



# WESTLAW

## GETTING STARTED GUIDE

# Contact Us

## **Westlaw Technical and Search Assistance (available 24 hours a day)**

If you have general or technical questions about Westlaw, call Technical Support at 1-800-WESTLAW (1-800-937-8529).

If you have search questions about Westlaw, call the Reference Attorneys at 1-800-REF-ATTY (1-800-733-2889).

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## Signing On to Westlaw

Complete these steps to access Westlaw:

- 1 Go to [www.Westlaw.com](http://www.Westlaw.com)
- 2 Type your username and password in the *Username* and *Password* fields.
  - Select the *Save my Username* check box if you want your username automatically entered each time you sign on to Westlaw.
  - Select the *Save my Username and Password* check box if you want your username and password automatically entered each time you sign on to Westlaw.
  - Select the *Remember Me on this Computer* check box if you want to store sign-in information (on this device; for this browser only) and bypass the OnePass Sign In page. This feature may be disabled through any **Update My OnePass** link. Due to security restrictions, some users are not eligible for this feature.
- 3 Click **Sign In**. The Welcome page is displayed.

THOMSON REUTERS WESTLAW

### OnePass Sign In

2 Username

Password

[Forgot my username or password](#)

Save my Username

Save my Username and Password

Remember Me on this Computer [?]

3 **Sign In**

[Create a new OnePass profile](#)

[Update an existing OnePass profile](#)

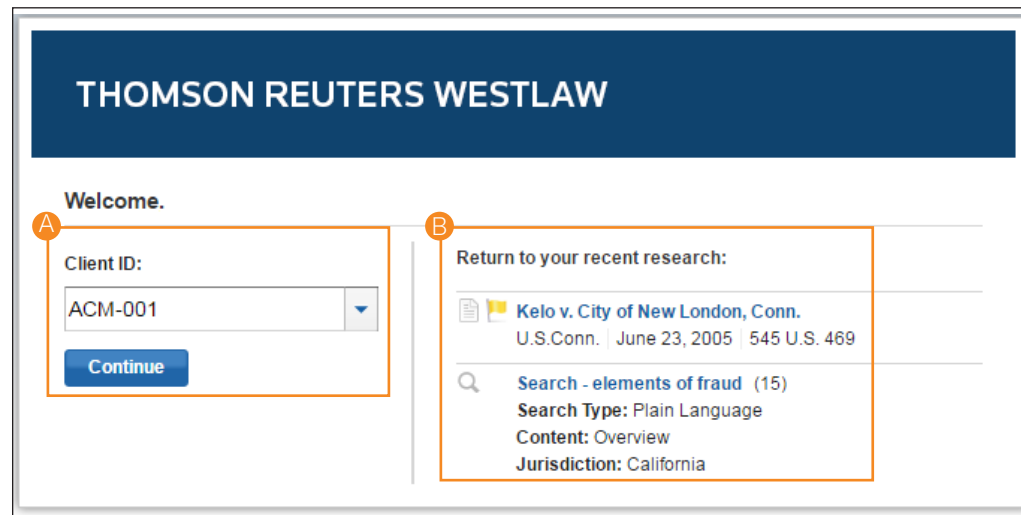
[Learn more about OnePass](#)

## Select Client ID

After you sign on, create or assign a Client ID for your research session. Using a Client ID helps you identify the client or matter you are doing work for or identify the subject you are researching.

- A Type a client identifier in the *Client ID* field or click a client identifier in the list, then click **Continue**.
- B Click a link under **Return to Your Recent Research** to return to a previous session.

The Westlaw homepage is displayed.



The screenshot displays the Thomson Reuters Westlaw homepage. At the top, a dark blue banner contains the text "THOMSON REUTERS WESTLAW" in white. Below the banner, the page is divided into two main sections. The left section, labeled "Welcome.", features a "Client ID:" label above a text input field containing "ACM-001" and a dropdown arrow. A blue "Continue" button is positioned below the input field. The right section, labeled "Return to your recent research:", contains a list of search results. The first result is "Kelo v. City of New London, Conn." with subtext "U.S.Conn. | June 23, 2005 | 545 U.S. 469". Below this is a search result for "Search - elements of fraud (15)" with subtext "Search Type: Plain Language", "Content: Overview", and "Jurisdiction: California". Two orange callout boxes with letters 'A' and 'B' are overlaid on the image. Box 'A' highlights the Client ID input field and the Continue button. Box 'B' highlights the "Return to your recent research:" section and its contents.

## Westlaw Home Page Overview

Whenever you begin a research session, you start your research from the Westlaw home page. At the home page, you can retrieve a document by citation, a case by party name, a specific publication or specific content, or search for documents using the *Search* box at the top of the page. You can also browse content using the links in the Browse pane.

### A Search Box

Type your issue in simple descriptive words or Terms and Connectors. Or, type a citation. The search format will automatically be recognized.

### B Jurisdiction Selector

Choose up to 3 jurisdictions before running a search.

### C Client ID

Allows you to track the time you spend on research projects.

### D Folders

Access recently used folders from a list or click the link to view all of your folders.

### E History

Access recent documents and searches from the list or click the link to access your research history for up to a year.

### F Alerts

Stay up to date on news, legal developments, and the status of your cases.

The screenshot shows the Westlaw home page interface. At the top, there is a search bar (A) with a dropdown menu for Client ID (C) and a search button. Below the search bar is a navigation bar with tabs for Browse (H), Favorites (I), Alerts (F), and Profile Settings (G). The main content area is divided into several sections: a Browse pane (H) with a grid of categories like Cases, Key Numbers, and Regulations; a Favorites pane (I) with a search box and a list of items; a News and Insight from REUTERS section (K) featuring an article about Exide Technologies; and an Edit Home Page button (L). At the bottom, there are links for Preferences (M), Help (N), and Sign Off (O). The footer contains copyright information and links to Privacy Statement, Accessibility, Supplier Terms, Contact Us, and Improve Westlaw.

### J Custom Pages

Create a page with all of your frequently used content on one page, plus tools like KeyCite a Citation and Alerts.

### K News and Insight from REUTERS

Rotating articles showcase insight and legal analysis from current news.

### L Edit Home Page

Choose to show or hide select home page features.

### M Preferences

Set preferences for searching, delivery, citations, and more.

### N Help

Access video tutorials and documentation on the Westlaw Training and Support Page.

### O Sign Off

Sign out of Westlaw.

### G Profile Settings

View or change Westlaw Preferences and your OnePass profile. Or, sign out of Westlaw.

### H Browse

Navigate content from a particular set or practice area before searching.

### I Favorites

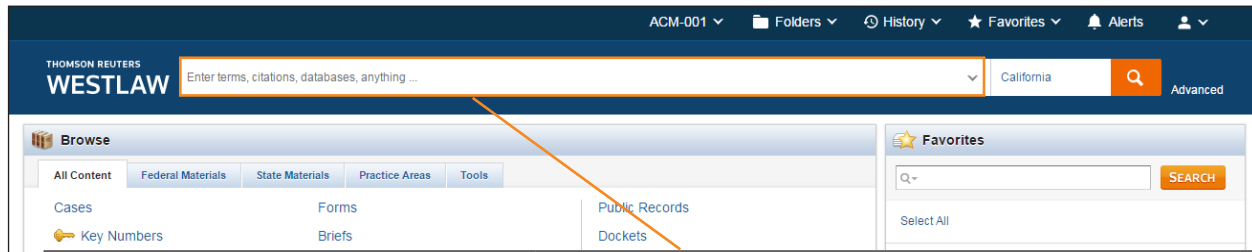
Add content pages to your Favorites pane for easy access from the home page. Click on the Favorites link in the header to view and organize your Favorites.

## Perform All Research Tasks from the Global Search Box

Use the *Search* box at the top of every page to run different types of searches from a single location. For example, to retrieve documents by citation, type the citation, e.g., *127 sct 2162*, in the *Search* box and click **Search**. To retrieve multiple documents by citations, type the citations, separated by semicolons, in the *Search* box and click **Search**.

To retrieve a case by party name, begin typing the party name in the *Search* box and select the case from the drop-down list.

Additionally, materials can be retrieved by performing searches using KeyCite, Boolean Terms and Connectors, descriptive terms, and docket numbers. Type general inquiries or descriptive terms to retrieve secondary sources and other additional documents as well as relevant legal documents. Westlaw Answers provides general answers to many legal questions, and can be used as a starting point for your research.



Search Types	Examples
Find by Citation	562fs263
Find Multiple Citations	562fs263; 97 sct 569; 42 u.s.c.1983
Find by Party Name	citizens united (select case from drop-down list)
KeyCite	keycite 93 sct 1817 or kc: 93 sct 1817
Secondary Sources or Content Name	Wright and Miller California State cases
Boolean Terms and Connectors	dedicate /s "private road" "public road"
Descriptive Terms	can a municipality be held liable for civil rights violations by its employees
Docket Numbers	2008 WL 2788753
Westlaw Answers	Quick answers to common legal questions 1) What are the elements of fraud? 2) What is the definition of practice of law?

## Researching a Legal Issue

When you run a search, you search all of the core legal content on Westlaw by default. Core content comprises cases; Key Numbers; trial court orders; statutes and court rules; regulations; administrative decisions and guidance; Practical Law; secondary sources; forms; briefs; trial court documents; expert materials; jury verdicts and settlements; proposed and enacted legislation; proposed and adopted regulations; and arbitration materials. You can search by simply typing descriptive terms that relate to your legal issue or by using Boolean Terms and Connectors.

## Searching Using WestSearch, the Westlaw Search Engine

WestSearch, a search engine designed for law, helps you deliver the best results quickly. Simply type the legal issue you are researching into the *Search* box at the top of the page.

### A WestSearch

A search engine designed for law, WestSearch incorporates 125 years of exclusive proprietary analysis of the law, and tools like Key Numbers, KeyCite, headnotes, notes of decisions, indexes, and secondary sources to deliver relevant documents even if they use phrasing that is different from your query.

### B Sorting the Result List

By default, results are ranked by relevance and include on-point documents even if they do not reference the specific terms used in your search. You can also sort your result list by date, most cited, or most used.

THOMSON REUTERS  
**WESTLAW** All Content can a municipality be held liable for civil rights violations by its employees All State & Federal Advanced

VIEW: Overview 15 Cases 2,606 Key Numbers 10 Trial Court Orders 84 Statutes 59 Regulations 50 Administrative Decisions & Guidance 10,000 Secondary Sources 563 Forms 7 Briefs 1,015 Trial Court Documents 2,392 Expert Materials 10,000 Jury Verdicts & Settlements 1,984 Proposed & Enacted Legislation 10,000 Proposed & Adopted Regulations 2,542 Arbitration Materials 10,000 Public Records Search All Results 51,302

NARROW: Select Multiple Filters Search within results

ACM-001 Folders History Favorites Alerts

Cases (2,606) Sort by: Relevance

1 - 20

Select all items No items selected

1. **Monell v. Department of Social Services of City of New York**  
Supreme Court of the United States | June 06, 1978 | 436 U.S. 658 | 98 S.Ct. 2018

Female **employees** of the Department of Social Services and the Board of Education of the City of New York brought an action challenging the policies of those bodies in requiring pregnant **employees** to take unpaid leaves of absence before those leaves were required for medical reasons. The United States District Court for the ...

...A **municipality** cannot be **held liable** for **violation of civil rights** solely because **employee** is a tort-feasor; a **municipality** cannot be **held liable** under the **Civil Rights Act** of 1871 on a respondeat superior theory. 42 U.S.C.A. § 1983....

... In particular, we conclude that a **municipality** cannot be **held liable** solely because it employs a tortfeasor—or, in other words, a **municipality** cannot be **held liable** under § 1983 on a respondeat superior theory....

2. **City of Canton, Ohio v. Harris**  
Supreme Court of the United States | February 28, 1989 | 489 U.S. 378 | 109 S.Ct. 1197

Detainee brought **civil rights** action against city, alleging **violation** of her **right** to receive necessary medical attention while in police custody. The United States District Court for the Northern District of Ohio entered judgment in favor of detainee, and city appealed. The Court of Appeals, 6th Circuit, 798 F.2d 1414, unpublished....

...Under certain circumstances, **municipality** can be **held liable** in **civil rights** action under § 1983 for constitutional **violations** resulting from its failure to train **municipal employees**. 42 U.S.C.A. § 1983....

... The Court found that the language of § 1983, and rejection of the "Sherman Amendment" by the 42d Congress, were both strong indicators that the framers of the **Civil Rights Act** of 1871 did not intend that **municipal** governments be **held** vicariously **liable** for the constitutional torts of their **employees**....

SNAPSHOTS

**Civil Action for Deprivation of rights (1983 Claims)**  
AKA: 1983 Claims, Civil Action for Deprivation of rights  
Citations: 42 U.S.C.A. § 1983  
Show An Act to permit civil suits under section 1979 of the Revised Statutes (42 U.S.C. 1983) against any person acting under color of any law, who... Show

**Public Laws**  
Enacting: Pub.L. 96-170, § 1, Dec. 29, 1979, 93 Stat. 1284

RELATED DOCUMENTS

**Secondary Sources**  
§ 2:21.Public employees  
Alabama Personal Injury and Torts  
...The Court held that a city can be **liable** in a 42 U.S.C.A. § 1983 case for failure to provide proper training to **municipal employees** (there, police officers)....  
What constitutes policy or custom for purposes of determining liability of local government unit under 42 U.S.C. § 1983

TIP

Click the down arrow icon in the search box to access up to 20 of your most recent searches.

can a municipality be held liable for civil rights violations by its employees

can a municipality be held liable for civil rights violations by its employees  
Brown v Board  
562s263; 97 sct 569; 42 u.s.c. 1983  
adv. dedicate /s "private road" "public road"



## Boolean Terms and Connectors

Westlaw allows you to search using Boolean Terms and Connectors. When you search using Boolean Terms and Connectors, you enter a query consisting of key terms from your issue and connectors specifying the relationship between those terms. For example, you can require that your terms appear in the same sentence or in the same paragraph.

### Automatic Detection

Whenever you type a query that contains a field restriction, proximity connector, quotation marks, or expander (+, %, !), Westlaw automatically processes your search as a Boolean Terms and Connectors query.

### Examples

- hazard! /s waste /s dispos!
- burden +s proof prov!
- past /p consideration
- wrongful! /5 terminat!

THOMSON REUTERS  
**WESTLAW** All Content adv: dedicate /s "private road""public road" All State & Federal Advanced

VIEW: << Cases (384)  
Additional Relevant WestSearch™ Cases (6)

1 - 20 Sort by: Relevance

Select all items No items selected

1. **Bateman v. Platte County**  
Supreme Court of Missouri, En Banc. | April 03, 2012 | 363 S.W.3d 39 | 2012 WL 1108246

REAL PROPERTY - Easements. Subdivision plat that divided dominant tenement did not eliminate private easements, as required to dedicate them for public use.

...Lot owners, as servient tenement owners, had no power to dedicate dominant tenement owners' private easement to public use, and because...

...public, any purported dedication of easement by county as a public road pursuant to statutory provision that a recorded plat was a...

2. **Jackson v. Board of Com'rs of County of Monroe**  
Court of Appeals of Indiana. | November 16, 2009 | 916 N.E.2d 696 | 2009 WL 3817453

REAL PROPERTY - Dedication. Evidence did not establish owner intended to dedicate portion of road to the public through written "consent" to use road.

RELATED DOCUMENTS

Secondary Sources

§ 13.3.Plats

Missouri Practice Series TM

...those private easements on the plat and only purported to dedicate to public use the "streets and roads shown on the..."

Proof of Offer and Acceptance of Dedication of Land to Public Use

American Jurisprudence Proof of Facts 3d

...dedication and multiple conveyances: Land which original landowners attempted to dedicate as public road in first deed, which conveyed some property to subsequent landowners...

### Connectors and Expanders

&	AND
/s	In same sentence
or	OR
+s	Preceding within sentence
/p	In same paragraph
-	Phrase
+p	Preceding within paragraph
%	But not
/n	Within <i>n</i> terms of
!	Root expander
+n	Preceding within <i>n</i> terms of
*	Universal character

### TIP

- Use the jurisdiction selector or browse to the content you want to search before entering your query.
- When used without connectors or fields, ampersands (&) and spaces (OR) are considered part of a descriptive terms search. Use **Advanced Search** or look for WestSearch's suggestion to modify your results to documents that include these connectors after running your initial search.

## Advanced Search

Advanced Search templates help you quickly build precise queries, making it easy to search for specific content within a jurisdiction or specific information within document fields.

- 1 **Accessing Advanced Search**  
Click **Advanced** next to the **Search** button to display the Advanced Search page.
- 2 **Content-Specific Fields**  
The fields available in a template are specific to the content or document type you are viewing when you click **Advanced**.

### TIP

Individual content pages have Advanced Search templates tailored for their content. Browse to an individual (like California Cases) and click **Advanced Search** to see the options available for that content set.

ACM-001 | Folders | History | Favorites | Alerts | California | **Advanced**

THOMSON REUTERS  
**WESTLAW** | Enter terms, citations, databases, anything ... | California | **Advanced**

Home  
**Advanced Search**

Use at least one field to create a Boolean Terms & Connectors query.

**2** Find documents that have

All of these terms e.g., construction defect (searched as construction & defect) Term frequency

Any of these terms e.g., physician surgeon (searched as physician OR surgeon) Term frequency

This exact phrase e.g., medical malpractice (searched as "medical malpractice") Term frequency

"Exclude documents" requires at least one additional field.

These terms

Document Fields (Boolean Terms & Connectors Only)

Date All

Citation

Name / Title

## Browsing by Content

There are several ways you can retrieve content in Westlaw. Running a search from the Westlaw homepage will return results in the core content areas. To search for a specific type of content, start from the Browse sections, click the tab from which you want to begin your search (**All Content**, **Federal Materials**, **State Materials**, or **Practice Area**), and click the most applicable link of various content types or jurisdictions to narrow the content.

When you click a link to specific content, Westlaw presents additional content categories that help discern the specific content you are looking for. Additionally, a corresponding search box is displayed at the top of the page. Use the search box to search within the specified category, or continue clicking additional category links until you have reached the desired content. The categories within each collection will depend on what content you are browsing under.

### 1 Browse to content under:

- All Content
- Federal Materials
- State Materials
- Practice Area

### 2 Navigate Further

Browse until you reach the jurisdiction or content area you want to search.

### 3 Search Box

Type your search terms at the top of the page.

TIP

Click the **star icon** (★) next to content to add the pages to your Favorites for quick access from the home page.

The screenshot illustrates the Westlaw interface with three numbered callouts: 1. The 'All Content' tab in the 'Browse' section is highlighted. 2. The 'Cases' link is highlighted. 3. The 'U.S. Supreme Court' link under 'Federal Cases by Court' is highlighted. A search box is also shown at the top of the page, and a 'Favorites' section is visible on the right. The bottom part of the screenshot shows the 'U.S. Supreme Court Cases' page with a search box and a list of recent documents.

Federal Cases by Court		
U.S. Supreme Court	U.S. Tax Court	U.S. Court of Appeals for Veterans Claims
U.S. Courts of Appeals	U.S. Court of Federal Claims	Military Courts
Federal District Courts	U.S. Court of International Trade	Judicial Panel on Multidistrict Litigation (JPML)
Federal Bankruptcy Courts		

Federal Cases by Circuit		
1st Circuit	6th Circuit	10th Circuit
2nd Circuit	7th Circuit	11th Circuit
3rd Circuit		
4th Circuit		
5th Circuit		

Cases by State		

10 most recent documents		
1	ROBERT J. WITTMAN, et al., APPELLANTS v. GLORIA PERSONHUBALLAH, et al.	May 23, 2016   --- S.Ct. ----   2016 WL 2945226   No. 14-1504
2	MARVIN GREEN, PETITIONER v. MEGAN J. BRENNAN, POSTMASTER GENERAL	May 23, 2016   --- S.Ct. ----   2016 WL 2945236   No. 14-613

## West Key Number System

The West Key Number System® is the master classification system of U.S. law and widely regarded as the cornerstone of effective legal research. The West Key Number System is a proprietary component of the WestSearch legal search engine, which sets Westlaw apart. Our attorney-editors create headnotes, which are classified to topics and key numbers from the West Key Number System. If you have a relevant topic or key number, or you know what legal terms and concepts courts have used when discussing your issue, you can conduct a comprehensive search in the West Key Number System for published opinions discussing points of law touching on your issue.

### Access the West Key Number System

- 1 In the Browse section, click **Key Numbers**.
- 2 Or, on the Tools tab, click **West Key Number System**.

### West Key Number System Page

- 3 Use the *Search* box on the top to search for Key Numbers relevant to your issue, or
- 4 Browse for relevant topics and key numbers.
- 5 Click a key number to see its details. Then click a topic heading to view results relevant to your selected jurisdiction.

### Global Search Results

West Key Numbers appear in global search results after running a plain language search.

**TIP**

Document headnotes located in cases also provide easy access to key number-specific results relevant to the document's jurisdiction.

The first screenshot shows the Westlaw 'Browse' page with 'Key Numbers' highlighted in the 'All Content' section. The second screenshot shows the 'Tools' tab selected, with 'West Key Number System' highlighted. The third screenshot shows the 'West Key Number System' page with a search box and a table of key numbers. The table is as follows:

1	ABANDONED AND LOST PROPERTY	135H DOUBLE JEOPARDY	285 PARENT AND CHILD
2	ABATEMENT AND REVIVAL	136 DOWER AND CURTESY	286 PARLIAMENTARY LAW
4	ABORTION AND BIRTH CONTROL	141 EASEMENTS	287 PARTIES
5	ABSENTEES	141E EDUCATION	288 PARTITION
6	ABSTRACTS OF TITLE	142 EJECTMENT	289 PARTNERSHIP
7	ACCESSION	142T ELECTION LAW	290 PARTY WALLS
8	ACCORD AND SATISFACTION	143 ELECTION OF REMEDIES	291 PATENTS

## Refining Search Results

After running a descriptive terms or Boolean Terms and Connectors search from the Westlaw homepage, the search result Overview page is displayed, which lists the documents most relevant to your legal issue, organized by content types.

### A Choose a Content Type

Click a content category in the left column to display the result page for that content.

### B Relevant Results by Content Type

The top results from each content type are included in the Overview.

### C Save to Folder icon

The **Save to Folder** icon allows you to save results you select to a folder in Westlaw. Select the check box preceding each entry you want to save, and click the icon.

### D Delivery icon

The **Delivery** icon allows you to export results you select. You may email, print, or download the results. You can download the results to your computer, Dropbox, Kindle, or Case Notebook. Select the check box preceding each entry you want to export, and click the icon.

The screenshot shows the Westlaw interface with the search results for 'fair use of performance under copyright'. The left sidebar (A) lists content types such as Overview (16), Cases (408), Key Numbers (10), Trial Court Orders (34), Statutes (73), Regulations (59), Administrative Decisions & Guidance (10,000), Practical Law (304), Secondary Sources (5,367), Forms (24), Briefs (515), Trial Court Documents (1,065), Expert Materials (10,000), Jury Verdicts & Settlements (3,723), Proposed & Enacted Legislation (10,000), Proposed & Adopted Regulations (2,149), Arbitration Materials (9,512), and All Results (53,233). The main area (B) shows an Overview (16) with a 'Select all items' checkbox and 'No items selected'. Below this, a list of cases is shown, with the first case, 'Harper & Row Publishers, Inc. v. Nation Enterprises', highlighted. The detailed view of this case (C) shows a snippet of text discussing copyright infringement and fair use. The 'Save to Folder' icon (C) and 'Delivery' icon (D) are visible in the top right corner of the results area.

VIEW:	Count
Overview	16
Cases	408
Key Numbers	10
Trial Court Orders	34
Statutes	73
Regulations	59
Administrative Decisions & Guidance	10,000
Practical Law	304
Secondary Sources	5,367
Forms	24
Briefs	515
Trial Court Documents	1,065
Expert Materials	10,000
Jury Verdicts & Settlements	3,723
Proposed & Enacted Legislation	10,000
Proposed & Adopted Regulations	2,149
Arbitration Materials	9,512
All Results	53,233

**Overview (16)**

Select all items | No items selected

**Cases** View all 408

Harper & Row Publishers, Inc. v. Nation Enterprises  
Supreme Court of the United States | May 20, 1985 | 471 U.S. 539 | 105 S.Ct. 2218 | 83-1632

Copyright infringement action was brought arising out of magazine's unauthorized publication of verbatim quotes from President Ford's memoirs. The United States District Court, the Southern District of New York, 557 F.Supp. 1067, entered judgment in favor of copyright holders. The United States Court of Appeals for the Second...

... Section 107 provides that notwithstanding the provisions of § 106 giving a copyright owner the exclusive right to reproduce the copyrighted work and to prepare derivative works based on the copyrighted work, the fair use of a copyrighted work for purposes such as comment and news reporting is not an infringement of copyright...

... In view of the First Amendment protections already embodied in the Copyright Act's distinction between copyrightable expression and uncopyrightable facts and ideas, and the latitude for scholarship and comment traditionally afforded by fair use, we see no warrant for expanding the doctrine of fair use to create what amounts to a public figure exception to copyright...

... See Latman 7; Strauss, Protection of Unpublished Works (1957), reprinted as Study No. 29 in Copyright Law Revision Studies Nos. 29-31, prepared for the Senate Committee on the Judiciary, 86th Cong., 2d Sess., 4, n. 32 (1961) (citing cases); R. Shaw, Literary Property in the United States 67 (1950) ("[T]here can be no 'fair use' of unpublished material"); Ball 260, n. 5 ("[T]he doctrine of fair use does not apply to unpublished works"); A. Weil, American Copyright Law § 276, p. 115 (1917) (the author of an unpublished work...

... Although the Committee selected photocopying of classroom materials to illustrate fair use, it emphasized that "the same general standards of fair use are applicable to all kinds of uses of copyrighted material." ...

Campbell v. Acuff-Rose Music, Inc.

## Refining Search Results (continued)

From the Overview page, click a content category and you will see that Westlaw provides tools to help you further refine your search.

### A Search Box

Type a new search at the top of any page.

### B Content List

Navigate to other content types.

### C Sort by

Relevance, Date (reverse chronological), Most Cited, Most Used

### D Create KeyCite Alert Entry

Create an alert for your search.

### E View Detail

Choose the level of detail you want to display for each result.

### F Save Documents to a Folder

Keep documents for later use.

### G Deliver

Email, print, or download the document. You can also send it to an Amazon Kindle or Dropbox.

The screenshot shows the Westlaw interface with the search results for 'fair use of performance under copyright'. The search bar at the top contains the query. The left sidebar shows a content list with 'Cases' selected. The main area displays a list of cases, with the first case, 'Harper & Row Publishers, Inc. v. Nation Enterprises', expanded to show its details. The snippet of the case text highlights the term 'fair use' in yellow. The right sidebar shows a 'RELATED DOCUMENTS' section with various links to secondary sources and related documents.

### K Research Icons

Indicates previous document activity:

- Note Added
- Previously viewed in the last 30 days
- Saved to folder.

### L Editorial Summary

Case-specific summaries provided by our attorney-editors.

### M Search Terms in Context

Your search terms are highlighted in yellow.

### N Snippets

Clicking a document snippet in a result list takes you directly to that section in the document.

### O Narrow with Filters

- Date
- Reported/Unreported
- Jurisdiction
- Search within Results
- and more....

### H Related Documents

- Secondary Sources
- Briefs
- Pleadings, Motions, and Memoranda.

### I KeyCite Flag

Alerts you to when a point of law in a document has been negatively discussed (👎), is no longer good law (🚫), or the case is being appealed to the U.S. Court of Appeals or the U.S. Supreme Court (📡) (excluding appeals originating from agencies).

### J Document Title

Quickly scan the document title, court, date, and citation.

## Viewing a Document

Once you view a case or any other document, you will find many features to help you with your research.

### A Document Title

Quickly scan the title, court, date, and citations.

### B Tabs Powered by KeyCite

Access additional content related to the document.

### Cases

- Filings
- Negative Treatment
- History
- Citing References
- Table of Authorities

### Statutes

- Notes of Decision
- History
- Citing References
- Context and Analysis

### C Return to List

Click this button to go back to your search results.

### D Previous and Next

Move through documents in your search results.

### E Browse by Search Term

View the portions of each document that contain your search terms.

### F Show KeyCite Flags

Display KeyCite flags for citations that appear inline with the text of the case.

### G Go to

Jump to specific sections of the document.

- West Headnotes
- Attorneys and Law Firms
- Opinions
- All Citations
- Page Number

### H Create KeyCite Alert Entry

Create an alert for this document.

The screenshot displays the Westlaw interface for a document titled "Harper & Row Publishers, Inc. v. Nation Enterprises". The interface includes a search bar at the top with the query "fair use of performance under copyright". Below the search bar, the document title and court information are shown. The main content area displays the case text, including the citation "105 S.Ct. 2218" and the case name "HARPER & ROW, PUBLISHERS, INC. and the Reader's Digest Association, Inc., Petitioners v. NATION ENTERPRISES and the Nation Associates, Inc.". The text discusses copyright infringement and fair use. The interface also features a navigation bar with tabs for "Document", "Filings (18)", "Negative Treatment (28)", "History (10)", "Citing References (5,234)", and "Table of Authorities". A toolbar at the bottom contains various icons for navigation and search, including "Return to list", "1 of 408 results", "Search term", "Show KeyCite® Flags", "Go to", and "Create KeyCite Alert Entry". A sidebar on the right lists "SELECTED TOPICS" such as "Copyrights and Intellectual Property" and "Secondary Sources".

### I Search Document Text

Search text in this document.

### J Display Options

Adjust the document font styles, sizes, and margins.

### K Add Document Note

Add a note to the top of the document or hide notes you added previously.

### L Save to Folder

Save the document to a folder.

### M Deliver

Email, print, or download the document. You can also send it to an Amazon Kindle or Dropbox.

### N Full Screen Mode

Expands the document view for easier reading.

## Workflow Tools

The workflow tools found on all document pages are designed to make your research easier. If you do not have the time to complete your research in one session, the workflow tools will help you pick up right where you left off.

### A Research Icons

- Indicate previous document activity
- Previously viewed in the last 30 days.
- Saved to Folder
- Note Added

### B Selected Topics

Continue your research by exploring topics related to the document you are viewing.

### C Selected Text Menu

When you select text in a document, Westlaw provides the following features:

- Save to**  
Allows you to save selected text to a folder as a snippet. Clicking the snippet within the folder will return you to that place in the document.
- Add a Note**  
Allows you to add and share a note with colleagues.
- Highlight**  
Allows you to highlight text for later reference. You can also share highlighted text.
- Copy with Reference**  
Allows you to insert the correct citation and page number when you paste the copied text into another document.

The screenshot shows the Westlaw interface for the case *Harper & Row Publishers, Inc. v. Nation Enterprises*, 105 S.Ct. 2218. The document text includes a snippet about copyright infringement. A context menu is open over the text, showing options: 'Save to Recent Folder', 'Add a Note', 'Highlight', and 'Copy with Reference (Standard)'. A 'SELECTED TOPICS' sidebar is visible on the right, listing related legal topics such as 'Copyrights and Intellectual Property', 'Author Copyrighted Unpublished Manuscript', 'Possession of Certificate of Copyright Registration Shifts Burden', 'Purpose and Character Prong of the Test of Fair Use of Copyrighted Work', 'Secondary Sources', 'Application of Copyright Law to Jewelry', 'Extent of doctrine of "Fair use" under Federal Copyright Act', and 'Parody as copyright infringement or fair use under Federal Copyright Act (17 U.S.C.A. secs. 101 et seq.)'.

#### TIP

When you use the Copy with Reference feature, you can choose from over 30 state and national citation formats, including Standard and ALWD.





## Checking Citations in KeyCite



KeyCite®, the industry's most complete, accurate, and up-to-date citation service, verifies whether a case, statute, court rule, regulation, or administrative decision is still good law. It's the only online citator to do so directly on the face of the document and on a result list.

### A KeyCite Status Flags

#### Checking Cases in KeyCite

-  A red flag warns that the case is no longer good law for at least one of the points of law it contains.
-  A yellow flag warns that the case has some negative history, but has not been reversed or overruled.
-  A blue-striped flag warns that the case has been appealed to the U.S. Court of Appeals or the U.S. Supreme Court (excluding appeals originating from agencies).

#### Checking Statutes in KeyCite

-  A red flag indicates the statute has been amended by a recent session law, repealed, superseded, or held unconstitutional or preempted in whole or in part.
-  A yellow flag indicates that the statute has been renumbered or transferred by a recent session law; that an uncodified session law or proposed legislation affecting the statute is available; that the statute was limited on constitutional or preemption grounds or its validity was otherwise called into doubt; or that a prior version of the statute received negative treatment from a court.

### B Negative Treatment

When applicable, a description and a link for the most negative treatment is available at the top of the document.



The screenshot shows the Westlaw KeyCite interface for the case *McDonnell Douglas Corp. v. Green*. The document title is highlighted with a red flag (A). Below the title, a yellow flag (B) indicates "Superseded by Statute as Stated in Dare v. Wal-Mart Stores, Inc., D.Minn., June 13, 2003". The document text shows the case citation "93 S.Ct. 1817" and the parties "McDONNELL DOUGLAS CORPORATION, Petitioner, v. Percy GREEN." The interface includes a search bar, navigation tabs, and a "SELECTED TOPICS" sidebar.

### TIP Accessing KeyCite

Type one of the following with a citation in the *Search* box:

- keycite
- keycite:
- kc
- kc:

Example:



The example search box shows the text "keycite 93 sct 1817" entered into the search field, with a search button to the right.

## Viewing Citing References

KeyCite provides a list of cases, administrative materials, secondary sources, briefs, and other court documents that cite your document and ensures you are citing good law. Additionally, KeyCite provides more citing references for more types of documents than any other citation service.

### A Access Citing References

To view documents that cite your document, click the **Citing References** tab.

### B Sort

To change the order in which the citing references are displayed, click an option in the **Sort By** list on the toolbar.

### C Filter

To narrow the list of citing references, you can

- type terms in the *Search within results* box in the left column.
- click a document type in the left column, e.g., **Cases**. You can further narrow this list by selecting a filter under **Narrow** in the left column, such as **Jurisdiction** or **Headnote Topics**.

### D KeyCite Depth of Treatment Bars

KeyCite depth of treatment bars indicate the extent to which a citing case, administrative decision, or brief discusses the cited case.

The screenshot shows the Westlaw KeyCite interface for the case *McDonnell Douglas Corp. v. Green*. The **Citing References** tab is selected, showing 48,809 references. The interface includes a search bar, navigation tabs, and a list of citing references. The list has columns for Treatment, Title, Date, Type, Depth, and Headnote(s). The Depth column shows green bars indicating the extent of discussion. The Headnote(s) column shows numbers 2, 3, 4, 5, and 6, indicating which headnotes are relevant.

Treatment	Title	Date	Type	Depth	Headnote(s)
Superseded by Statute as Stated in	1. <i>Dare v. Wal-Mart Stores, Inc.</i> 267 F.Supp.2d 987, 999+, D.Minn.	June 13, 2003	Case	■■■■■	2, 5 S. Ct.
Rejection Recognized by	2. <i>Gera v. Hasbro, Inc.</i> ¶ 1999 WL 1012300, *3+, D.R.I.	Oct. 29, 1999	Case	■■■■■	5, 6 S. Ct.
Abrogation Recognized by	3. <i>Skaggs v. Elk Run Coal Co., Inc.</i> 479 S.E.2d 581, 581+, W.Va.	July 11, 1996	Case	■■■■■	5, 6 S. Ct.
Disagreement Recognized by	4. <i>Grutz v. U.S. Bank Nat. Ass'n</i> ¶ 695 N.W.2d 605, 505+, Iowa App.	Feb. 09, 2005	Case	■■■■■	2, 5, 6 S. Ct.
Disagreement Recognized by	5. <i>Morgan v. FBL Financial Services, Inc.</i> 178 F.Supp.2d 1022, 1029+, S.D.Iowa	Nov. 16, 2001	Case	■■■■■	3, 5 S. Ct.

- **Examined** The citing case, administrative decision, or brief contains an extended discussion of the cited case, usually more than a printed page of text.
- **Discussed** The citing case, administrative decision, or brief contains a substantial discussion of the cited case, usually more than a paragraph but less than a printed page.
- **Cited** The citing case, administrative decision, or brief contains some discussion of the cited case, usually less than a paragraph.
- **Mentioned** The citing case, administrative decision, or brief contains a brief reference to the cited case, usually in a string citation.

## Document Delivery

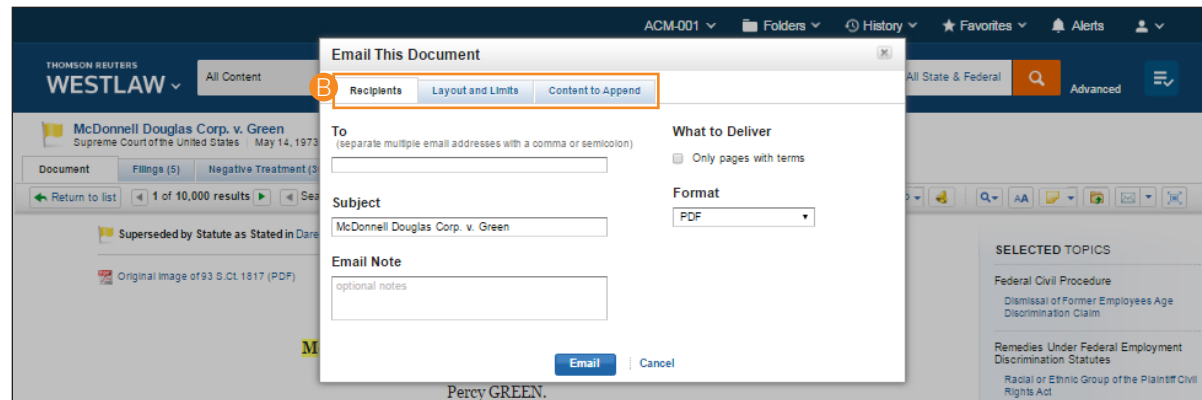
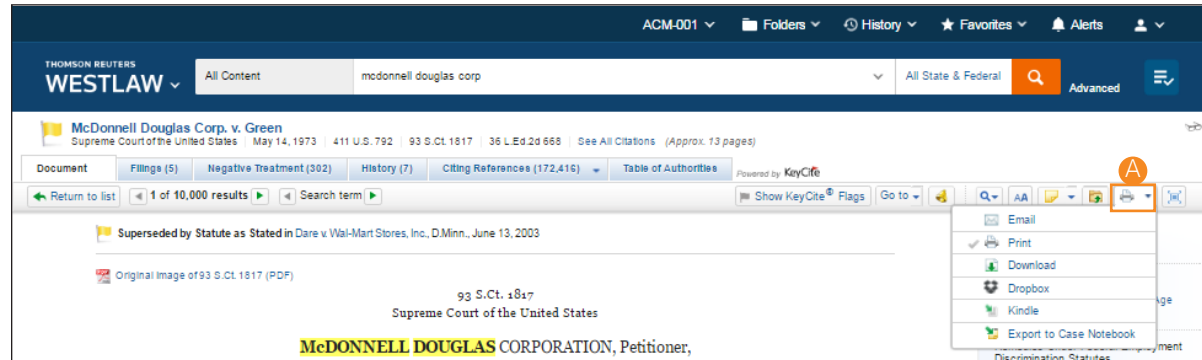
If you need a copy of a document, Westlaw offers multiple options for document delivery. Documents, snippets, and result lists can be emailed, printed, or downloaded from nearly every page in Westlaw. Documents can also be sent directly to your Amazon Kindle or Dropbox, exported to Case Notebook, or saved to a folder.

### A Delivery Icon

The last delivery method you used is displayed. The default method is print.

### B Delivery Options

Deliver full text documents, with or without notes and highlighting, or lists from a result page. Click a tab to modify the format of your delivered document. Options vary based on the documents you want to deliver and the delivery method you select.



### TIP

To set the default delivery format and other delivery options, click **Preferences** at the bottom of any page, then click the **Delivery** tab.

## Folders

Documents that you add to your folders are saved on Westlaw for as long as you choose. Click **Folders** at the top of any page to display the Folders page.

### A My Folders

Create, manage, and navigate your folders.

### B New

You can create as many folders as you need.

### C Options

Copy, move, rename, delete, export, send to Amazon Kindle or Dropbox.

### D Research Report

Send a professional report summarizing the research in your folder.

### E Copy or Move

Copy or move contents of the folder.

### F Deliver

Email, print, download, or send to Kindle or Dropbox.

### G Delete

Deleting items moves them to the Trash. Items are not completely deleted unless you empty the Trash.

The screenshot shows the Westlaw interface for a folder named "Clean Water". The top navigation bar includes "THOMSON REUTERS WESTLAW", "All Content", a search bar, and "All State & Federal". The folder "Clean Water" is selected, and a list of cases is displayed. The cases list includes titles, content types, dates added, and added by. Action icons (D, E, F, G) are visible above the list. A sidebar on the left shows a tree view of folders, with "Clean Water" selected. A "NARROW:" section is visible below the sidebar, containing a search box and filter options. On the right, an "ISSUE BREAKDOWN" panel shows counts for "Foldered Cases", "Legal Issues", and "Recommended Documents".

Title	Content	Date Added	Added By
Permits		02/22/2016	
Sierra Club, Lone Star Chapter v. Cedar Point Oil Co., Inc. C.A.5 (Tex.) January 11, 1996 73 F.3d 546	Cases	01/07/2013	
Friends of the Earth, Inc. v. Laidlaw Environmental Services (TOC), Inc. U.S.S.C. January 12, 2000 528 U.S. 167	Cases	12/27/2012	
West Virginia Highlands Conservancy, Inc. v. Huffman S.D.W.Va. August 24, 2009 651 F.Supp.2d 512	Cases	12/27/2012	
Association to Protect Hammerstey, Eld, and Totten Inlets v. Taylor Resources, Inc. C.A.9 (Wash.) August 06, 2002 299 F.3d 1007	Cases	12/27/2012	
Hughey v. JMS Development Corp. C.A.11 (Ga.) April 01, 1996 78 F.3d 1523	Cases	12/27/2012	
Driscoll v. Adams C.A.11 (Ga.) July 23, 1999 181 F.3d 1285	Cases	12/27/2012	

### H Folder Analysis

Find suggestions for additional relevant cases.

### I Narrow

Sort and filter your folders to find what you are looking for quickly and easily.

### J Search within Results

Search for documents and snippets within your folders.

### K Add a Description

Point to a document in your folder, then click the pencil icon to add a description to the document.

### L Current KeyCite Information

Documents that you save to folders are automatically updated by Westlaw and therefore always reflect current law.

### TIP

You can access a document or snippet of text in a folder at no charge for an entire year after the first time it is viewed in the folder.

## History

Return to previous research quickly and easily with History. Your research history on Westlaw is automatically saved for one year, and includes all document views and searches.

### A Recent Documents and Recent Searches

Hover over **History** to see your five most recent documents and five most recent searches.

### B Complete History

Click **History** at the top of any page to view your complete history from the past 12 months.

### C Search within Results

Search within your history or use filters to find specific documents.

The screenshot displays the Westlaw interface with the History feature highlighted. At the top, the 'History' button is circled in orange and labeled 'A'. Below it, a 'Recent Documents' and 'Recent Searches' panel is shown, also with an orange border and label 'A'. The main area is titled 'History: All History' and contains a table with columns for 'Event', 'Description', and a date/time column. The table lists several document views and searches, including 'MELVIN LEE VITKO, Petitioner, v. UNITED STATES OF AMERICA, Respondent.' and 'Harper & Row Publishers, Inc. v. Nation Enterprises'. A sidebar on the left, labeled 'C', shows a 'NARROW:' section with a search input field and filter options for Client ID and Event. A 'TIP' callout box is located at the bottom left of the screenshot.

Event	Description	Date/Time	Client ID
Document View	MELVIN LEE VITKO, Petitioner, v. UNITED STATES OF AMERICA, Respondent. D.Me. May 19, 2016 Slip Copy		
Search	adv: "private road" (16) Search Type: Boolean T&C Content: Overview Jurisdiction: All State & Federal		
Search	217 (16) Search Type: Plain Language Content: Overview Jurisdiction: All State & Federal	05/24/2016 10:53 AM	ACM-001
Document View	Harper & Row Publishers, Inc. v. Nation Enterprises U.S.N.Y. May 20, 1985 471 U.S. 539	05/24/2016 10:52 AM	ACM-001
Search	fair use of performance under copyright (16) Search Type: Plain Language	05/24/2016 10:52 AM	ACM-001

**TIP** Clicking **History** is the quickest way to pick up where you left off during your previous Westlaw session.

## Alerts

Alerts help you keep current on recent developments. Alerts include:

- **KeyCite Alert** - automatically monitors the status of cases, statutes, and administrative materials and sends you updates when their KeyCite information changes.
- **WestClip** - runs your searches on a regular basis so you can stay up-to-date on news and legal developments.
- **Court Wire Alert** - same day reports of newly filed cases.
- **Docket Alert** - know when new cases are filed that meet your criteria for jurisdiction, case type, party, attorney, and more.
- **Docket Track** - receive prompt, automatic notification of additions and changes to dockets.
- **Publication Alert** - receive the latest documents from a particular publication as soon as they are published on Westlaw.
- **Company Investigator** - track a company's business information, potential assets, or potentially adverse information.
- **Business Law Center Alert** - flexible functionality to create alerts for transactional research.
- **Capitol Watch Track** - follow Federal or State bills and regulations.

### 1 Accessing the Alerts Page

Click **Alerts** at the top of any page to display the Alerts page.

### 2 Creating an Alert

Click **Create Alert**, then click the type of alert you want to create on the menu.

### 3 Viewing Your Alerts

Click an alert type to view your alerts.

The screenshot shows the Westlaw Alerts page. At the top right, the 'Alerts' button is highlighted with a red circle and the number 1. Below the navigation bar, the 'Alerts' section is active, with the '+ Create Alert' button highlighted by a red circle and the number 2. On the left side, the 'ALERT TYPE' menu is highlighted by a red circle and the number 3. The main content area displays a list of alerts, including '787 N.W.2d 623' and 'All Supreme Court cases', with details such as last update, next update, client ID, and owner.

## Preferences

You can customize many aspects of your Westlaw research session using the Preferences page.

### A Accessing Preferences

To access the Preferences page, click **Preferences** at the bottom of any page.

### B Search Preferences

Set the default sort order of your search result by content type.

### C Billing Preferences

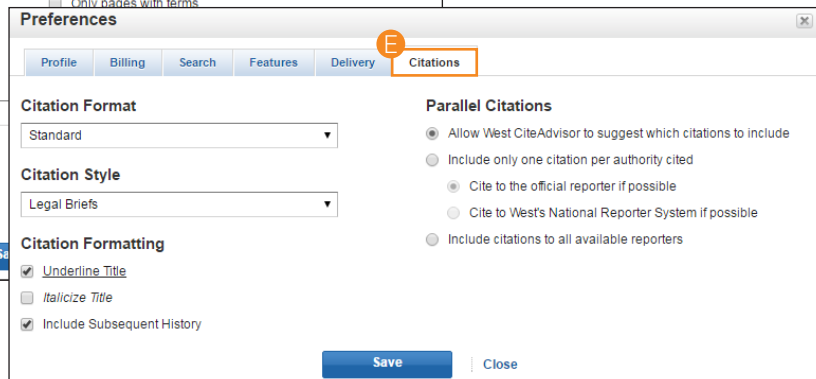
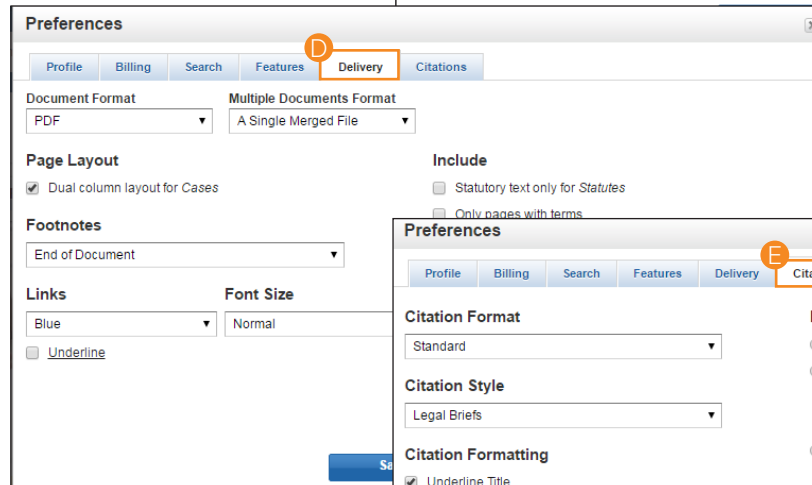
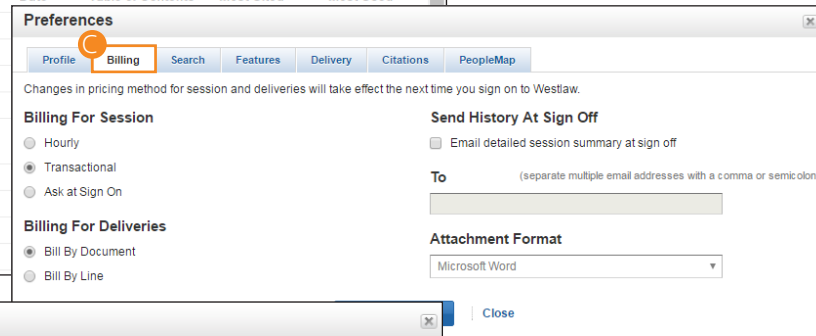
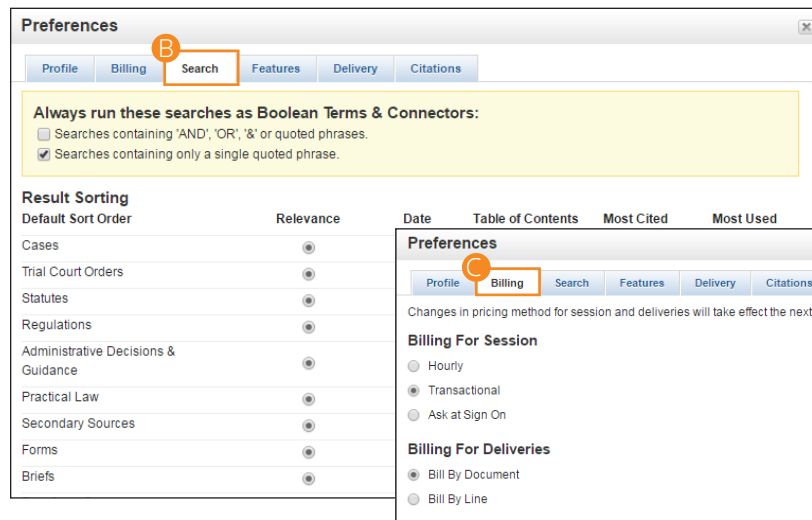
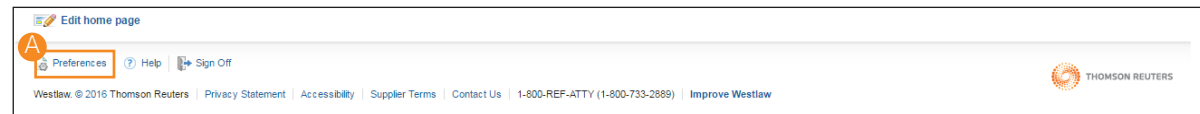
Specify the billing method and delivery settings.

### D Delivery Preferences

Set the default document format, file type, layout, and included content.

### E Citations Preferences

- Set the default citation format and style for use in the Copy with Reference feature. Choose from over 30 citation formats.
- Choose how you would like to include parallel citations.



## System Requirements

To get the fastest, most reliable performance with Westlaw, make sure your computer meets the system requirements and you are using an updated browser.

You will need the following to operate Westlaw:

### **SUPPORTED OPERATING SYSTEMS**

- Windows 7, 8.1, and Windows 10
- Windows Vista®
- Mac® OS 10.5 or later

### **INTERNET BROWSER**

- Internet Explorer 11 or later (Windows only)
- Mozilla Firefox current version or Extended Support Release Version
- Safari 5.0 or later
- Chrome current version

### **OTHER REQUIREMENTS**

- 1024 x 768 or higher screen resolution
- Adobe Acrobat Reader 9.0 or later (some print functionality is lost with older versions)
- Adobe Flash



## Using the Westlaw iPad and iPhone App

Access the same power and collaboration that Westlaw provides on your computer while on the go. The Westlaw iPad and iPhone app is free for existing Westlaw users. Simply download the Westlaw app from the Apple iTunes store.

### IPAD

Continue your research while you are away from the office.

- Run searches with WestSearch and filter the results.
- Access KeyCite information, research history, favorites, and frequently used content.
- Add notes and highlighting to documents.
- Organize your research with folders.
- Share your research with folders.
- Save, annotate, and view documents online and offline.

### IPHONE

Stay current with the Westlaw iPhone app.

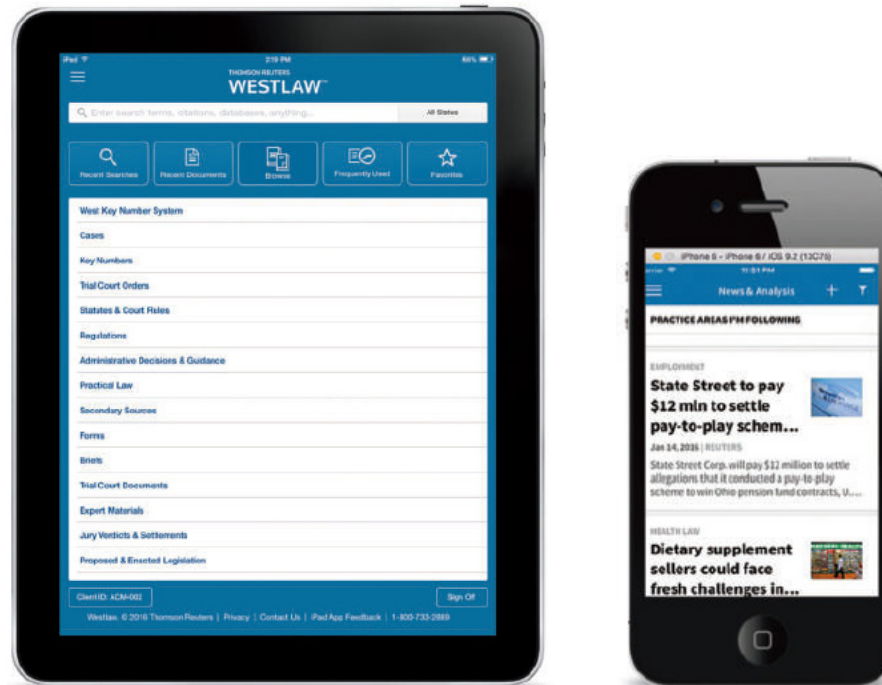
- Get customized current awareness updates and news for your practice area.
- Track and follow companies with up-to-date news and docket updates.
- Receive your Westlaw® Alerts within the app.
- Plus, all the functionality to run searches, access folders, and more.
- Customize your push notifications.

### BEST LEGAL RESEARCH IPAD APP

Best of the The National Law Journal® Survey (2012-2016)

New York Law Journal® Reader Rankings (2012-2015)

The Recorder® Best of The Recorder Survey (2013-2015)



**LOOKING FOR MORE INFORMATION?**

Westlaw is available on the Web at [next.westlaw.com](http://next.westlaw.com).

For assistance using Westlaw, call 1-800-WESTLAW (1-800-937-8529).

For free reference materials, visit [legalsolutions.com/westlaw-support](http://legalsolutions.com/westlaw-support).

