Federal Statute Citations

- Westlaw: *Employee Polygraph Protection Act*, 29 U.S.C.A. §2005 (West 2014)
- Lexis: *Employee Polygraph Protection Act*, 29 U.S.C.S. §2005 (LexisNexis 2014)
- *Employee Polygraph Protection Act*, Pub.L. 100-347, § 6, 1988, 102 Stat. 647, codified at U.S.C.A. §2005 (West 2014)

Legal Research 8: Practicing Resources

- Court Rules
- Forms
- Continue Legal Education
- Practice & Subject-Matter Services/Mini-Libraries

Court Rules

- *Who make federal court rules?*
- The Rules Enabling Act, 28 U.S.C. § 2072, 1988, Federal Courts can make court rules
- *Who make state court rules?*
- In most of states, courts
- In a few states, legislatures

Where to find federal court rules?

- 18 USC Part II (Criminal Procedure) and 28 USC Part V (Judicial Procedure)
- Various pamphlets
- Courts' websites
- 18 & 28 USCA and 18 & 28 USCS with annotations – useful
- Treatises: Wright & Miller's Federal Practice and Procedure, Moore's Federal Practice – most useful

Wright & Miller's Federal Practice and Procedure: 40 v

- Volume 4, 4A, 4B
- Chapter 1 - History of Procedure in the Federal Courts
- Chapter 2 - Scope and Effect of Rules; One Form of Action
- Chapter 3 - Commencement of Action; Service of Process and Other Papers; Time
- Volume 5, 5A
- Chapter 4 - Pleadings and Motions
- Volume 6, 6A
- Chapter 4 - Pleadings and Motions (continued)
- Chapter 5 - Parties

RESERVE
FEDERAL PRACTICE AND PROCEDURE
FOLK
ON THE DELAWARE GENERAL CORPORATION LAW
ADVISING ELDERLY CLIENTS AND THEIR FAMILIES

Select a treatise on Westlaw: Wright and Miller Federal Practice and Procedure

- Westlaw: Home > Secondary Sources > Texts & Treatises > Litigation Texts & Treatises > Federal Practice & Procedure (Wright & Miller)
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Federal Rules of Criminal Procedure

Chapter 1. Criminal Procedure Reform Generally
Chapter 2. Scope, Purpose, And Construction
Chapter 3. Preliminary Proceedings
Chapter 4. Indictment and Information
Chapter 5. Arraignment and Preparation for Trial
Chapter 6. Venue
Chapter 7. Trial
Chapter 8. Judgment
Chapter 9. Appeal
Chapter 10. Supplementary and Special Proceedings
Chapter 11. General Provisions
Appendix A. Time Table for Lawyers in Federal Criminal Cases
Appendix B. Orders of the Supreme Court of the United States Adopting and Amending Criminal Rules
Appendix C. Advisory Committee Notes for The Federal Rules of Criminal Procedure for The United States District Courts
Appendix D. Rules Governing Section 2255 Proceedings for the United States District Courts
Appendix E. Appendix of Forms Attending Federal Rules of Criminal Procedure [Abrogated]
Appendix F. Rules of Procedure for The Trial of Misdemeanors Before United States Magistrates [Abrogated]
Appendix G. Foreign Intelligence Surveillance
Appendix H. Related Research

Federal Rules of Civil Procedure

Chapter 1. History of Procedure in the Federal Courts
Chapter 2. Scope and Effect of Rules; One Form of Action
Chapter 3. Commencement of Action; Service of Process and Other Papers; Time
Chapter 4. Pleadings and Motions

Chapter 4. Pleadings and Motions

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Rule 7. Pleadings Allowed; Form Of Motions

§ 1181. Purpose and History of Rule 7
§ 1182. General Principles of Pleading
§ 1183. Pleadings Permitted by Rule 7--In General
§ 1184. Reply to a Counterclaim
§ 1185. Court's Discretion to Order a Reply
§ 1186. No Response to "New Matter" Necessary
§ 1187. Reply to a Counterclaim in a Cross-Claim Answer or Third-Party Answer
§ 1188. Counterclaim in a Reply
§ 1189. Close of the Pleadings
§ 1190. Motions and Motion Papers--In General
§ 1191. Form and Content of Motions--In General
§ 1192. --Statement of Grounds
§ 1193. Oral Motions
§ 1194. Amendment of Motions
§ 1195. Orders to Show Cause and Rules Nisi
§ 1196. Demurrers and Related Procedures Abolished

Rule 7.1. Disclosure Statement

§ 1197. Disclosure Statement--In General

Rule 8. General Rules Of Pleading

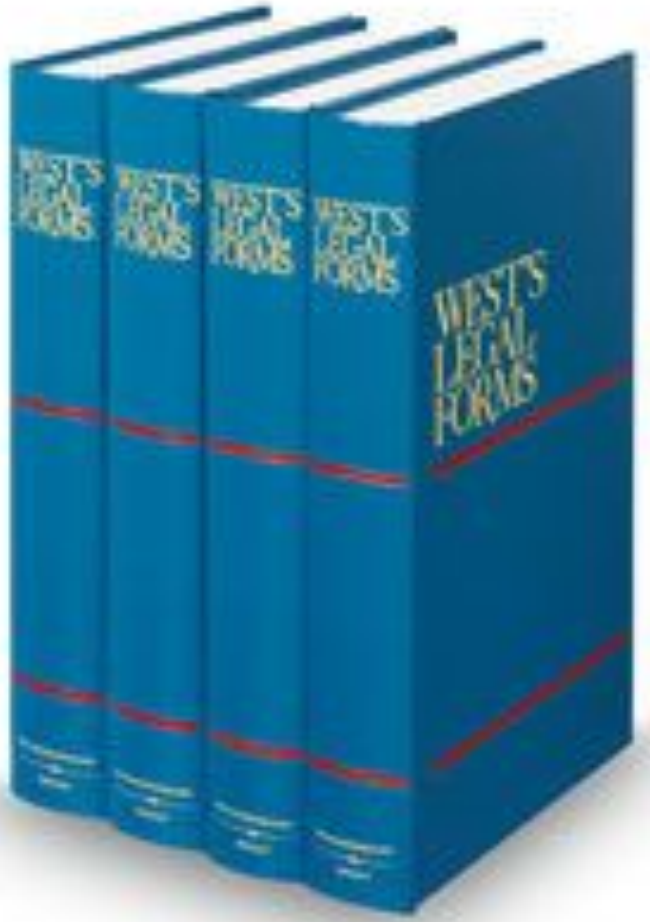
A. Pleading—In General
B. Pleading Jurisdiction
C. Pleading A Claim For Relief
D. Pleading A Demand For Judgment

Where to find state court rules?

- State codes
- Various pamphlets
- Courts' websites
- Annotated state codes
- Treatises: Wright & Miller's Missouri Practice and Procedure

Legal Forms

- West's Legal Forms: more than 30 volumes set
- On Westlaw



What type of legal resources would you like to begin with your legal research?

- A good treatise that organizes statutes, cases, administrative regulations and decisions through commentaries, and citations, and is updated regularly
  - In print
  - Online

Practice & Topic Resources

- Treatises
  - Looseleafs
  - Bound volumes with pocket parts
  - Publications updated Annually
- Continuing Legal Education (CLE)
- Westlaw, Lexis
- Other websites
- They are expensive

What are Looseleaf Services?

- Law books published in binder format that contain a variety of resources relating to a single legal topic. (Mini-library).
- Single source for statutes, regulations, court cases, administrative agency decisions and editorial commentary
- Updated regularly or irregularly
- Generally concentrate on a single area of law.
- Encompass both primary and secondary sources

Looseleafs/Subject-Matter Services/Mini-Libraries

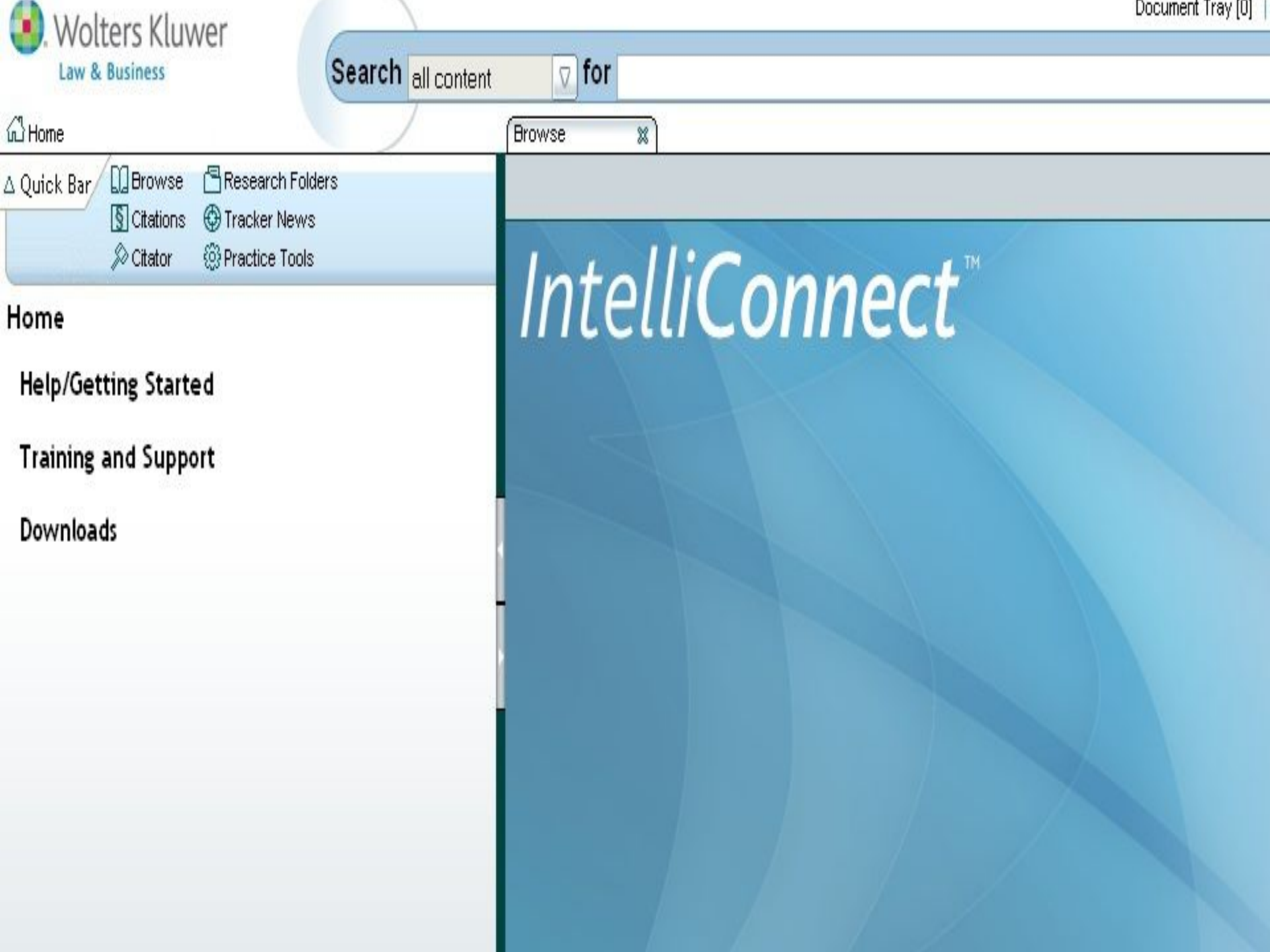
- Purpose
  - The driving purpose behind: currency and comprehensiveness.
  - Very often there will be a newsletter or pamphlet reporting current material.

Understanding The 1996 Immigration Act
RESERVE
Immigration Law and Procedure
MATTHEW BENDER
NATIONAL SECURITY INVESTIGATIONS & PROSECUTIONS
FEDERAL ELECTION CAMPAIGN FINANCING GUIDE

Example - - Taxation

- To adequately research a tax question you need to consider
  - statute, legislative history, regulations.
  - administrative pronouncements: actions on decision, announcements, determination letters, general counsel memorandums, information releases, IRS letter rulings, revenue procedures, revenue rulings, technical memorandum.
  - court decisions: United States Tax Court, District Courts, Claims Court, Courts of Appeals and the U.S. Supreme Court.
- Help interpreting it all

RESERVE
Standard Federal Tax Reporter
2008
Zoning and Land Use Controls
TAX REPORTER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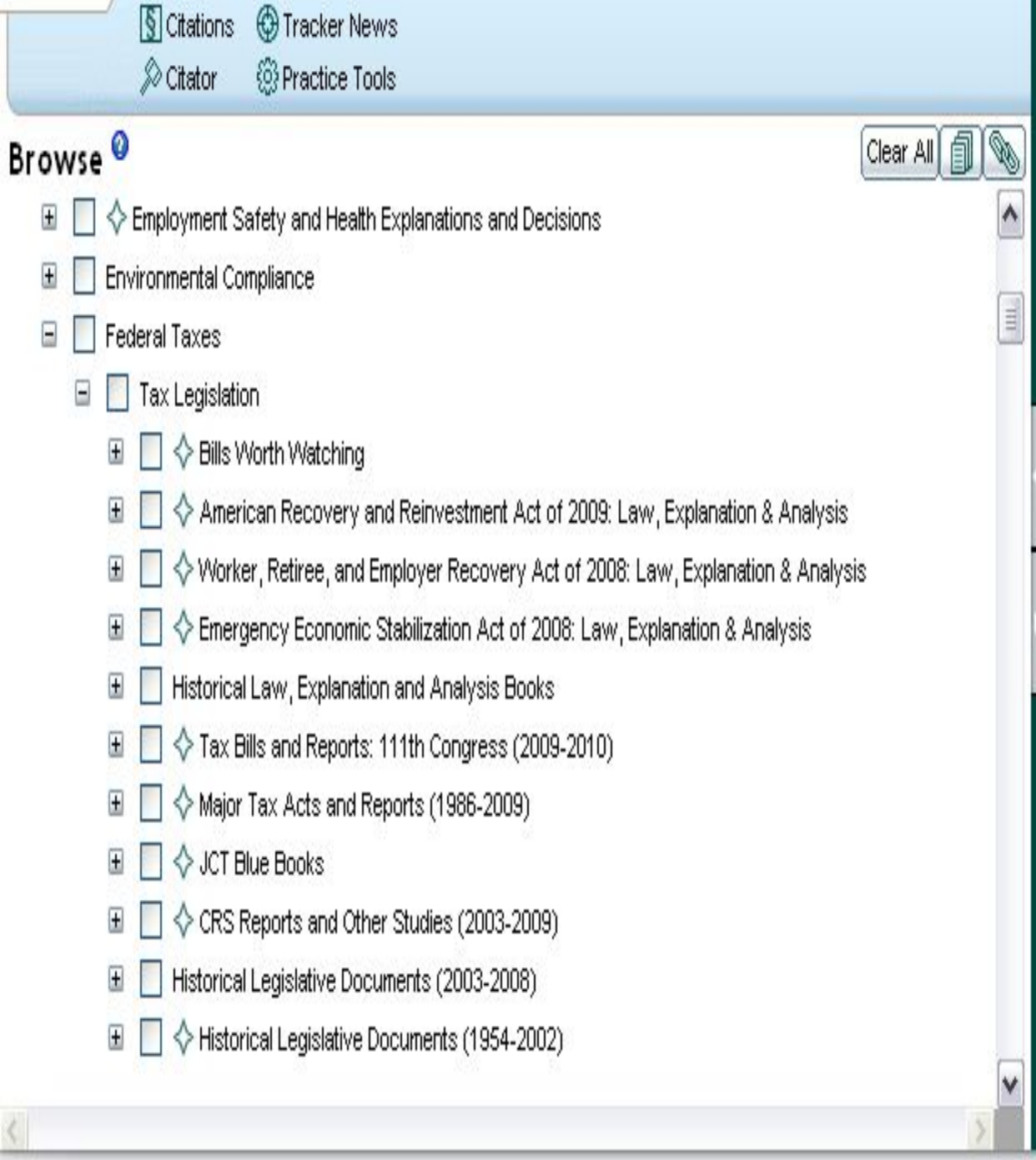

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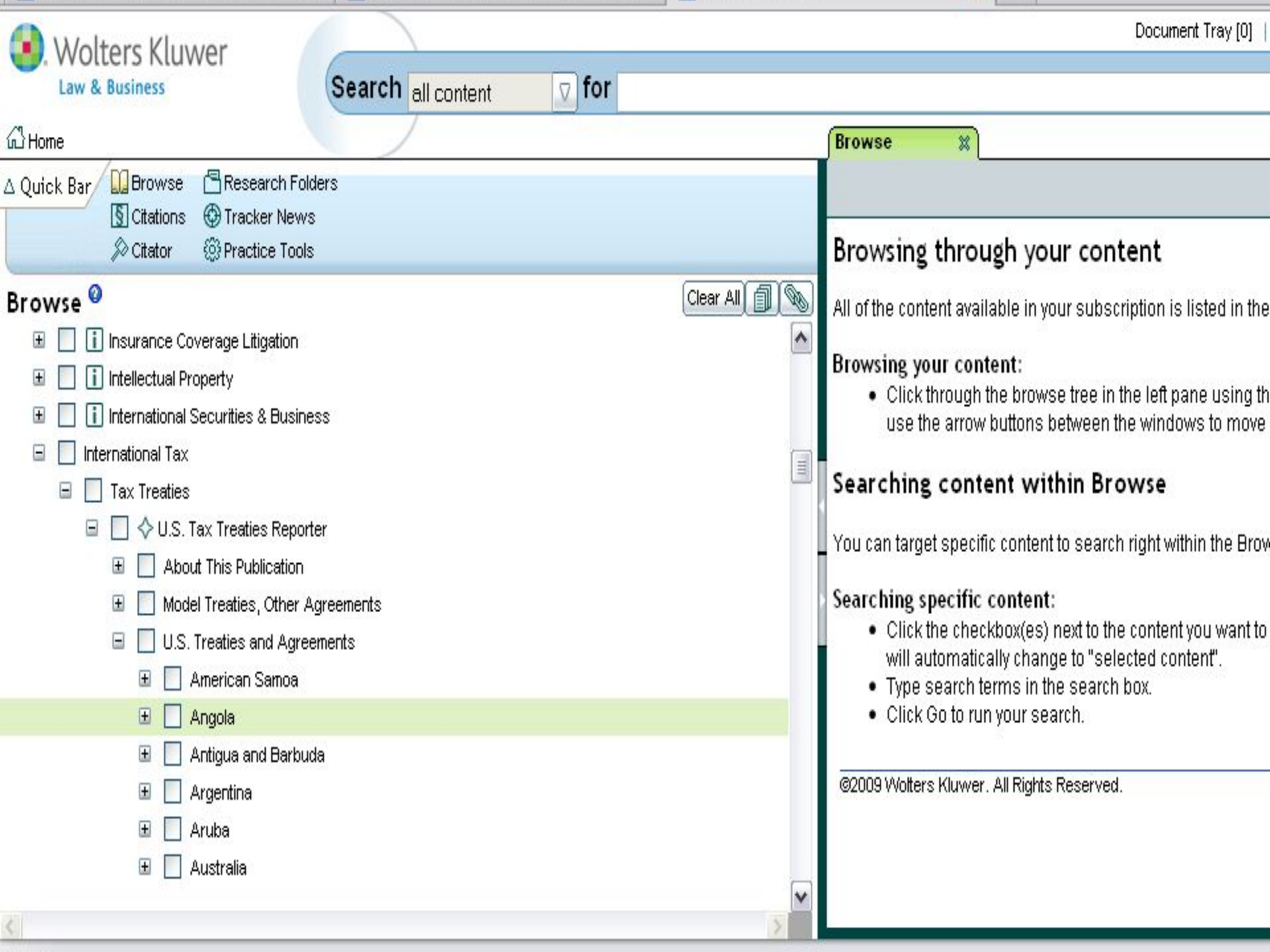
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Indexes

- Many have multiple indexes and tables.
  - subject
  - case name
  - Table of statutes and/or regulations
  - One index may cover current year only, and another would cover previous years.

Filing -- Updating

- May be daily, weekly, monthly, yearly or other.
- Two parts:
  - an alert or review of the filing contents
  - new pages to be inserted -- together with instructions.
- To determine how current the particular looseleaf is, check the date on the last filing.

Major Publishers

- West
- Lexis
- Kluwer/CCH (Commerce Clearing House)
- Bloomberg/BNA (Bureau of National Affairs)
- Lexis/Matthew Bender
- West/RIA (Research Institute of American)

What Type of Authority are Treatises?

- Secondary source, though when citing to an agency decision not available elsewhere, that decision is primary authority.
- Do not rely on the language of a primary authority you find in a looseleaf. Check the official version of the authority if one exists.

Continuing Legal Education (CLE) Publications

INTRODUCTION

Numerous titles

Published in conjunction with CLE programs

Two nationally known publishers

ALI-ABA (American Law Institute-American Bar Association)

PLI - Practicing Law Institute

State Bar: CLE, such as MO Bar CLE in looseleaf

CLE - 2

ASSESSMENT

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Reputation of the Authors
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ALI-ABA

http://www.ali-aba.org

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- Dealing with Difficult Opposing Counsel: Tactics for Ethically Handling "Bad" Behavior
- Legal Writing at the Macro Level
- Legal Ethics of Email and Social Media
- Tax Provisions in LLC, Partnership, and Alternative Entity Agreements

Top Selling Forms

- A Model Construction Agreement
- Asset Management Agreement
- Representing Borrowers in Changing Times (With Sample Provisions)
- Appendix 1--Sample ILIT Form

CLE - 3

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- Estates & Trusts
- Ethics/Professional Responsibility
- Health Care
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New York Housing Law for the Low-Income Client 2014	Oct. 8, 2014 New York, NY
Pocket MBA Fall 2014: Finance for Lawyers and Other Professionals	Oct. 9 - 10, 2014 New York, NY
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2. **WHY DO YOU NEED TO KNOW ABOUT HIPAA?**
   ALI-CLE Course Materials | September 30, 2014 | TSWO01 ALI-CLE 31

   In broad terms, new federal rules make many non-medical or health insurance entities directly subject to federal regulation when they use medical or billing i
   rendering services. The Health Insurance Portability and Accountability Act of 1996 ("HIPAA"), and the rules promulgated thereunder, regulate the use, discl

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On Bloomberg Law

Practising Law Institute Books & Treatises

- 2008 Federal Circuit Yearbook: Patent Law Developments in the Federal Circuit
- 2009 Federal Circuit Yearbook: Patent Law Developments in the Federal Circuit
- 2010 Federal Circuit Yearbook: Patent Law Developments in the Federal Circuit
- A Practical Guide to Life Sciences Companies: Commercializing & Protecting Innovation
- A Practical Guide to the Red Flags Rules: Identifying and Addressing Identity Theft Risks
- Accountant's Liability
- Advertising & Commercial Speech: A First Amendment Guide
- Advising High Technology Companies
- All About Rights for Visual Artists
- All About Tax Tips for Collectors
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- Antitrust Law Answer Book 2011-12
- Employment Law Yearbook 2008
- Employment Law Yearbook 2009
- Employment Law Yearbook 2010
- Employment Law Yearbook 2011
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- Evidence in Negligence Cases
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- Federal Bail and Detention Handbook
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- PLI's Guide to the Sarbanes-Oxley Act for Business Professionals
- PLI's Guide to the Securities Offering Reforms
- Patent Law: A Practitioner's Guide
- Patent Licensing: Strategy, Negotiation, and Forms
- Patent Litigation
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State Bar CLE

- Most of them in looseleaf format
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Missouri Administrative Law (MoBarCLE)

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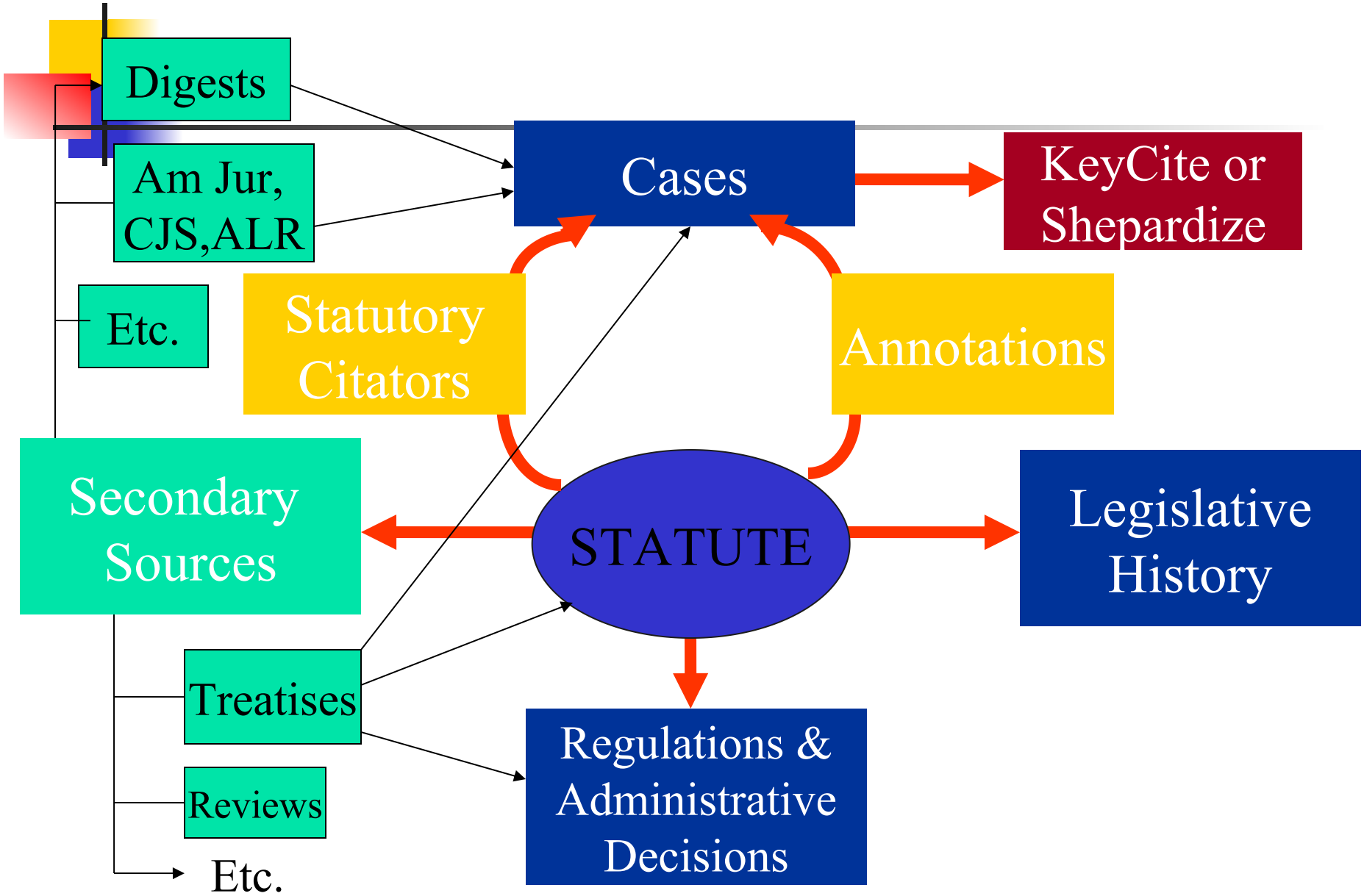
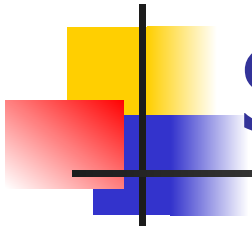


Conclusion

- "Learning what resources are available in a particular area may require some preliminary research into indexes and directories. Although it may take some time to use these specialized resources effectively, they can lead directly to more productive research and to a better understanding and anticipation of legal developments".



Sample Research: Question

A foreign fourth year undergraduate student from Wash. U. Computer Department has a job offer from a local software company and comes to your office to ask you to apply for a working visa for him. This student has obtained a few MS authorized software engineer certificates from various workshops.

Westlaw & Lexis Search Path: H-1b qualification

- **Lexis:** Browse > By Category > Secondary Sources > Search "immigration" within sources > choose "Gordon, Mailman, Yale-Loehr & Wada Immigration Law and Procedure"
- **Westlaw**: Home > Secondary Sources > Immigration Secondary Sources > Immigration Texts & Treatises > H-1B Handbook

Research Path

- Lexis: Matthew Bender(R) > Gordon, Mailman & Yale-Loehr Immigration Law and Procedure>Non Immigrant > Chapter 20 Temporary Workers > § 20.08 H-1B: Specialty Occupations (Professions), Defense Department Programs; Fashion Modeling
- Westlaw: H-1B Handbook >Chapter 1. Introduction and Basic Requirements > C. Substantive Requirements > s 1:28. THE CREDENTIALS OF THE ALIEN

Sources

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- Gordon, Mailman, Yale-Loehr & Wada **Immigration** Law and Procedure
- ALI CLE Course of Study - **Immigration** Law
- Bender's **Immigration** and Nationality Act Service
- Bender's **Immigration** Bulletin
- Bender's **Immigration** Litigation Forms
- Bender's **Immigration** Regulations Service
- BNA DOJ - Workplace

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- ABA - Civil RICO A Definitive Guide
- Table of Contents - ABA - Civil RICO A Definitive Guide
- ABA Administrative Law Review
- ABA Communications Lawyer
- ABA Criminal Justice
- ABA Entertainment and Sports Lawyer
- ABA Family Advocate
- ABA Family Law Quarterly

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Labor & Employment 1

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Publisher

Bender's Immigration and Nationality Act Service

Table of Contents - Bender's Immigration and Nationality Act Service

Bender's Immigration Regulations Service

Table of Contents - Bender's Immigration Regulations Service

BNA DOJ - Workplace Immigration Report **

Business Immigration Law: Forms and Filings

Table of Contents - Business Immigration Law: Forms and Filings

Corporate Immigration Law

Table of Contents - Corporate Immigration Law

Gordon, Mailman, Yale-Loehr & Wada Immigration Law and Procedure

Table of Contents - Gordon, Mailman, Yale-Loehr & Wada Immigration Law and Procedure

Immigration Enforcement: I-9 Compliance Handbook

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- PART 1 OVERVIEW OF IMMIGRATION LAW
- PART 2 INSTITUTIONS OF IMMIGRATION LAW
- PART 3 THE PROCESS OF CONTROLLING ENTRY INTO THE UNITED STATES
- PART 4 NONIMMIGRANTS
  - CHAPTER 12 Nonimmigrants: Classification, Terms of Admission and Procedures
  - CHAPTER 13 Diplomats and Other Officials of Foreign Governments
  - CHAPTER 14 Temporary Visitors for Business or Pleasure
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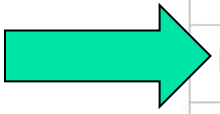
  - CHAPTER 22 Exchange Visitors (Js and Qs)



CHAPTER 20 Temporary Workers

Synopsis to CHAPTER 20 : Temporary Workers

CHAPTER 20 Temporary Workers

§ 20.01 The "H" Classifications In General; Background, Text and Scope

§ 20.02 [Reserved]

§ 20.03 Displacement of U.S. Workers and the DOL Role

§ 20.04 Numerical Limitations

§ 20.05 Defining Employment

§ 20.06 Nonimmigrant Characteristics: Residence Abroad; Entering Temporarily and Dual Intent; Fixed Time Limits; Effect of the IMMACT 90 Amendments

§ 20.07 Registered Nurses: H-1A (Repealed); H-1C

§ 20.08 H-1B: Specialty Occupations (Professions), Defense Department Programs; Fashion Modeling; H-1B1 for Chileans and Singaporeans

§ 20.09 H-2A: Temporary Workers in Short Supply—The H-2A Agricultural Worker

§ 20.10 H-2B: Temporary Workers in Short Supply—The H-2B Temporary Nonagricultural Worker

[v] Experience as Equivalent to Education

Although the Immigration Service had for many years found aliens eligible for third preference or H-1 as professionals on the basis of qualifying experience, the Commissioner, in a 1984 precedent, attacked as a "venerable but erroneous proposition that experience is the same as, or can be substituted for, education."[128] Citing that precedent in a 1988 decision, it refused to credit a beneficiary with having the equivalent of a degree, based on experience alone.[129]

The Service, however, then held that substantial academic coursework in a professional field, short of a baccalaureate degree, when combined with considerable professional experience and achievement, can qualify an individual as a member of the professions.[130] In proposing H-1 regulations in 1988, the Service asserted that professional status could be met without the appropriate degree in one of two ways: through license to practice the profession by passing the normal tests; or through lawful practice at a professional level by virtue of a combination of college-level courses, specialized training or experience, and professional standing.[131] The proposed regulation would have set the educational minimum at two years of appropriate college-level training, thus cutting back on *Portugues's* insistence on "virtually all of the normal coursework," but would require three years of specialized training or professional experience for every year of university education lacking.[132]

Footnotes: citations

129 Matter of Caron, 19 I. & N. Dec. 791, 6 Immig. Rptr. B2-17 (Comm'r 1988) citing Matter of Portugues do Atlantico Information Bureau, 19 I. & N. Dec. 194, 195 (Comm'r 1984).

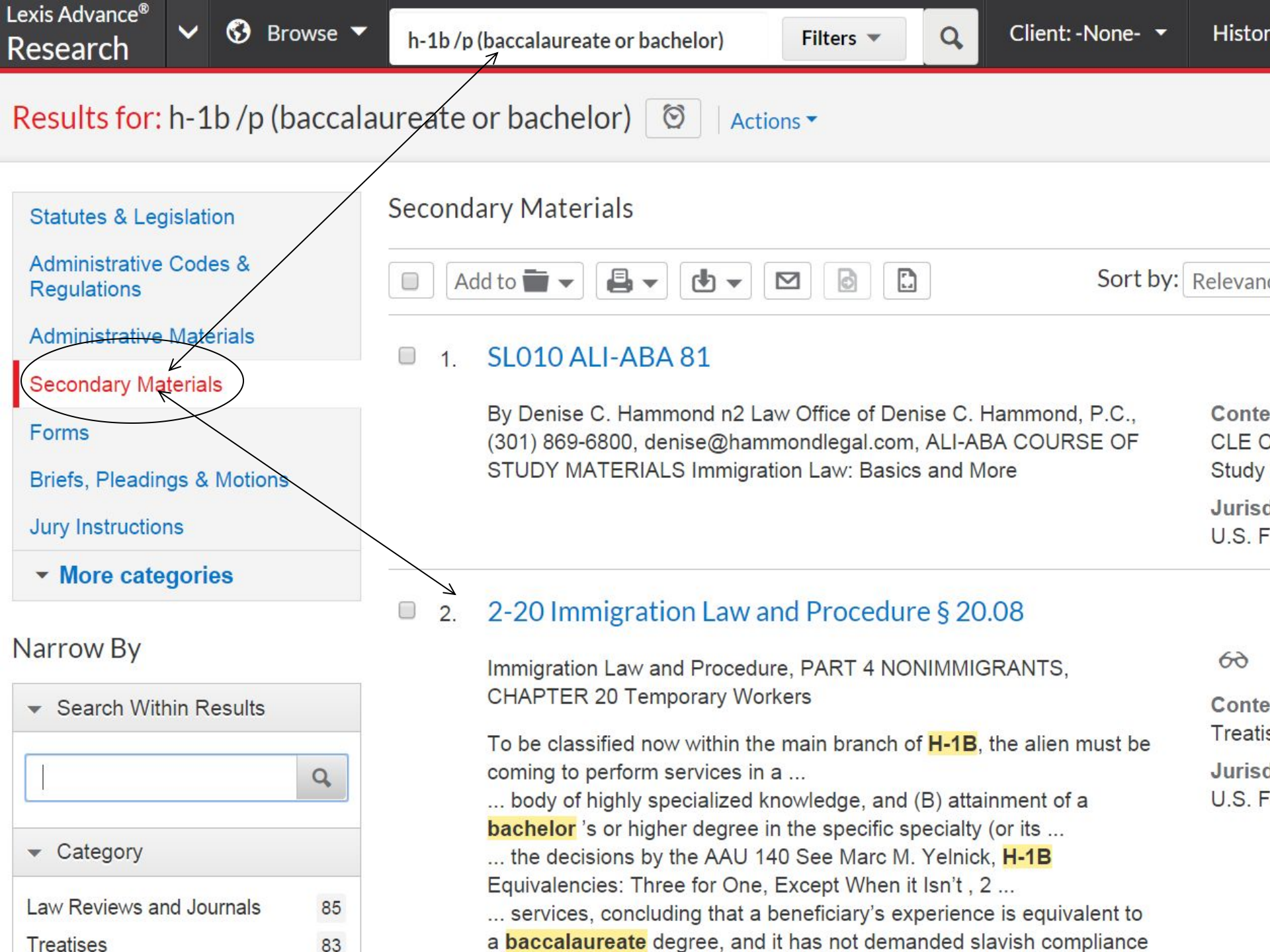
130 *See* Matter of Sea, 19 I. & N. Dec. 818, 6 Immig. Rptr. B2-121 (Comm'r 1988).

131 *See* preamble to proposed amendments, 53 Fed. Reg. 43217, 43219 (Oct. 26, 1988).

132 *See* 53 Fed. Reg. 43217, 43225 (proposed Oct. 26, 1988).

133 8 C.F.R. § 214.2(h)(4)(iii)(D)(5).

134 *See supra* note 90. The comments in response to the rulemaking suggest that the issue of equivalence was among the most controversial. See 55 Fed. Reg. 2606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Sort by:
1. SL010 ALI-ABA 81
By Denise C. Hammond n2 Law Office of Denise C. Hammond, P.C., (301) 869-6800, denise@hammondlegal.com, ALI-ABA COURSE OF STUDY MATERIALS Immigration Law: Basics and More
2. 2-20 Immigration Law and Procedure § 20.08
Immigration Law and Procedure, PART 4 NONIMMIGRANTS, CHAPTER 20 Temporary Workers
To be classified now within the main branch of H-1B, the alien must be coming to perform services in a ...
... body of highly specialized knowledge, and (B) attainment of a bachelor 's or higher degree in the specific specialty (or its ...
... the decisions by the AAU 140 See Marc M. Yelnick, H-1B Equivalencies: Three for One, Except When it Isn't , 2 ...
... services, concluding that a beneficiary's experience is equivalent to a baccalaureate degree, and it has not demanded slavish compliance

2-20 Immigration Law and Procedure § 20.08

Copy Citation

§ 20.08 H-1B: Specialty Occupations (Professions), Defense Department Programs; Fashion Modeling; H-1B1 for Chileans and Singaporeans *

[1] In General

More than any other nonimmigrant classification, the H-1B was dramatically changed by the Immigration Act of 1990.1 Its character was more radically altered than at any time since it was introduced as H-1 with the basic 1952 Act.2 When amended on November 29, 1990, it generally comprised persons of "distinguished merit and ability," coming to the United States "to perform services of an exceptional nature requiring such merit and ability," excluding services as a registered nurse.3 Excluded also by the pre-1990 law

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[v] Experience as Equivalent to Education

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- Immigration Law Service 2d
- Immigration Procedures Handbook
- Labor Certification Handbook
- Steel on Immigration Law

Chapter 3. The H-1B Petition

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Browse Table of Contents below or search above.

I. Preparation of the H-1B Petition

§ 3:1. Summary of the petition requirement

§ 3:2. Completion of Form I-129 and H Supplement

§ 3:3. --Sample Form 3-1: Form I-129 and H Supplement

§ 3:4. Standard I-129 filing fee and other H-1B fees

§ 3:5. Special H-1B supplement

§ 3:6. --Sample Form 3-2: H-1B Data Collection And Filing Fee Exemption Supplement and Form M-

§ 3:7. Employer's letter

§ 3:8. --Sample Letter 3-1: Support letter for a specialty occupation worker in the computer field

§ 3:9. Supporting documentation

§ 3:10. --Specialty occupation

§ 3:11. --The beneficiary's qualifications

§ 3:12. --State license to practice profession

§ 3:13. --Employment contract

§ 3:14. --Evidence regarding employer-employee relationship

§ 3:15. --Itineraries in multiple worksite situations

§ 3:16. --Main requirements of the documentation

§ 3:17. Copy of LCA

and nonprofessional programmers based on the nature of the problems with which they must deal. Employers using computers for scientific or engineering applications prefer college graduates who have degrees in computers or information science, mathematics, engineering, or the physical sciences. Graduate degrees are required for some jobs. Employers who use computers for business applications prefer it hire people who have had college courses in programming and business but a **bachelor's** degree is not required by most employers.

The AAO, in Matter of Caron International, concluded that computer programming appears to be an occupation that is in transition from nonprofessional to professional status. The DOL's own materials note that the many technological innovations in programming have redefined the role of the programmer and led to new skill requirements. As a consequence, many more programming positions may be considered specialty occupations.

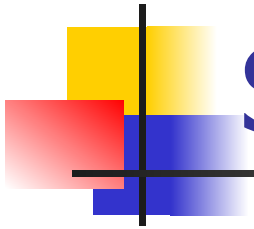
Note that managerial positions in the computer fields, such as data processing managers who supervise system analysts and computer engineers, are considered H-1B-caliber occupations. The OOH states that the usual requirements for such positions are the appropriate degree (baccalaureate

§ 6:10. Administrative case law regarding equivalent credentials

In Matter of Portugues do Atlantico Information Bureau, some guidelines were established for determining whether an individual possesses the qualifications to fill a professional-level position. Those guidelines served as the foundation upon which the pre-1990 Act agency regulations and the current rules were built, although later cases modified the Portugues concepts. It was clear from earlier cases that a baccalaureate degree is not required in every case in order for an individual to qualify for H-1 status, as long as the worker possesses a combination of education and experience which equip him or her with the "knowledge of an advanced type" that is essential to perform the duties of the profession in question. Matter of Shin, 11 I. & N. 686 (Dist. Dir. 1966); Matter of Asuncion, 11 I. & N. 660 (Reg. Comm'r 1966); Matter of Bienkowski, 12 I. & N. 17 (Dist. Dir. 1966). In Portugues do Atlantico, the legacy INS took an extremely narrow view of when a foreign national can demonstrate professional status in the absence of an actual degree in the professional field. It indicated in that decision that a person without a degree would probably need to show that virtually all requirements for obtaining the degree had been met, and that he or she stopped his or her education just shy of

More of an issue was presented by the worker's professional credentials, since his education was clearly not the **equivalent** of a U.S. **bachelor's** degree. The worker had completed a three-year degree program in Danish engineering college, and that degree was evaluated as the equivalent of a two-year degree program in engineering technology at a U.S. junior college by a credentials evaluation service. The Commissioner accepted this evaluation, while noting that evaluations from such services need not be accepted if they are "in any way questionable" or out of line with previous evaluations. With regard to education amounting to less than a bachelor's degree, the Commissioner noted that the agency has accepted persons as professionals without a bachelor's degree when they had "formal college-level academic education, specialized training in their subject areas, and many years of responsible experience in their fields." In the previously decided cases, the workers also all had achieved recognition as professionals, some by membership in professional associations.

While education in combination with experience can be considered **equivalent** to a **bachelor's** degree in a professional field, the education must be substantial and must be in the field in which the individual is to be considered a professional. The Commissioner noted that no published administrative decisions permitted classification as a professional when the individual has no formal college-level education. The



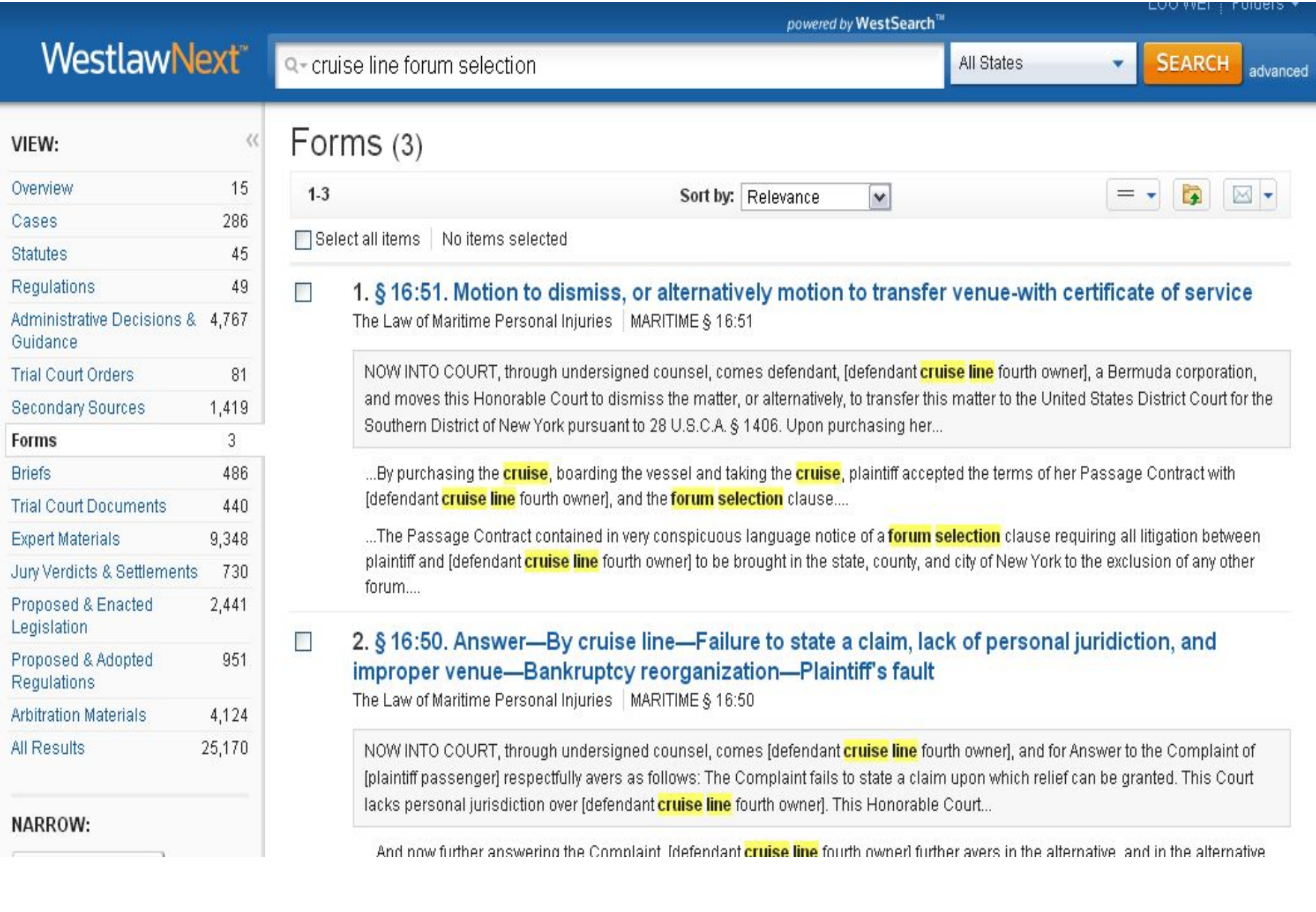
Steps

- Determine whether a comprehensive treatise for your research area exists.
- Find out if you can access it.
- Determine what type of material you are seeking.
- Get familiar with the publication in print or online database.
- Always update your findings with a citator.

More Exercises

- Hypo A. “forum selection” /s “cruise line”
- Hypo B. (owner or caretaker) /p liability /p “pit bull”
- Hypo C. depicting /p homosexual /p (liable or defamation)

Assignment 1 Hypo A



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Arbitration Materials 1
Public Records
All Results 347

Secondary Sources (1)

1 - 1 Sort by: Relevance

Select all items | No items selected

1. § 54.2.Animal neglect and abuse

Missouri Practice Series TM | 32 MOPRAC § 54.2

Animal neglect consists of failing to provide adequate care or adequate control, or of abandonment of an animal, by the **owner** or custodian. The offense must be committed knowingly. Failure to provide adequate care is the failure to provide normal and prudent attention to the needs of an animal, including food, clean water, shelter and health care....

...animal to a human. However, the statute does not impose **liability** for failure of the animal **owner** to perfectly seal off the public from voluntary actions of...

...animal. Thus, where a child thrust his arm into a **pit bull's** cage and was injured, the evidence did not support a conviction of the **owner** under this statute.[4 Animal abuse includes intentionally or purposely...

20 per page

characterized...

...imply a factual statement cannot form the basis of a **defamation** action. When group **defamation** is complained of, courts have recognized that an individual cannot...

2. "I'M NOT GAY, M'KAY?": SHOULD FALSELY CALLING SOMEONE A HOMOSEXUAL BE DEFAMATORY?

Georgia Law Review | Spring, 2010 | 44 Ga. L. Rev. 739

In South Park's Emmy-Award-nominated episode Trapped in the Closet, a cartoon version of Tom Cruise enters character Stan Marsh's closet and refuses to come out. Other characters beseech him to "come out of the closet." A cartoon version of Nicole Kidman pleads: "Tom, don't you think this has gone on long enough? It's time for you to come out of...

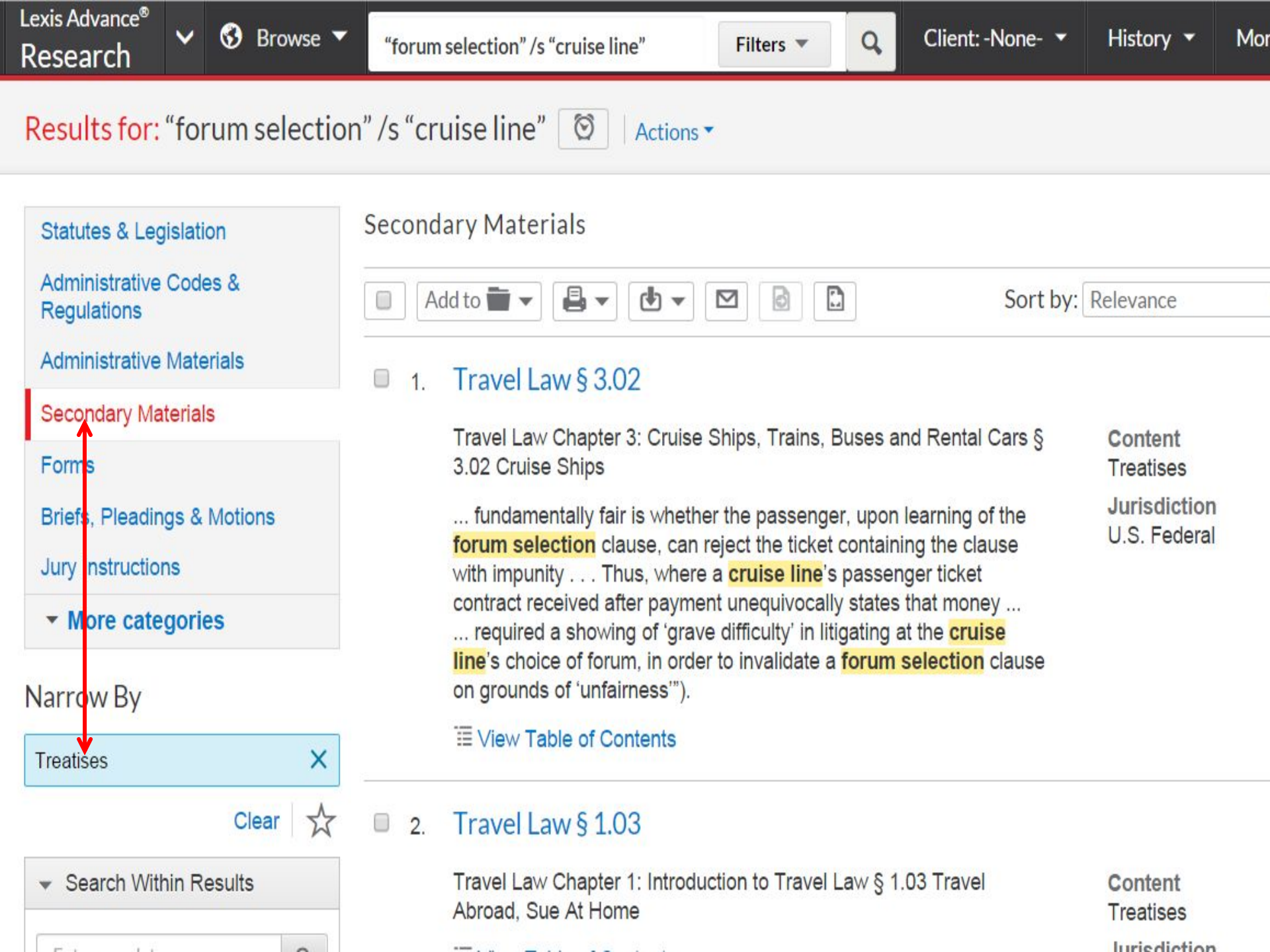
...the Massachusetts District Court held that misidentifying someone as a **homosexual** cannot be defamatory per se because of the societal advancement of **homosexuals**. [FN121] In this case, Madonna's former boyfriend and bodyguard alleged that a biography of Madonna defamed him by falsely **depicting** him as a **homosexual**. [FN122] The book contained a photograph of an "outspoken" **homosexual** walking with Madonna. [FN123] The caption underneath the photograph erroneously...

...photograph and caption stated or implied that the plaintiff was **homosexual**, such a statement was not defamatory per se. [FN125] The...

3. § 1:46.Defamation—Per se defamation and damages

New York Practice Series - New York Law of Torts | NYPRAC-TORTS § 1:46

Under New York law, words are per se defamatory if they falsely impute criminal activity, impute an offensive disease, would tend to injure a party's trade, occupation or business, or impute unchastity or **homosexuality**. A cause of action for libel per se is a defamatory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"forum selection" /s "cruise line"
Filters
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History
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Search Within Results
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Sort by: Relevance
1. Travel Law § 3.02
Travel Law Chapter 3: Cruise Ships, Trains, Buses and Rental Cars § 3.02 Cruise Ships
... fundamentally fair is whether the passenger, upon learning of the forum selection clause, can reject the ticket containing the clause with impunity . . . Thus, where a cruise line's passenger ticket contract received after payment unequivocally states that money ... ... required a showing of 'grave difficulty' in litigating at the cruise line's choice of forum, in order to invalidate a forum selection clause on grounds of 'unfairness'").
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2. Travel Law § 1.03
Travel Law Chapter 1: Introduction to Travel Law § 1.03 Travel Abroad, Sue At Home
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Treatises

Results for: (owner or caretaker) /p liability /p "pit bull"

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Treatises ×

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Search Within Results

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Jurisdiction
Source

Secondary Materials

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1. 1-11 Maryland Tort Law Handbook § 11.9

Maryland Tort Law Handbook, CHAPTER 11 NEGLIGENCE AND CONTRIBUTORY NEGLIGENCE

... state that it was modifying the Maryland common law of **liability** as it related to attacks by pit bulls and cross-bred **pit bull** dogs against humans. With the standard established therein, when an **owner** or a landlord is proven to have knowledge of the presence of a **pit bull** or cross-bred **pit bull** or should have had such knowledge, a prima facie case ...
... established. It is not necessary that the landlord (or the **pit bull**'s owner) have actual knowledge that the specific pit bull involved ...
... out that: a) establishing which dog is a "pure bred" **pit bull** is impossible through DNA testing, according to the makers of ...
... Maryland's contributory negligence standard may conflict with the Solesky strict **liability** standard in dog bite cases where the Plaintiff acted ...
... some way; and c) the Court of Appeals expanded strict **liability** to third-party premises **owners** , condominium Boards, Community Associations, and similar entities. was swift ...

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Maryland

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2. 1A-10 Florida Residential Landlord Tenant Manual § 10.04

Florida Residential Landlord Tenant Manual, CHAPTER 10 DAMAGES

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Treatises

Results for: depicting /p homosexual /p (liable or defamation)

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Jury Instructions
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Treatises X

Secondary Materials

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1. 2-8 Ohio Forms of Pleading and Practice Form 8:147

Ohio Forms of Pleading and Practice, Part I CIVIL PRACTICE AND PROCEDURE, 1 OHIO RULES OF CIVIL PROCEDURE

... form of damages directly arising as a result of the **defamation** , such as for example, an inability to obtain employment ...
... damages arising out of the defendants' display of flyers falsely **depicting** plaintiff as **homosexual** , and thus plaintiff could not prevail on a claim ...

View Table of Contents

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Ohio

Evaluate Research Outcome

1. Beginning: did not consult secondary sources covering the relevant area of law
2. Developing: selected one or more sources that cover the topic, but either too generally or too specifically to serve as an adequate starting points; source(s) was unlikely to contain cities to the specific jurisdiction.
3. Proficient: selected one or more sources providing an accessible overview of the relevant area of law; source(s) was either jurisdictionally or topically specific.
4. Selected multiple sources providing an accessible overview of the relevant area of law along with a more in-depth treatment of specific issues; at least one of the sources was jurisdictionally specific.