



# **The Starting Place:**

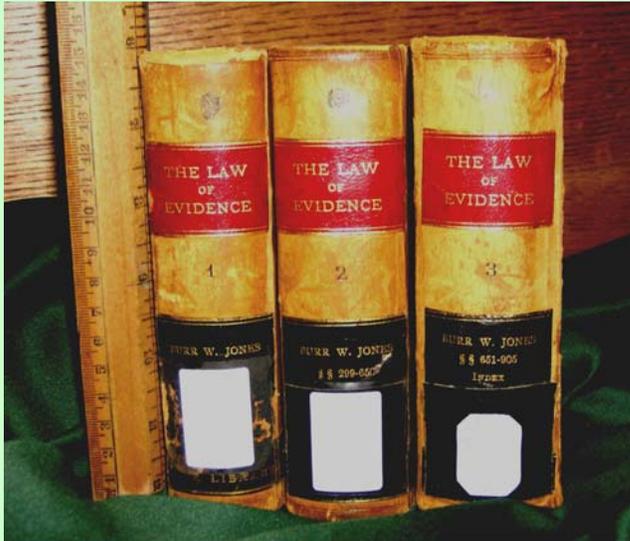
*Washington State Law Library's quarterly e-newsletter*

**Spring 2007**

Serving the legal information needs of the citizens of  
Washington State

## **History of the Ninth Circuit**

The Washington State Law Library is currently displaying a collection of compact treatises measuring an average of fifteen centimeters high. These books are examples of legal materials carried by the judges as they rode circuit in the early days of the circuit court.



Article III of the United States Constitution and the Judiciary Act of 1789 established the framework for the federal judiciary. The Judiciary Act of 1789 created a system of circuit courts to serve as the major trial court in the federal system but it did not provide for separate circuit court judgeships. Instead, Congress stipulated that two justices of the U.S. Supreme Court and the U.S. District Court judge would preside over circuit courts. They believed that "the circuit system provided an opportunity for representatives of the federal government to go out

## **Recent library acquisitions include—**

[Commercial Real Estate Leases: Preparation, Negotiation, and Forms](#), 4<sup>th</sup> edition, Mark A. Senn. Aspen Publishers, 2007.  
Call Number: KF 593.C6 S42 2007

Completely updated and expanded, the fourth edition includes new sections on anti-terrorism provision and their importance to commercial real estate leases post-9/11, relocation, early termination by agreement, and building security.

[Constitutional Law: Principles and Policies](#), 3<sup>rd</sup> edition, Erwin Chemerinsky.  
Aspen Publishers, 2006.  
Call Number: KF 4550.C427 2006

[Corporate Counsel's Guide to Technology Management and Transactions](#), Alan S. Gutterman; William A. Hancock, editor.  
Thomson/West, 2006.  
Call Number: KF 3145.G87 2006

[Tort Law and Practice](#) (v16-16A, Washington Practice), 3<sup>rd</sup> edition, David K. DeWolf and Keller W. Allen.

into the states and observe events, reporting their observations to the President" (Surrency, 1987). Congress later reduced this requirement to one member of the Supreme Court and the judge from the district court. While the Act of 1801 authorized circuit court judgeships, it was abolished the following year. It wasn't until the Act of April 10, 1869, that Congress created the office of circuit court judge. This act did not eliminate the requirement for justices to go on circuit, and they continued to travel until the turn of the century. In the meantime, however, the number of circuits grew as the country expanded, to include the Ninth Circuit which Congress established with the Act of March 3, 1837.

Today, the United States and its territories are divided into 94 federal judicial districts, each with a district court. Congress has grouped these districts into eleven regional circuits, each with one court of appeals. There are two additional circuits: the United States Court of Appeals for the District of Columbia, and the United States Court of Appeals for the Federal Circuit. The latter primarily handles patents and contract claims against the United States. The Ninth Circuit is the largest of the 13 federal circuits and includes all federal courts in California, Oregon, Washington, Arizona, Montana, Idaho, Nevada, Alaska, Hawaii, Guam and the Northern Mariana Islands.

For additional information about the history of the Ninth Circuit, see the following resources.

Electronic resources:

#### [A Brief History of Ninth Circuit Courts](#)

*History of the Federal Judiciary*. <http://www.fjc.gov>. Web site of the Federal Judicial Center, Washington, DC.

#### [The Ninth Judicial Circuit Historical Society](#)

Print resources:

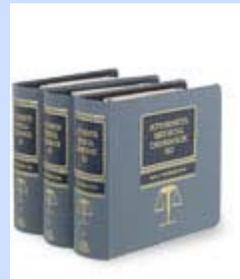
*History of the Federal Courts*, Erwin C. Surrency. Oceana Publications, 1987.  
Call Number: KF 8719.S97 1987

*Rugged Justice: The Ninth Circuit Court of Appeals and the American West, 1891-1941*, David C. Frederick. University of California Press, 1994.

West Group, 2006.  
Location: Main Reading Room

This new edition of *Tort Law and Practice* provides a starting point for research on Washington tort issues including statutes of limitation, measures of damages, joint and several liability, as well as others.

[Attorney's Medical Deskbook](#), 4<sup>th</sup> edition, Dan J. Tennenhouse. Thomson West, 2006.  
Call Number: RA 1028.T46 2006



[Scott on Information Technology Law](#), 3<sup>rd</sup> edition, Michael D. Scott. Aspen Publishers, 2007.  
Call Number: KF 390.5.C6 S38 2007



Formerly published as *Scott on Computer Law*, this new edition is a comprehensive, practical resource for answers to questions relating to computers, the internet, and other digital technologies.

Call Number: KF 8752 9th.F74 1994

[Hart and Wechsler's The Federal Courts and the Federal System](#), 4<sup>th</sup> edition, Richard H. Fallon, Jr., Daniel J. Meltzer and David L. Shapiro. Foundation Press, 1996.

Call Number: KF 8718.H37 1996

[Western Legal History: the Journal of the Ninth Judicial Circuit Historical Society](#), the Society, 1988-current.

Location: Periodical Reading Room

[U.S. Immigration Made Easy](#), 12<sup>th</sup> edition, Ilona Bray. Nolo Press, 2006.  
Call Number: KF 4819.6.U54 2006



[Washington Elements of an Action](#) (v29, Washington Practice), David K. DeWolf. Thomson/West, 2006.

Location: Main Reading Room

This new volume of the Washington Practice series provides legal analysis of the required elements for various causes of action including defenses, checklists, sample pleadings, jury instructions, and jury verdicts.

Check our [catalog](#) for availability of these or other materials you may need. For additional assistance, please contact our [Reference Desk](#).

## Tech Tips—

### New on Loislaw

On January 1, 2007, [Loislaw](#) launched a new database of Federal Circuit Court Unpublished Opinions. Under the new [Federal Rules of Appellate Procedure](#) 32.1, attorneys can now cite to unpublished federal opinions in federal court briefs. Visit the Loislaw website to read [Ramifications of FRAP 32.1 Relating to the Citation of Unpublished Opinions in the Federal Circuit Courts](#). Loislaw is available on the public workstations in the

## Additional News—

### On Display—

The Washington State Law Library recently acquired [United States Senate Catalogue of Graphic Art](#). With essays written by Diane K. Skvaria, Senate curator since 1995, and Donald A. Ritchie, associate historian in the Senate Historical Office since 1976, this [book](#) is the first comprehensive publication of the almost one thousand prints that make

Washington State Law Library.

### New on HeinOnline

The *English Reports, Full Reprint* (1220-1865) is now available on HeinOnline. HeinOnline recently published the 178-volume [English Reports, Full Reprint](#), with coverage from 1220 to 1865 when the official [English Law Reports](#) commenced. It is a reprint of over 100,000 cases, representative of 265 separate series reports, or “nominate” reports, arranged by courts. The term “nominate” refers to the fact that the reports are named after the individual publishing the report. A separate pamphlet provides charts to indicate which nominate reports are in which volume of the English Reports.

The online edition provides exact reproduction of the original bound reprint edition, including the indexes and charts. HeinOnline has added several navigational tools to enhance access to these cases such as a case locator, chart tool and advanced search feature. You can browse the reports by series, index or index chart. This database is available on the public workstations in the Washington State Law Library.

### Environmental Law Online

Lewis and Clark Law School recently debuted [Environmental Law Online](#), *Environmental Law's* companion online journal, where you will find selected articles and essays from their print journal, web-only articles, and an archive of their 9th Circuit case reviews.

up the Senate's collection. It represents a 30-year effort to document graphically the 19<sup>th</sup> and early 20<sup>th</sup> century history of the Senate, the Capitol, and American political history. Diverse illustrations range from inauguration ceremonies and impeachment trials to senatorial portraits and political cartoons. In 2002 the Senate published the [United States Senate Catalogue of Fine Art](#), presenting the 160 paintings and sculptures in the Senate's fine art collection. This [book](#), as well as the [United States Senate Catalogue of Graphic Art](#), can be viewed online through the [Government Printing Office website](#). In addition, they are on display in the Periodical Reading Room on the lower level of the Washington State Law Library.

### Dates to remember—

April 9<sup>th</sup> -- In 1865, Confederate General Robert E. Lee surrendered his army to Union General Ulysses S. Grant at Appomattox Court House, Virginia.

April 12<sup>th</sup> -- In 1961, Soviet major Yuri Gagarin became the first man to go into space. He was also the first man to orbit our planet, which he did in 89 minutes.

April 22<sup>nd</sup> -- [Earth Day](#) was founded by [Senator Gaylord Nelson](#) and organized by [Denis Hays](#) in 1970. Click [here](#) for an article on the history of Earth Day written by its founder as Earth Day neared its 30<sup>th</sup> anniversary.

May 13<sup>th</sup> -- Mother's Day ([36 USC Sec. 117](#)). The [International Mother's Day Shrine](#) is located in Grafton, West Virginia, at Andrews Methodist Episcopal Church, site of the first official Mother's Day celebration.

May 28<sup>th</sup> -- [Memorial Day](#) was originally known as Decoration Day because it was a time set aside to honor the nation's Civil War dead by

decorating their graves. The Washington State Law Library is closed.

June 17<sup>th</sup> – Father's Day ([36 USC Sec. 109](#)). Click [here](#) for a brief timeline of the history of Father's Day.

June 21st -- The first day of SUMMER.

## **Washington State Law Library**

[Temple of Justice](#)

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Chat with us at: <http://www.courts.wa.gov/library/?fa=library.ask>; 10am-1pm, M-F

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[Comments welcome!](#)