

PROFESSIONAL LEGAL RESEARCH

This quick reference guide shows how to use WestCheck.com®, West's® Web-based citation research application.

Using WestCheck.com

WestCheck.com automatically extracts citations from your legal documents or a citations list you create manually. You can check your citations in KeyCite®, create a table of authorities for cases, and use the Find service to retrieve documents on Westlaw. In addition, WestCheck.com provides a report with a navigational index, summary and detail report sections, KeyCite status flags, depth of treatment stars, KeyCite quotation marks, and links to Westlaw. Access WestCheck.com at westcheck.com.

Services Available in WestCheck.com

KEYCITE

KeyCite is West's citation research service that allows you to track the history of a document and retrieve all citing references on Westlaw.

KeyCite provides information such as

- direct appellate history of a case or administrative decision
- negative citing references for a case or administrative decision
- citations to cases, administrative materials, secondary sources, and briefs and other court documents on Westlaw that have cited a case, statute, administrative decision, regulation, American Law Reports (ALR®) annotation, law review article, or patent
- citations to session laws or rules amending or repealing a statute or regulation
- citations to proposed legislation affecting a statute

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.

KeyCite covers every case in West's National Reporter System® as well as more than 1 million unpublished cases. KeyCite information is also available for federal statutes and regulations, statutes from all 50 states, regulations and administrative decisions from selected states, patents issued by the U.S. Patent and Trademark Office, ALR annotations, articles from hundreds of law reviews, and administrative decisions of selected federal agencies.

In addition, KeyCite provides citing references from numerous texts and treatises, including *American Jurisprudence 2d* (Am Jur® 2d), *Couch on Insurance*, *Mertens' Law of Federal Income Taxation*, *Norton Bankruptcy Law and Practice 3d*, publications of The Rutter Group, Witkin's California treatises, and Wright and Miller's *Federal Practice and Procedure*®.

FIND

When you know the citation of the document you want, WestCheck.com can retrieve the full text of the document on Westlaw and send it to a destination you choose. The Find service is available for many types of documents, including case law, statutes, regulations, administrative decisions, articles from publications such as law reviews and treatises, specialized materials, and materials published in foreign countries.

TABLE OF AUTHORITIES

While KeyCite lists cases citing your case, the Table of Authorities service lists the cases cited in your case. The Table of Authorities service is a useful tool for finding hidden weaknesses in your case because it shows whether the cases on which your case relies have significant negative history.

Basic Steps

CREATE A CITATIONS LIST

You can create a citations list in WestCheck.com by extracting citations from a document; by typing citations; or by pasting copied text, preferably a table of authorities, from a legal document.

The screenshot displays the WestCheck.com website interface. At the top left is the WestCheck.com logo. To the right is a promotional banner for KeyCite with the text "Don't you wish you could KeyCite anything?". Further right are links for "WestFind&Print", "Westlaw.com", and "West BriefTools". The main content area is titled "Extract or Enter Citation(s):" and contains two radio button options. The first option, "Extract citation(s) from a document:", is unselected and includes a "Browse..." button and a note about Document Management Systems. The second option, "Enter individual citation(s) or copy citations from a table of authorities or document and paste below:", is selected. Below this option is a text input field containing the example citations "126 S.Ct. 2749; 512 F.3d 644; 487 F.3d 160". A note below the field states: "(For individual citations, separate citations with a semicolon or hard return.)". At the bottom of the form area, a note reads: "Note: If you have Windows XP and have installed XP Service Pack 2, you will need to set up your pop-up blocker to display Online WestCheck.com results. For assistance call 1-800-WESTLAW. See additional information and solution options for more details." On the right side of the form area is a section titled "About WestCheck.com" which lists the services: "WestCheck.com automatically" extracts citations and applies KeyCite, retrieves KeyCite and Table of Authorities results, and retrieves Westlaw full-text documents using Find. At the bottom of this section are links for "See an online demo (Flash)", "Take eLearning on WestCheck.com", "Order/download documentation", and "More info".

Figure 1. WestCheck.com home page

CHECK A CITATIONS LIST

Check your citations on Westlaw to retrieve results from the KeyCite, Find, and Table of Authorities services.

1. Select the citation service options you want. To check the entire citations list in the same service or services, select the check box next to the service heading (e.g., *KeyCite*). To check individual citations within your list using specific services, select the check box next to each citation under the service that you want to use.
 2. Select KeyCite options for cases and statutes. Select the **Include court documents** check box to include court documents (e.g., briefs and motions) in your KeyCite results.
 3. Select a report option: **Online report display** or **Offline report delivery**. If you select **Offline report delivery**, choose a destination from the drop-down list and select a sort order (by citation or by service).
- See “View, Print, or Save Your Result” below for more information on report options.
5. Type your Westlaw password and a client identifier, e.g., your project name or your initials, in the appropriate check boxes and click **Go**.

The screenshot shows the WestCheck.com interface. At the top left is the WestCheck.com logo. Below it are navigation links: [Print/Save List](#), [Extract or Enter New Citations List](#), and [Add New Citation\(s\)](#). The main content is divided into four numbered sections:

- 1 Select citation service options (KeyCite, Find, TOA)**: Includes a table with 5 citations and checkboxes for KeyCite, Find, and TOA. A note says "Notes: Some selected content may be outside of your subscription." Below the table is a link: [Deselect statute check boxes](#).
- 2 Select KeyCite Options:**: Includes dropdown menus for "For cases:" (KeyCite Negative History Only) and "For statutes:" (KeyCite History Only). There is a checkbox for "Include court documents".
- 3 Select a report option:**: Includes radio buttons for "Online report display" (selected) and "Offline report delivery". The "Offline report delivery" option has a help icon. Below are a destination dropdown (Westlaw Printer (Dual Column Available)), and "Sort report by:" options (Citation order selected, Services (KeyCite, Find, TOA) order).
- 4 Sign-On**: Includes a Westlaw password field, a Client ID field (hmal), a "GO" button, a "Save this password" checkbox, and a link: [Sign on using My Sign-On](#).

Figure 2. WestCheck.com citations list

VIEW, PRINT, OR SAVE YOUR RESULT

When checking your citations list on Westlaw, you can choose to create an online report or an offline report.

If you choose to create an offline report, you can send the report to your e-mail address.

If you choose to create an online report, you can view and print or save the online report using your browser functions. The online report includes a navigational index, summary report and detail report sections, KeyCite status flags, depth of treatment stars, KeyCite quotation marks, and links to Westlaw.

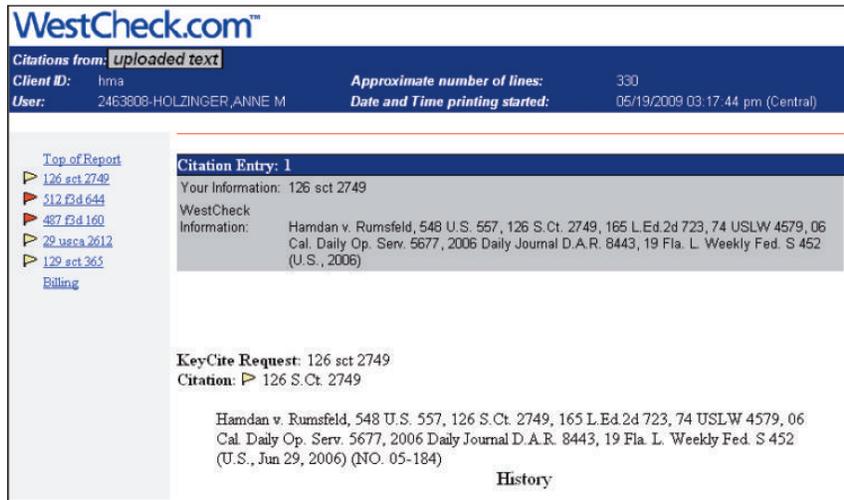
Using KeyCite

The KeyCite status flags let you immediately know the status of a document cited in your online report. Click a status flag in the *History* section of your online report result to access the document's KeyCite history on Westlaw; click the number preceding a citation to retrieve the full-text document on Westlaw. (The Westlaw sign-on page is displayed. If necessary, type your Westlaw password and a client ID in the appropriate text boxes, then click **Sign On**. Your result is displayed.)

KeyCite status flags

-  A red flag indicates that the case or administrative decision is no longer good law for at least one of the points of law it contains or 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.
-  A yellow flag indicates that the case or administrative decision has some negative history but hasn't been reversed or overruled; that the statute has been renumbered or transferred by a recent session law; that 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); that a proposed rule affecting the regulation is available; that the regulation has been reinstated, corrected, or confirmed; that the statute or regulation was limited on constitutional or preemption grounds or its validity was otherwise called into doubt; or that a prior version of the statute or regulation received negative treatment from a court.
-  A blue H indicates that the case or administrative decision has some history.
-  A green C indicates that the case or administrative decision has citing references but no direct history or negative citing references or that the statute or regulation has citing references.

The Table of Authorities service lists the cases cited by a case. It allows you to determine at a glance which cases cited in the case merit investigation, using KeyCite status flags and depth of treatment stars. Cited cases with negative history are marked with a red or yellow flag.



The screenshot displays the WestCheck.com interface. At the top, it shows 'Citations from: Uploaded text' and 'Client ID: hirma'. Below this, it lists 'User: 2463808-HOLZINGER, ANNE M' and 'Approximate number of lines: 330'. The 'Date and Time printing started:' is '05/19/2009 03:17:44 pm (Central)'. The main content area is divided into two sections. The left section, titled 'Top of Report', contains a list of citation entries with status flags: '126 sct 2749' (red flag), '512 F3d 644' (yellow flag), '487 F3d 160' (yellow flag), '29 usca 2612' (yellow flag), and '129 sct 365' (yellow flag). Below this list is a 'Billing' link. The right section, titled 'Citation Entry: 1', provides detailed information for the first citation: 'Your Information: 126 sct 2749', 'WestCheck Information: Hamdan v. Rumsfeld, 548 U.S. 557, 126 S.Ct. 2749, 165 L.Ed.2d 723, 74 USLW 4579, 06 Cal. Daily Op. Serv. 5677, 2006 Daily Journal D.A.R. 8443, 19 Fla. L. Weekly Fed. S 452 (U.S., 2006)'. Below this, it shows the 'KeyCite Request: 126 sct 2749' and 'Citation: 126 S.Ct. 2749'. At the bottom of the right section, it lists the full citation: 'Hamdan v. Rumsfeld, 548 U.S. 557, 126 S.Ct. 2749, 165 L.Ed.2d 723, 74 USLW 4579, 06 Cal. Daily Op. Serv. 5677, 2006 Daily Journal D.A.R. 8443, 19 Fla. L. Weekly Fed. S 452 (U.S., Jun 29, 2006) (NO. 05-184)' and a 'History' link.

Figure 3. WestCheck.com online report

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