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Westlaw International User Guide

westlawinternational.com

Westlaw[™] International
Legal, News and Business Information

Westlaw International User Guide

Welcome to the Westlaw International User Guide - designed to guide you through Westlaw International and get the best out of what the service has to offer.

Signing On

You can either access Westlaw International using a password, or your organisation may have set up an authenticated link.

If your organisation directs you to a specific link (generally found on an Intranet) then click on this link to access Westlaw International.

If you have a password (in the format 1234567ABCD) then go to www.westlawinternational.com and click the '**Sign On**' button on the left hand side.

You will be asked to enter your password and a client ID. The client ID is something to identify the research you are doing and can be any combination of numbers or characters – it could be a case name, client, file or matter number. You must put something in the client ID field to continue.

Once both fields have been filled then click **Sign On**.

Finding Content

The first screen that you see when you sign on will depend on what content you have access to on Westlaw International.

You have a wealth of content available to you on Westlaw International but any research can be broken down into three steps:

- 1) Find the content you wish to search
- 2) Enter your search query
- 3) Find and analyse your results

1) Finding Content

You can find content using one of three ways:

- Search for a database
- Browse the Directory
- Use custom-built tabs

Searching for a database

If you know the content you are looking for, the name of a case report series or a specific journal then you can simply type the name into the "Search These Databases" box on which appears on the left-hand side of the screen in the grey Shortcuts bar. Then click Go.



You may then be given a list of databases which match the name you've typed in.

For example if you type in *Yale Law Review* and then click go you will see a list like this:



You can either click on the linked name of the journal to search just that publication or you can use the check-boxes on the left-hand side to select more than one (up to ten) and then click the Search button at the bottom.

You don't have to know the full name of the content you are looking for. Just type anything you know about the content into the Search These Databases box.

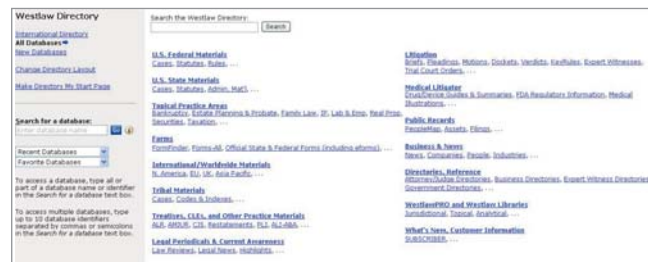
Browse the Directory

The Westlaw International Directory is a list of all of the different databases and content available on Westlaw International.

You can access the Directory by using the link right at the top of the screen.



You can either use the box at the top of the screen to search across the Directory or browse through the various content types.



For example if you were looking for Australian Cases:

- Select International/Worldwide Materials
 - > Select Asia and the Pacific Rim
 - > Select Individual Country Materials
 - > Select Australia
 - > Select Cases



When you get to this stage you can either click on the name of a database to search across all Australian Cases, or all Cases from the High Court, or you could browse down even further into individual law reports or unreported judgments.

The browsing works the same way whatever content you're looking for, whether it's US journals, content on a particular topical area or the latest news.

Using Custom Tabs

If you are researching a particular topic or within a particular jurisdiction and you are not sure where to start then using custom tabs may assist you.

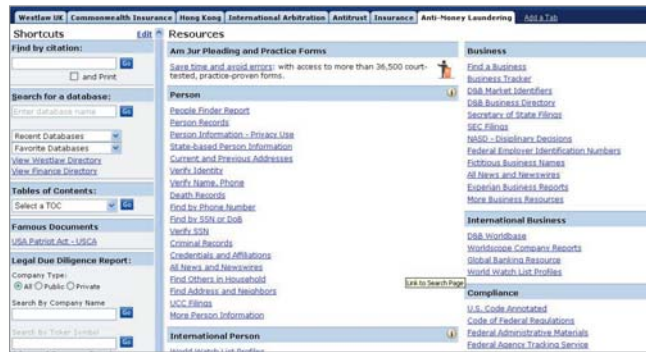
Tabs contain all of the relevant databases and tools to assist a researcher within the specified practice area or jurisdiction.

You can add or remove tabs at any time by selecting the white 'Add a Tab' link.

You can either click on the linked name of the tab to just have it available until you sign-off, or you can check the box next to the required tab to have it available every time you sign on.

Please note that if you have accessed Westlaw International using an authenticated link then you may not be given the option to check the boxes and permanently 'save' tabs.

Each tab may look very different depending on the topic or jurisdiction – it may contain a list of the most relevant databases and tools, or a template to assist you in finding materials.



Your Search Query

Once you have found your content you're ready to search across it.

There are two main ways of searching across content:

- **Terms & Connectors**
- **Natural Language**

If you have chosen a tab to start your search then you may also be provided a template for searching.

Terms & Connectors

This method enables you to type in the words that you are looking for and state how you would like them 'connected' in the document.

When you type two words into the search box, Westlaw will look for either word, for example if you type in *product liability* then Westlaw will look for a document containing the word product OR the word liability.

To look for both of those words then type either & or AND between your words, *product & liability*. Westlaw will then look for any documents which contain both of those words anywhere in the document.

To be even more specific you may want to specify how closely the words must be together, for example typing in *product /s liability* tells Westlaw that the words must appear together in the same sentence. This ensures that the words are used together in the context of the document.

You may instead want to combine the two words together as a phrase. Using speech marks tells Westlaw to treat the two (or more) words as a complete phrase, for example typing in "*product liability*" will only find documents where that complete phrase appears.

A list of all of the connectors that are available to use as well as other tips are listed in the Search Tips tab within this guide.

Add Connectors or Expanders		Help	
&	AND	/s	In same sentence
space	OR	+s	Preceding within sentence
" "	Phrase	/p	In same paragraph
%	But not	+p	Preceding within paragraph
	Root expander	/n	Within n terms of
*	Universal character	+n	Preceding within n terms of

You can also be more specific in your searching by restricting the search to just a part of the document. For example you could:

- Just search the title of a case
- Just search for a particular author of a journal article
- Just search the lead paragraph of a news article

To restrict your search just to part (or field) of the document then use the Fields drop-down menu.

Select the field you want to use which will enter it into the search box. Then simply type your search terms between the brackets. So for example to just search for the case called Smith vs Black, then your search should be *TI(smith & black)*.

You can also use the date drop-down menu to restrict your search to just recent documents.

Natural Language

Natural Language is an alternative to Terms & Connectors searching and enables you to simply type in exactly what you are researching in plain English. Switch between search methods by using the tabs above the search box.

For example you could type in *must a manufacturer disclose the side effects of a drug? Or can you trademark a smell?*

You don't have to phrase your search as a question.

Natural Language will return you the 100 best results which match your search rather than every document.

Use Natural Language when you are:	Use Terms and Connectors when you are:
<ul style="list-style-type: none"> searching for broad concepts searching databases containing large numbers of documents and you want to retrieve a small number of documents a new or infrequent Westlaw user or you are unfamiliar with Terms and Connectors searching not retrieving the information you are looking for by using a Terms and Connectors search 	<ul style="list-style-type: none"> searching for particular terms searching for a particular document searching for all documents containing specific information, such as all opinions written by a particular judge or cases involving a particular company searching a database for which Natural Language searching is not available

Your search results

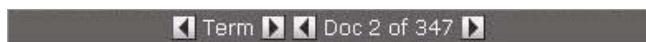
The screenshot shows a Westlaw search results page. Callouts include:

- Your first result:** Points to the top of the first search result.
- Click these icons to print, email or download your results:** Points to the print, email, and download icons in the top right corner.
- Links to go back and Edit your Search or Locate in Result:** Points to the 'Full Screen List', 'Edit Search', and 'Locate in Result' links in the top left.
- List of Results in reverse chronological order:** Points to the list of search results on the left side.
- Check boxes enable you to pick results to email/print:** Points to the checkboxes next to each result in the list.

The main content area shows a search result for '2009 WL 1321720' titled 'Jackson Distribution Limited v. Tum Yeto Inc'. The case details include: High Court of Justice Queen's Bench Division, Date: 12/05/2009, Case No: 7BH91181, and Hearing dates: 20th & 21st January 2009. The representation is listed as 'Mr James Brocklebank (instructed by Turners LLP) for the Claimant.'

If you ran a search using Terms & Connectors then your results will generally be returned in reverse chronological order. If you ran a search using Natural Language then your results will be listed in order of relevance – the most relevant document being first on your list.

To navigate through your results you can either click on the linked number of each result on the left-hand side, or use the arrows at the bottom of the screen:



Use the Term arrow to jump to where your terms appear in the document and keep clicking the right-hand arrow to go through each instance. When you reach the end of one document, Westlaw International will move you on to the first instance in the next document.

When you have searched using Natural Language, you will also get a Best arrow option. Clicking the right-hand Best arrow will take you to a red section within the document which will be the part of the document most relevant to your search.

Refining your results

If you have too many documents to work with then you can refine your search in two ways:

- Use the 'Edit Search' link in the top left-hand corner. This will take you back to your search template where you can add to or amend your search terms, change the date restriction or limit your search by fields.
- Use the 'Locate in Result' link in the top left-hand corner. This will take you to a new search screen where you can type in additional search terms. Using Locate will search your existing results for an additional term or terms to filter the results you already have.

Printing

You can choose to print, email, or download your results.

To deliver just the result you are currently viewing then select the relevant icon in the top right-hand corner.

Here you can specify exactly what you wish to receive:

- The current document
- Your list of results
- Selected results (this will just give you the result information for each rather than the full document)
- Selected documents
- The full text of every document

You can also choose to receive just the pages of each document containing your terms, or just the first page of each document.

If you wish to print or email more than one document from your list then it may be easier to use the checkboxes next to each result to specify which ones you need and then select the relevant print/email/download icon in the top right-hand corner.

Email Alerts / Westclips

Westlaw International enables you to set up alerts to ensure that you get any new relevant information emailed straight to you as soon as it is loaded. These alerts are called Westclips.

Please note that if you have accessed Westlaw International using an authenticated link then the option to set up Westclips may be inactive.

You can set up a Westclip from most searches (except Natural Language searches).

Setting up a Westclip:

1) Run a search for the terms and within the content you are interested in. For example if you are interested in all new EU cases on the right to privacy then run a search in all EU Cases for "right to privacy".

2) Once you have your search results then use the Result Options drop-down menu in the top left-hand corner and select "Add Search to Westclip" and click Go

3) Give your Westclip a name – this should be something to identify the information and will form the Subject of the email alert. All of the other boxes on this screen have been pre-filled with your search, database and relevant client ID.

4) Click the 'Edit' link in the top right-hand corner

5) Select how often you would like the search to run – daily, weekly, etc

6) Click the Properties button next to Email to enter in your email address and specify the how you want to documents to be sent (inline text, Word attachment, Pdf, etc) and then click Save.

7) Select the result format list to choose exactly what you want to receive.

8) Click the Save button at the bottom, and then Save again.

Your Westclip is then saved into your Westclip Directory ready to run on the next specified date. You can access your Westclip Directory at any time to amend or remove current Westclips by selecting the 'Alert Center' link in the top right-hand corner of every screen.

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All of the connectors available are listed below:

Connector	Type this	To retrieve documents that contain
AND	&	Both search terms: drug & warrant
OR	a space	Either search term or both terms: car vehicle
Grammatical connectors	/p	Search terms in the same paragraph: hearsay /p evidence
	/s	Search terms in the same sentence: design /s defect
	+s	The first term preceding the second within the same sentence: tax +s relief
	+p	The first term preceding the second within the same paragraph: aggravated +p crime
Numerical	/n	Search terms within n terms of each other (where n is a number from 1-255): personal /3 jurisdiction
	+n	The first search term preceding the second by n terms (where n is a number from 1-255): interest +5 tax
Phrase	" "	Search terms appearing in the same order as in the quotation marks: "violent crime"
BUT NOT	%	None of the terms following the percent symbol: pension % exemption

Other useful search tips:

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*.

Westlaw will automatically search for plurals. For example if you type in *child* Westlaw will automatically search for *children*. However if you type in *children* Westlaw will **not** also look for *child*.

Abbreviations may include or exclude the periods. To ensure you retrieve all forms of an abbreviation ensure to include the periods. For example searching for *N.A.T.O.* will automatically search for both *NATO* and *N.A.T.O.*

A compound word may appear as one word, as a hyphenated word or as two separate words. If your search term is a compound word, search for it using the hyphenated form to retrieve all variants. For example searching for *trade-mark* will automatically search for *trade mark*, *trademark* and *trade-mark*.

Searching for a figure will automatically also search for the word and vice versa. For example if you type in *4*, Westlaw will automatically search for *4* and *four*.

Quick Guide - UK Materials

The best place to start looking for UK materials is to use the Westlaw UK tab. Click the white Add a Tab link and then select Westlaw UK.

If a case has been overruled or reversed then you will get an immediate notification of this fact as a red flag will appear in the top left hand corner of the document.

Click to access more templates with more search options for each content type

Search across UK Case Law

Click to search across all or selected content types

Click to browse through UK Legislation

Search across UK Legislation

Search across UK Journal articles

Roe v. Wade
314 F.Supp. 1217
D.C.Tex. 1970.
June 17, 1970 (Approx. 10 pages)

Legislation Tips:

UK Legislation is fully consolidated – you will be searching the law as it is today rather than as it was when it was enacted.

There are three ways of searching for legislation depending on what you are looking for.

- 1) Use the search boxes on the front screen when looking for a specific section/paragraph of an Act or SI.
- 2) Use the legislation Quick Search when you are looking for a term or terms within a piece of legislation.
- 3) Use the legislation Quick Search when you want to retrieve an entire Act or SI in a complete pdf.

Type in whatever information you have about the material you are looking for (e.g. case name, citation or terms).

If you need a more detailed search template then select the content type you wish to search from the Quick Searches list in the top left-hand corner.

To view additional research information for each section, select the Related Info tab at the top of the results list and select Analysis.

Cases (full text) - Quick Search

UK Journals - Quick Search

Case Law Tips:

Case Locators are an ideal starting point for researching a case. They include:

- A digest/summary of the case
- Cases/Legislation cited within the case
- Subsequent Citations of the case
- Appeal History
- Journal Articles discussing the case

The Analysis document may include:

- Amendment History
- Commencement Date
- Any pending Amendments
- SIs/Regulations made under the section
- Legislative cross-references
- Cases Citing
- Journal articles about that section

Case Locators can be searched from the Westlaw UK front screen or the Case Locators Quick Search. Alternatively if you're looking at a full judgment, you can access the Locator by clicking the Related Info tab at the top of the results list and selecting Analysis.

Secondary Sources:

There are a number of textbooks/treatises as well as a huge number of journals available. For more detailed research, use the topic-specific UK tabs (Landlord & Tenant, Crime, IP, etc). As well as specific cases and journals, these tabs will also give access to the leading authoritative text(s) for that topic.

Result List
1 Doc

Full Screen List
Locate in Result

Find citation: [input] Go

Result Document

All Cases & Legislation Cited

Analysis

- Includes citation and digest information, case history and links to cited cases (editorially selected) and legislation.

Commentary Citing

[1992] 3 W.L.R. 1032

Quick Guide - EU Materials

The easiest way to search materials from the EU institutions is to use the European Union tab (under the Westlaw International heading).

Access Quick Search templates

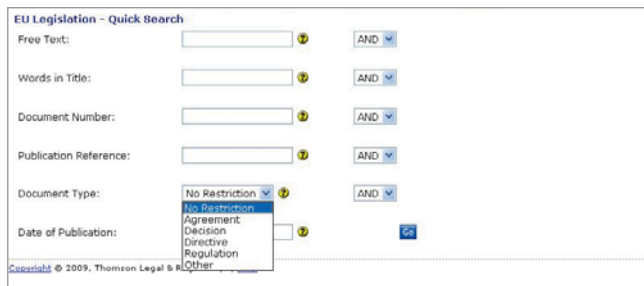
Search across all or selected content using Terms & Connectors or Natural Language search methods.

Click to view the latest news from the EU or access more databases from the Directory



Access the most commonly used EU databases

The Quick Search templates are all specifically designed for specific content types so where you know more about what you are searching for than just free text terms, then use one of these templates.



Most documents (since 1995) are also available in the official pdf. If this is the case then there will be an icon near the top of the document.



Use the Related Info tab at the top of the results list to view extra information about the EU document you are looking at. For example if you are viewing a piece of Legislation, the Related Info tab will include Cases Citing, and any Modifications.



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Quick Guide - US Materials

There are a vast number of tabs for various US topics and areas and so for topic-specific research these are the best places to start as they will include all of the materials you need for that topic/area.

If your research is more general then the Law School tab contains all of the most commonly needed US materials in one place.



Keycite tells you everything you need to know about a case or piece of legislation using relevant icons. It provide the following information:

- Direct appellate history of a case, patent, selected administrative decisions and the ALR
- Negative citing references of a case and selected administrative decisions
- Citing references to cases, patents, selected administrative decisions, selected attorney general opinions, law reviews, statutes, the Code of Federal Regulations (CFR), selected state regulations and the ALR
- Identification of repealed or superseded legislation
- Recent session laws and rules that amend or repeal legislation
- Citing references to cases declaring state or federal statutes and the CFR unconstitutional in whole or in part
- Proposed legislation affecting United States Code Annotated (USCA) and statutes from all 50 states
- Citing references to uncodified session laws relating to state or federal statutes
- Credits and historical/statutory notes for a state or federal statutes and the CFR

Status flags warn you that history is available for your case and should be investigated.

A red flag indicates that the document you are looking at should not be considered 'good law' and you should research further.

A yellow flag indicates is a warning that you should research further – there may be changes coming up that will affect the document you are looking it, or a lot of negative treatment of it.

A blue H indicates that the case has direct (positive) history.

A green C indicates that the document has citing references but no direct or negative history.

Case Law Tips:

From the front screen you can search for a case by Party Name or Citation (left-hand side) and if you do have a citation you could also Find using a Template (left-hand side). Alternatively you can select a case law database and search using free text terms or Natural Language.

Citation information: Full Citation history, Graphical case history, All Documents citing this case, Monitor citations with an alert

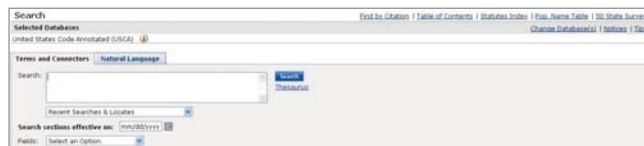


Results Plus gives you paragraphs from text books and treatises relating the case or point of law you are researching

US cases include headnotes which each distil a point of law from the case. The number of headnotes will depend upon the complexity of the case.

To find a case on a particular topic or point of law then you can use the key numbering system. Select Key Numbers from the top of the screen and then you can choose to search across or browse through the topics to help pinpoint the most relevant cases.

Legislation Tips:



If you know what you are looking for within legislation then rather than typing in free text terms, it may be easier to use one of the legislation tools available in the top right-hand corner of the search box.

- Find By Citation – if you know the citation of the section you are after then you can just type it in.
- Table of Contents – browse through the Code and it's Titles to get to where you need.
- Statutes Index – an Index to the Code, browse through the points of law and it will take you straight to the relevant section.
- Popular Name Table – if you know the common name for an Act then search for it here.

Secondary Sources Tips:

Westlaw International contains a wealth of textbooks/treatises on almost every area of law and these can often be a useful starting point when researching US law. You can either access treatises from within relevant tabs, or from the Directory.



In cases and administrative decisions, a **red flag** warns that the case or administrative decision is no longer good law for at least one of the points of law it contains.

In patents, a **red flag** in Direct History warns that the court holds that all or part of the cited patent is invalid; that the court holds that all or part of the cited patent is invalid, and that it is not infringed by the technology at issue; or that the court holds a patent to be unenforceable due the patentee's inequitable conduct before the patent board. A red flag in Negative Citing References warns that court recognizes that a court in another case has held that the cited patent is invalid.

For legislation, a **red flag** warns that the statute or regulation has been amended by a recent session law or rule, repealed, superseded, or held unconstitutional or preempted in whole or in part.



In US cases and administrative decisions, a yellow flag warns that the case or administrative decision has some negative treatment, but has not been reversed or overruled.

In patents, a **yellow flag** in Direct History warns that court rules that the technology at issue does not infringe the cited patent, but does not otherwise rule on the patent's validity; or that the court upholds the validity of all or part of the cited patent, but rules that it is not infringed by the technology at issue. A yellow flag in Negative Citing References warns that the court recognizes that a court in another case has held that the cited patent has not been infringed.

In US legislation, a **yellow flag** warns that a statute has been renumbered or transferred by a recent session law; that an uncodified session law or proposed legislation affecting the statute is available (statutes merely referenced, i.e., mentioned, are marked with a green C); that the regulation has been reinstated, corrected or confirmed; or that the statute or regulation was limited on constitutional or preemption grounds or its validity was otherwise called into doubt, or that a prior version of the statute or regulation received negative treatment from a court.



In cases and administrative decisions, a **blue H** indicates that there is direct history but it is not known to be negative.

In patents, a blue H indicates that the patent is:

- **Construed:** The court determines the meaning of words or phrases in a cited patent.
- **Infringed:** The court rules that the cited patent is infringed by the technology at issue.
- **Valid:** The court upholds the validity of all or part of the cited patent.
- **Valid and Infringed:** The court upholds the validity of all or part of the cited patent, and rules that it is infringed by the technology at issue.



A **green C** indicates that the US case/administrative decision has citing references but no direct history or negative citing references. It also indicates that a statute/regulation has citing references, but no updating documents.



Depth of treatment stars indicate how extensively a cited case or administrative decision has been discussed by the citing case.



Quotation marks indicate that the citing case or administrative decision directly quotes the cited case.