

## PROFESSIONAL LEGAL RESEARCH

Now that you are on law review, what do you do next? Westlaw will help you find a current legal issue that provides a basis for a law review article. Creating a well-written law review article can bring you substantial rewards—from a publication credit to a law review staff position to a judicial clerkship. But the writing process can be tedious and time-consuming. Choosing and developing a topic that is useful and that interests you, performing a preemption check, updating your legal research, and verifying citations and quotations can be overwhelming. This quick reference guide will show you how to accomplish all of these tasks efficiently.

### Choosing a Topic

Researching current trends in the law can help you find an issue or important recent decision that could form the basis of a law review or journal article. Westlaw provides a variety of materials, including cases, statutes, legal texts and periodicals, and nonlegal news and information, all of which can help you narrow your search for a topic.

In most databases, you have the option of using either the Terms and Connectors (Boolean) search method or the Natural Language search method. Below is a list of the names and identifiers of databases that are frequently used in law review and journal research:

#### Case Law

All Federal Cases	ALLFEDS
All U.S. Supreme Court Cases	SCT
All State Cases	ALLSTATES
Individual State Cases*	XX-CS

#### Statutes

United States Code Annotated	USCA
Individual State Statutes–Annotated*	XX-ST-ANN

#### Texts and Periodicals

American Jurisprudence 2d	AMJUR
American Law Reports	ALR
Journals and Law Reviews	JLR
Restatements of the Law	REST

#### News and Information

All News	ALLNEWS
Major Magazines	MAGSMJ
New York Times	NYT

\*where XX is a state's two-letter postal abbreviation

#### Category:

Sharpening Your Skills

For research assistance 24 hours a day, seven days a week, call the West Reference Attorneys at 1-800-850-WEST (1-800-850-9378) or click **Help** on Westlaw® for a live help session.

## WESTLAW TOPICAL HIGHLIGHTS AND BULLETINS

Researching current trends in the law can help you find an issue or important recent decision. Westlaw Topical Highlights databases cover more than 25 areas of the law, from bankruptcy and copyright to labor and employment and securities regulation. Westlaw Bulletins databases are available for the U.S. Supreme Court and for 10 states. To view a list of these databases, access the Westlaw Directory by clicking **Directory** at the top of any page. Click **Highlights** under *Legal Periodicals and Current Awareness*. Then click **Westlaw Highlights and Bulletins**.

### Search Tips

- To search for information on new legal issues in the federal circuit courts, access the U.S. Courts of Appeals Cases database (CTA) and run a Terms and Connectors search such as **issue question matter /s "first impression" novel & da(aft 2008)**.
- To search for information on an issue involving a specific state, access a database such as Minnesota News (MNNEWS) and type a Natural Language search such as **medical use of marijuana**.

## Conducting a Preemption Check

Before you spend considerable time and energy writing a law review article, make sure that you are covering new ground. Use the following Westlaw databases to determine whether articles on your subject have already been written.

Current Index to Legal Periodicals	CILP
Texts and Periodicals—All Law Reviews, Texts, and Bar Journals	TP-ALL
Journals and Law Reviews	JLR

### Search Tips

- To find entries in CILP on a specific subject such as immigration, restrict your search to the topic field (to): **to(immigration)**
- To determine what has already been written on a topic, access the JLR database and run a Natural Language search such as **english-only laws**.

## Developing Your Topic

Once you've chosen a topic, you can begin the research process. Some of the many sources of background information available on Westlaw are described below.

## LEGAL ENCYCLOPEDIAS AND TREATISES

### American Law Reports

The American Law Reports database (ALR) provides extensive commentary on the law from *American Law Reports*, with analyses of cases from all jurisdictions. Each ALR® article is a complete legal memorandum on a particular legal issue.

To browse the complete ALR index, type the following Terms and Connectors query, restricting your search to the citation field (ci): **ci(index)**. At the next page, click **Continue Search**, if necessary. The first document in your result contains a list of all topics in the index.

### American Jurisprudence 2d

The American Jurisprudence 2d database (AMJUR) contains the full text of *American Jurisprudence 2d* (Am Jur® 2d), a comprehensive encyclopedia of state and federal law containing more than 400 separate titles on a broad range of legal topics.

### Other Treatises

The Texts and Treatises database (TEXTS) contains the full text of many other resources relating to specific areas of the law.

## CASE LAW

### Headnotes

West attorney-editors analyze the legal issues in every case published in West's® National Reporter System® and summarize each issue in a headnote. Each headnote is a succinct expression of a legal issue in a case. Headnotes on Westlaw give you the following research advantages:

- The headnotes lay out the black letter law and apply the law to the facts of the particular case.
- Each headnote is classified to the West Key Number System®, providing you with access to all other cases that discuss similar points of law.
- West attorney-editors add search terms that you're likely to use, such as synonyms, terms of art, and terms characterizing legal relationships (e.g., *landlord* and *tenant* rather than *appellant* and *appellee*).

**Note** Slip opinions and cases from topical services do not contain West topic and key numbers.

### Topic and Key Numbers

West topic and key numbers help you focus your research and retrieve relevant cases. If you have an on-point case and want to find additional cases, access an appropriate database and run a search using the topic and key number from the relevant headnote to find other cases classified to that topic and key number. To format a topic and key number search, access an appropriate case law database and type the topic number, the letter *k*, and the key number. For example, to search for cases containing topic 197, Habeas Corpus, and key number 521, Aliens, access a case law database and type the following search: **197k521**.

The complete topic and key number outline used by West attorney-editors to classify headnotes is available in the West Key Number Digest, also known as the Custom Digest. You can use the West Key Number Digest to find topic and key numbers related to your issue and to retrieve cases with headnotes classified under those topic and key numbers. To use the West Key Number Digest, click **Key Numbers** at the top of any page, then click **West Key Number Digest Outline** under *Browse Key Numbers* to display the topic and key number outline. Click the plus (+) and minus (–) symbols to browse the outline. Alternatively, click **Custom Digest** at a case law database Search page.

## Checking Your Citations in KeyCite®

Use KeyCite, the powerful citation research service available exclusively on Westlaw, to view the history of a case, statute, administrative decision, or regulation to help determine whether it is good law and to retrieve citing references. To access KeyCite, type a citation in the *KeyCite this citation* text box in the left frame of the tabbed Law School page and click **Go**. Or, while viewing a document, click **History** (or **Full History**) or **Citing References** on the Links tab in the left frame or click the KeyCite status flag, if available. KeyCite information is displayed in the right frame.

You can also check all of the citations in your document at once using WestCheck®, available at [westcheck.com](http://westcheck.com).

### MONITORING CITATIONS WITH KEYCITE ALERT

KeyCite Alert is a service that automatically monitors the status of a case, statute, administrative decision, or regulation and sends you updates when its KeyCite result changes, providing you with the most current KeyCite information for your research.

To access KeyCite Alert from a KeyCite result, click **Monitor with KeyCite Alert** on the Links tab in the left frame. The KeyCite Alert wizard is displayed, which provides step-by-step instructions for creating a KeyCite Alert entry.

## Verifying Page Numbers and Quotations

Once you've finished researching and writing your law review or journal article, use Westlaw to make sure you've accurately quoted and cited the legal sources you are using.

### STAR PAGING

Star Paging is a Westlaw feature that automatically displays print publication page references for the text you are viewing online. This enables you to cite the print publication without looking up the reference.

Star Paging references, which are displayed in a color different from surrounding document text and are preceded by one or more asterisks, enable you to determine the publication to which a particular page number belongs. For example, if you retrieve *Regents of the University of California v. Bakke*, 438 U.S. 265, 98 S. Ct. 2733 (1978), page references from both *Supreme Court Reporter*® (published by West) and *United States Reports* (published by the federal government) are displayed online.

To go to a specific page from a print publication, choose **Go to Star Page** from the *Tools* drop-down list at the bottom of the page. Type the print page number in the *Go to Star Page* text box and click **Go**. For example, to go to page 2738 in West's® *Supreme Court Reporter*, type **2738** in the text box and click **Go**.

### CHECKING QUOTATIONS

#### Checking Quotations Using a Citation

To check quotations from case law that you plan to use in your article, use the Find service and the Locate feature. For example, suppose that you want to check the following quotation by Justice Antonin Scalia from the case *Arizona v. Hicks*, 480 U.S. 321, 107 S. Ct. 1149 (1987): "[T]here is nothing new in the realization that the Constitution sometimes insulates the criminality of a few in order to protect the privacy of us all."

First, use the Find service to retrieve the case. Type **107 sct 1149** in the *Find by citation* text box at the tabbed Law School page and click **Go**. The case is displayed in the right frame. Then, to display the portion of the text in which the quotation appears, click **Locate in Result** in the left frame. In the *Locate* text box, type **insulates** and then click **Locate**.

Click the right **Term** arrow to browse by Locate term and display the portion of the text in which the term appears. Verify that you have accurately quoted the court. To return to your original result, click **Cancel Locate** in the left frame.

#### Checking Quotations Using a Case Title

If you have only the title of the case that contains a quotation you need to check, search the title field (ti) for the names of parties to the case and add terms from the quotation. For example, to check the above quotation from *Arizona v. Hicks*, access the All U.S. Supreme Court Cases database (SCT), type **ti(hicks) & insulates**, and click **Search Westlaw**.

To view the full text of the case, click its title in the result list. Then click the right **Term** arrow to display the portion of the text in which the term appears. Check that you have accurately transcribed the quotation.

For assistance using Westlaw, call 1-800-850-WEST (1-800-850-9378).  
For free reference materials, visit [west.thomson.com/westlaw/guides](http://west.thomson.com/westlaw/guides).