**Securities Arbitration Clinic**

**Library Orientation: Online Resources**

August 18, 2012 10:15 am

Note: This online databases orientation immediately followed a print resources tour and orientation that was not recorded.

* ONLINE DATABASES

1. **BNA Reporters**—weekly and daily coverage of your field; news and new cases.

(Bloomberg BNA—Bloomberg purchased BNA in past year)

Go to Law Library web site: <http://law.hofstra.edu/CurrentStudents/index.html>

(Current Students; click on Library)

Select: Online Resources

Commercial and Corporate Law (includes Securities)

* **Securities Regulation and Law Report** (BNA)—published weekly; federal and state developments in securities regulation; coverage of the SEC, industry, courts, Congress/legislation; analysis of cases, regulations, and key SEC documents.

Coverage: back to 1/5/1996

Opens to: Current issue (“Home”)

Note: Highlights --Click on 2d article (Boston Fed…)—Note citation in upper left (citation to volume and page)

Have a citation to SRLR article?

Click on: “Find by Page Number” under the Search Box (enter vol. and page numbers)

Topics:

Click on:

-- **Recent Topics** in top navigation bar OR “All recent topics” in left frame (select **Arbitration** to see recent articles on that topic)

Example: Select article #2, “08/06/2012: FINRA Arbitration Chief Fienberg Hails Investor-Friendly Changes to Program”

Search:

-- Search box: “ameriprise financial” (in quotes)

Click on 5th article: 11/07/2011: Arbitration: Investors May Arbitrate Some Claims Despite Class Settlement Pact, 2d Cir. Says

-- Advanced Search: “ameriprise financial” **Limit by topic: Arbitration** (Choose fields) Search: “ameriprise financial” and “Add to Search” the topic

Note search results: 2d Circuit article now listed first; only 7 documents

-- “Reported cases”—Under “Finding Tools”--can view “Recent Cases Reported” or “View Cases Alphabetically” (right hand frame)

--“**Getting Started**” (top navigation bar)—tour of the database; phone help

\*Alternative Library web site access point for BNA titles: Under Related Links: BNA Online Resources: Securities and Corporate Responsibility—select a title

\*\***For remote access** to BNA Online Resources, a **special password** is necessary. The current password is available from Reference Desk and was distributed at this orientation session.

Note: Some BNA titles on the Hofstra Law Library web site BNA list are also available on Lexis (for example, by searching in the “BNA Securities Publications” database on Lexis.com, you will find Securities Regulation Law Report articles) and on classic Westlaw classic (BNA-SECURITIES Materials, or go directly to BNA-SRLR). However, Lexis and Westlaw navigation and search features differ from those in the subscription databases on the Law Library web site, which are browseable by issue and topic and have other helpful features. One advantage: BNA materials on Lexis and Westlaw are accessible from any remote location without using a special BNA password.

**2.** **LEXIS** (<http://www.lexisnexis.com/lawschool>)

Enter Lexis user name and password at “Home Page Sign In”

Sign on and click on “Lexis.com” (red)

From the menu or “Source” screen, select:

**Areas of Law by Topic: Securities** (array of primary and secondary sources; SEC filings; BNA Securities resources, under Search News--“View More”—Securities News)

Note: “Find Self-Regulatory Organization (SRO) Materials

“Find SEC and Other Administrative Materials

TIP: Always check the “i” links for contents, date coverage, currency

TIP: Try “view more sources”

Also link to **Securities Practice Center** from this page (under red bar on the right, click blue link for “Securities Practice Center”).

The Securities Practice Center brings together in one location the comprehensive and authoritative resources available on Lexis that securities attorneys need, by task.

Examples: Search SEC filings

Performing Due Diligence—research and reports on companies

Note: Right hand frame: “Securities Update”—new corporate filings; Emerging Issues (articles by experts) Example: “Fiduciary Standard for Broker Dealers”

**How to find a treatise/specific source on Lexis**: On menu page, **use gray “Find a Source” tab**, on the right. Example: Robbins, Securities Arbitration Procedure Manual

Search: “securities arbitration procedure manual”—check “i” link; click on link to database; in table of contents, open chapter 11, “Hearing Rules Explained”; click on 11-5, “Proceeding Without a Party.”

\*BNA Securities Regulation and Law Report on Lexis: Return to the menu page by clicking the “Search Tab”, click **“Find a Source” (gray tab)**, type “BNA Securities” in search box; click on second database in list. (You can also search in the BNA Securities Publications Database --multiple publications from BNA-- but it retrieves material only from the ones Hofstra Law subscribes to independently).

To retrieve latest issues, arbitration articles, **search**: date: previous month and add segment: TOPIC: arbitration.

**3.** **WESTLAW (**<http://www.lawschool.westlaw.com>)

Note: the easiest way to find and use most of the treatises and other materials useful for this clinic is to go directly to them via a database identifier on **classic Westlaw**.

You may also find them on **WestlawNext** by browsing the:

Topics tab: Securities—Secondary Sources; Administrative Decisions and Guidance

Tools tab: Arbitration Awards and Materials

On Westlaw Classic:

Click: WESTLAW

Click on **Directory**: **Topical Practice Areas: Securities**

**In the Securities Database list you will find:**

Securities Arbitration Desk Reference (SABREF) – updated annually

(combines all of the SRO's securities arbitration law and rules, pertinent securities statutes and regulations, Uniform Securities Law Acts, and relevant broker-conduct rules of Financial Industry Regulatory Authority (FINRA), with expert commentary and practical suggestions) Use “i” link to see contents and currency. Table of Contents: link in upper right of search screen.

FINRA materials—Financial Industry Regulatory Authority)--use “I” link for contents of individual databases

NASD and NYSE materials databases

West Group Securities Law Series Online (SECSERIES) – search entire series or select only one title (see “i” link)—e.g. **Broker-Dealer Regulation treatise (BDREG)**

Example” Search for a Database: BDREG; open Table of Contents (upper right)—Chapter 4.

BNA’s Securities Regulation and Law Report (database: BNA-SRLR): article coverage since 1986; to find articles in most recent issue, click on “Retrieve Most Recent”

Alternatively, click on “BNA Securities Materials” in Securities database list for this title.

EDGAR--SEC Filings (EDGAR), from 1996- present. Use Template. Select Form 8K to search for 8K Filings.

**Other sources:**

Domke on Commercial Arbitration (DCMLARB)—In the Directory, search: Domke

PLI (Practising Law Institute) (excellent legal handbook series, corporate and securities titles—but note: Westlaw database contains only limited sections of the course handbook, not the entire handbook)

In PLI database, Search: title: securities and arbitration; date: last three years) Search box: TI(securities and arbitration)

Select: #4, “THE PRINCIPLES, POLICIES, AND ETHICS OF SOUND SETTLEMENT PRACTICES IN SECURITIES ARBITRATION” (August 10, 2011)

**4.** **Securities Arbitration Commentator, Inc. (SAC) resources**

* *Securities Arbitration Commentator* (monthly print newsletter, kept in Clinic)

Information at <http://www.sacarbitration.com/framecomm.htm>

Feature articles: e.g., “Experts in Mediation: Catalysts for Resolution”

Practitioner tips: e.g., “How to Settle a Case”

SRO arbitration statistics; proposed and actual rule changes; recent court decisions, with analysis

* **SAC Research Center** web site:

<http://www.sacarbitration.com/research-home.htm>

* to search back issues of *Securities Arbitration Commentator* (index only)

Example: Click: Search Back Issues SAC

Search: settlement Limit to: 1/2007 to 8/2012

* to view Award Surveys from the *Commentator* online

Example: Click: View Award Surveys—Click: “Top BD’s in Securities Arbitration, 2010” (broker dealers--frequency of appearance in FINRA hearings)

* **ARBchek**

Direct access: <http://www.ARBchek.com>

Securities Arbitration Commentator’s arbitrator and award database

* Primarily for Securities Arbitration Clinic; the “due diligence” of securities arbitration clinic work
* Unique and comprehensive database of information about arbitration awards and arbitrators, with summary reports—difficult to find elsewhere
* Will need password; once you have logged in (click on “log in” in upper left corner of screen to log in) and have entered a search request, a screen will pop up with some options on how to pay. Just click on “**bill my account**”, (green tab and then orange tab) and agree to terms—we have a flat fee academic contract for the use of just the SAC Clinic students and faculty and the librarians. After you bill your account and agree to the terms, your search result will appear.
* Access and passwords—logging in (provided by Prof. Pew)
* Training provided by vendor and online.
* ARBchek **5-minute** **Demo good** and easy to understand.
* ARBchek accesses the Arbitration Award Database: award information from many active forums, including NYSE, AAA, FINRA, and others, since 1989
* Search by arbitrator’s first or last name; or use index of names—individual reports on arbitrators of interest, award summaries, names of arbitrators on panel, with direct link to the full-text awards in PDF
* Free searching and printing of nearly 50,000 arbitration awards by docket number
* Saves searches and keeps them active (automatically adds any new activity) for 120 days—can retrieve saved searches under “My Account.”
* RESOURCES tab**;** glossary of terms, abbreviations; HELP includes downloadable **Arbchek User Guide, phone and contacts,**

<http://www.arbchek.com/help.html>

(SAC closed Fridays in July-August)

* AWARDS PLUS— uses special icons to alert you when there is additional background material related to an award, such as related background documents or news articles; related pre-hearing or post-hearing litigation; or “explained award” summaries giving the arbitrator’s reasoning and facts relied upon. Some downloadable from the site; some obtained by calling ARBchek.
* Customized search needed?(for research paper; faculty project)

Go toCustom Searches tab—must call ARBchek, they run search.

* ARBchek lite—simple brief reports on arbitrators, by name—free information for users without accounts—use full ARBchek
* Technology tips:

Recommended platforms and browsers: under HELP tab, and “more”

Printing may be problematic or slow with IE 7 or 8—download plugin; fast with IE 9; if experiencing problems, a yellow banner appears to prompt you to download Chrome. Firefox and Safari should work well.

1. **Kluwer International Arbitration**

Accessible through the CCH platform, Intelliconnect. NOT available on Lexis or Westlaw.

**Note**: You may have to edit your browser to allow this site if you encounter a

pop-up blocker problem. Also, select link for “**IP Access for Intelliconnect**” if asked to login with a database password.

* Access through Law Library website—Online Resources by Subject

<http://lawarchive.hofstra.edu/Library/Research/libres_online.cfm>

Go to: Alternative Dispute Resolution/Mediation

Click on: Kluwer Arbitration

At the Wolters Kluwer Intelliconnect page:

Kluwer Arbitration database will be highlighted in green, under International Securities and Business; click on database

Has own platform and navigation—not the standard format of other CCH databases, such as the tax databases.

* **Content: The world’s leading source for international commercial arbitration**

Best resource for finding hard-to-locate international arbitration awards from other countries. Also includes international law publications (books, journals) containing full-text arbitration awards.

Includes text of conventions, web sites of organizations (e.g., American Arbitration Association (AAA), International Court of Arbitration for the International Chamber of Commerce (ICC))

Simple or advanced search; tabs for Home, Categories, Books, Journals, and Blog

Note: Use BLOG tab to go to the Kluwer Arbitration Blog. A search from the home page will include articles from the blog. A search from the blog will search the blog only.

Examples:

* Books: Click on: International Commercial Arbitration, Born (2009)

Chapter 1: Overview of International Commercial Arbitration

* Journals:
* Journal of International Arbitration—Select: Volume 28 (2011), Issue 6
* ASA Bulletin—Select: Volume 29 (2011), Issue 4

“ICC Arbitration, Preliminary Award of 9 October 2008” (award: text)

(ASA Bulletin is a publication of the prestigious Swiss Arbitration Association (ASA))

* Browse Categories: **Jurisdictions**: France (tribunals, arbitral institutions, and tabs for other materials in the database for this jurisdiction)

- Browse Categories: **Rules** (most significant organizations listed; or, select a jurisdiction)

Search—hard to find item; limited information

* Find: “PAR Case No. 9785”—Search: “PAR case” (upper case)
* Locates one case: click on the case

What is PAR? The arbitration took place according to the PAR (*Procédure d'arbitrage rapide*) Rules (explained in document) (see p. 23 link in document)

\*\*Page indicators are to print source in which the award was published; see information about this document, right hand frame.

“Log off” button to log off

**For Remote Access**: Go to Law Library Web site, Online Resources page, click on Kluwer Arbitration. At password screen, enter your name (first and last) and your 700 number from your Hofstra ID.

1. **Factiva**

Outstanding news database for business and general news; includes U.S. and international titles.

Factiva is searchable, but it also allows easy browsing of the recent issues of major U.S. newspapers (including the Wall Street Journal and New York Times); also business magazines: Barron’s and Forbes).

To access Factiva:

Go to Hofstra Law Library web site—Online Resources

<http://lawarchive.hofstra.edu/Library/Research/libres_online.cfm>

In the subject list of databases, select:

Commercial and Corporate Law—Business Databases (Axinn)—select Factiva from list

When redirected to Portal, log in. Click “Library” and “Research Databases” if database list by subject does not appear.

Select Factiva from portal database list (click on “Newspapers”; then “Factiva”).

-- Factiva opens to a Search page; to read latest issue/s of New York Times, Wall Street Journal, and other newspapers and magazines, click on “News Pages” in the top black navigation bar.

-- Scroll down to the New York Times or other title that you wish to read

-- Defaults to today’s issue (or latest issue for magazines), and to the front page (or cover story for magazines)

-- Use drop down menus to select the date and section of the paper you wish to read

-- Coverage: past two weeks for daily newspapers; most recent two issues for weeklies (Barron’s and Forbes) -- Articles appear in full-text (not PDF)

Note: Factiva is an Axinn Library database and permits a limited number of simultaneous users. For remote access, use your network login. If you time out by reading with no activity for several minutes, just log back in.

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