

## PROFESSIONAL LEGAL RESEARCH

The written opinions of federal courts and state appellate courts are published in West's® National Reporter System®, which contains not only the courts' decisions but also enhancements added by West editors. This quick reference guide explains these enhancements and how they can help you identify relevant cases.

### What Is the National Reporter System?

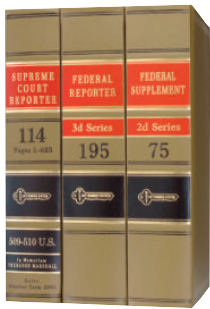


Figure 1. West reporters

West's National Reporter System is a set of reporters (Figure 1) that divides the 50 states and the District of Columbia into seven national regions: Atlantic, North Eastern, North Western, Pacific, South Eastern, South Western, and Southern.

The National Reporter System covers the opinions of state courts of last resort and intermediate appellate courts (in states that have such courts). Federal reporters published by West are also part of the National Reporter System.

West's editorial enhancements make it easy for you to use West reporters to identify relevant cases from any jurisdiction.

### West's Editorial Enhancements

#### SYNOPSIS

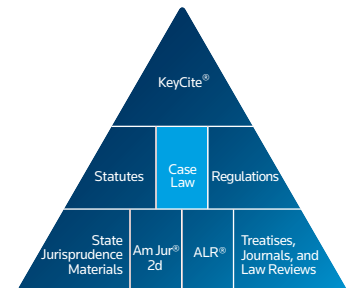
Attorney-editors at West write a synopsis, or brief description, of each case published by West. Most synopses contain the following information:

- the facts of the case
- the name and holding of the lower court judge
- the holding of the court
- the name of the judge writing the opinion

#### Category:

Research Fundamentals

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.



The Westlaw Research Pyramid

#### Using the Westlaw

##### Research Pyramid

Your 1L studies will focus on case law.

On Westlaw, you can use the editorial enhancements added to West's National Reporter System to retrieve relevant cases.

## HEADNOTES

Court decisions typically contain at least one legal issue. West attorney-editors identify the legal issues in cases and discuss each issue in a *headnote*. Each headnote is usually one sentence and appears between the synopsis and the opinion. A headnote begins with a number in boldface type followed by a topic name and key number.

Headnotes are numbered so that you can use them as you would a table of contents to the case. Numbers corresponding to the headnote numbers appear inside brackets within the text of the opinion. The bracketed number indicates the portion of text summarized by a particular headnote.

## KEY NUMBERS

Immediately following the headnote number is the broad legal topic under which a West attorney-editor has classified that particular headnote. Topics are the main headnote classification. You can look in a West digest volume for the topic that you need. A *key number*, representing a specific aspect or subsection of a topic, follows the topic. For example, under the topic Joint Tenancy, key number 6 covers survivorship. West attorney-editors classify a headnote under all the topics and key numbers that apply.

## CASE DIGESTS

Headnotes from cases are grouped in books called *digests*, where they are arranged by topic and key number. Once you find a relevant topic and key number, you can search for the topic and key number on Westlaw. The lines of text in the digest are actually the headnotes themselves. Headnotes from different cases that discuss the same point of law appear together in a digest, and the same headnote may appear in two or more places in the digest.

The advantage of using the digests is that the key number assigned to a point of law is uniform throughout all of West's digests. As a result, when you find a relevant case in West's *Washington Digest*, for example, you can look under the same key number in *Pacific Digest*® and find other relevant cases. You can also sign on to Westlaw and search for cases with headnotes under the same topic and key number.

## Finding West Topic and Key Numbers on Westlaw

The West Key Number Digest on Westlaw contains the complete topic and key number outline used by West attorney-editors to classify headnotes. Using topic and key numbers, you can retrieve cases with headnotes classified under those topic and key numbers. To access the West Key Number Digest (Figure 2), click **Key Numbers** at the top of any page, then click **West Key Number Digest Outline**. To browse the list of topic and key numbers, click the plus (+) and minus (-) symbols. Alternatively, click **Custom Digest** at a case law database Search page.

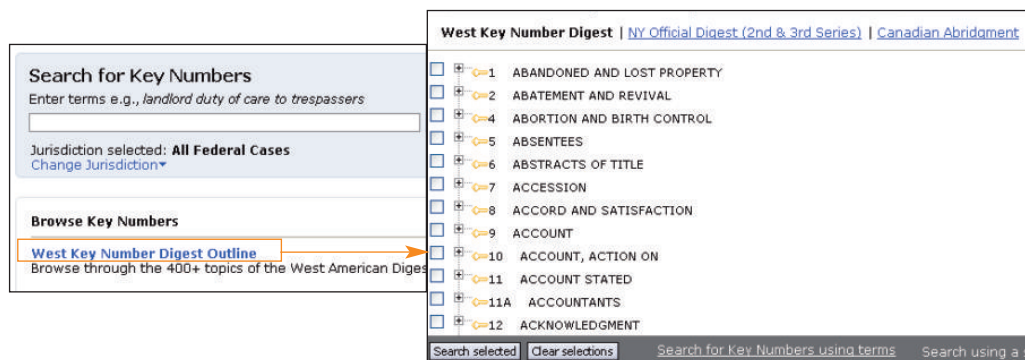


Figure 2. West Key Number Digest

If you have already identified a topic and key number associated with the legal issue you are researching, you can run a search using that topic and key number in a case law database to quickly retrieve cases involving the same legal issue. For example, to search for cases with headnotes classified under topic 231H (Labor and Employment) and key number 758 (Wrongful Discharge in General), first access an appropriate database such as All Federal Cases (ALLFEDS). At the Search page, click the **Terms and Connectors** tab, type **231hk758** in the *Search* text box, and click **Search Westlaw**.

You can also use a topic and key number search in conjunction with other search terms. For example, to search for cases with headnotes classified under the above topic and key number that relate to contracts, type **231hk758 /p contract**.

### Searching for Key Numbers

In addition to browsing the West Key Number Digest for relevant topic and key numbers, you can also search for them using the Search for Key Numbers feature. Click **Key Numbers** at the top of any page. At the next page, type terms that describe your issue, such as **family and medical leave**, in the *Search for Key Numbers* text box and click **Search**. If desired, you can change the jurisdiction from which you retrieve case headnotes.

You retrieve a list of topic and key numbers from cases in your jurisdiction (Figure 3), as well as from other state and federal jurisdictions. Click a topic and key number to view case headnotes classified under that topic and key number with links to the full text of the opinions.

**Search for Key Numbers**  
 Enter terms e.g., *landlord duty of care to trespassers*  
 family and medical leave

Add Related Terms: [RELATIVE HEIR LINEAGE GROUP DOCTOR PHYSICIAN PATIENT PRIVACY NURSE HOSPITAL MALPRACTICE DEVISE BEQUEATH MOVE DEPART \[SELECT ALL\]](#)

Jurisdiction selected: **All Federal Cases**  
[Change Jurisdiction\\*](#)

[West Key Number Digest Outline](#)

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**All Federal Cases**

**LABOR AND EMPLOYMENT**

- [231Hk368](#) Rights of employee; violations > Discharge or layoff
- [231Hk355](#) Terms and conditions of **leave** > Request for **leave**; notice to employer; foreseeability
- [231Hk389\(2\)](#) Evidence > Presumptions and burden of proof
- [231Hk371](#) Rights of employee; violations > Other particular rights or violations
- [231Hk389\(4\)](#) Evidence > Weight and sufficiency
- [231Hk365](#) Rights of employee; violations > Retaliation in general
- [231Hk359](#) Terms and conditions of **leave** > **Medical** certifications

**ResultsPlus™** [View All Results](#)

**U.S. Supreme Court Brief**  
[1. Department of Human Resources...](#)  
 ...Meanwhile, several States decided to adopt their own family and medical leave statutes...  
 2002  
 United States Supreme Court Amicus Brief.  
[Click for Free Summary](#)

Figure 3. Search for Key Numbers feature

## Viewing a Case in a Print Reporter and on Westlaw

The case below demonstrates how you can easily find the case synopsis and West headnotes both in print and on Westlaw. The synopsis follows the title of the case both in print and on Westlaw. The headnotes follow the synopsis. In print, each headnote is numbered and is preceded by the name of the topic and the key number to which it is classified. On Westlaw, each headnote is preceded by the complete hierarchy of concepts from the West Key Number System® used to classify that headnote to a specific key number.

**Parkland Republican Club v. City of Parkland**  
268 F.Supp.2d 1349  
S.D. Fla., 2003.  
June 04, 2003 (Approx. 14 pages)

West Reporter Image (PDF)  
268 F.Supp.2d 1349, 16 Fla. L. Weekly Fed. D. 471

Motions, Pleadings and Filings

United States District Court,  
S.D. Florida.  
PARKLAND REPUBLICAN CLUB, Plaintiff,  
v.  
CITY OF PARKLAND, a municipal corporation, and Harry Mertz, in his official capacity as City Manager of the City of Parkland, Defendants.

No. 01-7689-CIV.  
June 4, 2003.

Political club sought injunctive relief against city and its city manager after club was denied permission to enter float in community parade. Club moved for entry of preliminary relief, and parties stipulated that motion be treated as one for permanent injunction. The District Court Zloch, Chief Judge, held that: (1) parade was limited public forum; (2) policy of banning all political organization from sponsoring political floats in parade was viewpoint neutral and reasonable; and (3) application of policy to political club that sought to identify itself on float did not violate First Amendment.

Motion denied; dismissed.

West Headnotes

[1] KeyCite Citing References for this Headnote

- 92 Constitutional Law
  - 92KXVIII Freedom of Speech, Expression, and Press
    - 92KXVIII(G) Property and Events
      - 92KXVIII(G)2 Government Property and Events
        - 92k1762 k. Parades. [Most Cited Cases](#) (Formerly 92k90.1(4))

- 268 Municipal Corporations
- 268X1 Use and Regulation of Public Places, Property, and Works
  - 268X1(A) Streets and Other Public Ways
    - 268k701 Use as Highway
      - 268k703 Mode of Use and Regulation Thereof in General
        - 268k703(2) k. Processions and Unusual Noises and Performances in Streets. [Most Cited Cases](#)

Republican club's participating in community parade while displaying a sign that identified itself as a political organization was political speech protected under the First Amendment. U.S.C.A. Const. Amend. 1.

[2] KeyCite Citing References for this Headnote

- 92 Constitutional Law
  - 92KXVIII Freedom of Speech, Expression, and Press
    - 92KXVIII(G) Property and Events
      - 92KXVIII(G)2 Government Property and Events

Figure 4. Case on Westlaw

268 FEDERAL SUPPLEMENT, 2d SERIES

**PARKLAND REPUBLICAN CLUB, Plaintiff,**  
v.  
**CITY OF PARKLAND, a municipal corporation, and Harry Mertz, in his official capacity as City Manager of the City of Parkland, Defendants.**  
No. 01-7689-CIV.  
United States District Court,  
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June 4, 2003.

Political club sought injunctive relief against city and its city manager after club was denied permission to enter float in community parade. Club moved for entry of preliminary relief, and parties stipulated that motion be treated as one for permanent injunction. The District Court Zloch, Chief Judge, held that: (1) parade was limited public forum; (2) policy of banning all political organizations from sponsoring political floats in parade was viewpoint neutral and reasonable; and (3) application of policy to political club that sought to identify itself on float did not violate First Amendment.

Motion denied; dismissed.

**1. Constitutional Law ¶90.1(4)**  
**Municipal Corporations ¶703(2)**  
Republican club's participating in community parade while displaying a sign that identified itself as a political organization was political speech protected under the First Amendment. U.S.C.A. Const. Amend. 1.

**2. Constitutional Law ¶90.1(4)**  
In traditional public forum, the government may not enforce a content-based exclusion unless it is necessary to achieve

a compelling state interest and narrowly drawn to achieve that interest. U.S.C.A. Const. Amend. 1.

**3. Constitutional Law ¶90.1(4)**  
Limited public forums are public areas that government has opened for use by the public as a place for expressive activity, and such forum can be created for a limited purpose such as use by certain groups or for the discussion of certain subjects. U.S.C.A. Const. Amend. 1.

**4. Constitutional Law ¶90.1(4)**  
When the government opens a limited public forum it must respect the lawful boundaries it has itself set; thus state may not exclude speech where its distinction is not reasonable in light of the purpose served by the forum, nor may it discriminate against speech on the basis of its viewpoint. U.S.C.A. Const. Amend. 1.

**5. Constitutional Law ¶90.1(4)**  
Content discrimination may be permissible in limited public forum if it preserves the purposes of that forum; on the other hand, viewpoint discrimination is presumed impermissible when directed against speech otherwise within forum's limitations. U.S.C.A. Const. Amend. 1.

**6. Constitutional Law ¶90.1(4)**  
Nonpublic forums are those public properties which are not by tradition or designation a forum for public communication. U.S.C.A. Const. Amend. 1.

**7. Constitutional Law ¶90.1(4)**  
Government may impose time, place, and manner restrictions, as well as reserving nonpublic forum for its intended purposes, communicative or otherwise, as long as the regulation on speech is reasonable and not an effort to suppress expression merely because public officials oppose the speaker's view. U.S.C.A. Const. Amend. 1.

**1. Constitutional Law ¶90.1(4)**  
Parade sponsored by community as

Figure 5. Case in West reporter

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).