LexisNexis
Shepard’s® Citations Service

You count on the right research tools to help you win. LexisNexis Shepard’s guides you to the best answers every time:

• Complete, useful and dependable analysis, so you can assess the true strength of your authority

• Logical organization, by jurisdiction and court, so you can see where your authority has been cited

• Comprehensive coverage of all principal sources of law, back to the beginning of the U.S. legal system and more than 500 law reviews

• Full spectrum of editorial analysis, including true positive

• Very current answers, typically with full treatment and history analysis 24 – 48 hours after opinions are received by Shepard’s

Today, LexisNexis Shepard’s features exclusive navigational tools for faster, easier research:

• Using the FOCUS™ search, retrieve the most pertinent authorities for your research with speed and precision

• Using the Custom Restrictions screen, quickly preview where and how your case has been cited—a great way to organize and prioritize your research

Turn the page to see how this powerful tool can make a big difference for your legal research.
Interpreting your LexisNexis Shepard’s results

Shepard’s unique combination of expert editorial analysis and powerful navigational tools helps you organize, prioritize and narrow your research. These tips for quickly and reliably interpreting Shepard’s results use McNeil v. Economics Laboratory, Inc., 800 F.2d 111 (7th Cir. Ill. 1986).

A Shows the number of citing references for the current viewing mode (All Neg for McNeil) and provides links to Custom Restrictions, FOCUS search and other navigational tools. Also gives the short-form citation for the authority you are Shepardizing™.

B Shows Shepard’s Signal™ indicator (graphic and descriptive text), which indicates that citing references to McNeil contain strong negative history. Click the underlined citation to remove any restrictions; click Get this Document to display the full text of McNeil. The restrictions field tells you if there are any restrictions (for example, All Negative). To Shepardize® another citation, enter a citation in the Shepard’s box and click Check.

C Lists the full citation, including parallel citations, for McNeil.

D PRIOR HISTORY (2 citing references) + Show Prior History

SUBSEQUENT APPELLATE HISTORY (2 citing references) + Hide Subsequent Appellate History

Writ of certiorari denied:

Costs and fees proceeding at:

E CITING DECISIONS (7 citing decisions)

7TH CIRCUIT - COURT OF APPEALS

Distinguished by:
D Provides the Prior and Subsequent Appellate History. Click the underlined links to show or hide these fields. Always be sure to check the case history before using Custom Restrictions to preview and narrow citing references that are not part of the direct history.

E Shows citing references outside the direct history of your case. Citing decisions are organized by jurisdiction and court, and sorted by date with more recent decisions appearing first in each category. Also included are citations from secondary sources, including law reviews and annotations. Treatment analysis codes assigned by a Shepard's legal editor (distinguished, followed, overruled, etc.) precede the citation. Click on a case name, Coston v. Plitt Theatres, for example, to link to the first page of a citing decision on the LexisNexis services. Click on the page number in the indented, pinpoint Coston citation to link directly to the over-ruling language.

Shepard's provides you with true positive analysis, thus enabling you to spot tricky splits of authority. Shepard's enables you to find where:

- one circuit court follows a case while another circuit overrules it
- a single court follows on one particular point of law and overrules on another

Using the Custom Restrictions screen

The Custom Restrictions screen displays only those treatment codes, jurisdictions and headnotes actually available in the list of citing references to the citation you have Shepardized. Use the Custom Restrictions screen to quickly preview where and how your case has been cited. Custom Restrictions also lets you choose groups of citations—by analyses, jurisdictions, headnotes and date ranges. Only on LexisNexis Shepard's can you restrict by valuable editorial treatment.

Click box beside each available option to select as a restriction

Click “undo” to clear selected restrictions

Click “show restrictions” to process selected restrictions and see results
Using the FOCUS search in LexisNexis Shepard’s

The FOCUS search in Shepard’s lets you search the full text of all citing references that have corresponding documents available in LexisNexis. Use the FOCUS feature to locate authorities involving issues, facts or points of law that are pertinent to your research.

- Use the FOCUS feature before you start reading cases to help size and frame the scope of your research.
- Combine Custom Restrictions and FOCUS to narrow your research quickly and effectively. Use Custom Restrictions first to select jurisdictions and/or date ranges most relevant to your research. Then, use FOCUS to zero in on authorities dealing specifically with your issues or facts.
- When you link out to the full text of authorities in your FOCUS results, your terms will be highlighted.

Using LexisNexis Shepard’s Table of Authorities

Shepard’s Table of Authorities is a validation tool that analyzes the authorities your citing case used as the basis for its opinion. It provides:

- An at-a-glance analysis of a case’s foundation, uncovering hidden weaknesses even in cases that have no obvious negative treatment
- In-depth information on the legal authorities cited within a case
- A Table of Authorities for law reviews available through LexisNexis

When you use Shepard’s Table of Authorities, you are able to quickly evaluate the authorities your case relied upon. If validity is in doubt, your case may also be suspect, even though it has never been cited in a negative way.

There are three ways to request a Table of Authorities report. If you are viewing the case, click on the TOA link at the top right. If you are not viewing the case, click Table of Authorities under the Check a Citation tab. Or, if you’re reviewing a case’s Shepard’s report, click on the TOA link in the report heading.

Many of the features and functionality you find useful in Shepard’s Citations Service are also available through Shepard’s Table of Authorities including, the FOCUS feature, Shepard’s Signal indicators, “Pinpoint” Page Citations and the ability to print Table of Authorities reports.
Interpreting your LexisNexis Shepard’s results

The Shepard's Signal™ gives you an at-a-glance indication of the precedential status of a case. Signal indicators appear at the top of Shepard’s results and on LexisNexis case documents. When you’re reading a case on LexisNexis, click the Shepard’s Signal to Shepardize that decision.

Using Shepard’s Signal indicators

Shepard’s Signal indicators also preview the precedential status of the citing references for the case you are Shepardizing. This feature is not related in any way to how the citing references treated (e.g., followed) the Shepardized case. Rather, it indicates how other cases have treated each citing reference to your case.

For example: Let’s say you Shepardize a case (Case A) and see a citing reference (Case B) that followed your case. If Case B followed Case A for the point of law on which you will be citing Case A, the precedential value of Case A has been strengthened. But now assume that there is a red warning Signal next to the citation to Case B. This indicates to you that Case B has received strong negative history or treatment. If it turns out that Case B has been overruled on your point of law, Case A may also have lost its value as precedent, even though the court that overruled Case B did not mention Case A.

For viewing and printing purposes, these citing-references Signal indicators can be shown or hidden.

To show, click the Show Signals option at the top of the screen.

To hide, click the Hide Signals option at the top of the screen.

Finding a citation format

Locate a correct citation format the easy way. Use the new Citation Format Assistant. This tool works in Shepard’s and Shepard’s Table of Authorities. Just click the Citation Formats link. Enter a complete or partial name of the publication in the Citation Format Assistant search box and click FIND. A list of all the publications containing the partial name displays. Choose the correct hyperlink and move to a template for that citation type. Fill in the volume and page number. Click CHECK. Or browse available sources alphabetically and move to the citation format template for a particular publication.

Warning-Negative treatment indicated
Contains strong negative history or treatment of your case (for example, overruled or reversed).

Caution-Possible negative treatment indicated
Contains history or treatment that may have a significant negative impact on your case (for example, limited or criticized).

Positive treatment indicated
Contains history or treatment of your case that has a positive impact on your case (for example, affirmed or followed).

Cited and neutral analysis indicated
Contains treatment of your case that is neither positive nor negative (for example, explained).

Citation information available
Citing references are available for your case, but do not have history or treatment analysis (for example, law review citations).
Using LexisNexis Get & Print for multiple Shepard’s reports

LexisNexis™ Get & Print is a fast and easy way to retrieve and deliver multiple Shepard’s Citations Service reports. One citation or many, Get & Print makes it easy with one search from one screen.

Deliver Shepard’s report(s) directly to your LexisNexis printer or to your browser*. Whenever you have a list of citations for cases, law reviews, IRS materials, or Federal Register documents, you can submit them all at once.

Enter www.lexis.com/getandprint/ and bookmark this site for easy reference. You will be asked to enter your LexisNexis ID and password.

Identify the research session and the client for whom you are doing research.

Then:

1. Type one or multiple citations in the box. Use the Enter key to create hard returns or use semicolons to separate citations.

2. Select a Report Format: Shepard’s Full or KWIC reports, Shepard’s Restrictions-Unrestricted, Negative, Positive, or Any.

3. Select a Delivery Format: Deliver to Browser in RTF, PDF, WPD, DOC, or HTML. Deliver to LexisNexis Printer.

4. Click “Get” to process the Get & Print request.

Getting started from www.lexis.com

On this sign-on screen, select the Get & Print link. (You will be asked to enter an ID and password.)

or

From any screen in www.lexis.com, click Check a Citation and click the Shepard’s tab, then click “To Shepardize multiple citations, use Get & Print.”