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Research Guide

Using Shepard's Online

Last Updated: July 23, 2007

Last Reviewed: July 23, 2007

Scope:

Shepard's Online at Lexis.com is the computerized version of *Shepard's Citations*. Coverage is identical to that of the print version of Shepard's, but is updated quicker. For a detailed discussion of "Shepardizing" see *Legal Research*, by Nolo Press, at the Reference Desk (KF 240 .L417 2005).

Shepard's Online is a way to see the history of a case and to find other cases which have cited that case, both to make sure the case is still good law and to find other cases on that topic. Shepard's Online is also a way to find cases which have interpreted a statute, regulation or ordinance, and to see if the law is still enforceable. The Shepard's display includes "signals" to help identify negative, possibly negative, positive or neutral treatment of a case, or how a case has treated a particular statute. You should review the case and subsequent history to confirm what the signal shows.

How to Search:

To log in click on the "Legal Research Databases" folder on a public computer screen. Then click on the icon labeled "LexisNexis." You will need to sign in by typing a first and last name (you can make one up if you prefer, instead of using yours) into the boxes on the screen. You do not need to provide an address or phone number. Then click on the "Accept" button, to agree to Lexis' Terms and Conditions of Use. Once the LexisNexis search screen has loaded, click on the tab labeled "Shepard's" at the top of the screen.

You will be given four search options:

1. **Shepard's**

"Shepard's for Validation" ("KWIC") provides any subsequent history of your case or statute, and a list of only those cases which have analyzed or discussed your case or statute, and not merely cited it.

"Shepard's for Research" ("Full") includes prior and subsequent history of your case or statute and a list of all cases which have cited your case or statute in any way, as well as

articles from selected publications. This is the search function which our computers automatically select.

2. Table of Authorities

Identifies the cases cited *within* a case, with links to those cases, and colored symbols, where appropriate, to indicate subsequent treatment of those cases by other courts.

3. Auto-Cite

This provides all parallel citations for a case (that is, all of the publications in which the same opinion can be found), as well as all parallel citations for prior and subsequent published rulings in the case.

4. LEXCITE

This service provides more in-depth information about each of the cases which cite a particular case, including a synopsis of the court's holding, and a quick view of the language in each part of the case where the original case is cited. You can limit the citing cases retrieved to certain jurisdictions or certain dates, and you can add terms to your search to try to limit it to certain issues.

Click on a search option, and then type the citation of the document you wish to Shepardize in the box above. If you do not know the correct citation format, or if the service does not recognize the citation you have entered, click on "Citation Formats" and select the appropriate letter (e.g., "C" for "Cal.App.4th") to see a list of publications beginning with that letter. You may need to scroll down the page to find your publication; note they are not in strictly alphabetical order. Click the publication title and Shepard's will automatically provide you with the correct format. Enter the appropriate information in the blanks and then click on "Check" to Shepardize the document.

Looking at the Results:

Look for "signals" indicating Shepard's view of whether a case or statute's subsequent history is positive, neutral, or negative. Look for the symbol indicating the overall treatment of the cited case, which will be to the left of its title at the top of the page, and the symbols indicating the subsequent treatment of any of the citing cases, which are to the left of the titles of each. Scroll down to the bottom of the page to see a key explaining the meaning of each symbol.

Reading listed cases:

To read any of the listed cases or articles, click on the blue link to that case or article. The first link will take you to the first page of the case; subsequent links will take you to the pages within the citing case where the cited case or statute appears.

To Customize or Narrow the Search:

If there is a specific headnote in your case that discusses the issue you are looking for, it is possible to "customize" your search to pull up only cases dealing with that issue. To do so, click on "Custom." A screen will appear. From there you can limit your results to only cases which have treated your case negatively, only cases from a certain jurisdiction, or only those discussing certain headnote issues in your original case (or a combination of these). If the case was published in more than one reporter, you can narrow the search to specific headnotes in one or all of the case reporters. Click on "Show Restrictions," and you will get a new search result reflecting your limitations. You must reset this "customization" each time you begin a new

search. Be aware that not all cases can be limited by headnote, nor will there necessarily be other cases citing each of the headnotes of your case.

Printing Your Results:

You may print your list of Shepard's citation results or individual cases on the printer attached to the patron stations. Click on the red icon saying "FastPrint" at the upper right of the screen. After a few moments, your document will appear again, formatted in Adobe Acrobat. Then click on the picture of the printer at the upper left. Wait for the dialog box to appear and enter a password. Then confirm your password by typing it again below, and press print. Another dialog box will appear telling you that your job is ready to print; press "OK."

Next, go to the computer monitor attached to the printer and select your print job and the printer, then insert a copy card or money into the attached payment station. Once you have done so, you will be asked to enter your password and then to confirm it. The document should then print.

Saving Results to a Disk or Thumb Drive:

Alternatively, once you have opened your search result list or an individual case in MS Word by clicking on the red "FastPrint" icon, you can save it to a floppy disk, CD-ROM or thumb drive. To do so, insert the storage medium of your choice into the computer (USB ports are on the right side), wait a few moments, then click on "File" or the small icon of a floppy disk on the upper left. The "Save a Copy" screen will open. Click on the arrow next to the "Save In" box, and choose either the "3 1/2 Floppy (A:)", "DVD-RW (E:)" or the "Removable Disk (F:)," which will be the thumb drive. Name your file (e.g., "Shepard's result for _____") by typing the name in the "File Name" box below, and click on "Save." **NOTE:** To protect the data in a thumb drive, "eject" it electronically before pulling it out of the USB port, by clicking on "My Computer" on the upper left, selecting "Removable Disk (F:)," and clicking on "Eject this device" on the upper left. You can buy various storage devices from the Circulation Desk.

E-Mailing Results:

To e-mail your results click on "Email" in the upper right corner of the Shepard's screen. When the "e-mail composition screen" appears, enter your e-mail address and click on "Send." If the box does not appear, check on the bottom task bar to see if there is an icon for it there. If yes, click to bring it up and enter your e-mail address, then click on "Send." You will receive the result as an attachment to your e-mail.