

# Advanced Legal Databases, Spring 2007

## LRWA II

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### INTRODUCTION

#### Contacts & Background Information

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- **Reference:** Room 141, 703- 993-8076
- **LEXIS Customer Support:** 1-800-455-3947 (1-800-45-lexis)
- **WESTLAW Customer Support:** 1-800-255-9334
- **Policy:** Lexis & Westlaw are restricted to educational use only. Use for law firms or outside employers is prohibited.

### STATUTES

**In-class exercise:** Find the North Carolina state whistle blower statute - N.C. General Statutes sec. 126-85.



- Use Get a Document (Lexis) or Find (Westlaw). [Hint: for Lexis, click on “Citation Formats” to obtain the correct format for Get a Document. On Westlaw, click the “Publications List.”]
- If you did not have the citation, you could do a key word search in the N.C. General Statutes database.
- Note that the term “whistleblower” is not used anywhere in the statute itself; title is “Protection from Retaliation”

#### Tips for Reading a Statute Online

Function	Lexis	Westlaw
Flip back and forth from section to section	Book Browse (top of screen)	Previous Section/Next Section (top of screen)
Citing references and secondary sources	Listed after the code section, use the Explore button (bottom left)	Links shown on left side pane
Table of Contents – shows your section in context	TOC (upper left)	Table of Contents (left-hand sidebar)

## SHEPARD'S & KEYCITE

- Updating and expanding your research with citators. You must use one or the other to update your research. You need not use both.
- Shepard's signals and KeyCite flags are tools to help you quickly analyze your results. They are not definitive and should not be relied upon in the absence of your own analysis.
- **Example:** N.C. General Statutes § 126-85.

Citing Reference	Lexis	Westlaw
<p><u>Newberne v. Crime Control &amp; Pub. Safety</u>, 168 N.C. App. 87 (N.C. Ct. App. 2005)</p> <p>This case was dismissed for failure to state a claim and failure to exhaust administrative procedures. <i>It does not speak to the validity of the statute.</i></p>	 <p>Warning: negative treatment is indicated</p>	 <p>No longer good for at least one point of law</p>

## CREATING A TERMS AND CONNECTORS SEARCH

- Choose **key words** from the issue.
- Select **synonyms** or alternate terms for key words.
- Link search words with appropriate **connectors**.

### (1) Words or Search Terms

Type	Lexis	Westlaw
<b>Hyphens</b>	Lexis reads a hyphenated word as two separate words. e-mail=e mail (will not pick up email)	Westlaw if you enter a hyphenated word, you will pick up the non-hyphenated form.
<b>Equivalents</b>	Equivalent words and abbreviations are retrieved automatically. 4 <sup>th</sup> =fourth	Works the same as Lexis
<b>Universal Character: Asterisk (*)</b>	Replaces a single letter in a word and can be used anywhere other than the first letter of a word. wom*n=women or woman bank***=bank, banks, banker, banking (will not pick up bankruptcy)	Works the same as Lexis

(2) **Connectors** — establish the logical relationship between words in a Boolean search request.

Connector	Lexis	Westlaw
/s	Requires that both terms be in the same sentence. alcohol /s intox! Cannot be combined with numerical connectors <b>Correct:</b> alcohol /s intox! /p negligent <b>Incorrect:</b> alcohol /s intox! /25 negligent	Same as Lexis; but can be combined with numerical connectors <b>Example:</b> alcohol /5 intox! /s negligent
/p	Requires that both terms be in the same paragraph. alcohol /p negligenc! Cannot be combined with numerical connectors <b>Correct:</b> alcohol /s intox! /p negligent <b>Incorrect:</b> alcohol /s intox! /25 negligent	Same as Lexis; but can be combined with numerical connectors <b>Example:</b> alcohol /5 intox! /p negligent
atleast	Requires that a term be mentioned a specified number of times. Can use any number between 1 and 255. <b>Example:</b> atleast5(whistleblower)	no equivalent on Westlaw
and not	Excludes the term that follows “and not” <b>Example:</b> rico and not puerto	Excludes the term that follows “but not” (expressed by the % sign) <b>Example:</b> rico % Puerto
allcaps	Finds terms where all letters are capitalized. <b>Example:</b> allcaps(era) finds references to the ERA (Equal Rights Amendment) instead of the time period (era)	Same as Lexis

## FEDERAL RULES OF CIVIL PROCEDURE

**In-class exercise:** Retrieve Rule 8, General Rules of Pleading of the Federal Rules of Civil Procedure.

U.S. Code Annotated & U.S. Code Service -- first floor, range 101. Also available on Lexis and Westlaw.

## SECONDARY SOURCES

**Litigation Materials** – third floor, range 340

- Moore’s Federal Practice (Lexis)
- Wright & Miller, Federal Practice and Procedure (Westlaw)

**American Law Reports** - first floor, range 108, also available on Lexis and Westlaw. ALR is a series of articles that analyze a particular point of law. Articles are annotated with case citations and references to statutes, digests, texts, treatises, law reviews, and legal encyclopedias.

**In-class exercise:** Search for an ALR article on whistleblower law that cites North Carolina cases. Both Lexis and Westlaw permit you to restrict your search terms to a particular part of the document.

Search Technique	Lexis	Westlaw
Restrict search terms to a particular part of the document	<b>Segments</b> Example: TITLE segment finds search terms in the title of the document	<b>Fields</b> Example: HEADNOTE field finds terms only in West editorial portion of the case
Manipulate search results by narrowing a broad search or concentrating on a particular aspect of your search	<b>Focus</b> Example: your original search finds hundreds of documents. Focus on those documents that mention just one of your synonyms	<b>Locate</b> Example: your original search finds hundreds of documents. Locate those documents that mention just one of your synonyms

## FORMBOOKS AND SAMPLE PLEADINGS

Both Lexis and Westlaw have blank forms and actual court documents in the litigation databases. They are also available on the first floor, range 107. These materials will be covered more thoroughly in LRWA III & IV. Your LRWA instructor will provide you with examples to use for this class.

Lexis	Westlaw
From the Legal source tab, choose Secondary Legal, Forms and Agreements for generic examples; Choose Briefs, Motions, Pleadings & Verdicts for actual court documents	Click on Directory (top of page) Click on Litigation Choose Forms for generic examples Choose Pleadings for actual court documents





## CASES RESEARCH

**In-class exercise:** Find North Carolina cases that discuss § 126-84, using the North Carolina State and Federal Cases (NC-CS-ALL) database on Westlaw:

- “whistleblower” = 86 hits
- “he(whistleblower) = 28
- narrow with Locate “126-85” = 10 hits

**Headnotes & Key Numbers** — Key legal points of a case prepared by Lexis editors, similar to Westlaw's digest system..

### Symbols included in headnotes:

Function	Lexis	Westlaw
Jumps to the text in the opinion that is referenced by the headnote.		<a href="#">[#]</a>
When you click this icon, then select a jurisdiction, you'll see all the cases with headnotes on this topic, as well as additional cases containing discussion relevant to the topic.		No similar feature
When you click this link, then select a jurisdiction, you'll see all the cases with headnotes on this topic.	<a href="#">More Like This Headnote</a>	 <a href="#">### Topic</a>
Provides Shepard's report limited by the headnote.	<i>Shepardize:</i> Restrict By Headnote	<a href="#">KeyCite Notes</a> 

## **GET & PRINT/FIND & PRINT**

- Use to retrieve and print out multiple citations
- Use to Shepardize or KeyCite multiple citations
- Lexis – available from the Get a Document and Shepard's tabs
- Westlaw - available from the Find & Print menu

## **OTHER ONLINE RESOURCES**

### **Law School Subscription Databases - <http://www.law.gmu.edu/libtech/catalog.php>**

- Index to Legal Periodicals - Searchable index of articles going back to 1908. Also includes full text for some journals.
- HeinOnline – Searchable database of law reviews with greater historical coverage than Lexis or Westlaw; documents available in .pdf format.
- LoisLaw – Cases and statutes for most federal jurisdictions and all 50 states. You will need to register to use this site. Contact the reference office for the access code (703) 993-8076.

### **Free Legal Databases**

- Cornell's Legal Information Institute - <http://www.law.cornell.edu/> One of the collections of legal research websites, organized by type of material, jurisdiction, and topic.
- FindLaw - <http://www.findlaw.com/> Two versions, one for legal professionals and another for the public. Includes news and CLE information.
- Lawyer Express - <http://www.lawyerexpress.com/> Designed by a lawyer, includes links to legal, business, and general research sites as well as practice support and software.
- LexisOne - <http://www.lexisone.com> Lexis product for small firms. Recent cases and statutes are free, many resources are available on a pay-as-you-go basis.
- WashLaw Web - <http://www.washlaw.edu/> Organized by jurisdiction, extensive collection of international law materials.

### **The Center for Computer-Assisted Legal Instruction (CALI)**

- Online at <http://www2.cali.org/>
- CDs available at the Circulation Desk
- Lessons on drafting complaints, federal civil procedure, legal research and writing
- You will need to register to use this site. Contact the reference office for the access code (703) 993-8076.

## **CLASS QUIZ**

- Sign on to **TWEN**
- Add the class **Advanced Legal Research Skills, LRWA II**
- Click on **Quizzes** and choose **Advanced Legal Databases**
- Quiz may be done after class, but must be completed by **February 2 at 10:00 pm**
- Contact the instructors or stop by the reference office if you have questions