

WEST KM FOR LITIGATION

Guide for WestlawNext Users

Version 4.7



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About This Guide

West continues to develop new features and improve existing features for this product. Because of these improvements and the evolving nature of Internet technology, there may be recent changes to the West km interface and functionality that are not reflected in this documentation.

Depending on the West km package purchased by your organization, some features described in this guide may not be available.

Information in this guide is current through May 2011 (version 4.7).

Author: Jana Otto Hiller

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1 Welcome to West km for Litigation

Welcome to West km for Litigation, a knowledge management product that integrates KeyCite, full-text search technology, and KeySearch with your organization's internal documents, such as briefs, pleadings, and memoranda. You can view and search internal documents in the West km interface or simultaneously with a Westlaw or WestlawNext search.

This guide explains how to use West km for Litigation, both on its own and in WestlawNext.

Features

West km for Litigation allows you to easily find and reuse your organization's best work, such as briefs, pleadings, and legal memos. In West km for Litigation, you can perform the following tasks:

- Search your organization's documents using search methods familiar to you from WestlawNext, including terms and connectors and natural language.
- Search your organization's documents and WestlawNext documents simultaneously on WestlawNext.
- Build and refine a citations list of your organization's documents.
- Link directly from a document to related internal documents and to content on WestlawNext.
- Restrict the number of documents in a result to more easily pinpoint those that are the most pertinent.
- View comments and other feedback about your organization's documents that have been added by colleagues with annotator rights. (For details about annotating documents, see the *West km Indexing and Administration* guide.)
- With West BriefTools, find citations in a word-processing document, create links to the sources on Westlaw, and add KeyCite status flags. For more information, see the *West BriefTools User Manual*.

Requirements

Your administrator will index the appropriate documents at your organization so they can be used with West km for Litigation. After this index processing is complete, here are the requirements:

- Your computer must meet the hardware and software requirements as outlined in the client configuration section on the West km System Requirements Web page. You can access this page by going to www.westkm.com and clicking **System Requirements**.
- You need a WestlawNext password with access to West km for Litigation.
- You may need a West km username and password. Your administrator will provide you with this information if it's required. You will be prompted for it when accessing West km content.
- You must be designated as an active West km member by your administrator.

Getting Help

Online help is available in West km for Litigation to assist you with your research.

- For general help information, click **Help** at the top of any West km page.
- For help on a specific task, click **Help** or the **Help** icon (🔍) when it appears next to a feature.

This guide assumes you have some familiarity with basic searching on WestlawNext; for more information, see the *WestlawNext User Guide*. This guide includes basic information about KeyCite; for detailed information, see the *WestlawNext: Checking Citations in KeyCite* guide.

Accessing West km for Litigation

You can retrieve documents that are indexed in West km for Litigation via the West km interface and the WestlawNext interface. You can also generate West km information in your word processor using West BriefTools.

West km Interface

In the West km interface, you can search all your organization's West km documents.

To access the West km interface, complete these steps:

1. Open Internet Explorer and go to *hostname/km/pldefault.aspx*, where *hostname* is the name of the West km server on your network. If you don't know the name of the West km server, your administrator can provide it.
2. Click the **Litigation** tab.

WestlawNext

On WestlawNext, you can search just your organization's West km documents, or you can search your organization's West km documents and WestlawNext documents simultaneously.

WestlawNext usage charges do not apply when you access only your organization's documents on WestlawNext. Regardless of your WestlawNext pricing method—hourly or transactional—all WestlawNext usage charges, including communication charges, are suspended when you

- search only your organization's documents
- view a result list of your organization's documents
- access one of your organization's documents

Word Processor

In your word processor, you can use West km features in West BriefTools. For more information, see the *West BriefTools User Manual*.

Working with Documents

Before you begin working in West km for Litigation, it is helpful to understand the origins of documents and document metadata you will search and browse.

Litigation files at your organization are stored in a file system or document management system (DMS) in their original format, such as Microsoft Word. From these locations, West km for Litigation collects documents and document metadata to use in West km; for example, metadata from a DMS could include author, client ID, and date. During the document indexing process, West km for Litigation analyzes these documents and extracts and tags significant content, such as title, court, and jurisdiction.

Both these data sources, as well as information added by your colleagues to West km directly, such as library groups and comments, make it easier for you to search and browse documents in West km for Litigation.

2 Searching for Documents

Using West km for Litigation, you can easily search for documents.

Running a Search

To search your organization's West km documents in the West km interface, complete these steps (Figure 2-1):

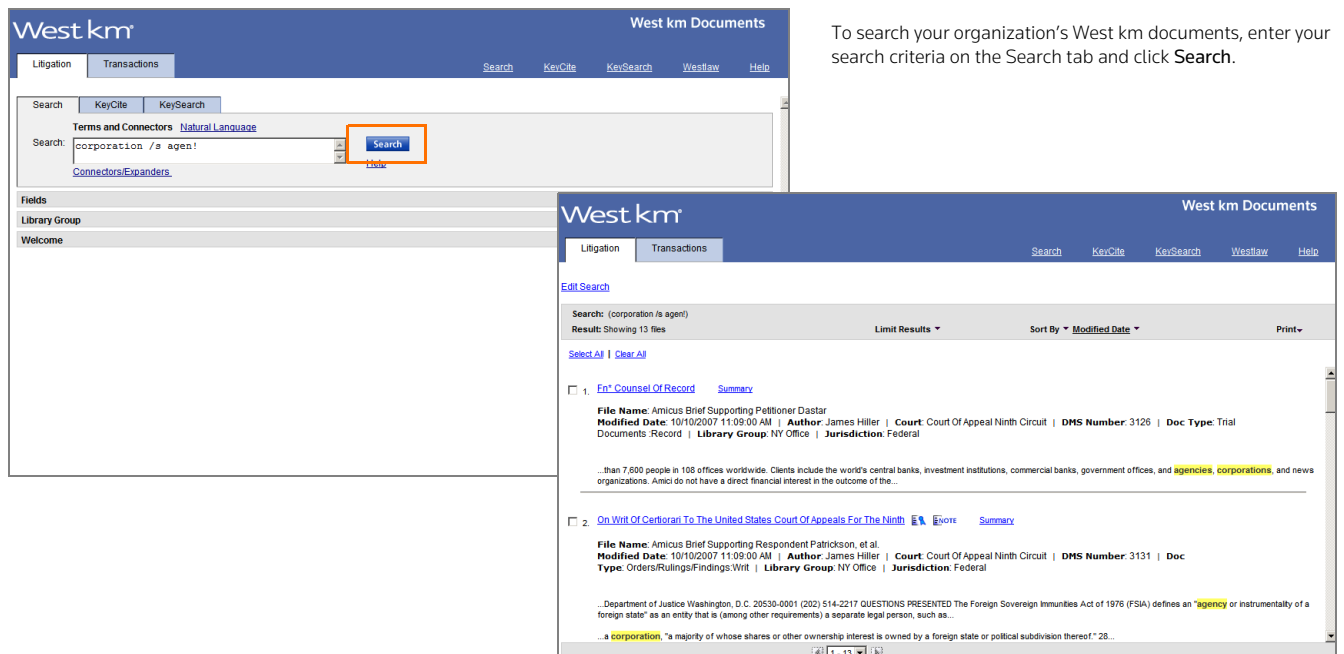
1. Click the **Search** tab.
2. Type either a terms and connectors query or a natural language description in the *Search* text box.
 - If you type a terms and connectors query, click the **Terms and Connectors** link.
 - If you type a natural language description, click the **Natural Language** link.

For details, see "Using WestlawNext Search Methods" on page 4. For more information about connectors, you can also click the **Connectors/Expanders** link on the Search tab.

3. If you are using a terms and connectors query, you can restrict all or part of your search to specific fields (types of data) by entering criteria on the Fields panel. For example, you might want to restrict your search to documents written after a particular date. For details, see "Using Field Restrictions" on page 6.

Note If you don't add field restrictions, the search runs on the full text of documents.

4. To restrict your search to particular groups of documents, select options on the Library Group panel. For example, you might want to restrict your search to documents in particular office locations or practice areas. For details, see "Selecting Library Groups" on page 9.
5. Click **Search**. The documents matching your search criteria are displayed. For details, see "Browsing Retrieved Documents" on page 17.



To search your organization's West km documents, enter your search criteria on the Search tab and click **Search**.

West km Documents

Search: [Search](#)

[Terms and Connectors](#) [Natural Language](#)

[Connectors/Expanders](#)

West km Documents

Search: (corporation /s agen)

Result: Showing 13 files Limit Results Sort By Modified Date Print

[Select All](#) | [Clear All](#)

1. [Fn: Counsel Of Record](#) [Summary](#)
File Name: Amicus Brief Supporting Petitioner Dastar
Modified Date: 10/10/2007 11:09:00 AM | Author: James Hiller | Court: Court Of Appeal Ninth Circuit | DHS Number: 3126 | Doc Type: Trial Documents Record | Library Group: NY Office | Jurisdiction: Federal
...than 7,600 people in 108 offices worldwide. Clients include the world's central banks, investment institutions, commercial banks, government offices, and agencies, corporations, and news organizations. Amici do not have a direct financial interest in the outcome of the...
2. [On Writ Of Certiorari To The United States Court Of Appeals For The Ninth](#) [Summary](#)
File Name: Amicus Brief Supporting Respondent Patrickson, et al.
Modified Date: 10/10/2007 11:09:00 AM | Author: James Hiller | Court: Court Of Appeal Ninth Circuit | DHS Number: 3131 | Doc Type: Orders/Rulings/Findings/Writ | Library Group: NY Office | Jurisdiction: Federal
...Department of Justice Washington, D.C. 20530-0001 (202) 514-2217 QUESTIONS PRESENTED The Foreign Sovereign Immunities Act of 1976 (FSIA) defines an "agency" or instrumentality of a foreign state" as an entity that is (among other requirements) a separate legal person, such as...
...a corporation, "a majority of whose shares or other ownership interest is owned by a foreign state or political subdivision thereof" 28...

Figure 2-1. The Search page and an organization's documents that match specific search criteria

Using WestlawNext Search Methods

With West km for Litigation, you can use WestlawNext search methods, including terms and connectors and natural language, to search your organization's documents.

Searching with Terms and Connectors

With terms and connectors searching, you type a query to retrieve relevant documents. These queries consist of two parts:

- terms from the document or issue that you are researching
- connectors that specify the relationship between those terms

This method is usually most effective when you know details about a specific document that you want to retrieve or when you want to retrieve all documents that meet specific criteria. For example,

"insurance policy" /s coverage period /s effect! /p damage injur**

Depending on your organization's settings, your organization's retrieved documents are listed either in reverse chronological order (based on the date the document was last modified) or in order of relevance.

Using Connectors

Use connectors to specify the relationships that must exist between the terms in your retrieved documents (Table 2-1).

Table 2-1. Connectors with search terms

| Type: | To retrieve documents that contain the following: |
|--------------|--|
| & (and) | Both search terms |
| a space (or) | Either search term or both terms |
| /p | Search terms in the same paragraph |
| /s | Search terms in the same sentence |
| +s | The first term preceding the second within the same sentence |
| /n | Search terms within <i>n</i> terms of each other (where <i>n</i> is a number from 1 to 255) |
| +n | The first term preceding the second within <i>n</i> terms of each other (where <i>n</i> is a number from 1 to 255) |
| "" | Search terms appearing in the same order as in the quotation marks |

| Type: | To exclude documents that contain the following: |
|-------------|--|
| % (but not) | The terms following the percent symbol |

Using Special Characters

Type the universal character (*) to represent one variable character. Type the root expander (!) to retrieve words with different endings (Table 2-2).

Table 2-2. The universal character and root expander

| Type: | To retrieve: |
|-------|----------------------------|
| gr*w | <i>grew</i> <i>grow</i> |

Table 2-2. The universal character and root expander

| Type: | To retrieve: |
|------------|---|
| contribut! | <i>contributed</i> <i>contributor</i> <i>contributing</i> <i>contribution</i> <i>contributory</i> |

Note Plural and possessive words are automatically retrieved without a root expander.

Searching for Compound Words and Abbreviations

If your search term is a compound word, use its hyphenated form to retrieve all variations. If your search term is an abbreviation, enter it with periods and without spaces to retrieve all variations (Table 2-3).

Table 2-3. Retrieving compound words and abbreviations

| Type: | To retrieve: |
|--------------|--|
| whistle-blow | <i>whistleblow</i> <i>whistle-blow</i> <i>whistle blow</i> |
| h.i.v. | <i>H.I.V.</i> <i>H. I. V.</i> <i>HIV</i> <i>H I V</i> |

Turning Off Automatic Plurals and Equivalent Terms

By default, searches retrieve plural forms and equivalent terms. To only find the exact term you specify in the search, type the # symbol preceding the term (Table 2-4).

Table 2-4. Turning off plural forms and equivalent terms

| Type: | To retrieve: |
|----------|--------------------------------------|
| #damage | <i>damage</i> but not <i>damages</i> |
| #willful | <i>willful</i> but not <i>wilful</i> |

Searching with Natural Language

With natural language searching, you type a description of your issue in plain English to retrieve relevant documents. This method is often effective when you are researching a complex legal issue. For example,

must damage be demonstrated that it occurred while an insurance policy is in effect

Your organization's retrieved documents are listed in order of relevance.

Using Field Restrictions

When searching your organization's documents using the terms and connectors search method, you can restrict all or part of your search to specific fields (types of data). You do this by using the Fields panel on the Search tab or by adding field restrictions to your query.

Using the Fields Panel

To restrict your search using the Fields panel, complete these steps (Figure 2-2):

1. On the Search tab, click the **Fields** panel to open it.
2. Enter information in one or more fields to add the field criteria to the search. You can enter as much or as little information as you know. Note the following:
 - By default, the *and* connector is used to connect field criteria on the Fields panel.
 - Primary judges (identified in document captions) are searched by default. To also search secondary judges (referenced in the text of documents), select the **Include Judge–Secondary References** check box.
 - You must choose a jurisdiction before choosing a court.

Enter information in one or more fields on the Fields panel to add criteria to the search.

Figure 2-2. The Fields panel

Depending on how your West km administrator has configured your system, the following types of search controls may be shown for fields on the Fields panel:

- **Text box:** Type your search terms in the text box. Terms and connectors can be used (for details, see “Searching with Terms and Connectors” on page 4).
- **Drop-down list:** Choose a single option from the drop-down list. Drop-down lists contain unique values that correspond with documents in West km.
- **Look-up control:** Click **Lookup** next to the field's text box and then select up to ten options from the dialog box that is displayed. (You cannot type in the field's text box.) Look-up controls contain unique values that correspond with documents in West km.

Note All values are displayed in drop-down lists and look-up controls, regardless of the library groups you have selected.

Adding Field Restrictions to Your Query

As an alternative to using the Fields panel, you can restrict your search by adding field restrictions to a full-text search (i.e., a search using the *Search* text box on the Search tab). This method allows you to use field restrictions with special characters and connectors other than *and* between fields.

For a list of field restrictions that may be available to you, see the following tables.

Table 2-5. Document field restrictions

| Field | Abbreviation | Examples |
|------------------------------|--------------|----------------------------------|
| Court | co | co(united states supreme court) |
| Doc Type | docty | docty(brief) |
| Judge–Primary ¹ | jp | jp(anderson /3 barry) |
| Judge–Secondary ¹ | js | js(halbrooks) |
| Jurisdiction | jur | jur(federal) |
| Litigation Doc Title | docti | docti("dole food" /5 patrickson) |

1. To search for a judge's name in both judge fields simultaneously, type `jp,js(judgename)`, e.g., `jp,js(halbrooks)`.

The litigation court, doc type, and jurisdiction fields are phrase indexed, so you must search for the terms exactly, including punctuation and spacing. As an alternative to typing the complete exact phrase, you can use the root expander (!) at the end of the term, e.g., `docty(memo!)`.

Table 2-6. West km field restrictions

| Field | Abbreviation | Examples |
|---------------------------------------|--------------|--|
| Comments | annos | annos(power +3 attorney) |
| Exemplar Documents and Exemplar Forms | exem | exem(1) Use one of these values in the parentheses: 0 = no marking 1 = exemplar document marking 2 = exemplar form marking |
| Results with Comments | com | com(true) Use one of these values in the parentheses: true = has comments false = has no comments |
| Library Group | lg | lg("ny office") |

Table 2-7. DMS profile field restrictions

| Field ¹ | Abbreviation | Examples |
|--------------------|--------------|---------------------------|
| Author | au | au(john /3 maxwell) |
| Abstract | abst | abst("motion to dismiss") |
| Client ID | cid | cid(1587) |
| Client Name | cn | cn(reardon) |
| Client-Matter ID | cmid | cmid(1587-2228) |
| Client-Matter Name | cmn | cmn(reardon & pritchard) |

Table 2-7. DMS profile field restrictions (continued)

| Field ¹ | Abbreviation | Examples |
|----------------------------|--------------|---|
| DMS Doc Type | dt | dt(brief or memo!) |
| DMS Number | dn | dn(32027) |
| File Name | ti | ti(nevada & blueson) |
| Matter ID | mi | mi(1587-2228) |
| Matter Name | mn | mn(pritchard) |
| Modified Date ² | md | specific date: md(2/14/2007) specific month: md(2/2007) specific year: md(2007) after: md(aft 2/14/2007) md(aft 2007) before: md(bef 2/27/2007) md(bef 1/2007) after & before: md(aft 2003 & bef 2007) |
| Created Date ² | cd | specific date: cd(1/14/2007) specific month: cd(1/2007) specific year: cd(2007) after: cd(aft 1/14/2007) cd(aft 1/2007) before: cd(bef 1/30/2007) cd(bef 2007) after & before: cd(aft 2003 & bef 2007) |
| Custom 1 ³ | cus1 | cus1(antitrust) |
| Custom 2 | cus2 | cus2(expert!) |
| Custom 3 | cus3 | cus3("form-agrmt-lit") |

1. The availability of fields depends on your organization's metadata.

2. The Created Date and Modified Date fields are not inclusive when you search a range of documents. For example, if you search for documents modified after 1/2007, documents modified in January 2007 won't be retrieved. In addition, you can use the Date (da) field to simultaneously search by created date and modified date. For example, to retrieve documents that were created on 1/14/2007 or modified on 1/14/2007, add **da(1/14/2007)** to your query.

3. The data in custom fields depends on the DMS fields that your administrator has mapped. The examples shown assume Custom 1 is mapped to a practice area field, Custom 2 is mapped to a document sub-type field, and Custom 3 is mapped to a form type field.

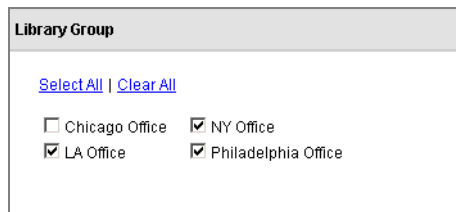
Note These field restrictions are available only when you search your organization's documents. When simultaneously searching WestlawNext documents and your organization's documents, (1) these field restrictions are not available, and (2) field restrictions you have specified for your WestlawNext documents are converted to regular terms when you search your organization's documents.

Selecting Library Groups

You can restrict searches to particular groups of documents, such as office locations or practice areas. You do this by selecting options on the Library Group panel.

To restrict a search using the Library Group panel, complete these steps (Figure 2-3):

1. Click the **Library Group** panel to open it.
2. Select or clear the library group check boxes to include them or exclude them from the search.



The screenshot shows a panel titled "Library Group". At the top, there are two links: "Select All" and "Clear All". Below these links, there are four checkboxes, each followed by an office name. The checkboxes for "Chicago Office", "LA Office", "NY Office", and "Philadelphia Office" are all checked.

Select or clear the library group check boxes to include them or exclude them from the search.

Figure 2-3. The Library Group panel

Searching for Documents Using KeySearch

KeySearch is a research tool that helps you easily retrieve documents that are relevant to a topic. For each legal topic in the KeySearch hierarchy, the system identifies the most relevant West key numbers and terms and runs a query for you.

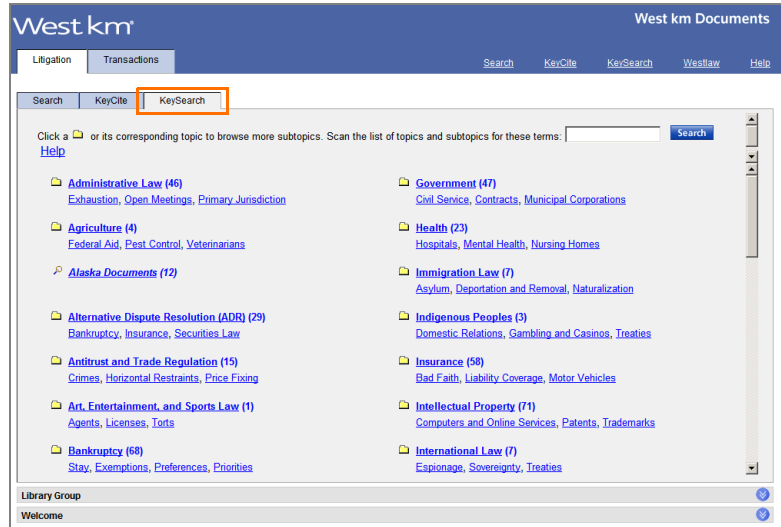
KeySearch is used in West km for Litigation to help you easily retrieve relevant documents at your organization. West km for Litigation uses the following techniques to ensure that KeySearch retrieves comprehensive, reliable, and relevant documents at your organization:

- **Automatic Classification:** West's categorization and recommendation engine (CaRE) automatically indexes and assigns your organization's documents to KeySearch topics.
- **Manual Classification:** Your administrator can manually assign documents to KeySearch topics. In addition, your administrator can customize the existing KeySearch hierarchy of topics to meet your organization's needs.
- **Full-Text Searching:** Terms and connectors queries crafted by West attorney-editors and your administrator leverage full-text searching to retrieve documents related to KeySearch topics.

Retrieving Documents with KeySearch

To retrieve documents at your organization using KeySearch, complete these steps:

1. In the West km interface, click the **KeySearch** tab. The KeySearch page is displayed (Figure 2-4).



Click the **KeySearch** tab to retrieve your organization's documents by selecting from a hierarchy of legal topics.

Figure 2-4. The KeySearch page

2. Browse the list of KeySearch topics and subtopics by clicking the **Browse** icons (📁) or hypertext links. Your administrator may have customized the KeySearch hierarchy for your organization.
 - Standard topics that your administrator has hidden are not displayed.
 - Topics that your administrator has created are displayed in italic text (e.g., the *Alaska Documents* topic in Figure 2-4 on page 10).

Numbers after each topic indicate the number of unique documents at your organization that were assigned to that topic and its subtopics by automatic or manual classification. (This count does not include documents retrieved using full-text searching.)

To scan the available KeySearch topics and subtopics for specific terms, type the terms in the *Scan* text box at the top of the KeySearch page and click **Search**.

3. To restrict your search to particular groups of documents, select options on the Library Group panel. For details, see "Selecting Library Groups" on page 9.
4. To search a topic or subtopic related to your issue, click **Search all of ...** at the top of the page or click a **Search** icon (🔍). The documents relevant to the KeySearch topic you selected are displayed (Figure 2-5).

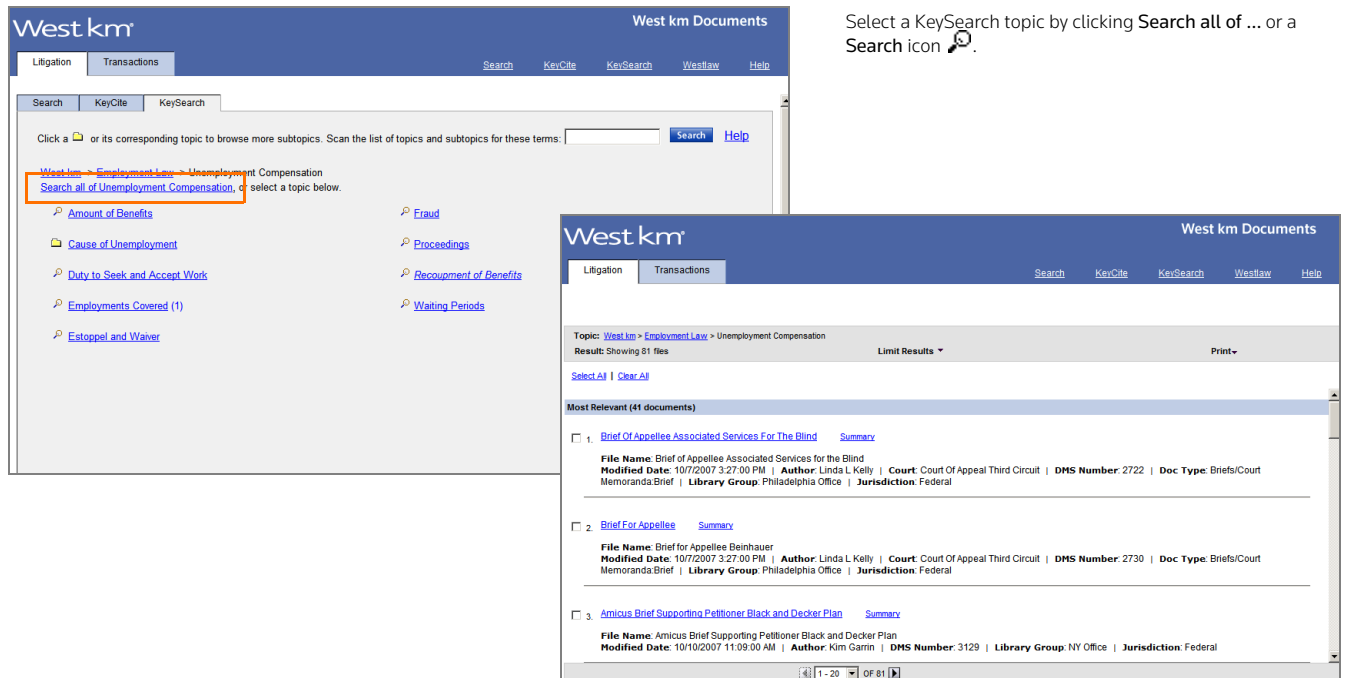


Figure 2-5. KeySearch topics and a KeySearch result

Understanding KeySearch Results

The KeySearch methods used to retrieve documents determine the KeySearch result set in which a document appears. There are three possible KeySearch result sets of unique documents.

- **Most Relevant Documents:** The most statistically relevant documents are listed first. These documents were either manually classified or were retrieved by both automatic classification and full-text searching. Manually classified documents are listed first, the remaining in order of relevance.
- **More Concept Matches:** Additional documents that were retrieved by automatic classification are listed second. Documents are listed in order of relevance.
- **More Term Matches:** For standard KeySearch topics, full-text searches run only against documents that have been automatically classified, so the More Term Matches result set doesn't apply. For custom KeySearch topics, additional documents retrieved by full-text searching are listed third. Depending on your organization's settings, documents are listed either in reverse chronological order (based on the date the document was last modified) or in order of relevance.

For more information about using the result list, see “Browsing Retrieved Documents” on page 17.

3 Retrieving Citing Documents Using KeyCite

KeyCite is the citation research service from West that allows you to quickly determine whether cases, statutes, regulations, or administrative decisions are good law and find other sources that cite them. In West km for Litigation, the power of KeyCite is integrated with your organization's internal documents.

Retrieving Citing Documents

In the West km interface, you can use KeyCite to build a list of documents at your organization that cite a WestlawNext document.

To retrieve a list of your organization's documents that cite a particular WestlawNext document, complete these steps (Figure 3-1):

1. Click the **KeyCite** tab.
2. Type the document's citation in the *Citation* text box.
3. To restrict your search for citing documents to particular groups of documents, select options on the Library Group panel. For details, see "Selecting Library Groups" on page 9.
4. Click **Search**. The citing documents are displayed. For details, see "Browsing Retrieved Documents" on page 17.

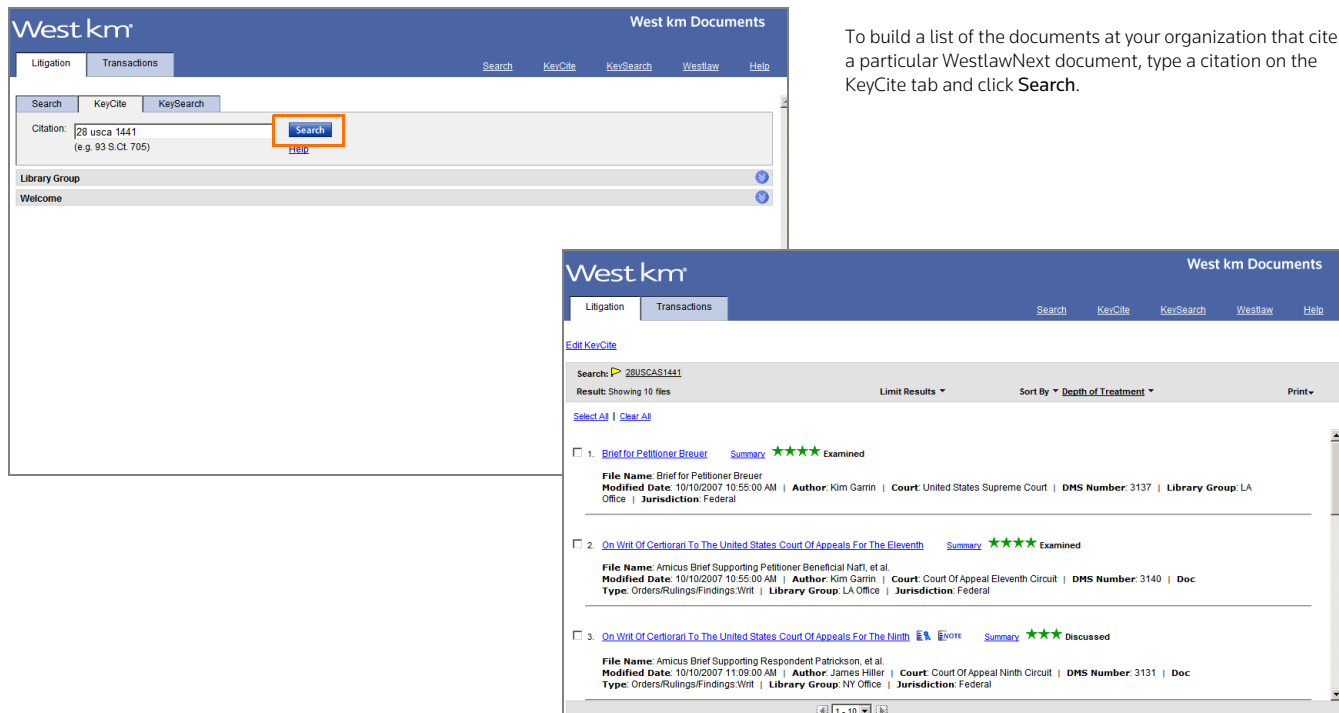



Figure 3-1. The KeyCite page and an organization's citing documents

Retrieving Citing Documents from a Displayed West km Document

When you are viewing one of your organization's documents in West km for Litigation, the km citing references icon () appears after each citation that is used in other indexed West km documents at your organization. Click the icon to view the citing documents (Figure 3-2).

Your organization's citing documents are listed in the West km interface or on WestlawNext, depending on the interface used to view the West km document.



The screenshot displays the West km interface. On the left, there is a sidebar with navigation options like 'Tasks', 'View Summary', 'View Document', 'View File Comments', 'Load Copy', 'Email File', and 'Print Document'. The main content area shows a document titled 'On Writ Of Certiorari To The United States Court Of Appeals For The Ninth'. The document text includes a citation: '28 U.S.C. 1441(d)'. A small icon (the km citing references icon) is visible next to the citation. On the right, there is a search results panel for '28USCAS1441' showing three results. The first result is 'Brief for Petitioner Breuer', the second is 'On Writ Of Certiorari To The United States Court Of Appeals For The Eleventh', and the third is 'On Writ Of Certiorari To The United States Court Of Appeals For The Ninth'. Each result includes details like 'File Name', 'Modified Date', 'Author', 'Court', 'DMS Number', and 'Library Group'.


Click the **km citing references icon** () to view your organization's citing documents.

Figure 3-2. The km citing references icon and the organization's citing documents

Depth of Treatment

On WestlawNext, KeyCite depth of treatment bars indicate the extent to which a citing document discusses a cited document. West km for Litigation uses similar stars to indicate the extent to which a citing document at your organization discusses a WestlawNext document (Figure 3-3 on page 14).

Table 3-1 describes the depth of treatment stars that West km for Litigation applies to your organization's documents. The definitions and the number of citing references are West km defaults. Your administrator may have customized these for your organization.

Table 3-1. KeyCite depth of treatment stars

| Symbol | Definition | Description |
|--------|------------|---|
| ★★★★ | Examined | Your organization's document cites the WestlawNext document 10 or more times. |
| ★★★ | Discussed | Your organization's document cites the WestlawNext document 6 to 9 times. |
| ★★ | Cited | Your organization's document cites the WestlawNext document 2 to 5 times. |
| ★ | Mentioned | Your organization's document cites the WestlawNext document 1 time. |

The screenshot shows the West km Documents interface. At the top, there are tabs for 'Litigation' and 'Transactions', and a search bar with '28USCAS1441'. Below the search bar, there are options for 'Limit Results' and 'Sort By' (set to 'Depth of Treatment'). The search results are displayed in a list format. The first result is 'Brief for Petitioner Breuer' with a 'Summary' link and a '★★★★ Examined' star rating. The second result is 'On Writ Of Certiorari To The United States Court Of Appeals For The Eleventh' with a 'Summary' link and a '★★★★ Examined' star rating. The third result is 'On Writ Of Certiorari To The United States Court Of Appeals For The Ninth' with a 'Summary' link and a '★★★ Discussed' star rating. Each result includes a 'File Name', 'Modified Date', 'Author', 'Court', 'DMS Number', and 'Library Group'.







Use KeyCite depth of treatment stars to determine the extent to which a document at your organization discusses the displayed WestlawNext document.

Figure 3-3. KeyCite depth of treatment stars for an organization's citing documents

KeyCite Status Flags

West km for Litigation adds a KeyCite status flag next to each citation in your document that has available KeyCite information (Table 3-2). These flags allow you to easily evaluate the validity of a case, statute, regulation, or administrative decision.

Table 3-2. KeyCite status flags

| | |
|---|--|
|  | <p>In cases and administrative decisions, a red flag warns that the case or administrative decision is no longer good law for at least one of the points of law it contains.</p> <p>In statutes and regulations, a red flag indicates that the statute or regulation has been amended by a recent session law or rule, repealed, superseded, or held unconstitutional or preempted in whole or in part.</p> |
|  | <p>In cases and administrative decisions, a yellow flag warns that the case or administrative decision has some negative history but hasn't been reversed or overruled.</p> <p>In statutes and regulations, a yellow flag warns that</p> <ul style="list-style-type: none">• the statute has been renumbered or transferred by a recent session law;• an uncodified session law or proposed legislation affecting the statute is available (statutes merely referenced, i.e., mentioned, are not marked with a yellow flag);• a proposed rule affecting the regulation is available;• the regulation has been reinstated, corrected, or confirmed;• the statute or regulation was limited on constitutional or preemption grounds or its validity was otherwise called into doubt; or• a prior version of the statute or regulation received negative judicial treatment. |
|  | <p>In cases and administrative decisions, a blue H indicates that the case or administrative decision has some history.</p> |
|  | <p>In cases and administrative decisions, a green C indicates that the case or administrative decision has citing references but no direct history or negative citing references.</p> <p>In statutes and regulations, a green C indicates that the statute or regulation has citing references.</p> |
|  | <p>In your organization's documents, a red KC indicates that a citation could not be verified. Click this icon to display one of the following on WestlawNext:</p> <ul style="list-style-type: none">• The document page (not the first page) that you indicated in the citation• A list of documents that are potential matches for the citation• Suggestions on the citation format to help you locate the document• A message indicating the document is not available |
|  | <p>In your organization's documents, the km citing references icon displays <i>after</i> the citation to show that the cited document is referenced in indexed documents at your organization.</p> |

To view detailed KeyCite information about a citation, click its KeyCite status flag (Figure 3-4).

The image shows two screenshots from the WestlawNext interface. The left screenshot displays a document titled "On Writ Of Certiorari To The United States Court Of Appeals For The Ninth" with several KeyCite status flags (e.g., "28 B.S.C. 1603(b)", "1101(a)", "411(d)", "411(d)(3)", "410, 482 (1982)", "28 U.S.C. 411(d)(3)") placed over citations in the text. The right screenshot shows the KeyCite information window for the citation "Vertindin B.V. v. Central Bank of Nigeria". It lists "Negative Direct History" (0 items) and "Negative Citing References (6)". The table below shows the following entries:

| Treatment | Title | Date | Type | Depth | Headnotes |
|-----------------------|--|---------------|------|-------|----------------|
| Not Followed as Dicta | Publin v. The Islamic Republic of Iran 456 F Supp.2d 228, 232, D Mass. | Sep. 30, 2006 | Case | 6 | 10, 15 (S.Ct.) |
| Distinguished by | Proyecto de Venezuela, S.A. v. Banco Industrial de Venezuela, S.A. 760 F.2d 390, 394, 2nd Cir.(N.Y.) | Apr. 04, 1985 | Case | 10 | 13, 18 (S.Ct.) |
| Distinguished by | State Street Bank and Trust Co. v. Investors Erazant, Limited 330 F.Supp.2d 313, 333, D.D.C. | Feb. 04, 2002 | Case | 10 | (S.Ct.) |

Figure 3-4. KeyCite status flags in a document and KeyCite information on WestlawNext


4 Browsing Retrieved Documents

Retrieved documents are displayed in the result list.

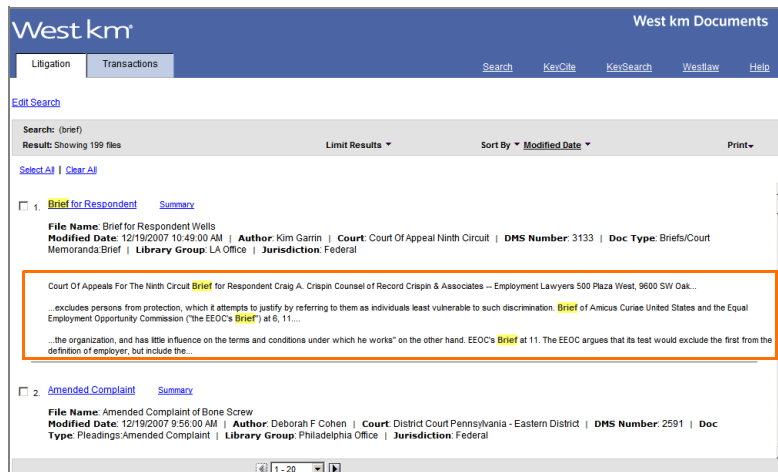
Viewing a Result List

Documents retrieved from a search are listed either in reverse chronological order (based on the date the document was last modified) or in order of relevance, depending on your organization’s settings.

Documents retrieved using KeyCite are listed based on the depth of treatment (see page 14), and then in reverse chronological order.

When the result list has more than 20 documents, click the **Next** arrow  at the bottom of the page to view additional documents.




For each document in a search result, the first three search terms are shown in the result list with surrounding document text and the search terms are highlighted in yellow (Figure 4-1). (This feature does not apply to KeyCite or KeySearch results.)



Search terms are shown in the result list with surrounding document text.

Figure 4-1. A search result list

From the result list you can perform these tasks:

- To view one of your organization’s documents, click its title. For details, see “Viewing a Document” on page 20.
- To view details about the document, click **Summary** next to the title. For details, see “Viewing a Document Summary” on page 22.
- To view comments about the document that were added by a colleague with annotator rights, click the **Note** icon (.
- An Exemplar icon ( or ) in the result list indicates that the document has been flagged as a model example by a colleague with annotator rights. You may want to use this document to draft new documents of the same type.
- To change your search, click **Edit Search** or **Edit KeyCite** at the top of the result list.

- To restrict the number of documents in your result, point to **Limit Results** at the top of the result list and then choose a restriction. For details, see the following section, “Limiting a List of Retrieved Documents.”

- To change the sort order of the result list, point to **Sort By** at the top of the result list and then choose a category.

Note Documents in a KeySearch result cannot be resorted.

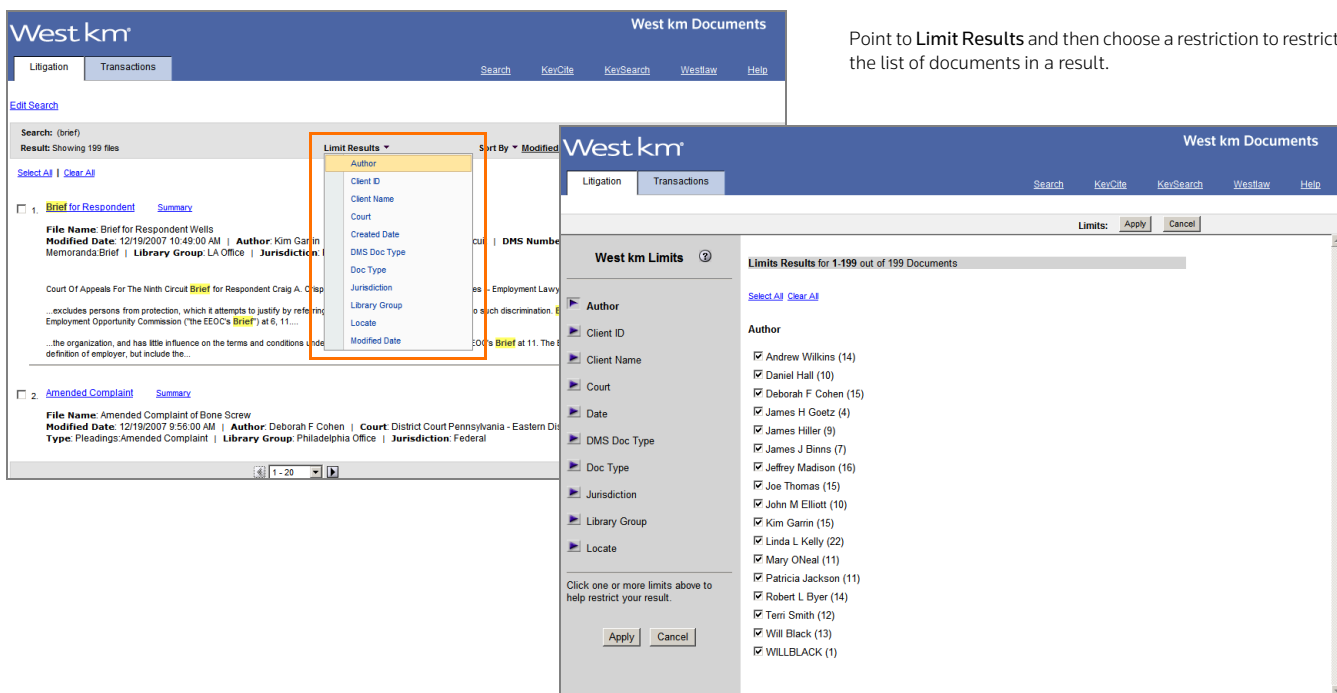
- To print the result list, point to **Print** at the top of the result list and then choose **Result List**. To print documents from the result list, select the check box next to one or more titles, point to **Print**, and then choose **Selected Documents**. For details, see “Printing Documents” on page 23.

Limiting a List of Retrieved Documents

Your KeyCite, search, or KeySearch result may retrieve a large number of your organization’s documents in the West km interface. You can restrict the number of documents to more easily pinpoint those that are the most pertinent.

To restrict the number of documents in a result, complete these steps:

1. Point to **Limit Results** at the top of the result list and then choose a restriction (e.g., **Author**). The Limits page is displayed (Figure 4-2).



Point to **Limit Results** and then choose a restriction to restrict the list of documents in a result.

Figure 4-2. The Limits page and options for the Author restriction

2. In the right frame, specify the options you want to use to restrict the result.

Numbers after each item show the number of documents in the result pertaining to that item. For example, numbers after each author name represent the number of documents in the result that are authored by that person.

Note To improve performance for large result lists, West km for Litigation initially processes a subset of documents to produce the counts and the items you can select for the restrictions. To process the next set of documents, update the counts, and show additional items you can select for a restriction, click **Next**.

3. If desired, click an arrow in the left frame to specify another restriction. Depending on your West km configuration, the restrictions listed in Table 4-1 may be available to you.
4. To restrict your result to documents that contain particular terms, whether or not the terms appear in your original query, use the Locate restriction. In the *Locate Query* text box, type a terms and connectors query (see pages 4–5). Your query can include field restrictions, such as **au(john /3 maxwell)**. For a list of field restrictions that may be available to you, see “Adding Field Restrictions to Your Query” on page 7.
5. Click **Apply**. The result is displayed with the restrictions you specified.

If you use the Locate restriction, the Locate terms are highlighted. Original terms are highlighted in yellow and your additional (Locate) terms are highlighted in purple. Use Term arrows to view the next or previous term in your Locate result.

To modify your restrictions, point to **Edit Limits** and choose the first restriction that you want to modify. Then change your restrictions and click **Apply**.

To cancel your restrictions and display the list of all documents in the original result, do one of the following:

- On the West km Limits page, click **Cancel**.
- From a result, point to **Edit Limits** and then choose **Cancel Limits**.

Table 4-1. Limit restrictions

| Restriction | Description |
|----------------------|--|
| Author | Find documents written by specific persons in your organization. |
| Client ID | Find documents that pertain to specific client IDs. |
| Client Name | Find documents that pertain to specific client names. |
| Client-Matter ID | Find documents that pertain to specific client-matter IDs. |
| Client-Matter Name | Find documents that pertain to specific client-matter names. |
| Court | Find documents produced for a specific court. Court information is generated by West km during document analysis. |
| Date | Find documents based on the date the documents were created or modified. |
| Depth of Treatment | Find documents based on the extent to which the documents discuss the cited WestlawNext document. This category is available for KeyCite results only. For more information about depth of treatment, see page 14. |
| DMS Doc Type | Find specific document types (such as a brief or memo). These document types are gathered from your organization’s DMS. |
| Doc Type | Find specific document types (such as a brief or memo). These document type assignments are made by West km during document analysis. |
| Exemplar | Find documents that have been marked as exemplar by a colleague with annotator rights. |
| Jurisdiction | Find documents produced for a specific jurisdiction. Jurisdiction assignments ¹ are made by West km during document analysis. |
| Library Group | Find documents that pertain to specific groups, such as office locations or practice areas, that your administrator has created. |
| Litigation Doc Title | Find documents with a particular title. These titles are generated by West km during document analysis. |

Table 4-1. Limit restrictions (continued)

| Restriction | Description |
|-----------------------|---|
| Locate | Find documents that contain specific terms. |
| Matter ID | Find documents that pertain to specific matter IDs. |
| Matter Name | Find documents that pertain to specific matter names. |
| Results with Comments | Find documents for which comments have been added by a colleague with annotator rights. |

1. A jurisdiction assignment of "Other" refers to national associations, including the American Bar Association, American Arbitration Association, and National Association of Securities Dealers.

Viewing a Document

To view a document in a result list in the West km interface, click its title (Figure 4-3).

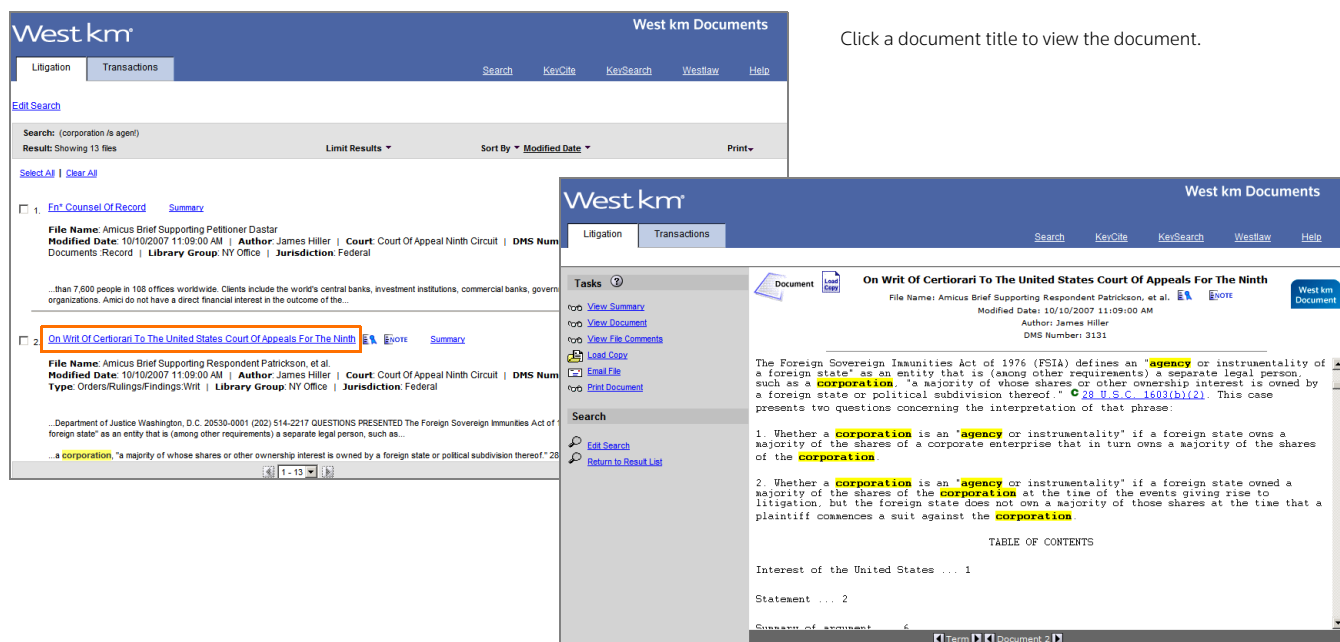


Figure 4-3. An organization's result list and a view of one of the documents

If your administrator has given you the necessary access rights to the document, a copy of the document is displayed in the right frame.


Highlighted Terms

If you retrieve a document by running a search or by using a KeySearch query, the search terms are highlighted in yellow. If you retrieve a document using KeyCite, the references to the cited WestlawNext document are highlighted. The first occurrence of the term is automatically displayed.

Browsing Arrows

- Term arrows take you to the next or previous term in your result. (In a KeySearch result, Term arrows function only for documents retrieved via the KeySearch query. In a KeyCite result, Term arrows function only within the document you're viewing.)
- Document (Doc) arrows take you to the next or previous document in your search result.

Citation Links and KeyCite Status Flags

- Each citation in the document is a hypertext link to the cited document. To access the cited document on WestlawNext, click the link.
- For each citation that has available KeyCite information, a KeyCite status flag is displayed before the citation. To access additional KeyCite information for the citation on WestlawNext, click the flag.
- For each citation that is referenced in other indexed documents at your organization, a km citing references icon () is displayed after the citation. To view the citing documents, click the icon.

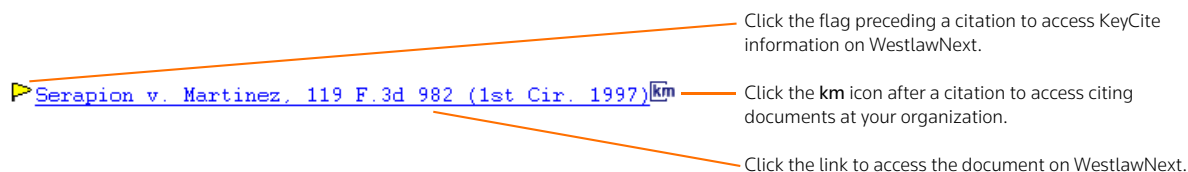





Figure 4-4. A citation with links and KeyCite status flags

For more information about KeyCite status flags, see “KeyCite Status Flags” on page 15.

Document Annotations

- To view comments about a document that were added by a colleague with annotator rights, click the **Note** icon () in the document header. A Note icon appears in result lists and in document headers when viewing an annotated document or its summary.
- An Exemplar icon ( or ) indicates that the document has been flagged as a model example by a colleague with annotator rights. Exemplar icons appear in result lists and in document headers when viewing an annotated document or its summary.

Document Tasks

- To view details about the document, click **View Summary**. For details, see “Viewing a Document Summary” below.
- To view comments about a document that were added by a colleague with annotator rights, click **View File Comments**.
- To open a copy of the document in its original format (e.g., Microsoft Word), click **Load Copy**.
- To e-mail a copy of the document in its original format (e.g., Microsoft Word), click **Email File**. An e-mail template is displayed with the document automatically attached.
- To print the document, click **Print Document**. For details, see “Printing Documents” on page 23.

Search Options

- To edit the search of your organization’s West km documents, click **Edit Search**.
- To return to your existing search result, click **Return to Result List**.

Viewing a Document Summary

To view a document summary (Figure 4-5) in the West km interface, do one of the following:

- When viewing a result list, click **Summary** next to the document title.
- When viewing a document, click **View Summary** in the *Tasks* list.

The document summary provides details about the document.

- **Document Profile:** Displays data about the document that was generated by West km during analysis of the document, such as the document title, jurisdiction, court, and document type.
- **File Profile:** Displays metadata about the document that was gathered from your organization's DMS, such as file title, author, created and modified date, and client and matter information.
- **Library Groups:** Displays the library groups (e.g., office locations, practice areas) to which the document is assigned.
- **KeySearch Topics:** Displays the topics to which the document is assigned. If the Hand icon (👉) appears next to a topic, your administrator manually assigned the document to that topic. If no icon appears, then CaRE automatically assigned the document to that topic.

The screenshot shows the West km Documents interface. The top navigation bar includes 'Litigation' and 'Transactions' tabs, and a search bar with options for 'Search', 'KeyCite', 'KeySearch', 'Westlaw', and 'Help'. The main content area is titled 'On Writ Of Certiorari To The United States Court Of Appeals For The Ninth'. The document title is 'On Writ Of Certiorari To The United States Court Of Appeals For The Ninth'. The file name is 'Amicus Brief Supporting Respondent Patrickson, et al.'. The modified date is '10/10/2007 11:09:00 AM'. The author is 'James Hiller' and the DMS number is '3131'. The document profile shows the court as 'Court Of Appeal Ninth Circuit', the document title as 'On Writ Of Certiorari To The United States Court Of Appeals For The Ninth', the document type as 'Orders/Rulings/Findings.Writ', the judge as 'Primary: Orders/Rulings/Findings.Writ', and the jurisdiction as 'Federal'. The file profile shows the abstract as 'FSIA defines an "agency or instrumentality of a foreign state" as an entity that is a separate legal person', the author as 'James Hiller', the client ID as '1063', the client name as 'Dole Food Company', the created date as '9/23/2005 6:12:18 AM', the DMS doc type as 'Brief', the DMS number as '3131', the file name as 'Amicus Brief Supporting Respondent Patrickson, et al.', the library group as 'NY Office', the matter ID as '1424', the matter name as '14', the modified date as '10/10/2007 11:09:00 AM', and the version as '8'. The key search topics are 'International Law > Sovereignty > Sovereign Immunity', 'International Law > Foreign Sovereign Immunities Act > Organ of Foreign State', 'Business Organizations > Corporations > Holding Companies', 'Business Organizations > Corporations > Foreign Corporations > Actions By or Against', and 'International Law > Foreign Sovereign Immunities Act > Attachment, Arrest, and Execution'. The 'View Summary' link in the 'Tasks' list is highlighted with a red box.

Click **View Summary** to access details about a displayed document.

Figure 4-5. A document summary

Printing Documents

You can print documents in the West km interface. You can print your request on a printer that is on your network or directly connected to your computer.

Printing from a Document or Summary

When you are viewing a document or its summary, complete these steps to print the document:

1. In the *Tasks* list, click **Print Document**.
2. In the West km Print dialog box, select the range and content options you want.
3. Click **Send Request**. After a moment, the Print dialog box from your Web browser is displayed.
4. Select a printer and click **Print**.

Printing from a Result List

When you are reviewing a result list, complete these steps to print one or more documents or to print the list of documents:

1. If you want to print selected documents, select the check box next to each document in the result that you want to print.
2. Point to **Print** at the top of the result list and then choose what you want to print. You can print selected documents or the result list (Figure 4-6).

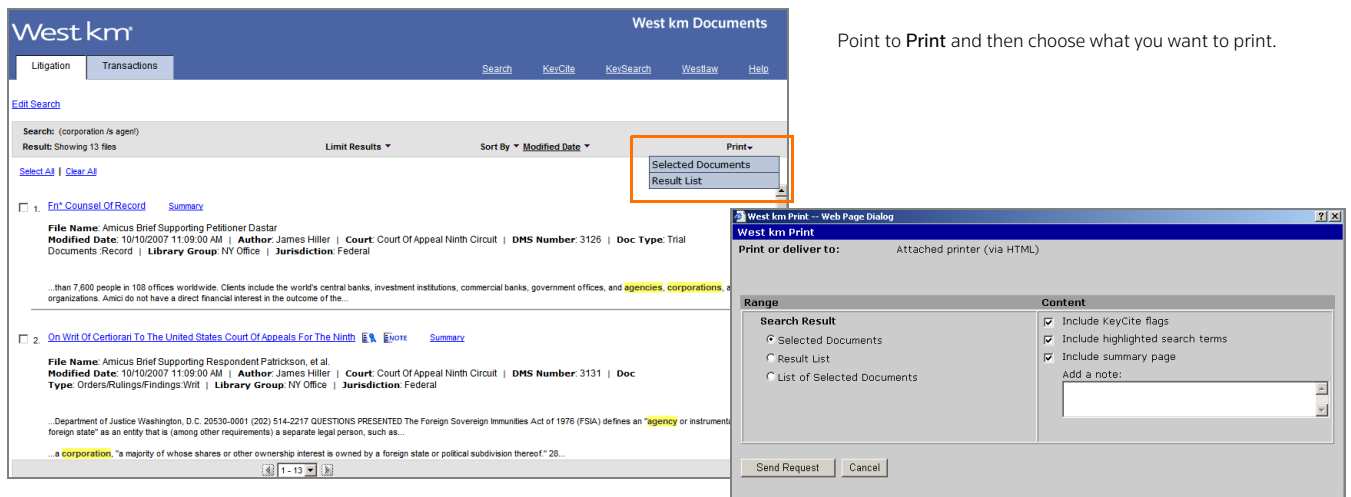




Figure 4-6. The Print menu and the Print dialog box

3. In the Print dialog box, select the range and content options you want.
4. Click **Send Request**. After a moment, the Print dialog box from your Web browser is displayed.
5. Select a printer and click **Print**.

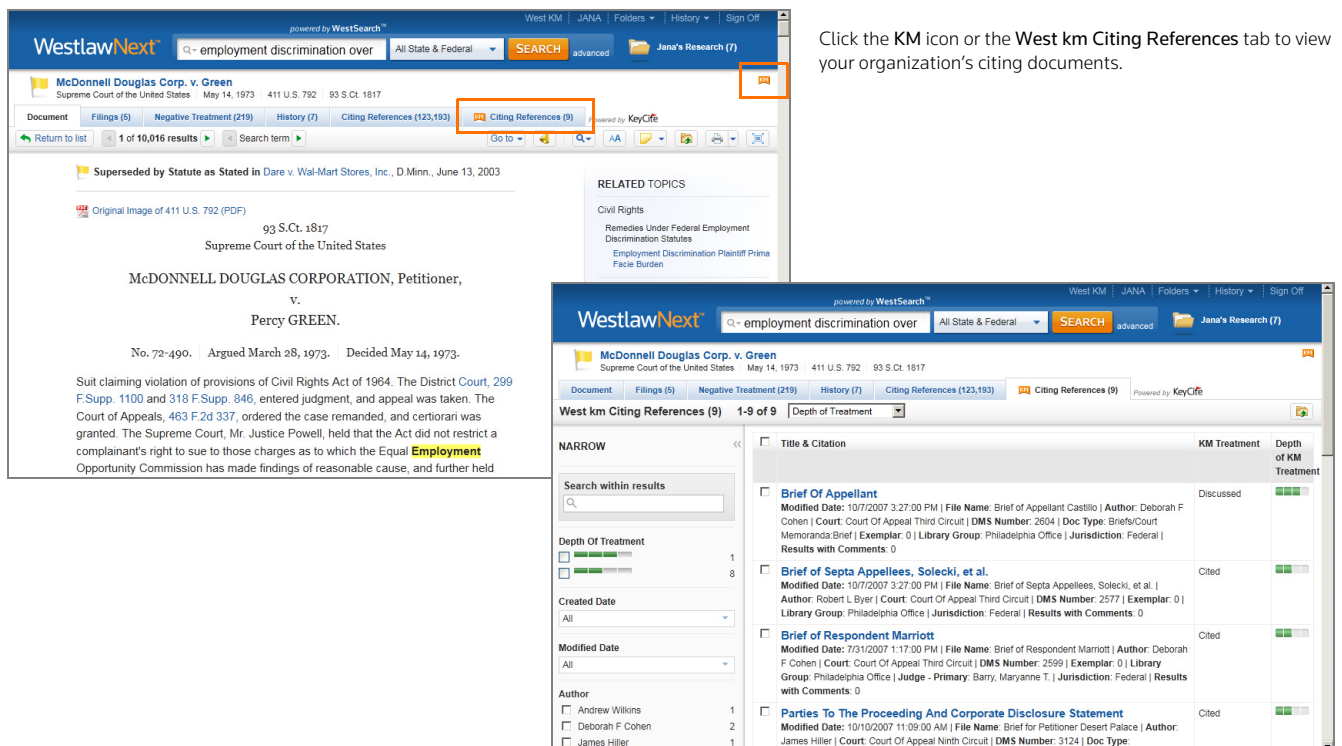
5 Retrieving West km Citing Documents on WestlawNext

On WestlawNext, you can easily find your organization's West km documents that cite WestlawNext documents. The KM icon () indicates that one or more of your organization's documents cite a WestlawNext document.

Retrieving Citing Documents from a WestlawNext Document

When you are viewing cases, statutes, regulations, or administrative decisions on WestlawNext, the KM icon () is displayed in the document header (and in the result list) when one of your organization's West km documents includes the citation. To retrieve the documents in your organization that cite the WestlawNext document, click the KM icon or the West km Citing References tab (Figure 5-1).

Your organization's citing documents are listed by their depth of treatment (see page 14) and then in reverse chronological order on the West km Citing References tab. To view a citing document, click its title.




The figure consists of two screenshots from the WestlawNext interface. The top screenshot shows the main case page for 'McDonnell Douglas Corp. v. Green' (411 U.S. 792, 93 S.Ct. 1817). A red box highlights the 'Citing References (9)' tab in the document header. The bottom screenshot shows the 'West km Citing References (9)' tab selected, displaying a list of citing documents. The list includes titles like 'Brief Of Appellant', 'Brief of Septa Appellees, Solecki, et al.', and 'Parties To The Proceeding And Corporate Disclosure Statement'. Each entry shows the modified date, file name, author, court, and DMS number. A table on the right side of the list shows the 'KM Treatment' (e.g., Discussed, Cited) and the 'Depth of KM Treatment' (represented by a green bar and a number).

Click the KM icon or the West km Citing References tab to view your organization's citing documents.

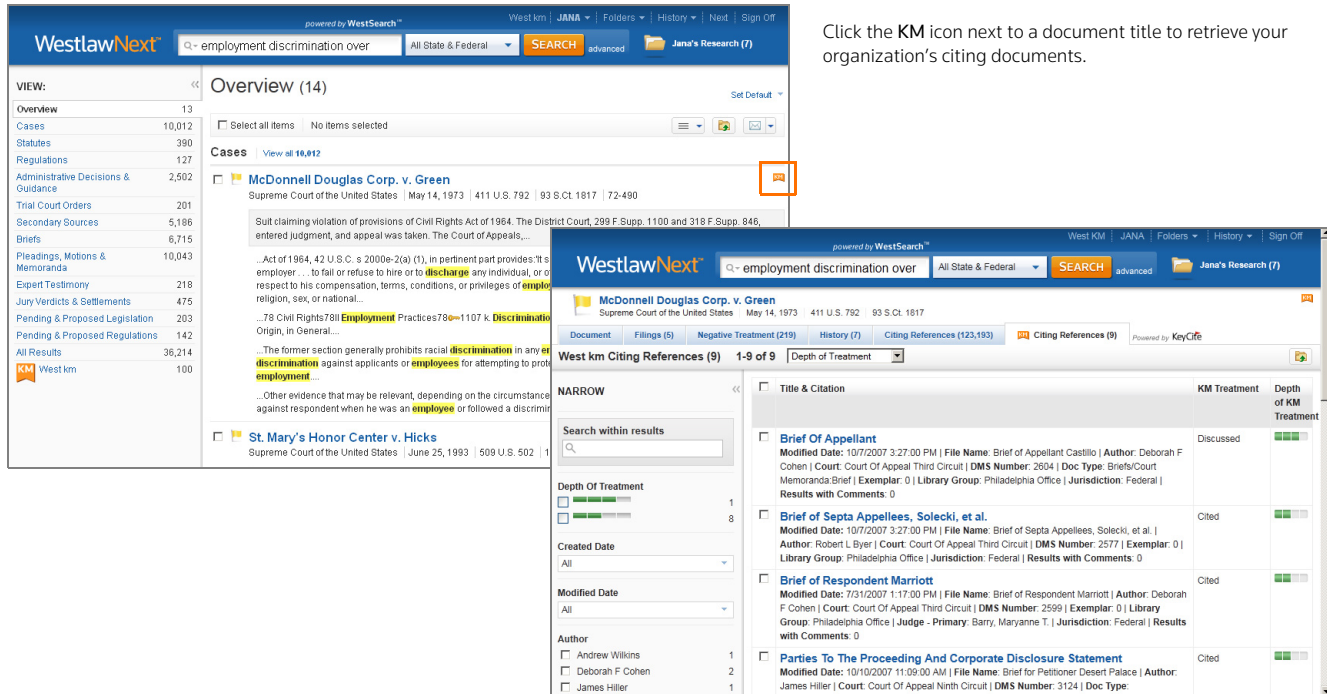
Figure 5-1. West km citing documents from a WestlawNext document

Retrieving Citing Documents from a WestlawNext Result

When you are viewing a result list on WestlawNext, the KM icon () is displayed next to a document's title when that WestlawNext document is cited in your organization's West km documents.

To retrieve the documents in your organization (from all library groups) that cite the WestlawNext document, click the KM icon next to the document title (Figure 5-2).

Your organization's citing documents are listed on the West km Citing References tab.



The screenshot displays the WestlawNext interface. The top navigation bar includes the WestlawNext logo, a search bar with the query 'employment discrimination over', and navigation options like 'All State & Federal', 'SEARCH', and 'Jana's Research (7)'. On the left, a 'VIEW:' sidebar lists various document types and their counts, with 'West km' at the bottom. The main content area shows an 'Overview (14)' for the case 'McDonnell Douglas Corp. v. Green'. A red box highlights the KM icon next to the case title. Below this, a 'West km Citing References (9)' tab is active, displaying a list of citing documents. The table below shows the details of these citing documents.

| Title & Citation | KM Treatment | Depth of KM Treatment |
|--|--------------|-----------------------|
| Brief Of Appellant Modified Date: 10/7/2007 3:27:00 PM File Name: Brief of Appellant Castillo Author: Deborah F Cohen Court: Court Of Appeal Third Circuit DMS Number: 2604 Doc Type: Briefs/Court Memoranda Brief Exemplar: 0 Library Group: Philadelphia Office Jurisdiction: Federal Results with Comments: 0 | Discussed | 3 |
| Brief of Septa Appellees, Solecki, et al. Modified Date: 10/7/2007 3:27:00 PM File Name: Brief of Septa Appellees, Solecki, et al. Author: Robert L Byer Court: Court Of Appeal Third Circuit DMS Number: 2577 Exemplar: 0 Library Group: Philadelphia Office Jurisdiction: Federal Results with Comments: 0 | Cited | 2 |
| Brief of Respondent Marriott Modified Date: 7/31/2007 1:17:00 PM File Name: Brief of Respondent Marriott Author: Deborah F Cohen Court: Court Of Appeal Third Circuit DMS Number: 2599 Exemplar: 0 Library Group: Philadelphia Office Judge - Primary: Barry, Marianne T. Jurisdiction: Federal Results with Comments: 0 | Cited | 2 |
| Parties To The Proceeding And Corporate Disclosure Statement Modified Date: 10/10/2007 11:09:00 AM File Name: Brief for Petitioner Desert Palace Author: James Hiller Court: Court Of Appeal Ninth Circuit DMS Number: 3124 Doc Type: | Cited | 2 |

Click the KM icon next to a document title to retrieve your organization's citing documents.

Figure 5-2. West km citing documents from a WestlawNext result list

6 Searching for West km Documents on WestlawNext

With West km for Litigation, when you run a search on WestlawNext, your organization's West km documents are automatically included in the result. You can also search only your organization's West km documents on WestlawNext.

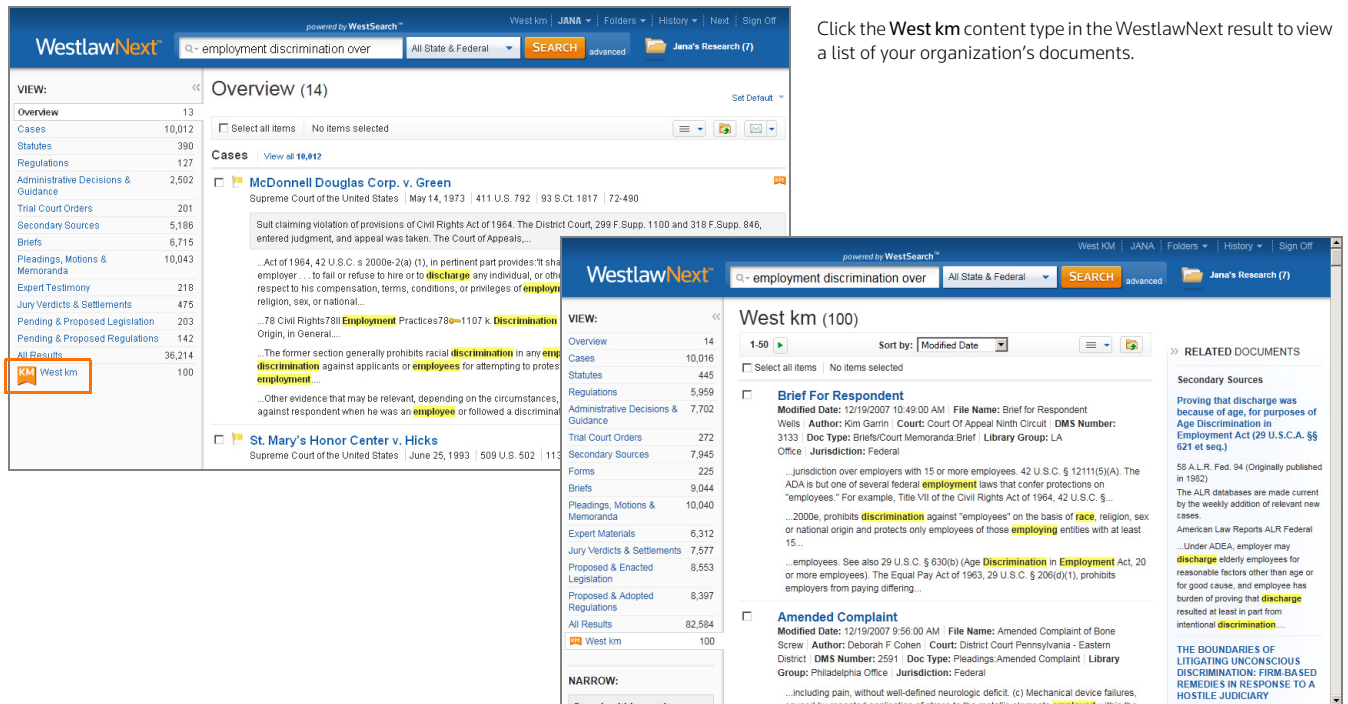
Accessing West km Documents from a WestlawNext Result

To access your organization's West km documents from a WestlawNext result, complete these steps:

1. On WestlawNext, perform a search as you normally would.
2. In the left column on the results page, click the **West km** content type (Figure 6-1).

Note Your organization may have a customized name for the West km content type.

Your organization's documents resulting from the search are listed in the center column.



Click the **West km** content type in the WestlawNext result to view a list of your organization's documents.

Figure 6-1. West km documents from a WestlawNext search

Note When simultaneously searching WestlawNext documents and your organization's documents, field restrictions and concepts you have specified to be included or excluded in retrieved WestlawNext documents won't be used to search your organization's documents. For example, the WestlawNext title field search **ti(mcdonnell)** is converted to the term **mcdonnell** when your organization's documents are searched.

Searching Only West km Documents on WestlawNext

You can search only your organization's West km documents on WestlawNext. You can search all your West km content or search within a particular library group.

Searching All West km Content

To search across all your organization's West km content on WestlawNext, complete these steps:

1. On the WestlawNext home page, click **West km** on the All Content tab (Figure 6-2).

Note Your organization may have a customized link name.

2. In the search box at the top of the West km page, type your query. You can enter simple descriptive terms or a query with terms and connectors.

If you enter a terms and connectors query, you can restrict all or part of your search to specific document metadata. For a list of field restrictions that may be available to you, see Table 2-6 on page 7.

3. Click **Search**.

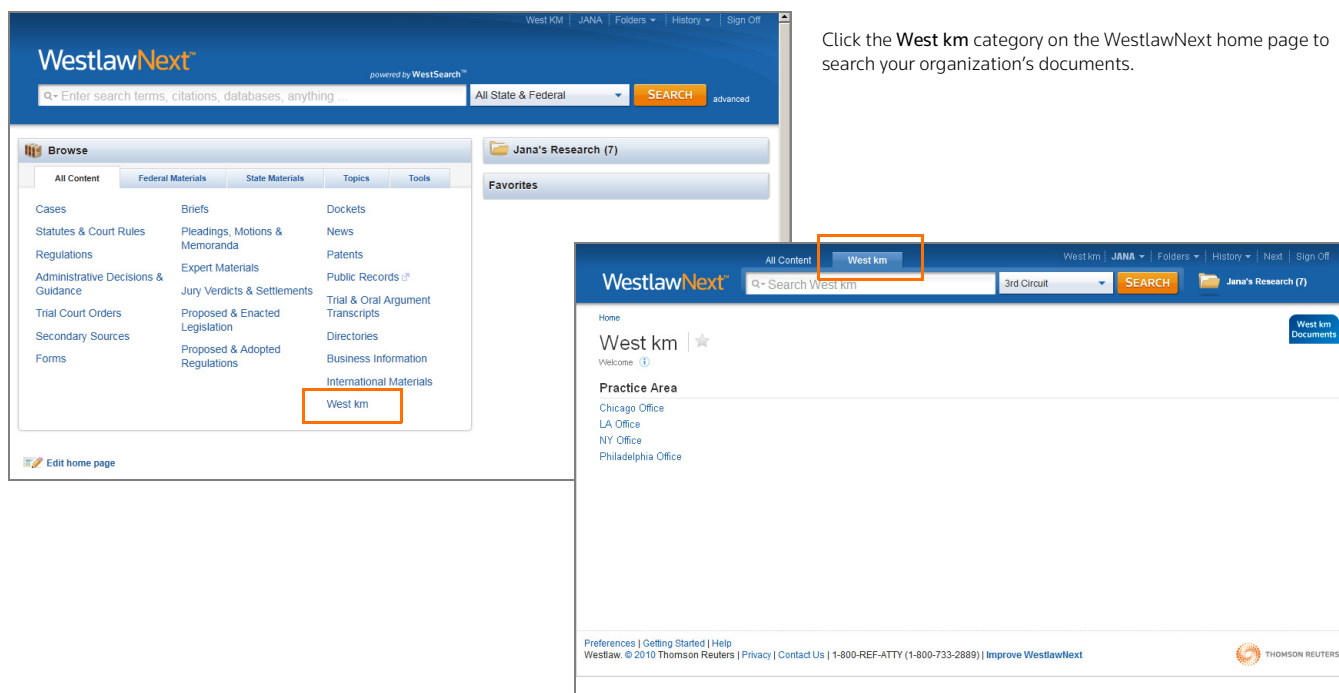


Figure 6-2. The West km category on WestlawNext

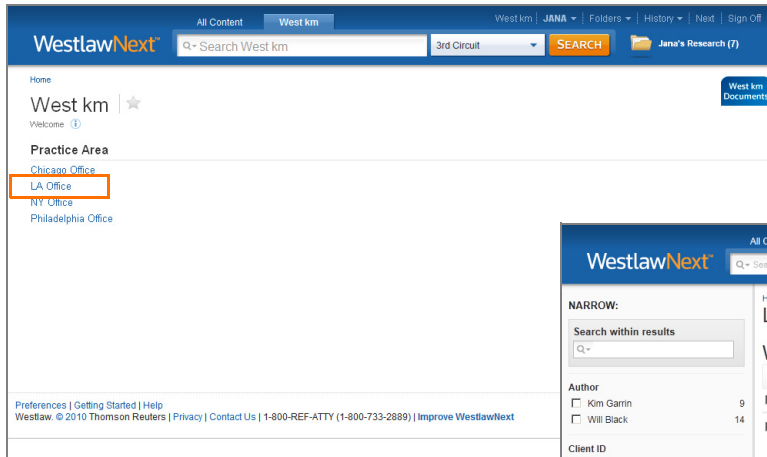
The documents matching your search criteria are displayed in the center column. For details, see "Browsing West km Results on WestlawNext" on page 30.

Note You can save your organization's West km database as a favorite. On the West km page, click **Add to Favorites**.

Searching a West km Library Group

To search a particular West km library group on WestlawNext, complete these steps:

1. On the WestlawNext home page, click **West km** on the All Content tab.
2. On the West km page, click the library group you want to search (Figure 6-3).
The West km documents within the selected library group are listed in the center column.
3. To search within the selected library group, type your query in the search box at the top of the West km library group page and click **Search**.



Click a library group on the West km page to access documents and to search within the library group.

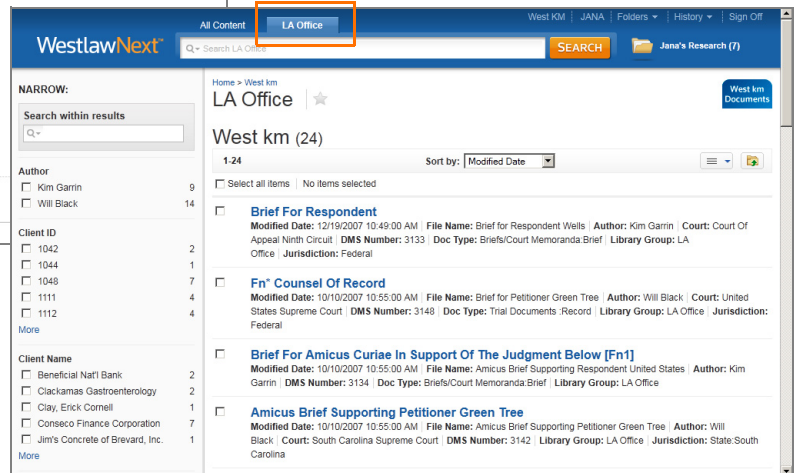


Figure 6-3. A West km library group on WestlawNext

7 Browsing West km Results on WestlawNext

You can browse West km results on WestlawNext similar to other document results (Figure 7-1).

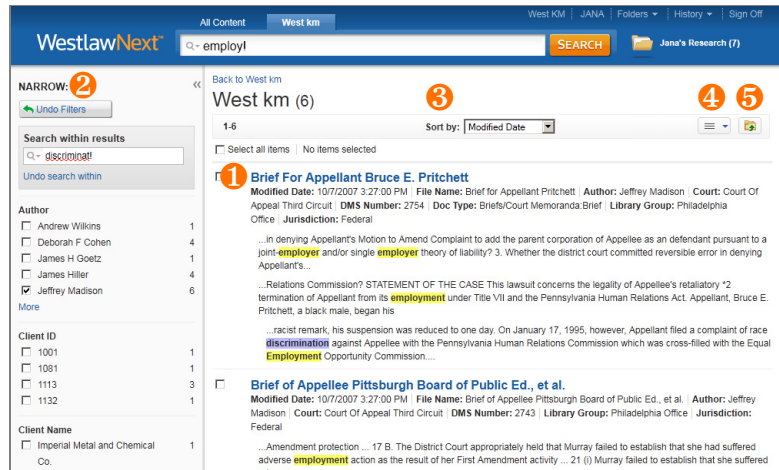


Figure 7-1. A West km result on WestlawNext

1 View a Document

View a West km document by clicking its title. For details, see “Viewing a West km Document” on page 32.

2 Narrow with Filters

Narrow your West km result by searching within a result or by using filters. For details, see “Narrowing Your West km Result with Filters” on page 32.

3 Sort

Change the sort order of the result list by choosing a category.

4 Detail Selector

Choose the level of detail displayed for documents in the result list.

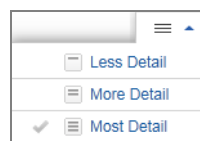


Figure 7-2. Detail selector

5 Save to Folder

Save a West km document to a folder. Select the document, click the **Save to Folder** icon (📁➕), choose the folder you want, and click **Save**. (You can also click and drag the document title to your research folder.)

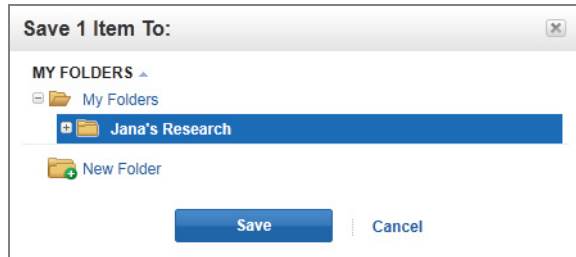


Figure 7-3. Save to folder

Note West km documents that have been added to folders in WestlawNext may not be available if the document was deleted, the document was moved to a different West km collection, or user rights to the document have changed.

For additional information about browsing results on WestlawNext, see the Documentation articles in the WestlawNext Help Center.

Viewing a West km Document

To view one of your organization's retrieved West km documents on WestlawNext, click its title (Figure 7-4).



Figure 7-4. A West km document on WestlawNext

1 Summary

To view details about the document, click the **Summary** tab.

2 Previous/Next Navigation

To navigate through documents or search terms in your result, click the navigation arrows (◀ ▶). To return to your result list, click **Return to List**.

3 Load Copy

To work with the document, click the **Load Copy** icon (📄). A copy of the document in its original format (e.g., Microsoft Word) is displayed, allowing you to edit or save the document as you normally would.

4 Save to Folder

To save a document so you can easily refer to it later, click the **Save to Folder** icon (📁), choose the folder you want, and click **Save**.

Narrowing Your West km Result with Filters

You can narrow your West km result on WestlawNext by searching within a result or by using filters.

Searching within Results

To narrow a result using additional terms, complete these steps:

1. Under *Narrow* in the left column, type your terms in the *Search within Results* text box (Figure 7-5).
2. Click **Search**.

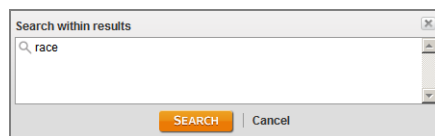


Figure 7-5. Search within Results text box

The new result is displayed.

- Both your original search terms and the terms used to narrow your result are highlighted in the documents. Original terms are highlighted in yellow and your additional (search within) terms are highlighted in purple.
- To remove a search within a result, click **Undo Search Within**.

Using Filters

To narrow a result using filters, under *Narrow* in the left column, select values in one or more categories. Numbers indicate the number of documents in the result with that value.

The result is updated immediately. If no values are selected for a category, all values are displayed.

- To see all values for a category, click **More**.
- To select values from a list, click **Select**. Then click the values you want and click **Filter** (Figure 7-6).

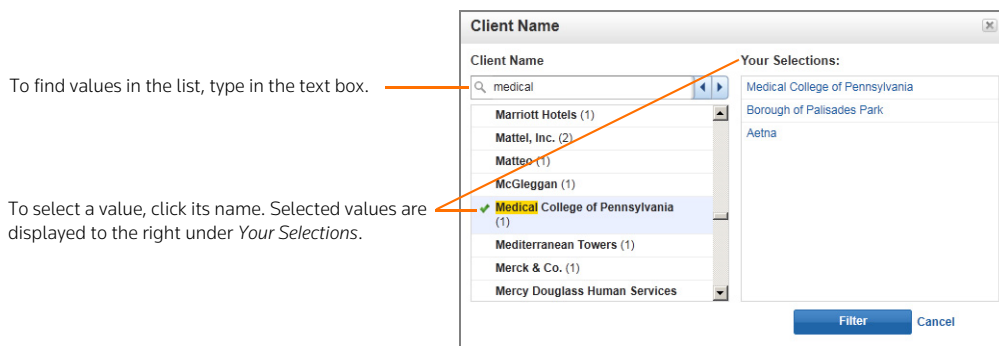


Figure 7-6. A list of filter values

- To enter a date value, click the **Date** category, choose an option, type the date information as requested, and click **Go** (Figure 7-7).

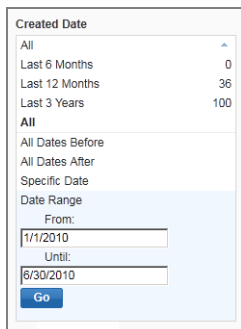


Figure 7-7. Date filter

- The available categories depend on your West km configuration.

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