

# KEY POINTS

## Use the Research in Briefs As a Place to Start Your Own Research

### A Different Perspective

“This used to be a government of checks and balances. Now it’s all checks and no balances.”

Gracie Allen, comedienne

Briefs filed with an appellate court contain a table of authorities, which provides a comprehensive list of authority on a particular area of law. You can use this list to begin your own research (or as a final checklist to verify you have all pertinent authority on that topic). A wide variety of briefs is available on Westlaw®. See the chart below for selected briefs databases.

West attorney-editors add digest paragraphs, which include West topic and key numbers, to selected U.S. Supreme Court briefs on Westlaw. You can use these topic and key numbers to retrieve case law related to your issue. Simply click a topic and key number link in a digest paragraph. When the Custom Digest search page is displayed, select the jurisdiction from which you want to retrieve cases and click **Search**.

Volume 10, Number 3  
May 2008

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| Federal Briefs All   | FED-BRIEF-ALL   | Varies by court   |
| U.S. Supreme Court Briefs  | SCT-BRIEF   | Merits briefs begins with 1990–91 Term; amicus briefs begins with 1995–96 Term. For older cases, access the United States Supreme Court Briefs Multibase (SCT-BRIEF-ALL). |
| United States Court of Appeals Briefs  | CTA-BRIEF   | Varies by court   |
| Federal Taxation—Tax Court Briefs and Petitions  | FTX-TCBRIEF   | Begins with 1999  |
| State Briefs All   | STATE-BRIEF-ALL   | Varies by court   |
| Individual State Briefs Multibase (available for AK, AZ, CO, CT, FL, GA, KY, LA, MI, NE, OR, SC, and WA) | XX-BRIEF-ALL (where XX is the state’s two-letter postal abbreviation, e.g., FL-BRIEF-ALL) | Varies by court   |

# Before You Bet the Farm, Use the Table of Authorities Service to Determine the Odds

The Table of Authorities service lists the cases cited by a case. It is a useful tool for finding hidden weaknesses in a case because it not only lists the cases on which the case relies but also shows whether those cases have significant negative history. It is wise to use the Table of Authorities service when you expect to use a case as major precedent.

## How to Access the Table of Authorities Service

- While viewing a case or KeyCite® result in split-page view, click **Table of Authorities** on the *Links* tab in the left frame. In full-page view, click **Links for ...** in the upper-right-corner of the page; then click **Table of Authorities**.

- At the top of any page, click **Site Map**. Then click **Table of Authorities** under *Citator (KeyCite)*. The Table of Authorities page is displayed. Type a citation in the *Enter citation* text box and click **Go**.

## How to Read a Table of Authorities Result

A Table of Authorities result lists each case cited by your case and displays depth of treatment stars for each cited case as well as KeyCite status flags. Depth of treatment stars indicate the extent to which your case discusses the cited case. KeyCite status flags indicate whether the cases have history or citing references available in KeyCite. Quotation marks indicate that your case directly quotes the cited case.

To view the full text of a cited case in the Link Viewer, click the number preceding its citation in the Table of Authorities list.

The Table of Authorities result identifies the number of the print page in your case on which the first reference to each of the cited cases is located. To view a reference, click the page number following its citation in the Table of Authorities list. The portion of your case containing the reference will be displayed in the right frame. The reference is highlighted for easy identification.

# Table of Authorities

Type a citation, e.g., 483 f3d 984, and click Go.

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Table of Authorities Text

Table of Authorities service lists the cases cited by a case. (KeyCite lists cases citing a case.) Table of Authorities is useful for finding hidden weaknesses in a case because it shows whether the cases on which a decision relies have negative history.

- A **red flag** warns that the cited case is no longer good law for at least one of the points it contains.
- A **yellow flag** warns that the cited case has some negative history, but has not been reversed or overruled.
- Depth of treatment stars** in a Table of Authorities result indicate how extensively a case has been discussed by the case citing it.
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- Pinpoint citations** allow you to jump instantly to where the cited case is discussed.

To view a list of publications and publication abbreviations that can be used in Table of Authorities, click [Publications List](#).

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Result List

Link for 483 F.3d 984

Full-Text Document

Case Outline

Editions, Briefs & Filings

ResultPlus

ALR  
1 Critical Protection Under Endangered Species Act of 1973 (16 U.S.C.A. 1531-1543)

ALR  
2 Violates Construction and Application of Endangered Species Act of 1973 (16 U.S.C.A. 1531-1543)

ALR  
3 Decree of "Critical Habitat" Under Endangered Species Act

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Table of Authorities

Center for Biological Diversity v. Lohn  
483 F.3d 984  
C.A.9 (Wash.), 2007  
444 P.2d 307

21 Cases Cited in Center for Biological Diversity ...

| Case   | Year | Page  |
|--|------|-------|
| 1 Biodiversity Legal Foundation v. Badgley, 309 F.3d 1166 (9th Cir.(Or.) 2002) *                         | 2002 | 1167+ |
| 2 In re Borell, 415 F.3d 994 (9th Cir.(Cal.) 2005) *   | 2005 | 988+  |
| 3 Center for Biological Diversity v. Badgley, 335 F.3d 1067 (9th Cir.(Or.) 2003) *                       | 2003 | 389   |
| 4 Center for Biological Diversity v. Lohn, 296 F.Supp.2d 1223 (W.D.Wash. 2003) *                         | 2003 | 989+  |
| 5 Chevron U.S.A., Inc. v. Natural Resources Defense Council, Inc., 104 S.Ct. 2778 (U.S. Dist.Cd. 1984) * | 1984 | 187+  |
| 6 City of Besquite v. Maddis's Castle, Inc., 102 S.Ct. 1070 (U.S. Tex. 1982) *                           | 1982 | 989   |
| 7 Dibley v. Gunn, 64 F.3d 1365 (9th Cir.(Cal.) 1995) *   | 1995 | 990+  |
| 8 Friends of The Earth, Inc. v. Bergland, 576 F.2d 1377 (9th Cir.(Mont.) 1978) *                         | 1978 | 987   |
| 9 Gabor.com Corp. v. LL Bean, Inc., 398 F.3d 8125 (9th Cir.(Cal.) 2005) *                                | 2005 | 987   |
| 10 U.S. v. Geophysical Corp. of Alaska, 732 F.2d 693 (9th Cir.(Alaska) 1984) *                           | 1984 | 987   |

Table of Authorities result for 483 F.3d 984

## ADVANCED SEARCH TIP

### Save Time, Save Errors

Do you find it time-consuming or confusing to read a complex KeyCite result?

While viewing a case or its KeyCite result in text view, click **Direct History (Graphical View)** on the Links tab to display the direct history of the case in an easy-to-read graphical view.

The case you are checking in KeyCite is clearly marked, and arrows clarify the route of the case through the courts.

Both prior and subsequent history of the case is displayed, with each court decision referenced in a box at the appropriate trial or appellate level.

Decisions on the merits are shown in the larger case boxes, while court orders or rulings on petitions and motions are shown in the smaller procedural boxes.

To enlarge a procedural box so that the case title and citation are displayed, move your pointer over the box.

To view a document referenced in a box, click its link.

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