

## **NEW YORK STATE LIBRARY**

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## **Records and Briefs**

Records and briefs, also referred to as cases and points, are papers submitted to a court by litigants upon appeal of a lower court judgment. They usually contain:

- Record or appendix
- Plaintiff's briefs
- Defendant's briefs
- Reply briefs

These papers document the legal history of a case, often including lower court transcripts, necessary formal applications, arguments for and against legal issues, testimony, and exhibits. They vary in length, sometimes filling as many as 20 volumes. They represent an invaluable resource to attorneys researching a similar legal case and to researchers and historians reconstructing the social fabric of a period.

### **State Library's Holdings**

The New York State Library has records and briefs for the following courts:

NYS Court of Appeals, 1847+

NYS Supreme Court, Appellate Division, 1896+

U.S. Supreme Court, 1832+

U.S. Court of Appeals, Second Circuit, 1982+

Selected records for NYS Supreme Court General Term, 1850-1895 (intermediate appellate court, predecessor to the Appellate Division)

## Obtaining Records and Briefs

To obtain a record and brief, contact the Reference Desk at (518) 474-5355 and provide:

- Names of parties in the case
- Official citation
- Date of decision
- Department # if recent NYS Appellate Division case
- Docket # and court term (if US Supreme Court case)

A staff member will inform you of the format of the record and brief (hard copy or microfiche), its location, and the procedure for retrieving it.

## Additional Information

- Records and briefs for cases dealing with some attorney, matrimonial, election, filiation, prisoner, unemployment insurance, sex offenses, adoption proceedings and family court matters are deemed confidential and are not supplied by the courts.
- Some records and briefs for cases prior to 1847 are held by the State Archives and Records Administration. Request these materials directly from them.
- There is often a considerable time lapse between when a case is decided and when the State Library receives the record and brief for the case.
- Persons coming to view a case record and briefs should call the Reference Desk at (518) 474-5355 to verify that the Library holds the case.