

**PERSONAL LAW LIBRARY RECOMMENDATIONS FOR
CALIFORNIA CRIMINAL APPELLATE ATTORNEYS**

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Included in these materials is a list of items for a starter law library for criminal appellate practitioners, such as desktop codes and online research tools. Also included is a list of potentially useful secondary sources, some of which may be outside the price range for a solo practitioner's home office. More extensive resources can be found on the FDAP website: www.fdap.org.

FDAP does not recommend or endorse any specific item or product. It is possible to obtain comparable items from other publishers or providers. FDAP does not require that panel attorneys maintain a library of any of these items. The items below are simply noted as being potentially useful for the appellate practitioner.

PRIMARY SOURCES (CASES, STATUTES, ETC.)

On your desktop:

Un-annotated paperback codes, rules, instructions, etc.:

- Cal. Penal Code (West or LEXIS-NEXIS)
- Cal. Evidence Code (West or LEXIS-NEXIS)
- Cal. Rules of Court (West or LEXIS-NEXIS)
- Cal. Juvenile Laws and Rules (West)
- Cal. Style Manual and/or The Bluebook: A Uniform System of Citation
- CALCRIM (West or LEXIS-NEXIS)

On your computer:

- Dictionary
- Searchable Database (e.g. Westlaw or LEXIS); compare rates between companies; compare rates for different libraries (e.g. California or nationwide-criminal), look for group rates.
- Opinions (California, Ninth Circuit, US Supreme Court):
 - For a fee:
 - The Recorder
 - The Daily Journal
 - For free - [FDAP Free Law Library](#)
 - [California Courts](#)
 - [Ninth Circuit](#)
 - [US Supreme Court](#)
 - [LexisONE](#) “U.S. Supreme Court cases from 1781 to present, as well as federal and state cases decided within the last ten years.”
 - [FindLaw](#)
 - [Google Scholar](#): “published opinions of US state appellate and supreme court cases since 1950, US federal district, appellate, tax and bankruptcy courts since 1923 and US Supreme Court cases since 1791.” [Note: no pin cites to official Cal. reporters]
- Statutes, bills, ballot propositions, rules, dockets: California, federal, and most other states are all free online. (See [FDAP Free Law Library](#) and [FDAP Quick Links](#).)

SECONDARY SOURCES (E.G. TREATISES)

Appellate & Post-Conviction Practice

CEB, [Appeals and Writs in Criminal Cases](#) (3d Ed. 2007), 2-volume looseleaf service; (CEB: 800-232-3444; <http://ceb.com>) (Online version available at [Onlaw](#).)

Liebman and Hertz, [Federal Habeas Corpus Practice and Procedure](#) (6th ed.) LexisNexis, 2011.

Stern, R. and E. Gressman, [Supreme Court Practice](#) (BNA Books, 9th Ed. 2007)

Evidence

Imwinkelried and Leach, [California Evidentiary Foundations](#) (4th ed. 2009) (LexisNexis)

Witkin, [California Evidence](#) (4th ed., 3 volumes) (West)

Jefferson's [California Evidence Benchbook](#) (4th ed. Updated Mar. 2011) (CEB) (Online version available at [Onlaw](#).)

[Simons California Evidence Manual](#) (West)

General Criminal Law

CJER, [Publications and Online Resources, Bench Handbooks and Benchguides](#).(topics include gang cases, right to counsel (*Marsden & Faretta* issues), motions to suppress, competence to stand trial, DUI, probation revocation, etc.)

[California Criminal Law Procedure & Practice](#) (CEB) (Softcover replaced annually) (Online version available at [Onlaw](#).)

Ford, P., [California Criminal Law Reporter](#) (La Jolla Legal Publications (800) 448-3991) (online access available: <https://californiacriminalawreporter.com/account/signup>)

Haynes, R., [Ninth Circuit Crim. Law Reporter](#) (James Publishing) (800) 440-4780)

Millman, Sevilla, Tarlow, and Holzman, [California Criminal Defense Practice](#), 7-volume loose leaf service

Witkin & Epstein, [California Criminal Law](#) (3d ed. 2000) (Thomson - West)

Jury Instructions

[Forecite](#), Latest Developments in Criminal Jury Instructions (James Publishing, Inc. (800) 440-4780) (online version also available - www.jamespublishing.com/fc/)

California Center for Judicial Education and Research (CJER), [Mandatory Criminal Jury Instructions Handbook](#). (CEB) (Online version available at [Onlaw](#).)

CALCRIM

CALJIC

Legislative Research:

[California State Archives](#): (Free research service for legislative history information. Photocopies of materials in their collection cost \$0.25/page. The service usually requires about 3-4 working days for research, with additional time required for photocopying.)

Restitution

CJER, [California Judges Benchguide 83, Restitution](#), (revised 2011) free at [Cal. AOC, Ed. Div. Publications and Online Resources](#).

Search and Seizure

Bell's Compendium on Search and Seizure, includes most recent Bell's Points & Authorities on Searches & Seizures Manual, Bell's Motion Manual and a subscription to The Poop Sheet ([Courtroom Compendiums](#) (818) 884-9039)

CJER, [California Judges Benchguide 58, Motions to Suppress and Related Motions: Checklists](#) (revised 2011)

LaFave, *Search & Seizure*, 6-volume set (West; 4th ed. 2004)

[Hall, Search & Seizure](#) (Third Ed. 2000) (LEXIS)

Three Strikes

Manaster and Goodman, *3 Strikes Manual* ([Courtroom Compendiums](#) (818) 884-9039)

Couzens and Bigelow, [California Three Strikes Sentencing](#) (The Rutter Group/Thomson Reuters/West)

FDAP, ["Three Strikes" Issues Outline and Index](#) (updated in 2007)

Brief Banks

CCAP Website

CADC Website

Project Web sites

- Substantive and Practice Articles and Outlines
- Sample letters, motions, briefs
- Links to primary sources (e.g. opinions, statutes, regulations, rules, etc.)
- News from the Projects
- Procedural tips and guidelines (e.g. EOTs, claims, Wende procedures, etc.)
- Contact information for attorneys, professional organizations, courts, and prisons/jails.
- CCAP [MCLE Video Library for Panel Attorneys](#)
- ADI, [California Criminal Appellate Practice Manual](#)

Chapter 1 - Basic Information

Chapter 2 - Appealability

Chapter 3 - Prebriefing Responsibilities

Chapter 4 - Issue Spotting

Chapter 5 - Briefing

Chapter 6 - Oral Argument

Chapter 7 - Decisions & Later

Chapter 8 - State Writs

Chapter 9 - Federal Habeas Corpus

TYPOGRAPHY

- [Typography for Lawyers](#) - comprehensive discussions of many topics including ...
 - Font recommendations
 - One space between sentences and between paragraphs
 - Text formatting (e.g. for headings)
 - Widow and orphan control
- [Seventh Circuit's Requirements and Suggestions for Typography in Briefs and Other Papers](#)
- Posner, R., [The Bluebook Blues](#), 120 Yale L.J. 850 (2011)