

Introduction to Westlaw

I. Process of law

See attachment #1

II. Westlaw database coverage includes:

A. Encyclopedias & law reviews

1. American Jurisprudence (AmJur)
2. American Law Reports (ALRs)
3. Journals & Law Reviews

B. Cases

1. All federal cases
2. All state cases
3. Supreme Court cases after 1944

C. Statutes & Administrative Law

1. United States Code Annotated (USCA)
2. Code of Federal Regulations (CFR)
3. Federal Register
4. State Administrative Codes
5. State Statutes

D. International legal materials

E. LexisNexis coverage includes all of the above except:

1. American Jurisprudence
2. American Law Reports

F. Westlaw does not cover the following LexisNexis databases:

1. News
2. Business news, company profiles & financial reports
3. Patents
4. Medical news & journals
5. Reference sources: biographical information, country profiles, polls & surveys, quotations, state profiles, world almanac
6. Legal career information

III. Westlaw special features not shared by LexisNexis:

- A. Browsing tools
- B. KeySearch and KeyCite capability
- C. Hot links to the full-text of all cited legal resources

IV. Legislative law not covered by Westlaw or LexisNexis. Must go to the Congressional Universe database.

V. Help screens are available.

VI. Searches using natural language

Type **burning the American flag** in the *Quick Search* box. Select the *American Jurisprudence 2d* database, then, click **GO**.

VII. Searches using terms and connectors

Type **(burn! desecrat!)** /s **(american “united states”)** /s **flag** in the *Quick Search* box. Activate *Terms and Connectors*, select the *American Jurisprudence 2d* database, then, click **GO**.

See attachment #2

VIII. Searching for a case:

A. By title:

To retrieve the case *Bush v. Gore*, type **bush** and **gore** in the *Find a document by title* text boxes and click **GO**.

B. By citation:

To retrieve the case *Bush v. Gore*, 121 S. Ct. 525 (2000), type **121sct525** in the *Find a document by citation* text box and click **GO**.

IX. Searching for a statute:

A. By title:

Type **ponca tribe of nebraska: restoration of rights and privileges** in the *Quick Search* box using the *Natural Language* mode. Activate the *United States Code Annotated* database, then, click **GO**.

B. By citation:

To retrieve 25 U.S.C.A. 983, Ponca Tribe of Nebraska: Restoration of Rights and Privileges, type **25usca983** in the *Find a Document by citation* box, then, click **GO**.

X. Browsing tools

A. Viewing search terms and result documents:

Type **dna testing for capital murder** in the *Quick Search* box. Select the *American Law Reports* database, then, click **GO**. Call up the first document on your screen.

1. Click the right **Term** arrow at the bottom of the screen to view the portion of the document that contains your search terms.
2. Click the **Doc** arrows at the bottom of the screen to view the documents in your search.
3. Click the **Best** arrows at the bottom of the screen to view the best portions of the documents containing your natural language search.

B. Using **Locate**:

1. Remain in the *American Law Reports* database. Continue using the **dna testing for capital murder** natural language search statement. Be sure the first document of your search results is still open.
2. **Locate** allows you to browse the documents in your search result or a cited document for a particular term or terms.

3. Click on **Locate in Result** in the upper left corner of your screen. Type **murder** in the *Terms and Connectors box*, then, click on **Search**.

C. Using the **Tools** menu:

1. Remain in the *American Law Reports* database. Continue using the **dna testing for capital murder** natural language search statement. Be sure the first document of your search results is still open.
2. Click on **Edit Search** in the upper left corner of your screen, then, select the *American Jurisprudence 2d* database.
3. The **Tools** menu, found in the lower right corner of a search result, has an option for copying text with a reference to the document.
4. While viewing a retrieved document, highlight the text you want to copy and choose **Copy with Reference** from the Tools menu. The text is displayed in a new browser window.
5. Click **Copy**, then, paste the text into your word-processing or text document. The citation appears after the text.

XI. KeySearch

A. KeySearch is a research tool that identifies terms that are most relevant to your legal issue.

B. Return to Westlaw's homepage. Click on **GO** under the

KeySearch heading in the column to the left of your screen, then, select *Education*. Select *Colleges and Universities*, then, *Sex Discrimination*. Put a check mark in the second search box to activate, *All Federal Cases*. Type “**equal protection**” in the *Add search terms* box, then, click **Search**.

C. Click on the **Back** button twice, then, type **flag burning** in the *KeySearch* box. Click **GO**, and call up **Flag Desecration**. Put a check mark next to *All Federal Cases*, then, click on the **Search** button.

XII. KeyCite

A. KeyCite is used to help you determine whether a case or statute is good law (not superceded, amended, or under review) and to view the history of a case.

B. Accessing KeyCite:

1. Return to Westlaw’s homepage. Type **burning the american flag** in the *Quick Search* box, then, activate the *Federal Cases after 1944* database and click **GO**.

2. A KeyCite flag will appear at the header of each case in your search result.

- a. Click on the yellow KeyCite flag of *Texas v. Johnson*

- b. A red flag indicates that a case is no longer good law.

- c. A yellow flag indicates that a case has some negative

history but has not been reversed or overruled.

d. A blue H indicates that a case has some history.

e. A green C indicates that a case has citing references but no negative history.

3. Depth of treatment stars in your KeyCite show the extent to which the citing case discusses your case, based on the following categories:

a. **** (Examined)

b. *** (Discussed)

c. ** (Cited)

d. * (mentioned)

4. Click on *Show Full History* at the bottom of your screen.

a. **Direct History** traces your case through the appellate process and includes both prior and subsequent history.

b. **Negative Indirect History** lists cases outside the direct appellate line that may have a negative influence on the precedential value of your case.

c. **Related References** lists cases that involve the same parties and facts as your case.

5. Click on KeyCite Citing References at the bottom of your

screen to view all cases citing *Street v. New York*.

XIII. Handout describing all tangible and online legal resources provided by USU Libraries and also free, legal resources available on the Internet is found at <http://cc.usu.edu/~stewei/law.htm>

Attachment #1: THE PROCESS OF LAW

- State & Federal Legislatures produce:
- **Bills = Legislation**

Bills that are signed by governors or the President become:

- **Public Law = Statutory Law**

Government agencies regulate/administrate public law by producing:

- **Regulations = Administrative (Regulatory) Law**

Public Law & Regulations are used in our courts to defend or prosecute a case

Public Law & Administrative Law are interpreted and given meaning in our courts resulting in:

- **Case Law**

Case law establishes precedent for how similar court cases are interpreted in the future. The courts also determine the constitutionality of our laws.

- **Constitutional Law**

The study of foundational laws.

- Thorough legal research must include the investigation of legislation, public law, regulations, and case law.

Attachment #2: SEARCH CONNECTORS

Connector Symbol	Retrieves
AND &	Search terms in the same document: narcotics & warrant
OR (space)	Either search term or both: car automobile

Phrase	“ ”	Search terms in the same sentence: “attractive nuisance”
Grammatical connectors	/s	Search terms in the same sentence: design /s defect
	/p	Search terms in the same paragraph: hearsay /p utterance
	+s	The first term preceding the second within the same sentence: palsgraf +s island
	+p	The first term preceding the second within the same paragraph: ti(mikkelson +p mikkelson)
<p>Note: When you want to specify that the same term appears at least twice in a sentence or paragraph, use the +s or +p connector. For example, the query ti(mikkelson +p mikkelson) retrieves documents in which the name <i>Mikkelson</i> occurs twice in the title field.</p>		
Numerical /n connectors		Search terms within “n” terms of each other (where “n” is a number): person** /3 jurisdiction
	+n	The first term preceding the second by “n” terms (where “n” is a number): 20 +5 1080

But NOT % Documents not containing the term or terms following the % symbol:
laminectomy % to(413)
 Use the % connector with caution; it may cause relevant documents to be excluded from your search result.

Root Expander

To retrieve words with variant endings, use the root expander (!). When you place an exclamation point (!) at the end of a root term, you retrieve all possible endings of that root. For example, **obey!** retrieves obey, obeys, obeyed and obeying.

Universal Character

The universal character (*) represents one character. You can place the universal character within or at the end of a term. When you place the universal character within a term, it requires that a character appear in that position. For example, **fea*t** retrieves feast but not **feat**.

When you place the universal character at the end of a term, you specify the maximum length of that term. For example, **object***** retrieves object, objects, objected, objective, objection and objecting but not objectionable.

Turning Off Plurals and Equivalent

Westlaw automatically retrieves plurals when you enter the singular form of a term. You can turn off plurals of a particular term by placing the # symbol in front of the term. To retrieve *damage* but not *damages*, type **#damage**. Placing the # symbol in front of a term also turns off the automatic retrieval of equivalencies. To retrieve *perm* but not

permanent, type **#perm.**

*Taken from Westlaw Help Screen

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