



Court Records and Briefs in the Law Library

Court records and briefs are the documents submitted to or created by a court in a particular case. Briefs are submitted by attorneys to the court for the purpose of summarizing facts and making legal arguments. The record contains all other documentation that usually relates to the facts of the case and, if on appeal, the decision making process of the lower court. The record frequently contains items such as transcripts, documentation about items admitted into evidence, instructions to the jury, and opinions of the lower court. These documents can all be valuable in understanding what arguments were persuasive to the court and to get a better understanding of the underlying issues, especially factual issues that are often not reviewed in detail in published court opinions.

The availability of records and briefs varies widely by jurisdiction. Records and briefs for many older cases (pre-2000) are not available online. In addition, some dockets are sealed (e.g., to protect victims in criminal cases) and are inaccessible even in print.

This guide explains where to find U.S. Federal and state records and briefs online and how to access the print and microfilm records and briefs held by the Kathrine R. Everett Law Library, which includes records and briefs from the U.S. Supreme Court, the U.S. Court of Appeal for the Fourth Circuit (covering North Carolina, South Carolina, West Virginia, and Virginia), the North Carolina Court of Appeals, and the North Carolina Supreme Court.

Getting Started

Although some records and briefs databases allow for full-text keyword searching (e.g., for searches by topic), it is usually most helpful to have the following information on hand when searching for records and briefs:

- | Docket or case number
- | Citation to reported decision (if available)
- | Names of the parties
- | Names of others involved (e.g., judges, attorneys, law firms)
- | Relevant dates

Compiled Records and Briefs Online

Several commercial databases now compile electronic copies of court records and briefs from the Federal courts and from the growing number of state courts that make their records available online. If you have access to these databases, they can be a good place to start your search. The three listed below can be searched by docket information (docket number, names of parties, etc.) or by full-text search of the docket contents. UNC Law-affiliated researchers have access to the following databases:

[Bloomberg Law](#) provides docket information and full-text access to electronic records and briefs from 2000 forward for almost all Federal courts (with much more selective coverage before 2000). Bloomberg also includes selective state court coverage, mostly limited to recent cases, with the earliest beginning around 2000 (navigate to "Litigation and Dockets > Docket Coverage" for the full list and coverage information). In general, trial court dockets are available, but full-text access to records and briefs is often limited to appellate-level proceedings.

[Westlaw](#) provides similar coverage for Federal courts. Westlaw also includes some selective coverage of state court records and briefs, generally limited to recent cases, with the earliest beginning around 2000. In general, trial court dockets are available, but full-text access to records and briefs is often limited to appellate-level proceedings. See [this Westlaw guide](#) for searching Federal and state records and briefs in the Westlaw system.

[LexisNexis](#) provides similar coverage for Federal courts. Coverage for state courts varies; generally, full-text access to records

and briefs is available for appellate proceedings, but trial court coverage is more limited. To search, on LexisNexis Advanced, select "Dockets" as content type. On classic LexisNexis, navigate to "Legal > Court Records, Briefs and Filings"

United States Supreme Court

U.S. Supreme Court records and briefs are widely available in both electronic and print dating back to the Court's earliest sessions in 1792. Most cases before the Supreme Court are heard at the discretion of the court. Discretionary review is requested when a petitioner files a petition for a writ of certiorari (cert.) explaining the merits of the case and arguing for why the case is a good candidate for Supreme Court review. If cert. is granted by the Court, the case proceeds to a hearing and decision on the merits. Both merits briefs and briefs petitioning for cert. are available, though petitions for cert. in cases where cert. was denied are somewhat more difficult to locate.

Online access

[American Bar Association Supreme Court Preview \(free\)](#)

- | All merits briefs in cases granted cert. from 2003 term forward
- | All merits and selected (most) amicus briefs in cases granted cert. from 2007 term forward

[SCOTUS Blog \(free\)](#)

- | All merits briefs and selective coverage of amicus briefs for cases granted cert. from 2007 forward
- | links to oral argument transcripts from 2007 forward

[OYEZ Supreme Court Media Project \(free\)](#)

- | Oral argument audio recordings
- | Selective coverage from 1955 term
- | Almost complete coverage for 1979 forward

[U.S. Supreme Court Records and Briefs Digital Archive, 1832-1978, Making of Modern Law Collection](#)(available to UNC campus)

- | PDFs copies of records and briefs for cases 1832-1978
- | Includes petitions for cert. (including cert. denied), merit, and amicus briefs

[LexisNexis](#) (UNC Law affiliated users with password)

- | Selected coverage from 1936
- | Near complete coverage for cases in which cert. was granted starting in 1994-1995 term
- | Coverage of briefs petitioning for cert., including cert. denied, in civil cases (other than habeas cases) from the 1999-2000 term through current.
- | No cert-stage briefs for habeas cases or for criminal cases that were summarily decided or where certiorari was denied.
- | Also contains access to oral argument transcripts from 1979 forward

[Westlaw](#) (UNC Law affiliated users with password)

- | All merits and amicus briefs for cases in which cert. was granted from 1931 forward
- | Selective coverage of merits and amicus briefs for cases in which cert. was granted from 1870 to 1930
- | All petitions for cert. (including cert. denied) and related documents from 1985 forward
- | Selective coverage of petitions for cert. (including cert. denied) and related documents from 1877 to 1984

Print and microfiche access in the Kathrine R. Everett Law Library

The Law Library maintains records and briefs of the U.S. Supreme Court in print, microfilm, and microform formats. These are especially helpful for those seeking older (pre-1832) briefs) not available online. By date, these include:

1793-present: Landmark Briefs and Arguments of the Supreme Court of the United States: Constitutional Law
([KF101.8 .K87; 1st floor](#))

- | Large multi-volume set provides arguments and briefs for significant Constitutional law Supreme Court cases.
- | For the earliest cases, only a summary of the oral arguments is given; later cases have fuller records and briefs.

1832-1896: U.S. Supreme Court Records and Briefs ([Microfilm: KF101.9 .U54; 3rd floor](#)).

- | Earliest cases (1832-1860) are arranged in the order filed with the court. There is an alphabetical list of cases in the first volume for each term.
- | From 1860 to 1871 cases were arranged in a rough alphabetical sequence for each term; beginning in 1872 the arrangement on the reels follows that of U.S. Reports.
- | Index ([KF101.6.S36 1976; Shelved on 3rd floor above microfiche cabinets](#)). This paper index to this set gives U.S. Reports citations for cases as well as reel locations.

1895-present: U.S. Supreme Court Records and Briefs([Microfilm: KF101.9 .U54; 3rd floor](#)).

- | Beginning with 168 U.S. 1, the library has Supreme Court records and briefs in microfiche (with some of the materials for 1946 and 1956-66 on microcard).
- | Index ([KF101.6.S36 1976; Shelved on 3rd floor above microfiche cabinets](#)). This paper index to this set gives U.S. Reports citations for cases as well as reel locations; also has finding aids for cases 1979 forward.

1952-1968: Oral Arguments of the Supreme Court; 1968-present: Complete Oral Arguments of the Supreme Court
([Microfiche: KF101.9 .O65; 3rd floor](#))

- | Many of the oral arguments for cases argued from 1952 to 1968 were never transcribed; however, beginning in 1968 all oral arguments were transcribed and most are available in the set.
- | Index ([call number: Microfiche Index KF 101.9.O65](#)). The library has printed indexes indicating which cases have oral arguments available for the years 1953-1983 only.

Federal Courts

Record and briefs from the Federal Court system are generally accessible online for cases filed since 2000. Records and briefs for cases filed before that time have been selectively digitized and are sometimes only available in print or microform from the courts themselves.

The [Public Access to Court Electronic Records \(PACER\)](#) system is the official Federal portal for online access to court dockets, records, and briefs for U.S. Circuit Courts of Appeal, U.S. District Courts, and U.S. Bankruptcy Courts. Electronic docket information, records, and briefs are generally available for case from 2000 to present.

If you are a law student and need to use PACER as a part of your research for a journal or class, or for a faculty-approved project, please visit the reference desk. Because there is a cost associated with PACER use, the library is only authorized to run PACER searches for limited academically approved searches for law students and faculty. In most cases, it is quicker and easier to use one of the commercial databases (listed below) that make available all PACER content to subscribers.

- | If you need to set up your own PACER account, you can use the PACER [online registration form](#). You must provide your name, address, phone number and email address. You can register either using a credit card and receive your login by email, or by other payment methods and receive your login and password by U.S. Mail.
- | PACER currently charges \$0.10 per page, with the first \$15.00 of usage per quarter accruing no charges
- | You can also visit a [federal courthouse](#) to use PACER without registering for an account.
- | PACER maintains a helpful [online guide](#) to using the system

Because UNC Law users already have access to records and briefs through [Bloomberg Law](#), [Westlaw](#), and [LexisNexis](#), we encourage those users to access federal court dockets through those databases. All three databases maintain access to the full set of materials on PACER, have enhanced search features, and do not require separate billing. Additionally, Westlaw provides selective coverage of some U.S. Courts of Appeals briefs dating back to 1972.

For finding older federal court records and briefs, see the [Union List of Appellate Court Records and Briefs: Federal and State](#) (available online to UNC users, in print in the law library at [KF105.9 .W49 1998, 2nd Floor](#)) which lists libraries and archives that hold print and microfilm copies of records and briefs. You may also be able to obtain copies of older records and briefs directly from the court or from the National Archives.

U.S. Court of Appeals for the Fourth Circuit

In addition to electronic access for recent cases, discussed above, the Law Library has copies of records and briefs for many cases heard by the U.S. Court of Appeals for the Fourth Circuit. This court hears cases on appeal from U.S. district courts in North Carolina, West Virginia, Maryland, South Carolina and Virginia. Earlier case records and briefs are indexed by docket number rather than case citation.

1892-1987: U.S. Court of Appeals for the Fourth Circuit. Briefs and Records ([KF 112.9 4th.A3](#), 1st floor)

- | Print volumes containing the briefs and records for cases docketed in the Fourth Circuit from 1892 to 1987.
- | Index: The Law Library has an index to Fourth Circuit briefs and records available at the reference desk on the 4th floor. Briefs and records are indexed in chronological order by court docket number or reporter citation. The index indicates which briefs, records and other papers from each case are available in the bound volumes located on the first floor of the library.
- | If you only have the citation for an early case or only know the approximate year and party names, you can find the court docket number by looking the case up on Lexis' Academic Universe product, or on Lexis or Westlaw. Once you have a docket number, you can use the index to determine if the library has copies of the briefs and record.
- | In addition to the bound volumes listed above, the library has duplicate copies of the Fourth Circuit briefs and records for the years 1892-1974 on microfilm ([KF112.9 4th .A3, 2nd floor](#)).

1986-2008: U.S. Court of Appeals for the Fourth Circuit. Records and Briefs (Microform: [KF112.9 A3 1st floor.](#))

- | The Law Library has the more recent Fourth Circuit materials in microfiche.
- | This printed index is located above the microfiche cabinets on the 1st floor

North Carolina Supreme Court & North Carolina Court of Appeals

The North Carolina Supreme Court has both civil and criminal jurisdiction and hears cases on appeal from the N.C. Court of Appeals and from the North Carolina Industrial Commission.

Electronic Access

In [the North Carolina court system](#), the North Carolina Supreme Court and the North Carolina Court of Appeals make available selected court filings for cases from 2000 to present. This database, available through the [NC Appellate Courts Electronic Filing website](#) allows users to search by case number, party name, attorney name, case title, date, and court. North Carolina does not currently use electronic filing for trial court documents (though [a pilot project is underway](#)); records and briefs from those courts are not generally available online.

Print

The earliest records available in the Law Library date from 1874 and are available in printed format. An index to each of the courts' records and briefs is available at the library reference desk. In addition, an index to the print volumes of the North Carolina Supreme Court is located on the first floor at the very end of the print volumes. A partial index to N.C. Supreme Court briefs and records is shelved at the end of those volumes. Please be aware that the Law Library is in the process of digitizing its collection of North Carolina records and briefs. If a volume is missing, please ask at the Reference Desk.

1874-2000: North Carolina Supreme Court. North Carolina Appeal Records ([KFN 7445.9.A3 1st floor](#)).

- | This print collection begins with volume 70 of the North Carolina Reports, from the year 1874
- | The library has partial (almost complete) holdings in print from v.70-194 and v.196-352

1982-date: North Carolina Supreme Court. North Carolina Appeals Record (Microfiche: [KFN 7445.9.A3 1st floor](#))

- | Microfiche copies
- | Check catalog entry for most recent received

1876-1939: North Carolina Supreme Court. North Carolina Appeals Record: Unreported Cases ([KFN7445.9 .N67 1st floor](#))

- | Law Library has coverage for 1876 to 1926 and 1928 to 1939

1968-2000: North Carolina Court of Appeals. ([KFN 7448.9.A3](#))

- | Records and briefs for most cases heard by the North Carolina Court of Appeals since its inception in 1968.

Last Updated DRH 3/31/2014

Last Updated: 10/8/2014