



## Using Westlaw Research Guide

Last Reviewed: July 20, 2009

### Logging in:

Click on the “Legal Research Databases” folder” on any of the patron desktops, then click on the “Westlaw” icon. Read the temporary license agreement from Westlaw, scroll to the bottom, make sure “I Agree” is selected, then click “Go” to begin searching.

### Tabs:

There are many tabs available; amongst them you may see:

- California (California cases, annotated code, regulations and court rules)
- 9<sup>th</sup> Circuit (Federal 9<sup>th</sup> Circuit cases, U.S. Code annotated and court rules)
- Federal (All Federal cases, statutes, court rules, etc.)

Click on the tabs to find the database you wish to search. If you want to search a database which is not available through one of the tabs, click on “Directory,” at the top of the page, to see all of the databases available on Westlaw. However, you can only search the databases which are available through our subscription.

### Tab Description:

The screen is divided into two sections:

1. On the left, you can find shortcuts which includes:
  - “Find by Citation.” The fastest way to locate a case, rule or statute if you know the citation, e.g., 125 N.W.2d 135. Westlaw ignores capitalization, spacing and punctuation, and will pull up the nearest document matching your citation. If you don’t know how to type the citation so that the system will recognize it, click on “Find Using Template,” which will give you the citation formats of frequently cited documents.
  - “Finding Tools: Find a Case by Party Name.” Allows you to search, for example, for “Jones” vs. “Xerox,” or just for all cases involving Xerox.
  - “Keycite.” Useful for finding cases which cite the case, rule or statute you have. Westlaw’s answer to Shepardizing. This is discussed in more detail below.
  - “Search for a database” enter a database name and it will either come up with that database or give a list of relevant databases.
2. On the right, you will see the “Search” box
  - To search using the “Natural Language” tab, simply type the most important words of your search query, such as, for example, “statute of limitations for murder.” You can limit your search to cases from a specific time period.

- To search using the “Terms and Connectors” tab, enter search terms using connector terms like AND, OR and NOT (if you don’t use these terms, the search engine will put “OR” between each word). You can also search for cases or documents from a specific time period, or by certain courts, involving certain attorneys, or other criteria.
- Click on the databases to search. You must select at least one database.
- Click on “Search Westlaw” to begin search
- Click on “Thesaurus” for help in finding “like” terms. For example, for the word “automobile,” the Thesaurus suggests the words “motor vehicle,” “auto,” etc. and automatically inserts them into your search.

### **Reading the results:**

- Your search terms will be highlighted in yellow in the documents.
- Your search terms will also be displayed in a box at the top of the screen. You can change them and click on “Search,” also at the top, to try a new search.
- Click on a blue document name to read the entire document.
- Click on the arrows on the bottom tool bar on either side of “Doc 1 of \_\_\_” to move quickly from document to document.
- Click on the arrows on either side of “Term” to move through a document to find the terms you entered in your search.

### **Evaluating the results of your search:**

Westlaw provides “flags” to assist you when looking at a case, rule or statute. They are visible at the upper left of the document screen.

For cases, the flags mean:

- “Red flag” - The case is no longer good law for at least one issue of law in the decision.
- “Yellow flag” - There is negative history for at least one part of the decision, but the decision has not been overturned or reversed.
- “H” - There is history available for the case.
- “C” - There are references but no direct history for the case.

For codes or regulations, the flags mean:

- “Red flag” - The code or regulation section has been amended, repealed, superseded, held unconstitutional or preempted in whole or in part.
- “Yellow flag” - The code section has been renumbered or transferred ; or there is proposed legislation affecting the statute.
- “C” - Citing references are available.

Clicking on the flag, will automatically take you to “Keycite,” where you can see what has happened to the case, rule or statute justifying the flag. You can also “Keycite” a case from the initial search screen..

### **Keycite:**

KeyCite is a way to check if a case, regulation or statute is still good law. To use Keycite, you can either type the citation into the “Keycite this Citation” box on the left side of the screen, or click on the “Keycite” link at the top of the screen, which will direct you to the Keycite home page. In either case:

- Enter the case, regulation or code citation, and click on “Go.”

- Your initial result will be “History.” If your document is a case, the history will include other published rulings in that case; if your document is a statute, rule or regulation, the history will include dates of enactment and amendments. Following “History” all “Negative Citing References” are listed. Click on “Citing References” at the left of the screen to see all cases which cite your document.
  - Click on the blue number in front of a case citation to read that case.
  - Click on “Limit Keycite Display” at the bottom of the screen if you want to see a list of only certain cases which cite your original document. “Headnotes” allows you to limit the citations to those which discuss a particular headnoted topic in the original case. To use it,
    - Click on “Headnotes.”
    - Click on the box in front of each headnote which addresses the issue you are seeking. An explanation of each headnote is included further down the search screen.
    - Click “Apply,” on the left side of the screen, and the system will limit your list of citations to those containing a discussion of the issue covered by that headnote.
- “Locate” allows you to look for certain search terms within your Keycite results.
- Click on “Locate.”
  - Enter the search terms seek within the Keycite case results.
  - Click “Apply,” on the left side of the screen, and the system will limit your list of citations to those containing the search terms.

### **Printing:**

To print information from WESTLAW, you have two options:

- 1) Click on the “Print” icon in the upper right corner of the screen. This will cause the program to generate an attractive PDF document of the case. Click on the picture of the printer at the upper left of this screen to print the document, and then follow our print program instructions to process the document through our print station.
- 2) Click on the “Quick Print” icon in the upper right corner of the screen. This will cause the program to generate a document which looks almost as nice, but is usually a bit longer. Click on the “Print” button in this document, and then follow our print program instructions to process the document through our print station.