

PROFESSIONAL LEGAL RESEARCH

Bernard E. Witkin has long been regarded as the most influential legal commentator in California, “the state whose legal system, he, more than any other single individual in the 20th century, helped to shape.” Cal. Educ. Code § 19328. His treatises, comprising 35 volumes, provide the most concise and authoritative treatment of California law available.

California Jurisprudence 3d, or *Cal Jur 3d*, is a multivolume legal encyclopedia that provides a basic overview of California’s constitutional, statutory, judicial, and administrative laws. It is an ideal source for finding quick answers to common California legal questions.

Both of these sources, which are available on Westlaw, are indispensable to performing accurate and comprehensive legal research.

Searching Witkin Databases

The Witkin’s California Treatises database (WITKIN) contains the following four treatises, each of which is available in its own database: *California Criminal Law*, coauthored by Norman L. Epstein (WITCRIM); *California Evidence* in WITEVID; *California Procedure* in WITPROC; and *Summary of California Law* in WITSUM. You can search the Witkin databases using the convenient finding aids provided on Westlaw. After accessing a database, click **Shortcuts to Tables** in the upper-right corner of the Search page, then click **Witkin Finding Aids**. A list of finding aids is displayed (Figure 1), including

- a table of contents for each treatise
- an alphabetical index
- a table of cases
- a table of statutes
- a table of rules

Category:

Sharpening Your Skills

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

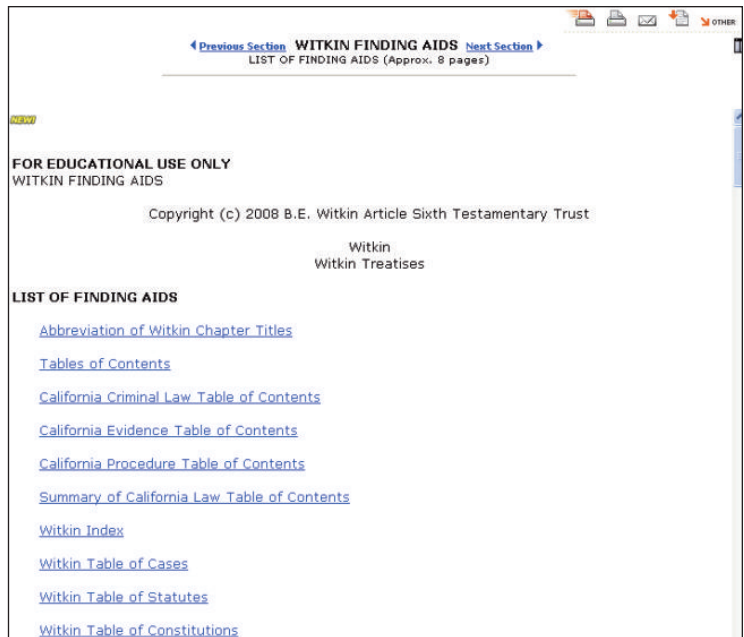


Figure 1. Witkin finding aids

USING THE WITKIN FINDING AIDS

Table of Contents

The Table of Contents service allows you to browse the table of contents for a publication, view a document in the context of the sections surrounding it, and quickly retrieve related sections. Click one of the Table of Contents links to display the table of contents for that publication.

Note When you access an individual Witkin database, e.g., WITEVID, you can click **Table of Contents** at the Search page to display the table of contents for the treatise.

Witkin Index

The Witkin index allows you to quickly retrieve treatise sections on a specific topic. Click **Witkin Index** to display an alphabetical index covering all four treatises. Click a letter to view all the topics beginning with that letter. To retrieve the full text of a section, click its link.

Witkin Table of Cases

To find a case, click **Witkin Table of Cases** to display a table of cases covering all four Witkin treatises. Then click a letter to view all cases beginning with that letter. To retrieve the full text of a case, click its link.

RUNNING A SEARCH

In addition to using the Witkin finding aids, you can also run a Terms and Connectors or Natural Language search at a Search page. You can restrict your Terms and Connectors search to one or more fields (on Westlaw, most documents are composed of several parts called *fields*), which helps you retrieve documents on point. The two most useful fields to search in the Witkin databases are the prelim (pr) and title (ti) fields, which contain the major headings for each section.

For example, to run a Terms and Connectors search to find out whether including a noncompete clause in a job offer is permissible in California, click the **Terms and Connectors** tab if it isn't already selected and type a search such as **ti,pr(contract /p compet! non-compet!)**. Your search terms are highlighted in the retrieved documents (Figure 2).

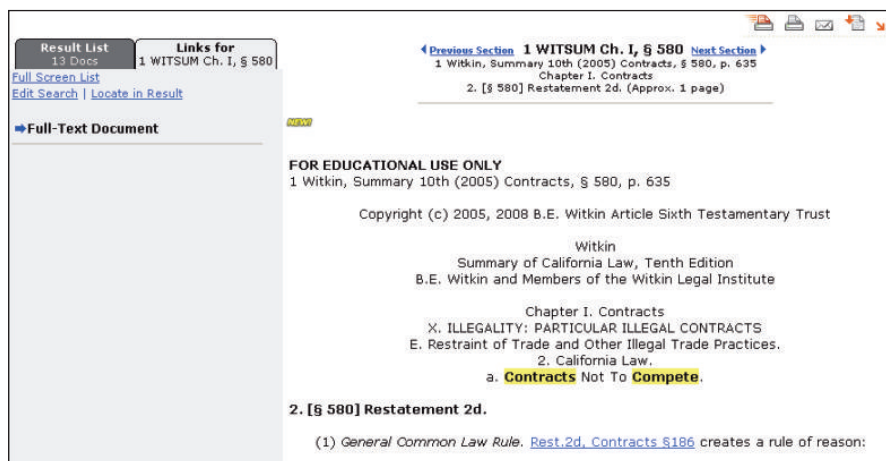


Figure 2. Witkin document

Searching California Jurisprudence

The California Jurisprudence database (CAJUR) contains the treatise *California Jurisprudence 3d*, a multivolume legal encyclopedia covering the law of California. Databases are also available for selected topics: Animal Law (CAJUR-AML), Business and Commercial (CAJUR-BUS), Construction Law (CAJUR-CSTR), DUI (CAJUR-DUI), Elder Law (CAJUR-ELD), Employment Law (CAJUR-EMP), Environmental Law (CAJUR-ENV), Estate Planning and Probate (CAJUR-EPP), Franchising (CAJUR-FRAN), Insurance Defense (CAJUR-IDF), Municipal (CAJUR-MUN), Real Property (CAJUR-RP), and Work Injury Compensation (CAJUR-WC).

Most documents in the CAJUR databases contain links to primary and secondary sources as well as to West topic and key numbers.

USING THE TABLE OF CONTENTS SERVICE

There are several ways to access the Table of Contents service for CAJUR (Figure 3):

- At the CAJUR Search page, click **Table of Contents**. (The Table of Contents service is not available for the other CAJUR databases).
- While viewing a CAJUR document, click **Table of Contents**, if available, on the Links tab in the left frame.

Table of Contents		Search Find by
Selected Databases		Change Database(s) Notices
California Jurisprudence (CAJUR) ⓘ		
All TOCs		
<input type="checkbox"/>	California Jurisprudence 3d	
<input type="checkbox"/>	Abandoned, Lost, and Escheated Property	
<input type="checkbox"/>	Abortion, Birth Control, and Other Reproductive Rights	
<input type="checkbox"/>	Abstracters and Title Insurers	
<input type="checkbox"/>	Accession and Confusion of Goods	
<input type="checkbox"/>	Accord and Satisfaction, Compromise, Settlement, and Release	
<input type="checkbox"/>	Accountants and Tax Preparers	
<input type="checkbox"/>	Accounts and Accounting	
<input type="checkbox"/>	Acknowledgments	
<input type="checkbox"/>	Act of God	
<input type="checkbox"/>	Actions	
<input type="checkbox"/>	Administrative Law	
<input type="checkbox"/>	Advertising	
<input type="checkbox"/>	Affidavits and Declarations under Penalty of Perjury	
<input type="checkbox"/>	Agency	
Selection(s):		Retrieve & Print Search Expand Selection(s) Collapse All Clear

Figure 3. CAJUR table of contents

You can browse a table of contents by clicking the plus (+) and minus (-) symbols, or by selecting the appropriate check boxes and clicking **Expand Selection(s)** at the bottom of the page. To retrieve a specific section, click its link.

Retrieving Multiple Sections Using the Table of Contents Service

You can also retrieve multiple sections or entire titles. Simply select the check boxes next to the sections or titles you want to retrieve. Then do one of the following:

- Click **Retrieve and Print** to print the sections immediately after they are retrieved.
- Click **Search**. The Table of Contents search page is displayed listing your selections. Click **Search** again to retrieve all the sections you selected. If you want to retrieve only those sections containing specific terms, type those terms in the *Add search terms and connectors* text box before clicking **Search** again.

RUNNING A SEARCH

In addition to using the Table of Contents service, you can run a Terms and Connectors or Natural Language search at a Search page. You can restrict your Terms and Connectors search to one or more fields, which helps you retrieve documents on point. The two most useful fields to search in the CAJUR databases are the prelim (pr) and title (ti) fields, which contain the major headings for each section.

To run a Natural Language search, type a description of your issue in plain English. For example, if you want to find out whether a homeowner bears the burden of proof in an action for the wrongful death of an unlicensed worker, click the **Natural Language** tab if it isn't already selected and type a search such as **does homeowner bear burden of proof in action for wrongful death of unlicensed worker**.

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