European Union Spring 2023

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What we will cover

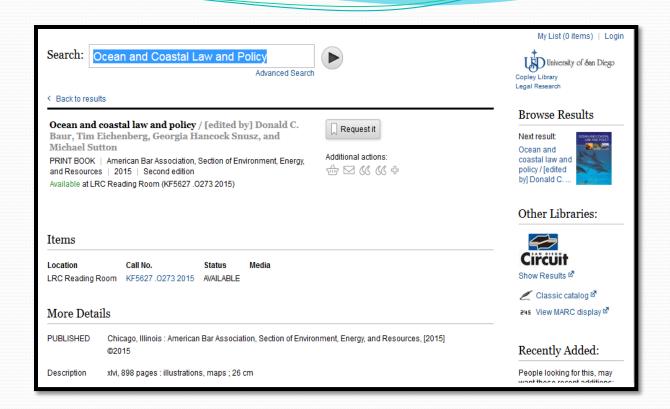
- Searching the Catalogs
 - LRC Online Catalog, Circuit & ILL
- Journal Articles
- Getting Started Online
 - EUROPA and Eur-Lex
 - Primary legislation, secondary legislation, and other documents related to the legislative process
 - Court decisions
- Lexis & Westlaw

Searching the Catalogs: LRC Catalog, Circuit, ILL



LRC Catalog

- The Legal Research
 Center's online
 catalog links to
 materials held at the
 LRC and the Main
 Library (Copley)
- The catalog can be used to find not just materials in our print collection, but also to access ebooks and electronic databases



 Access: You can link to the catalog off of the LRC's webpage

http://www.sandiego.edu/law/library/

Catalog Examples

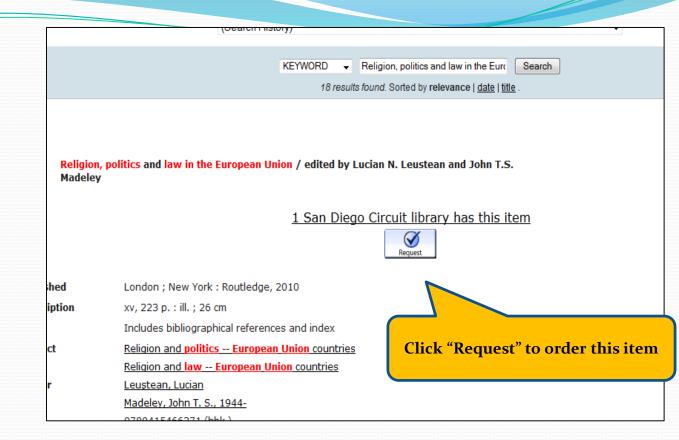
- European Union law guide / compiled and edited by Philip Raworth
 - LRC Reading Room KJE 949 E97
- European Union law in a nutshell / by Ralph H. Folsom
 - LRC Reserve Room KJE 949 F55 2005
- European Union law reporter (CCH)
 - LRC Reading Room KJE 923.7 C65
- Common market law reports
 - LRC Reading Room KJE923.7 .C66



Circuit Catalog

Because USD is a member of a library consortium called the Circuit, you can borrow materials from any of the member libraries which include SDSU, UCSD and Cal State San Marcos.

Circuit does NOT include Thomas
Jefferson Law School or California Western
School of Law.



Access: You can link to the Circuit catalog through the LRC catalog or

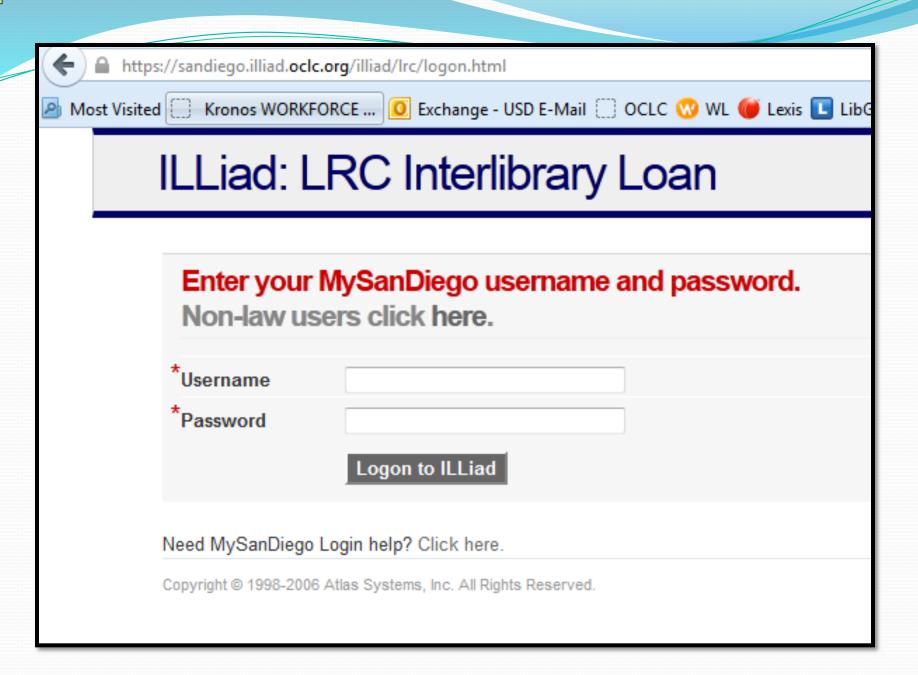
http://circuit.sdsu.edu



WorldCat and Interlibrary Loan

- If you're looking for an item and can't find it in the LRC Catalog or the Circuit, then check WorldCat to see if it can be interlibrary-loaned from a participating member of a worldwide network of libraries.
- To request an ILL, click here (check with a reference librarian first).







ILLiad: LRC Interlibrary Loan

Active All

Search

Enter information below and press the Submit Information button to send.

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- Main Menu
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- → Book
- View
- → Outstanding Requests
- → Electronically
- Received Articles → Checked Out Items
- → Cancelled Requests
- → History Requests → All Requests
- → Notifications
- Tools
- → Change User Information
- → ILLiad FAQ
- → LRC Explanation Page
- About ILLiad

Book Request	* Indicates required field
Before requesting an interlibrary loan, you must first check to see if it's available on campus (check USD catalogs here) or through The Circuit (check Circuit here). Cite-checkers should also check The San Diego County Public Law Library (SDCPLL catalog), Thomas Jefferson (TJSL catalog), and Cal Western (CWE catalog), and go there to use the source. Describe the item you want	
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Edition	
ISBN (International Standard Book Number) If given will speed request processing	
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Will you accept the item in a language other than English? If yes, specify acceptable languages in the notes field.	No •
Will you accept an alternate edition of this item?	No ▼

Journal Databases & Indexes



Journal Databases & Indexes

- Westlaw: Journals & Law Reviews (JLR) & <u>Lexis-Nexis</u>: Law Reviews & Journals (Lawrev)
- Google Scholar: Click on Settings and add USD to your library links to access all of our subscription databases
- Hein-Online is a database that contains digital (PDF) images of law reviews from U.S. law schools. Access through the our <u>Legal Research Databases</u> page.

EU Institutions



EU Institutions

- European Commission serves as the executive branch of the EU, managing policies and the annual budget
- European Parliament composed of 751 members directly elected by the EU's citizens, the Parliament represents the interests of the citizens
- Council of the European Union composed of twenty-eight ministers (one per state), the "Council" shares its legislative power with the European Parliament
- European Court of Justice serves as the judicial organ of the European Community
- **European Court of Auditors** The Court consists of one member from each country and is charged with monitoring the EU budget



EU Institutions (cont.)

- The European Council is the group of heads of state or government of the EU member states. It meets four times a year to define the Union's policy agenda and give impetus to integration
- The European Central Bank (ECB) is the central bank for the eurozone (the states which have adopted the euro) and thus controls monetary policy in that area with an agenda to maintain price stability.

EU Law Making Institutions

The **Commission** proposes legislation and policies

The **Court of Justice** enforces the legislation.

The **Council** approves legislation and can propose legislation of its own

The **Parliament** gives its opinion on proposals, amended proposals, and addresses questions to the Commission.

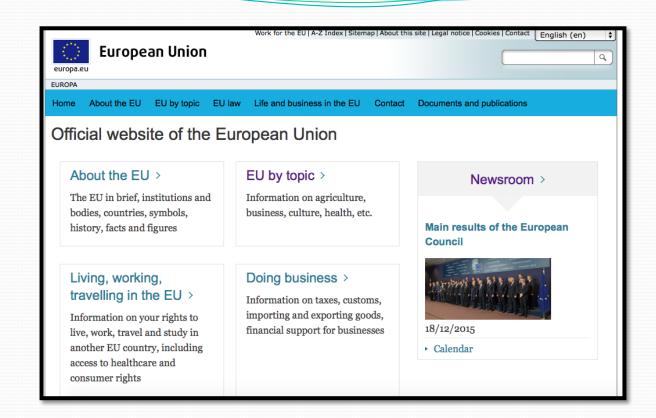
Finding EU Documents



EUROPA

EUROPA is the official website of the European Union.

- Gateway to EU
 Institutions and
 Agencies.
- Basic information on how the EU works
- Search by Policy Area if you know what you are looking for or do a site-wide search if you don't



Access:

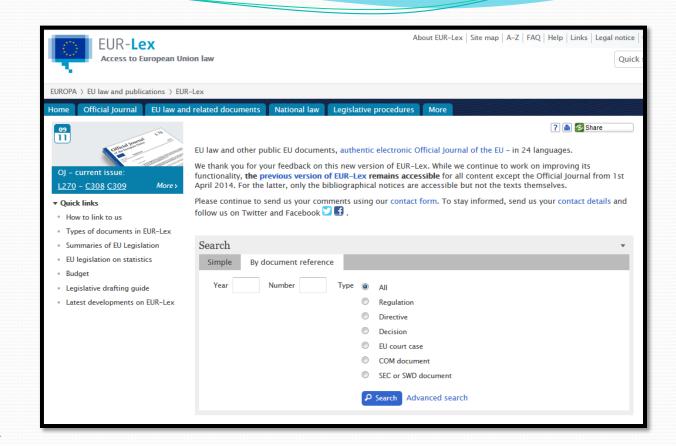
http://europa.eu/index_en.htm



Eur-Lex

EUR-Lex provides access to:

- the Official Journal of the European Union
- EU law (treaties, legislation, preparatory acts, case law)
- National Law from EU states
- other public documents



Access: http://eur-lex.europa.eu/homepage.html

Official Journal

The bulk of EU law documents are published in the Official Journal of the European Union (referred to as OJ), which is also available through <u>EUR-Lex</u>

Examples: 1998 O.J. L 179 2010 O.J. C 83

- "L" series (Legislation) part of where primary and secondary legislation appears
- "C" series (Communications) draft legislation, notices, reports



EU Documents

- Primary legislation: Founding treaties plus amendments, Accession treaties
- **Secondary legislation:** Directives and Regulations (most important), Legislative decisions, opinions, and recommendations (less important)
- Documents Related to the Legislative Process
- Case law





Treaties in Force

- Current treaties in force:
 - Treaty of Lisbon (2007) OJ C 306 (2007)
 - Treaty on the Functioning of the European Union (Consolidated version 2012) - OJ C 326 (2012)
 - Treaty on European Union (Consolidated version 2012) OJ C 326 (2012)
 - Treaty establishing the European Atomic Energy Community (Consolidated version 2012) - OJ C 327 (2012)
 - Charter of Fundamental Rights of the European Union (2012)
 OJ C 326 (2012)
- The full text of the <u>Consolidated Treaties</u> can be found on EUR-Lex



Accession Treaties

- The EU has grown significantly since its founding by admitting additional nations. New members of the EU must sign and ratify an accession treaty in order to join the EU. Examples:
 - Treaty of Accession of Croatia, April 24, 2012, 2012 O.J. (L 112)
 - Accession to the European Union of the Republic of Bulgaria and Romania, April 25, 2005, 2005 O.J. (L 157)
- The full text of the <u>Accession Treaties</u> can be found on EUR-Lex.

Secondary Legislation

Regulations

Directives

Other Documents (Legislative Decisions,

Opinions, and Recommendations)



Regulations

- Regulations are directly applicable to Member States and require no further action to have legal effect.
- Published in the Official Journal, L Series, for example:

<u>Commission Regulation (EU) No 207/2012 of 9 March</u> 2012 on electronic instructions for use of medical devices, 2012 O.J. L 72/28.



Directives

- Directives are addressed to and are binding on Member States, but each Member State chooses the form and method for national implementation (national implementing legislation)
- Published in the Official Journal, L Series, for example:

Council Directive 2011/96/EU of 30 November 2011 on the common system of taxation applicable in the case of parent companies and subsidiaries of different Member States, 2012 O.J. L 345/8.

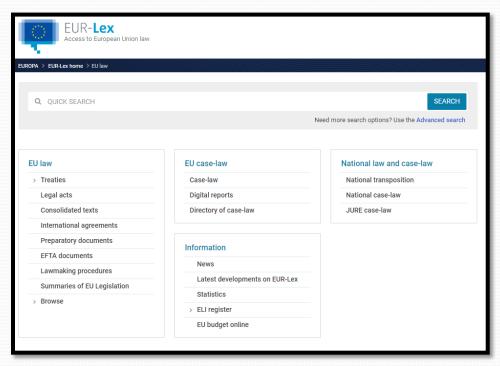


Other documents

- **Decisions** are only binding upon the particular Member State(s) or individuals to whom they are addressed.
- Recommendations and Opinions, which have no binding force.
- Published in the Official Journal, L Series if they are legislative, or C Series if non-legislative.



Searching EUR-Lex by Citation



• If you have an exact citation, start with either the Home tab and enter in the directive or regulation number and year, or start on the Official Journal (O.J.) tab and use the Official Journal citation.



Searching EUR-Lex without a Citation

- Directory of European Union Legislation
 Allows you to browse through topical areas
 http://eur-lex.europa.eu/browse/directories/legislation.html
- Summaries of EU Legislation
 Written for a general, non-specialized audience
 http://eur-lex.europa.eu/browse/summaries.html
- Institutions and bodies http://eur-lex.europa.eu/browse/institutions/institutions-intro.html



Example

- Locate Directive 2011/7/EU. What is it about?
- Is it published in an official source?
- Find the national implementing measures for Spain.

Documents Related to the Legislative Process

Documents Related to the Legislative Process

- COM (European Commission) documents
- Council Documents
- Parliamentary Documents and Reports
- Proposed Legislation



COM (Commission) Documents

 Commission Documents, also known as COM documents, print include legislative proposals, communications and reports such as "green papers" or "white papers"

Example: COM (2005) 484, Green Paper - Improving the mental health of the population - Towards a strategy on mental health for the European Union.

• Commission documents are available under the Preparatory Acts page on Eur-Lex.



Council Documents

• A <u>Register of Council Documents</u> is available online since January 1999. The register is searchable and some documents are available full-text.

Documents and publications

Public register of Council documents

The register has references to or the contents of the Council documents **from 1999 onwards**.

- > Search for documents
- > Latest documents added to the public register
- > Key documents by category in the public register

Request a document

If the document you are looking for is not available in the Public register, you can request it.

> Request a Council document



Parliamentary Documents

As part of the legislative process, the European Parliament generates documents such as committee reports and floor debates that are of interest to legal researchers.

EuroParl - Official website of the European Parliament

- Parliamentary <u>Reports</u>
- <u>Debates</u> of the European Parliament
- <u>Parliamentary action on legislative proposals</u> (OEIL the Legislative Observatory)
- <u>Session Documents</u> (Series A, B, and C)



Proposed Legislation

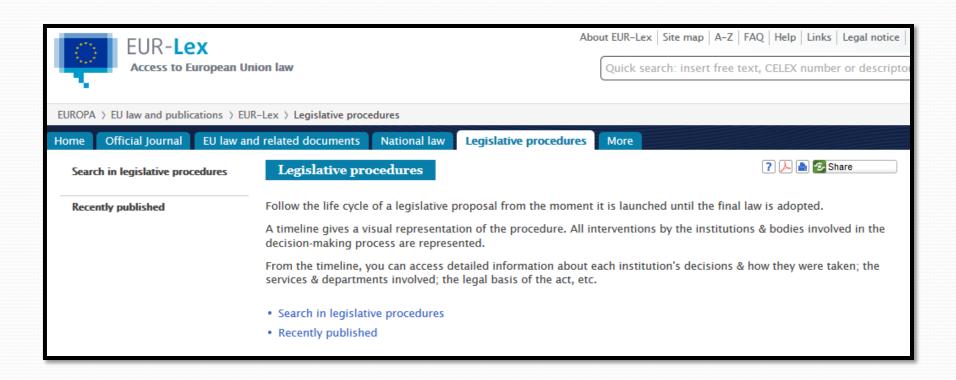
• For a subject outline of proposed legislation, see the <u>Directory of European Union Preparatory Acts</u>. You can search by topic, dates, etc.





Proposed Legislation

• To search by keyword, use the <u>Legislative Procedures</u> <u>tab</u> in EUR-Lex.



Case Law



European Court of Justice & the General Court

- Curia is the official website for the European Court of Justice and the General Court (known as the Court of First Instance prior to 2010). It provides a description of the institutions and their history and composition.
- It provides access to the decisions of both courts, 1954current. Full-text searching begins with 1973
- Court's website: http://curia.europa.eu/jcms/jcms/j 6/



European Court of Justice & the General Court

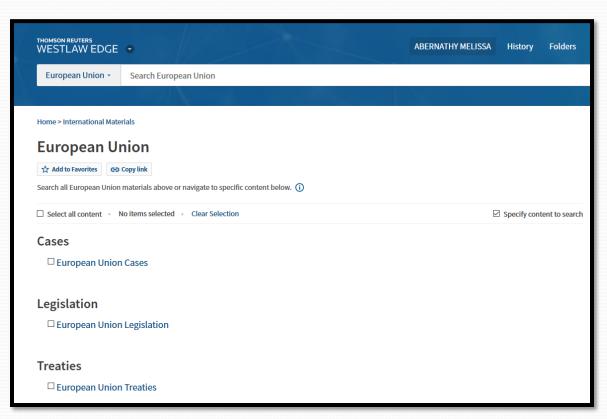
- Browse cases by subject using the <u>Directory of EU</u>
 <u>Case Law</u> via EUR-Lex
- Other online resources:
 - HeinOnline (PDFs)
 - Westlaw
 - o <u>Lexis</u>

Westlaw and Lexis



Westlaw

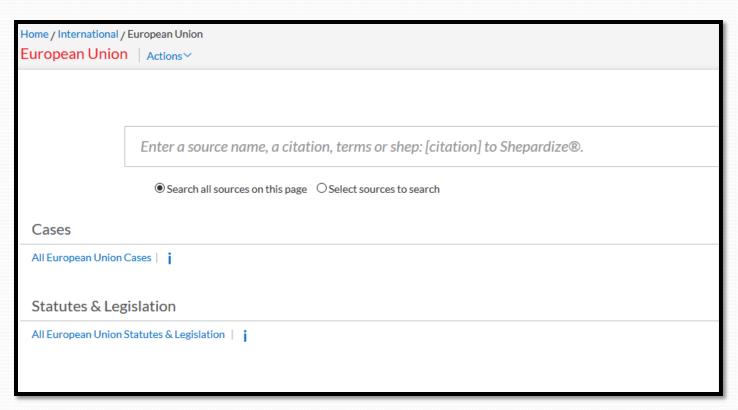
 The easiest way to access European Union materials is to click on International Materials on the bottom of the Westlaw homepage.
 Then click on European Union





Lexis

• The easiest way to access European Union materials is to click on the International tab under Content then click on All Countries and select the European Union.



We're here to help!

- Melissa Abernathy
 Foreign & International
 Law Librarian
- Phone: (619) 260-4734
- Email: <u>mabernathy@sandiego.e</u> du

- Reference librarians are here every day and during weeknights (except during intersession).
- Reference Desk Phone: 619-260-4612
- Ref. Desk E-mail: lrcrefer@sandiego.edu