



WESTLAW DUI PRACTITIONER RESEARCH GUIDE

NOVEMBER 2009



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WESTLAW DUI PRACTITIONER RESEARCH GUIDE

NOVEMBER 2009

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About This Guide

In this guide, the graphics and step-by-step instructions are based on accessing Westlaw via the Internet. Because of the evolving nature of Internet technology, there may be recent changes to the Westlaw interface and functionality that are not reflected in this documentation.

Information in this guide is current through November 1, 2009.

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1 Introduction

Welcome to Westlaw DUI Practitioner

Comprehensive and well-organized materials help you provide expert representation to your clients. Westlaw DUI Practitioner provides you with all of your practice resources in a single location so you can access them quickly and efficiently.

This guide will assist you in using these materials as you perform research tasks such as the following:

- consulting with your client
- advising your client
- gathering information and drafting documents
- preparing for pretrial hearings
- presenting your client's case at trial
- appealing your client's case

Selecting the Tabbed DUI Practitioner Page

When you access Westlaw, you can select a tabbed page that is customized for DUI research. The tabbed DUI Practitioner page places resources and search options within easy reach to help you quickly access the materials you need. To add the DUI Practitioner page, follow these steps:

1. Click **Add a Tab** at the top of any page. At the next page, click **Add Westlaw Tabs** to display a list of available tabbed pages.
2. Select the check box next to *DUI Practitioner* under *Topical* and then click **Add to My Tab Set**.
3. A list of the pages you've selected is displayed under *In Tab Display*. One page is designated as your default page (the page that is displayed when you sign on to Westlaw). Click **Set as Default** next to *DUI Practitioner* to set this page as your default.
4. To display the DUI Practitioner page, click its tab (Figure 1).

The DUI page allows you to add materials for up to three jurisdictions. To add materials for a specific jurisdiction, click **Edit** in the left or right frame.

DUI Practitioner Page Overview

The left frame provides quick access to common research tasks. The right frame allows you to easily access resources in the following areas:

- State Primary Law Resources
- DUI Practice Guides
- Chemical and Field Testing Resources
- Forms, Checklists, and Clauses
- Investigation Tools
- DUI Litigation Tools
- News

The screenshot shows the Westlaw DUI Practitioner page. The top navigation bar includes links for FIND&PRINT, KEYCITE, DIRECTORY, KEY NUMBERS, COURT DOCS, FORMFINDER, SITE MAP, HELP, and SIGN OFF. Below the navigation bar, there are tabs for Westlaw and DUI Practitioner. The page is organized into several sections:

- Shortcuts:** Includes a section titled "Maximize Your Research Efficiency" with a link to "West eLearning Center: Free Westlaw Webinars and tutorials to help you get better results faster." Below this is "Current Awareness" with links to "Investigative Stops Law Bulletin", "Arrest Law Bulletin", "Police Dept. Disciplinary Bulletin", "DUI Litigation Case Summaries", and "Search and Seizure Bulletin".
- Profiler - Professional:** A section for searching by name and profession, with a "Select a Profession" dropdown and a "Go" button. It also includes a "Search for a database:" section with a text input field and a "Go" button, and a "Find by citation:" section.
- Resources:** This section is divided into several sub-sections:
 - State Primary Law Resources:** Includes a description of the "Testing Device Cases" and links to "Testing Device Cases - All States", "Ohio Criminal Justice Cases", "Ohio Criminal Justice Statutes", "Ohio Court Rules - Criminal", "Ohio Chemical Testing Regulations", and "Ohio Jury Instructions - Criminal".
 - DUI Practice Guides:** Includes links to "Ohio Practice Guides - DUI", "Handling Drunk Driving Cases", "Drinking/Driving Litigation: Criminal and Civil", "Drunk Driving Defense", "Drinking/Driving Trial Notebook", "American Law Reports (ALR) - Driving While Intoxicated", "Criminal Procedure: 4th, 5th & 6th Amendments", and "Additional materials".
 - Chemical & Field Testing Resources:** Includes a description of NHTSA manuals and links to "NHTSA DWI Manuals", "Ohio Driving Under the Influence Law - Chemical & Field Testing", and "Intoxication Test Evidence".
 - Forms, Checklists & Clauses:** Includes a description of the resources and links for "OHIO:" (Motions, Notices, Waivers & Consents, Chemical & Field Tests, License Revocation/Suspension, Search All Topics) and "OTHER STATES:" (Motions, Notices, Waivers & Consents, Chemical & Field Tests, License Revocation/Suspension, Search All Topics).
 - Investigation Tools:** Includes links to "PeopleMap", "Criminal Records - Ohio", "Arrest Records - Multistate", "People Finder - Ohio", and "Adverse Civil Filings - Ohio".
 - DUI Litigation Tools:** Includes a link to "Criminal Briefs - All States".
 - News:** Includes links to "Drinking and Driving Law Letter" and "Champion - Criminal Defense".

Figure 1. DUI Practitioner page

2 Client Intake

When consulting with potential clients who were stopped and arrested for driving under the influence, use the DUI Practitioner page to retrieve intake checklists to help you cover all the important points about the arrest and testing and to search for information about the individuals.

Retrieving Intake Checklists

An intake checklist can help ensure that you don't overlook topics as you meet with clients. The DUI Practitioner page provides easy access to checklists from treatises and forms collections on Westlaw.

Under *Forms, Checklists, and Clauses* in the right frame, use the state links to retrieve state-specific forms or use links under *Other States* to retrieve forms from multiple states.

To retrieve state-specific intake checklists, complete these steps:

1. Click a state-specific link, e.g., **Search All Topics**, under *Ohio*. A search template is displayed (Figure 2).

The screenshot shows a search interface with the following sections:

- Search** header.
- Selected Databases:** Ohio DUI Forms, Checklists & Clauses (OH-DUIFORM) with a help icon and links for [Change Database\(s\)](#) and [Tips](#).
- Navigation tabs: **Terms and Connectors**, **Natural Language**, and **Template**.
- Search Westlaw** button.
- Enter Search Terms:** A text input field with a search icon and a [Connectors/Expanders](#) link.
- Limit by Topic:** A dropdown menu with options: All Topics, Intake, Letters, and Retainers (highlighted), Motions, Notices, Waivers, and Consents, Charging Instruments, Challenging Prior Convictions, and Chemical and Field Tests. A help box explains: "To narrow your search, select a subtopic. To select multiple subtopics, hold down the 'ctrl' key and click on selections. To run broadest search possible, select 'All Topics'".
- Document Type:** Radio buttons for Forms, Checklist, and Clause.
- Document Jurisdiction:** Radio buttons for Ohio DUI Forms and Checklists and General DUI Forms and Checklists.
- Search Westlaw** button.

Figure 2. Ohio DUI Forms, Checklists, and Clauses search template

2. Choose the document topic you want to retrieve from the *Limit by Topic* list box, e.g., **Intake, Letters, and Retainers**.
3. Under *Document Type*, clear the check boxes next to *Forms* and *Clause*.
4. Under *Document Jurisdiction*, clear the check box next to *General DUI Forms and Checklists*.
5. Click **Search Westlaw**.

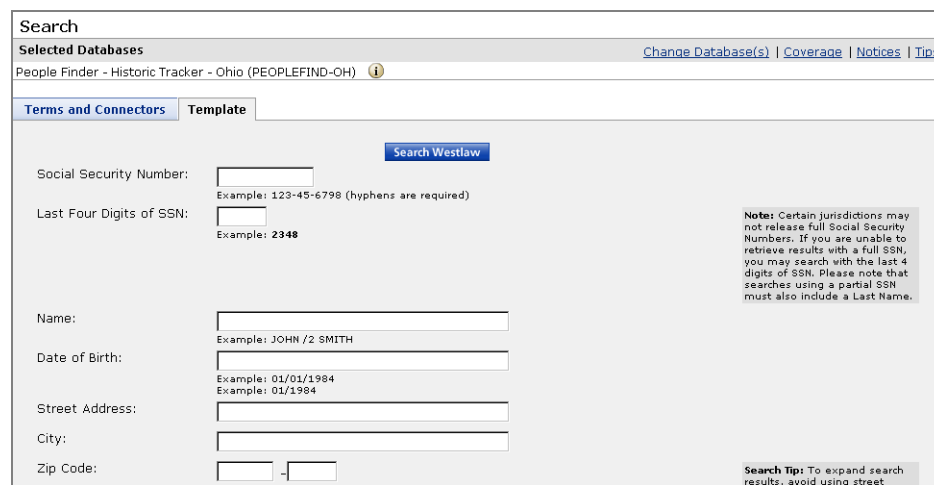
Researching People

To research a client's background, use the public records available under *Investigation Tools* at the DUI Practitioner page.

PEOPLE FINDER DATABASES

People Finder databases provide information such as a person's name, current address and telephone number, previous addresses, and partial Social Security number compiled from numerous public sources. To use the People Finder database for your state, complete these steps:

1. Click the state-specific *People Finder* link, e.g., **People Finder–Ohio**. A search template is displayed (Figure 3).



The screenshot shows a web interface for a search template. At the top, it says "Search" and "Selected Databases: People Finder - Historic Tracker - Ohio (PEOPLEFIND-OH)". There are links for "Change Database(s)", "Coverage", "Notices", and "Tips". Below this, there are tabs for "Terms and Connectors" and "Template". A "Search Westlaw" button is visible. The form includes several input fields: "Social Security Number" (with an example: 123-45-6798), "Last Four Digits of SSN" (with an example: 2348), "Name" (with an example: JOHN /2 SMITH), "Date of Birth" (with examples: 01/01/1984 and 01/1984), "Street Address", "City", and "Zip Code". A note on the right states: "Note: Certain jurisdictions may not release full Social Security Numbers. If you are unable to retrieve results with a full SSN, you may search with the last 4 digits of SSN. Please note that searches using a partial SSN must also include a Last Name." A search tip at the bottom right says: "Search Tip: To expand search results, avoid using street".

Figure 3. People Finder search template

2. Type an individual's Social Security number in the *Social Security Number* text box or name in the *Name* text box. You can restrict your search by date of birth, street address, or city by typing the information in the appropriate text boxes.
3. Click **Search Westlaw**.

ADVERSE CIVIL FILINGS

Adverse filings databases contain filings adverse to individuals, including bankruptcy, lien, and civil judgment records.

To search for adverse filings, click the state-specific *Adverse Civil Filings* link, e.g., **Adverse Civil Filings–Ohio**. At the search template, type an individual's name in the *Name* text box. You can restrict your search to one or more record types by selecting the appropriate check boxes.

CRIMINAL RECORDS

State criminal records may include information from state departments of public safety and state departments of corrections sex offender registries and incarceration records. To search the records, click the state-specific *Criminal Records* link, e.g., **Criminal Records–Ohio**, to display a search template.

3 Advising Your Client

Use the primary law resources and current awareness materials at the DUI Practitioner page to advise your client on the issues at hand. Primary law materials are located under *State Primary Law Resources*.

Retrieving State Cases

The DUI Practitioner page gives you direct access to the criminal justice cases in your jurisdiction.

To retrieve a case by citation, type the citation, e.g., **875 ne2d 46**, in the *Find by citation* text box in the left frame and click **Go**.

To search for cases in your state, click the state-specific *Criminal Justice Cases* link, e.g., **Ohio Criminal Justice Cases**. A Search page is displayed. Type a Terms and Connectors query or Natural Language description in the *Search* text box and click **Search Westlaw**. If you know the names of one or more of the parties, click **Search by Party Name** in the upper-right corner, then type the party names in the text boxes and click **Search Westlaw**.

TESTING DEVICE CASES

To search for cases that discuss specific testing devices, click **Testing Device Cases—All States** to access the Chemical Testing Device Cases database (CHEMTEST-CS) (Figure 4). At the displayed search template, choose a testing device or manufacturer name from the list box and type the device model number and additional search terms, if desired, in the appropriate text boxes.

For example, to search for cases that discuss the Intoxilyzer 5000, choose **Intoxilyzer CMI, Inc.** from the list box and type **5000** in the *Device Model Number* text box. Then select the check boxes for the states you want to search and click **Search Westlaw**.

The screenshot shows the 'Search' interface for the 'Chemical Testing Device Cases (CHEMTEST-CS)' database. At the top right, there are links for 'Custom Digest' and 'Change Database(s) | Tips'. Below the database name, there are three tabs: 'Terms and Connectors', 'Natural Language', and 'Template'. A 'Search Westlaw' button is positioned above a list box for 'Testing Device or Manufacturer Name'. The list box contains several entries, with 'INTOXILYZER, CMI, Inc.' selected. To the right of the list box is a text box for 'Device Model Number (optional)' containing '5000', with an example '5000-EN' below it. Below that is a text box for 'Additional Search Terms'. At the bottom, there is a 'Jurisdiction Selection' section with checkboxes for 'All Available Jurisdictions', 'AK', 'HI', 'MI' (checked), 'NV', and 'UT'. Three informational text boxes provide instructions on selecting multiple manufacturers, entering model numbers, and adding search terms.

Figure 4. CHEMTEST-CS search template

Retrieving State Statutes

The DUI Practitioner page gives you direct access to the annotated criminal justice statutes for your jurisdiction. Once you retrieve a statute, you can use the Links tab to retrieve related documents to help interpret or apply the statute.

To retrieve a statute section by citation, type the citation in the *Find by citation* text box in the left frame and click **Go**. For example, to retrieve Ohio Rev. Code Ann. § 4511.191, type **oh st 4511.191** in the text box.

To search for statutes from your jurisdiction, complete these steps:

1. Click the state-specific *Criminal Justice Statutes* link, e.g., **Ohio Criminal Justice Statutes**, under *State Primary Law Resources*. A Search page is displayed.

2. Type a Terms and Connectors query or Natural Language description in the *Search* text box.

For example, to retrieve statutes regarding the seizure of vehicles after an arrest for driving under the influence, click the **Terms and Connectors** tab if it is not already selected. Restrict your search to the *prelim (pr)* and *caption (ca)* fields, which contain the major headings and a description of each section, by typing a query such as **pr,ca(seiz! /s vehicle)** in the *Search* text box.

3. Click **Search Westlaw**.

4. While viewing a statute (Figure 5), use the Links tab to link to a variety of primary and secondary sources related to the section, including the following:

- KeyCite history and citing references
- law review articles and *American Law Reports (ALR)* annotations
- related statutes and administrative materials

The screenshot shows a Westlaw interface for Ohio Revised Code § 4511.191. The left sidebar contains navigation options such as 'Full-Text Document', 'ResultsPlus', 'Cases', 'Analysis', and 'Legislative History'. The main content area displays the statute text, including definitions for 'Arrested person', 'Vehicle owner', and 'Interested party'. The statute text is as follows:

R.C. § 4511.195

Baldwin's Ohio Revised Code Annotated [Currentness](#)
Title XLV. Motor Vehicles--Aeronautics--Watercraft
Chapter 4511. Traffic Laws--Operation of Motor Vehicles (Refs & Annos)
Operation of Motor Vehicle While Intoxicated
4511.195 **Seizure of vehicles upon arrest**

(A) As used in this section:

(1) "Arrested person" means a person who is arrested for a violation of [division \(A\) of section 4511.19 of the Revised Code](#) or a municipal OVI ordinance and whose arrest results in a vehicle being seized under division (B) of this section.

(2) "Vehicle owner" means either of the following:

(a) The person in whose name is registered, at the time of the seizure, a vehicle that is seized under division (B) of this section;

(b) A person to whom the certificate of title to a vehicle that is seized under division (B) of this section has been assigned and who has not obtained a certificate of title to the vehicle in that person's name, but who is deemed by the court as being the owner of the vehicle at the time the vehicle was seized under division (B) of this section.

(3) "Interested party" includes the owner of a vehicle seized under this section, all lienholders, the arrested person, the owner of the place of storage at which a vehicle seized under this section is stored, and the person or entity that caused the vehicle to be removed.

Figure 5. Ohio statute

Searching Chemical Testing Regulations

The DUI Practitioner page provides you with the chemical testing regulations for your jurisdiction.

To retrieve a regulation by citation, type the citation in the *Find by citation* text box in the left frame and click **Go**. For example, to retrieve Ohio Admin. Code 3701-53-01, type **oh adc 3701-53-01** in the text box.

To search for regulations from your jurisdiction, complete these steps:

1. Click the state-specific *Chemical Testing Regulations* link, e.g., **Ohio Chemical Testing Regulations**, under *State Primary Law Resources*. A Search page is displayed (Figure 6).

The screenshot shows a search interface for Ohio Chemical Test Regulations. At the top, there are links for 'Find by Citation' and '50 State Surveys'. Below that, the 'Selected Databases' section shows 'Ohio Chemical Test Regulations (OHCHM-ADC)'. The main search area has two tabs: 'Terms and Connectors' (selected) and 'Natural Language'. The search box contains the query 'pr,ca(alcohol & breath /s test** testing)'. To the right of the search box are buttons for 'Search Westlaw' and 'Thesaurus'. Below the search box is a dropdown menu for 'Recent Searches & Locates'. Further down, there are dropdown menus for 'Dates' (set to 'Unrestricted') and 'Fields' (set to 'Select an Option'). At the bottom, there is a link for 'Add Connectors or Expanders' and a 'Help' link.

Figure 6. Ohio Chemical Test Regulations Search page

2. Type a Terms and Connectors query or Natural Language description in the *Search* text box.
For example, to retrieve Ohio regulations on breath tests, click the **Terms and Connectors** tab if it is not already selected. Then type **pr,ca(alcohol & breath /s test** testing)** in the *Search* text box.
3. Click **Search Westlaw**.

Monitoring Newsletters and Current Awareness Materials

The DUI Practitioner page gives you access to the *Drinking and Driving Law Letter* and a variety of current awareness materials.

DRINKING AND DRIVING LAW LETTER

The *Drinking and Driving Law Letter* provides summaries of recently decided DUI and DUI-related cases, often containing links to cited cases. To search the Drinking and Driving Law Letter database (DDLAWLET), complete these steps:

1. Click **Drinking and Driving Law Letter** under *News*. A Search page is displayed (Figure 7).

The screenshot shows the DDLAWLET search interface. At the top, there's a 'Search' header with a 'Find by Citation' link. Below that, the 'Selected Databases' section shows 'Drinking and Driving Law Letter (DDLAWLET)' with links for 'Retrieve Most Recent', 'Change Database(s)', and 'Tips'. The main search area has two tabs: 'Terms and Connectors' (selected) and 'Natural Language'. The search box contains the query 'ti(chemical blood /2 test** testing)'. To the right of the search box are buttons for 'Search Westlaw' and 'Thesaurus'. Below the search box is a dropdown for 'Recent Searches & Locates'. Further down are dropdowns for 'Dates' (set to 'Unrestricted') and 'Fields' (set to 'Select an Option'). At the bottom left is a link for 'Add Connectors or Expanders' and a 'Help' link.

Figure 7. DDLAWLET Search page

2. Type a Terms and Connectors query or Natural Language description in the *Search* text box.
For example, to retrieve recent cases that discuss chemical or blood tests, click the **Terms and Connectors** tab, if it is not already selected. Restrict your search to the title field (ti) by typing a query such as **ti(chemical blood /2 test** testing)** in the *Search* text box. Choose **This Year and Last Year** from the *Dates* drop-down list.
3. Click **Search Westlaw**.

CURRENT AWARENESS MATERIALS

To retrieve current awareness materials, click a link, e.g., **Arrest Law Bulletin**, under *Current Awareness* in the left frame. A search template is displayed. Select one or more check boxes under *Topics*. If desired, choose a date restriction from the *Issue Date* drop-down list and type search terms in the *Free Text* text box. Then click **Search Westlaw**.

4 Preparing for Court

The DUI Practitioner page provides practice guides and forms collections you can consult as you prepare your client's defense.

Researching Practice Guides

You will find a variety of practice guides under *DUI Practice Guides*. To access a practice guide, click its title. Many practice guides have a table of contents you can browse to quickly find relevant information.

The following resources will help you analyze legal issues in your case and stay up-to-date with changes in the law.

INDIVIDUAL STATE PRACTICE GUIDES

The state-specific DUI practice guides provide analysis of the substantive law as well as help you through the steps in the process. To access your state's practice guides, click the state-specific *Practice Guide* link, e.g., **Ohio Practice Guides–DUI**, under *DUI Practice Guides*.

DRINKING/DRIVING LITIGATION: CRIMINAL AND CIVIL

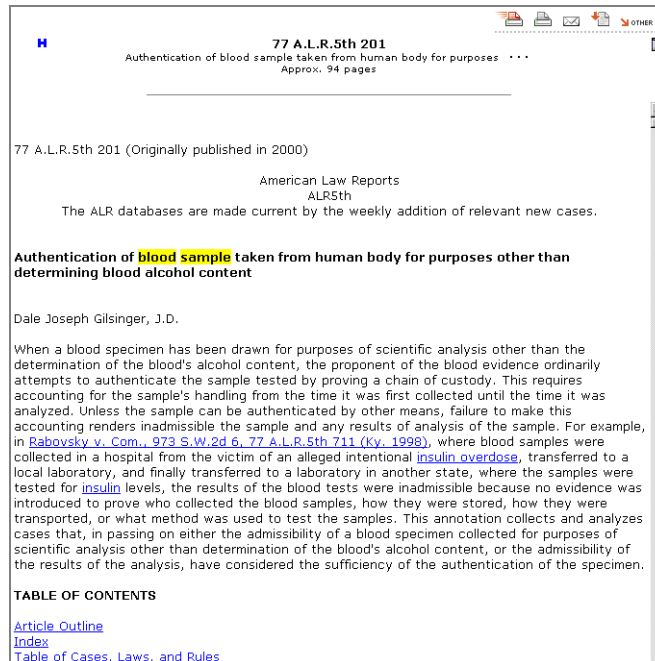
The *Drinking/Driving Litigation: Criminal and Civil* treatise covers important issues in DUI cases, including chemical testing issues and devices. To access the table of contents for the Drinking/Driving Litigation: Criminal and Civil database (DRNKDRIVING), click **Drinking/Driving Litigation: Criminal and Civil** (Figure 8). Browse the displayed table of contents using the plus (+) and minus (–) symbols, or click **Search** in the upper-right corner of the Table of Contents page to search the database.

Table of Contents		Search
Selected Databases		Change Database(s) Notices Tips
Drinking/Driving Litigation: Criminal and Civil (DRNKDRIVING) ⓘ		
All TOCs		
<input type="checkbox"/>	Drinking Driving Litigation Criminal and Civil 2d	
<input type="checkbox"/>	+ Chapter 1. Introduction	
<input type="checkbox"/>	+ Chapter 2. Elements of the Offense	
<input type="checkbox"/>	+ Chapter 3. Challenging Prior Convictions	
<input type="checkbox"/>	+ Chapter 4. Challenging the Stop	
<input type="checkbox"/>	+ Chapter 5. Challenging the Arrest	
<input type="checkbox"/>	+ Chapter 6. Challenging the Defendant's Statements	
<input type="checkbox"/>	+ Chapter 7. Challenging the Chemical Test	
<input type="checkbox"/>	+ Chapter 8. Criminal Consequences of Refusal to Take Test	
<input type="checkbox"/>	+ Chapter 9. Sentencing	
<input type="checkbox"/>	+ Chapter 10. Appeal	
<input type="checkbox"/>	+ Chapter 11. Implied Consent	
<input type="checkbox"/>	+ Chapter 12. Chemical Test System	
<input type="checkbox"/>	+ Chapter 13. Concepts of Chemical Analysis	
<input type="checkbox"/>	+ Chapter 14. Alcohol: Absorption, Distribution and Elimination	
<input type="checkbox"/>	+ Chapter 15. Effects of Alcohol on the Human Body	
Selection(s): Retrieve & Print Search Expand Selection(s) Collapse All Clear		

Figure 8. DRNKDRIVING table of contents

AMERICAN LAW REPORTS

The American Law Reports database (ALR) contains the full text of annotations written by attorneys on current and emerging legal issues. Each annotation contains an in-depth discussion of a narrow topic and includes state and federal cases decided on the topic. The American Law Reports—Driving While Intoxicated database (ALR-DUI) contains the full text of annotations that pertain to driving under the influence laws (Figure 9). The database also includes the *ALR Index* covering these issues. To access the ALR-DUI database, click **American Law Reports (ALR)—Driving while Intoxicated**.



H **77 A.L.R.5th 201**
Authentication of blood sample taken from human body for purposes other than determining blood alcohol content
Approx. 94 pages

77 A.L.R.5th 201 (Originally published in 2000)

American Law Reports
ALR5th
The ALR databases are made current by the weekly addition of relevant new cases.

Authentication of blood sample taken from human body for purposes other than determining blood alcohol content

Dale Joseph Gilsinger, J.D.

When a blood specimen has been drawn for purposes of scientific analysis other than the determination of the blood's alcohol content, the proponent of the blood evidence ordinarily attempts to authenticate the sample tested by proving a chain of custody. This requires accounting for the sample's handling from the time it was first collected until the time it was analyzed. Unless the sample can be authenticated by other means, failure to make this accounting renders inadmissible the sample and any results of analysis of the sample. For example, in *Rabovsky v. Com.*, 973 S.W.2d 6, 77 A.L.R.5th 711 (Ky. 1998), where blood samples were collected in a hospital from the victim of an alleged intentional [insulin overdose](#), transferred to a local laboratory, and finally transferred to a laboratory in another state, where the samples were tested for [insulin](#) levels, the results of the blood tests were inadmissible because no evidence was introduced to prove who collected the blood samples, how they were stored, how they were transported, or what method was used to test the samples. This annotation collects and analyzes cases that, in passing on either the admissibility of a blood specimen collected for purposes of scientific analysis other than determination of the blood's alcohol content, or the admissibility of the results of the analysis, have considered the sufficiency of the authentication of the specimen.

TABLE OF CONTENTS

[Article Outline](#)
[Index](#)
[Table of Cases, Laws, and Rules](#)

Figure 9. ALR annotation

CRIMINAL PROCEDURE: FOURTH, FIFTH, AND SIXTH AMENDMENTS

Click **Criminal Procedure: 4th, 5th, and 6th Amendments** to display a Search page from which you can access five practice guide databases covering these amendments to the U.S. Constitution. You can search these databases using either the Terms and Connectors or Natural Language search method.

ADDITIONAL MATERIALS

Click **Additional materials** to display a Search page containing a list of other databases you can search, including journal and law review databases relating to DUI issues.

Retrieving Forms and Checklists

You can search for a variety of state-specific forms and checklists under *Forms, Checklists, and Clauses*. If you want to challenge the tests used when your client was stopped, you can search for forms and checklists that include transcripts of testimony regarding testing equipment, sample affidavits supporting suppression, and cross-examination questions. You can also search for sample motions and notices to challenge the introduction of prior convictions or license revocation and suspension.

To access forms, checklists, and sample clauses, click a state-specific link or a link under *Other States*. For example, to retrieve sample motions to suppress for Ohio, follow these steps:

1. Click **Motions, Notices, Waivers and Consents** under *Ohio*. A search template is displayed (Figure 10).

The screenshot shows a search interface for Ohio DUI Forms, Checklists & Clauses. It includes a search bar with the text "motion to suppress", a dropdown menu for "Limit by Topic" with "Motions, Notices, Waivers, and Consents" selected, and checkboxes for "Document Type" (Forms, Checklist, Clause) and "Document Jurisdiction" (Ohio DUI Forms and Checklists, General DUI Forms and Checklists). A "Search Westlaw" button is visible at the bottom.

Figure 10. Ohio DUI Forms, Checklists, and Clauses search template

2. Type a search such as *“motion to suppress”* in the *Enter Search Terms* text box. Note that **Motions, Notices, Waivers and Consents** is already selected in the *Limit by Topic* list box.
3. All check boxes under *Document Type* are selected by default. Clear a check box to remove a document type from your search.
4. Under *Document Jurisdiction*, clear the check box next to *General DUI Forms and Checklists*.
5. Click **Search Westlaw**.

Retrieving Rules of Criminal Procedure

To retrieve rules of criminal procedure from your jurisdiction, click the state-specific *Court Rules* link, e.g., **Ohio Court Rules–Criminal**, under *State Primary Law Resources*. At the Search page, type a Terms and Connectors query or a Natural Language description in the *Search* text box and click **Search Westlaw**.

5 Pretrial Hearings

The DUI Practitioner page has the resources you need to prepare for pretrial hearings.

Retrieving Local Court Rules

Use the state-specific court rules database under *State Primary Law Resources* to retrieve the relevant court rules for your jurisdiction.

For example, to retrieve rules relating to an initial appearance, complete these steps:

1. Click a state-specific *Court Rules* link, e.g., **Ohio Court Rules–Criminal**. A Search page is displayed.
2. Restrict your search to the caption field (ca) by typing a query such as **ca(“initial appearance”)** in the *Search* text box.
3. Click **Search Westlaw**. To view a document in the result list, click its title (Figure 11).

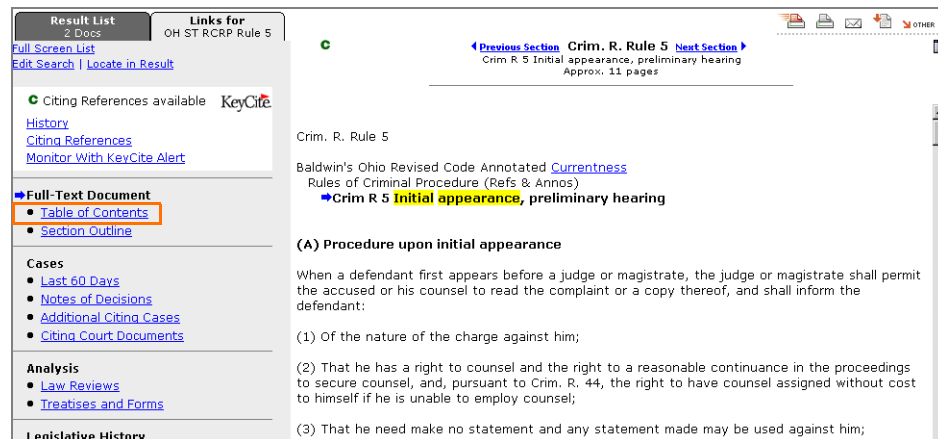


Figure 11. Ohio court rule

While viewing a rule, click **Table of Contents** on the Links tab in the left frame to see the rule in the context of surrounding rules.

