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## Free Websites for Virginia Legal Research

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# Free Websites for Virginia Legal Research

by Paul Hellyer



**Paul Hellyer** is a reference librarian at William and Mary Law School. He received his undergraduate and law degrees from the University of California at Los Angeles and his library degree from San Jose State University. He has published several articles related to law librarianship and is co-author of the forthcoming *Librarian's Copyright Companion, Second Edition*.

It's no secret that free websites give away content sold by high-cost subscription databases, but you might not know how useful free sites are. If you think there's always a trade-off between cost and quality, think again. Some free resources for Virginia legal research are as good as—or better than—subscription sites. And some free resources aren't quite as good as what you can buy, but are an option.

Free websites cannot meet all research needs. Free sites are best for researching legislative and administrative sources, and less useful for case law or secondary sources. To save money on case law research, Fastcase is low-cost database that the Virginia State Bar provides to members at no charge (<https://member.vsb.org/vsbportal/>). It's not as good as Lexis or Westlaw, but it's better than any of the free sites for case law research. For secondary sources, you can easily find explanations of the law on free websites, but the quality is usually far below the standards set by traditional legal treatises and encyclopedias. The main exceptions are law review articles, which increasingly are available for free.

To help you get the most out of free websites, here's an annotated list of the best free sites for Virginia legal research.<sup>1</sup>

## Virginia's Legislative Information System

<http://lis.virginia.gov/>

Deciding which site to list first is easy. If you're looking for bills or the administrative code, don't waste money on Lexis or Westlaw. This free government site has everything. This site is also a viable option when you need to use the Virginia Code. The site recently underwent an overhaul that makes it more attractive and easier to navigate, but the old version is still available. As of July 2011, Google is still listing the old version

first in search results, so make sure you're using the new Web address above.

Available on this site are:

- *Bills*. The full text and a procedural history are available for each bill from 1994, and the database is updated daily when the legislature is in session. You won't find better coverage or currency on Lexis or Westlaw. You won't find better search tools, either. The full-text search engine allows phrase searching, Boolean searching, and proximity connectors, and a subject index is available for individual sessions or across multiple sessions. "Lobbyist-in-a-Box" tracks and receives email updates for up to five bills for free; a subscription version of the same feature allows tracking of hundreds of bills. Before purchasing, consider the free tracking tools available on the Richmond Sunlight site <http://www.richmondsunlight.com/>.
- *Virginia Administrative Code*.<sup>2</sup> No private publisher offers an annotated version of the Virginia Administrative Code (VAC),<sup>3</sup> so you're not missing anything when you use the free version. Worried about how current the information is? If so, don't use Lexis or Westlaw. At the time this article was written, the VAC on Lexis and Westlaw had not been updated for more than six months. This free site is updated daily. How is daily updating possible when the *Virginia Register of Regulations* is published only every other week? New or revised regulations published in the *Register* don't appear in the online VAC until their effective dates, which means that the VAC is updated more frequently than the *Register*. You can access the VAC by browsing the table of contents or by using the full-text search engine.
- *Virginia Code*. This unannotated version of the code is updated annually. As with the VAC, both browsing and full-text searching are available. The website also provides a popular name table, a feature not available on Fastcase or Lexis. The absence of annotations isn't necessarily a prob-

lem, but the infrequent updating schedule might be a concern. To be current, use Lexis or Westlaw. Is that worth the cost? Consider that the General Assembly is in regular session for only a few months in the first half of the year.<sup>4</sup> Nonemergency statutes enacted in a regular session don't take effect until July 1,<sup>5</sup> and the free online code is updated then. So the updating schedule works well for most code amendments. The catch is that emergency legislation goes into effect immediately. This year the General Assembly passed more than forty chapters containing emergency legislation, many of which affected multiple code sections. If you're using the free online code in the first half of the year, after the legislature has started enacting legislation but prior to the July 1 update, you can see if a code section has been affected by emergency legislation by searching the enrolled bills database for references to the code section. You can also use the subject index or keyword search to find relevant bills. This will be less convenient than Lexis or Westlaw, but it gets the job done. It's also more effective than Fastcase, which isn't more current than the official site and doesn't allow a bills search.

### Virginia's Judicial System

<http://www.courts.state.va.us/>

Here are some of the key features of the official website for Virginia state courts:

- *Case Status and Information.* This feature allows you to view basic information about most cases in the state court system: names of parties, docket number, filing date, hearing and trial dates, and disposition. To research a case in a circuit or district court, use the city or county where the case was filed, as statewide searches are not possible. Juvenile and domestic relations district courts and some circuit courts are not included in the database. A separate subscription service allows you to view the full text of documents from circuit court cases.
- *Court Rules.* The state court rules offered on this site are complete and current, with amendments posted as they become effective. The rules are displayed in PDF format, easily saved to a laptop or iPad and therefore available offline. The site also includes a list of recent amendments, a useful feature not available on Lexis or Westlaw.
- *Forms.* Official forms for all state courts are provided, and some can be completed online.
- *Opinions Database.* Opinions from the Supreme Court of Virginia and Virginia Court of Appeals are available here and might be useful if you're looking for a new opinion not yet available in subscription databases. Except for that limited purpose, Virginia lawyers have little reason to use this site (or any other free site) for case law research. Fastcase is your best choice when you want to avoid the expense of Lexis or Westlaw. For nonmembers of the Virginia bar who don't have subscriptions to Fastcase, Google Scholar is a free online option for case law research.

### Google Scholar

<http://scholar.google.com/>

Although this site isn't specific to Virginia, it's the best free way of finding law review articles on Virginia law. It's also the best free website for Virginia case law research. The main search screen offers two search options: "articles" or "legal opinions and journals." These options are misleading. "Legal opinions and journals" is not always the right option for legal research. To find law review articles, use the "articles" option. Use "legal opinions and journals" to locate court opinions.

For articles on Virginia law, add the term *Virginia* to search terms. This will sometimes deliver articles that focus on Virginia law, but the results will vary. The results page will show you each article's citation information (title, author, and journal citation), plus a snippet of relevant language. Because of copyright restrictions, Google won't display the full text of the articles, but Google likely will provide a link to the full text if it's available elsewhere on the Web. Many law journal websites now offer the full text of recent articles for free. If an article is not free, try retrieving it by citation in Lexis or Westlaw. If you're paying transactional prices, this method is a lot less expensive than running a search in a Lexis or Westlaw journal database.

Use this site to search Virginia Supreme Court and Virginia Court of Appeals opinions from 1950. If you click on "Advanced Scholar Search," a search option limits results to Virginia opinions only. Because this material is in the public domain, Google will display the full text of opinions. Results will also include citations to the official reports and the *Southeastern Reporter*, including pinpoint citations. But if you're a member of the Virginia Bar, use Fastcase, which searches from 1925.

### Official Website of the Commonwealth of Virginia

<http://www.virginia.gov/>

This site is a gateway to state agency and local government websites. To access the directories for these sites, go to the “Government” tab at the top of the screen, and select “Agencies” or “Cities and Counties.” Google reaches the listed sites directly, but the directories are helpful, too, to search by keyword or browse an alphabetical list. Cities and counties are grouped by region.

Individual agency and local government sites are essential to attorneys because they contain primary authority and other information that’s usually not available from subscription databases. On agency websites, you’ll find various forms, guides, reports, manuals, opinions, and announcements that may not be obtainable elsewhere. Local government sites usually link to local codes.

### Division of Legislative Services Legislative Reference Center

<http://dls.virginia.gov/lrc.htm>

This government site offers a research guide for Virginia legislative history. It includes instructions on ordering videotapes of proceedings on the floor of the House or Senate. Before placing an order, check the Richmond Sunlight site to see if the video you want is online.

### Richmond Sunlight

<http://www.richmondsunlight.com/>

This nongovernmental site tracks activity in the Virginia legislature and includes features not available from the official Legislative Information System described above. If you’ve ever had to research Virginia legislative history, you probably know how difficult it is to find anything about legislative intent other than statutory text. Although videos of the House and Senate have been available for many years now, they’re generally difficult to obtain, share, and cite. Richmond Sunlight is starting to fill this information gap by posting these videos on the Web and indexing them by bill number. If you want to cite or share a video clip, create a link to a specific Web page on this site. So far, videos are available for only 2008, 2009, and 2011, but Richmond Sunlight might increase its video collection. Another useful feature on this site is the ability to track bills through a Really Simple Syndication (RSS) feed. This is a good alternative to the official Legislative Information System’s “Lobbyist-in-a-Box” track-

ing tool, which requires a paid subscription if you want to track more than five bills.

### Virginia Register of Regulations

<http://register.dls.virginia.gov/>

The online Virginia Administrative Code satisfies most regulatory research needs. Use this official site to view final regulations that haven’t yet gone into effect, as well as emergency regulations (which are not included in the VAC), proposed regulations, and the governor’s executive orders. The *Virginia Register of Regulations* is not available on Westlaw and the version on Lexis is not as current as the official site.

### Virginia Regulatory Town Hall

<http://townhall.virginia.gov/index.cfm>

For lawyers, the most useful resource available here is a free email notification service that will alert you to regulatory actions or meetings for the agencies or regulations you select. Track new developments in Virginia regulatory law here and save the expense of setting up comparable alerts on Lexis or Westlaw.

### Virginia Attorney General

<http://www.oag.state.va.us/>

This site offers attorney general opinions from 1996, including a Google search engine. To access the opinions, select “Legal & Legislative Reference” on the left side of the screen, then click on “official opinions.” Although Lexis and Westlaw offer better historical coverage, the official site will have the newest opinions before they appear elsewhere.

### Virginia State Bar

<http://www.vsb.org/>

Use <http://www.vsb.org/pro-guidelines/index.php> to access the Virginia Rules of Professional Conduct and other Virginia Supreme Court rules that govern the state bar and the unauthorized practice of law. The bar updates the rules as soon as it receives approved changes from the Court. To check the status of proposed rule amendments, see [http://www.vsb.org/pro-guidelines/index.php/rule\\_changes/](http://www.vsb.org/pro-guidelines/index.php/rule_changes/).

### Virginia Legal Ethics Opinions

[http://www.vacle.org/links\\_leos.htm](http://www.vacle.org/links_leos.htm)

This site from Virginia CLE offers opinions from the Virginia State Bar Legal Ethics Committee dating from 1980. Access opinions by browsing or full-text searching.

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retracing her steps through sources she's already consulted.

This checklist is not fixed in stone and you'll want to adapt it as you use it. With some personalization to reflect your practice area and preferences, it should be an increasingly useful tool for molding effective and productive new associates.

Endnotes:

- 1 Both LexisNexis and Westlaw offer training and just-in-time search support. For LexisNexis, visit <http://www.lexisnexis.com/support/>; for Westlaw, visit <http://west.thomson.com/support/research-support/>.
- 2 <http://www.law.gmu.edu/library/guides/research>.
- 3 <http://law.wm.edu/library/research/researchguides/topical/index.php>.
- 4 <http://law.richmond.edu/library/research/index.html>
- 5 See, e.g., "Legal Treatises by Subject," <http://libguides.law.virginia.edu/treatises>

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Endnotes:

- 1 I selected only sites that are appropriate for lawyers and excluded sites aimed primarily at academic or prose audiences.
- 2 Attorneys can thank Virginia's law librarians for the state's administrative code. Prior to 1995 the state did not publish an administrative code. The Virginia Association of Law Libraries spearheaded the project to publish one with the collaboration of the Virginia Code Commission.
- 3 Westlaw provides some research references related to the VAC, but nothing comparable to annotated statutory codes.
- 4 Va. Const. art. IV, § 6.
- 5 *Id.*, art. IV, § 13. Laws enacted during special sessions take effect later, but only a very small proportion of code amendments occur this way and the free online code is sometimes updated after July 1 to include the special session laws.

Keeping your contact information up to date with the Virginia State Bar is the best way to keep ahead of important deadlines, new rule changes, and VSB events.

Email is a cost-efficient way to distribute time sensitive information.

Please take the time to update your email address by going to the member login link at <https://member.vsb.org/vsbportal> and electing to receive the monthly E-News announcements.



**How will  
YOU  
get the message?**

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