topical indexing to cases interpreting Virginia and West Virginia law.
- *Shepard's Virginia Citations* (KFV2459 S5): This can be used to check Virginia case history and treatment. **L**
- *Michie's Jurisprudence of Virginia and West Virginia* (KFV2465 M5) and *The Code of Virginia* also provide references to cases interpreting or discussing Virginia law. **L W** See below.

### 3. Court Rules, Forms, Jury Instructions:

- *Virginia Court Rules and Procedure: State and Federal* (KFV2929 A19). This annual publication includes rules for the various state and federal courts in Virginia. **L W**
- *Virginia Forms* (KFV2468 V57). A five volume set updated by pocket parts and replacement volumes. Select forms can be found on the Internet at <http://forms.lp.findlaw.com/states/va.html>
- *Virginia Model Jury Instructions: Civil* (KFV2942 M6). **L** A two volume loose-leaf set updated annually.
- *Virginia Jury Instructions* (KFV2942 E47). **W** A one volume set updated annually.
- *Virginia's Judicial System* available at <http://www.courts.state.va.us/main.htm>. This site contains links to rules, forms, and a variety of resources related to the Virginia court system.

### 4. The Constitution and Statutory Law of Virginia

The Virginia constitution, first adopted in 1776, was most recently revised and ratified in 1970 (eff. 7/1/71). The current version can be found in volume 1 of the *Code of Virginia* (Reference and Stacks KFV2430 1950 .A4), and online at <http://legis.state.va.us/Laws/Constitution.htm>. **L W** A recommended source of information on the Virginia Constitution is *Commentaries on the Constitution of Virginia* (KFV2801 1970.A6 H68). This two-volume set provides a comprehensive history of the current constitution together with discussion of its application and interpretation.

*The Code of Virginia 1950 Annotated* (Reference and Stacks KJV2430 1950 .A4): this multi-volume set includes all laws passed by the General Assembly that are currently in effect. Also included are annotations of cases, brief explanations of the legislative history of the original statute and its amendments, and references to relevant law review articles. Annual pocket parts and The Advance Code Service supplement the set. **L W** An unannotated version of the current code is available on the Internet at <http://legis.state.va.us/Laws/CodeofVa.htm>.

The *Acts of the General Assembly of the Commonwealth of Virginia* (3<sup>rd</sup> Floor Media Center) contain the official language of all Virginia session laws. The acts are assigned consecutive chapter numbers based on their chronological order of passage.

### **5. Legislative History**

The Virginia Division of Legislative Services Legislative Reference Center's guide to Virginia legislative history at <http://dls.state.va.us/lrc/leghist.htm> is perhaps the best starting point for researchers wishing to compile a legislative history on Virginia legislation.

Good sources of information include the historical note at the end of code sections in the *Code of Virginia* (Reference and Stacks KJV2430 1950 .A4 ). Please note that this may often refer to superseded volumes of the 1950 *Code* or previous editions of the *Code*. Superseded volumes are available on microfiche (3<sup>rd</sup> Floor Media Center). **L W** The *Acts of the General Assembly* (3<sup>rd</sup> Floor Media Center) collects all enactments of the Virginia legislature since 1974. This can be used to find the original legislation, as well as to track subsequent changes in the statute. Since 1970, *Acts* volumes have indicated changes in statutory text with ~~strikeouts~~ and italics. The *Legislative Information System* at <http://leg1.state.va.us/lis.htm> provides users with access to a wealth of legislative information including bill tracking. **W** The retrospective information on this site goes back to 1994. Information about the current legislative session can be obtained at <http://legis.state.va.us/>.

### **6. Administrative Law of Virginia**

*The Virginia Administrative Code* (KJV2435 1992 .A22) is the official compilation of rules and regulations currently in effect. It is organized into 24 titles and is updated twice a year. The current *Virginia Administrative Code* is available on the Internet at <http://leg1.state.va.us/000/srr.htm>. **L W** The *Virginia Register of Regulations* (KJV2436 .V57), published biweekly since 1984, includes proposed and final state rules and regulations. The *Register* is also available (1998-) on the Internet at <http://legis.state.va.us/codecomm/register/regindex.htm>. **L**

Opinions of the Attorney General may be found in *The Annual Report of the Attorney General of Virginia* (3<sup>rd</sup> floor Media Center). Recent opinions (since 1996) are available on the Internet at <http://www.oag.state.va.us/OPINIONS/index.html>. **L W**

### **7. Secondary Sources of Virginia Law**

*Michie's Jurisprudence of Virginia and West Virginia* (KJV2465 M5) is the legal encyclopedia covering the law of Virginia (and West Virginia). **L** This publication provides references to cases, statutes and administrative law, and is a valuable tool for gathering resources on a particular topic. Another useful reference manual is *The Virginia Code Research Guide* (KJV2440 .V5 1996).

*The Library's* periodical collection includes a large number of Virginia publications such as *Virginia Lawyers Weekly* (current year shelved in the 2<sup>nd</sup> floor Casual Reading collection), *VBA News Journal* (3<sup>rd</sup> floor Media), *Virginia Law Review* (K26 .I74 L37), and *George Mason Law Review* (K7 E53). The *University of Richmond Law Review* (K24 .R53) publishes an annual survey of Virginia law. Access to articles within periodicals can be achieved using [Legaltrac](#)<sup>®</sup> or [Index to Legal Periodicals](#)<sup>®</sup> (both are available on our [home page](#)). Many journals are also available through **L** and **W**.