

# Finding Case Law



## Availability

### How old is the case?

- ◆ Cases prior to 1990 are very difficult to find on any free Internet source such as CanLII. Use a print source or a commercial service.
- ◆ Cases prior to 1970 will be more difficult to find in full-text in an online resource. Rely on printed reporters instead. Start research in the Canadian Abridgment.

### What's the court level?

- ◆ Most Court of Appeal cases will be reported or published in an online resource such as CanLII or commercial services. Finding a reported cite for the case should not be a problem.
- ◆ Reporting of Queen's Bench judgments is more selective. Law report publishers choose decisions with precedential value. Check CanLII for more recent cases. Commercial services are also a good source.
- ◆ Fewer Provincial/District Court decisions are reported or published in an online resource. The depth of collection varies between commercial sources.
- ◆ Decisions from administrative boards and tribunals can sometimes be found in online resources or topical reporters. CanLII is a good source as is QuickLaw and caselimage.ca. Human rights tribunals can be found on CHRR Online.

### What's the topic?

- ◆ Certain types of cases are statute-banned from publication.
- ◆ Is it a jury trial? Then there is no written decision. The best source for information about a jury trial is the city newspaper. Search the Saskatchewan News Index <http://library.usask.ca/sni/> by name or date.

## Searchability

How is the resource indexed? Does it have a Table of Cases? Is there an online index? It is easy to get caught by bad or odd indexing. For example the English Reports on CD-ROM are poorly indexed. WestlawCarswell does not use the date of document as a field for searching so date searching is very difficult.

## Reliability

Who is responsible for gathering the cases together and publishing them? How long has the specific resource been around and in use? Is it a free online resource or by subscription only?

When searching for a Saskatchewan judgment always start with the Law Society of Saskatchewan databases. The Law Society Library in Regina receives decisions from the courts and generally has them available online within 48 hours or sooner. The online collection dates back to 1994, although there are a few earlier decisions also available online (back to 1987). The Law Society Libraries in Regina and Saskatoon maintain a print collection of judgments prior to 1994.

Once you have found a case on point be sure to note it up immediately to ensure that it is still good law. Pay special attention to how the judgment has been followed in Saskatchewan because it may differ from other jurisdictions.

### Law Society of Saskatchewan Libraries

Regina  
(306) 569-8020  
1-877-989-4999

Saskatoon  
(306) 933-5141  
1-888-989-7499