

Information Professional Update



Issue 8, August 2005

Specifically designed for legal information professionals

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LexisNexis® InfoPro is home to *Zimmerman's Research Guide!* Check more than 1,000 entries without charge at <http://lexisnexis.com/infopro>

Search Strategies

Now in *Shepard's*® Citations Service! Move From a Relevant LexisNexis® Headnote to References That Cite It

Shepard's Citations Service has made research easier for headnote researchers. Now when you *Shepardize*® a case, you'll discover you can:

- View a compilation of your case's LexisNexis Headnote citing references—right at the top of the report in the *Shepard's* Summary. LexisNexis Headnote references are listed right beneath the other vital analyses such as overruled or followed.
- Link to the full text of your case's LexisNexis Headnotes for fast review.
- Navigate among your case's LexisNexis Headnote references. Link from your report's *Shepard's* Summary or use the lower navigation bar at the bottom of the screen.
- Move from a pinpoint cite reference within the report directly to the exact point in the full-text citing case that discusses a particular LexisNexis Headnote!
- Restrict your *Shepard's* report view to citing cases that discuss a specific LexisNexis Headnote. Even include additional restrictions like jurisdiction, date or treatment. Add search words you want to find in the case discussions.
- Customize your *Shepard's* report more easily than before. Your options—viewing restrictions like treatment, headnote, jurisdiction or date, plus adding search words to pinpoint points of law or fact patterns you want to find within the references (the FOCUS® feature)—are now all on one, simple point-and-click screen.

Shepard's Table of Authorities also now includes the new, one-screen customization option. *Shepard's* Table of Authorities looks at the cases *your* case cited and includes *Shepard's* Signal™ indicators to show how those cases have been treated thereafter, helping you spot potential weaknesses in your case's foundation. (For more on the value of *Shepard's* Table of Authorities, turn to page 05:112. LexisNexis Senior Librarian Relations Consultant Linda Hutchinson tells you more.)

The screenshot shows a navigation bar with links for Products & Services, Customer Service Center, Company Information, Alliance Partners, LexisNexis Bookstore, and Search. Below the navigation bar, the page title is 'Products & Services'. The main content area features a breadcrumb trail: Home > Products & Services > Shepard's on LexisNexis at www.lexis.com > Features. The heading is 'Shepard's® Citations Service' followed by 'Shepard's on the LexisNexis® services at www.lexis.com'. Under 'Features', it states: 'Shepard's on the LexisNexis services at www.lexis.com brings you easy-to-use tools for faster, more comprehensive research.' A bullet point highlights: 'New! Shepardize® a Headnote! Link directly to discussions in citing cases from your LexisNexis Headnotes. Faster, more relevant research is easier than ever.' On the right side of the screenshot, there is a photo of a woman and two circular icons: one with a magnifying glass labeled 'Take a Tour' and another with a speech bubble labeled 'Contact a Sales Rep'.

Take an online tour of new *Shepard's* features at www.lexisnexis.com/shepards/online

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LexisNexis Headnotes Join *Shepard's* Summary! Here's a Review:

First let's look at *Shepard's* results screen so you can see the new enhancements in context:

The screenshot shows the LexisNexis Shepard's Summary interface for the case *McNeil v. Economics Laboratory, Inc.* The interface includes a search bar at the top, a navigation bar with options like 'View: HTML Full' and 'Display Options', and a main content area with several sections: 'Unrestricted Shepard's Summary', 'Citing References', 'PRIOR HISTORY', 'SUBSEQUENT APPELLATE HISTORY', 'CITING DECISIONS', and '4TH CIRCUIT - COURT OF APPEALS'. Callouts A through K point to specific features: A (Signal indicator), B (Citing References), C (LexisNexis Headnotes), D (Citing References list), E (Trail Summary Legend), F (Restrict By options), G (Citing Decisions), H (Table of Authorities), I (Pinpoint page number), J (Display Options), and K (Citation link).

A. *Shepard's* Signal indicators show that the *McNeil* ruling has strong negative treatment in its subsequent history.

B. New! Find LexisNexis Headnote references. HN16(60) means Headnote 16 of your case has been referenced 60 times in citing cases.

C. New! See the full text of the LexisNexis Headnotes associated with your case.

D. Link to vital references—even LexisNexis Headnotes and treatises—from here. Or ...

E. Use the lower Navigation Bar. Select a treatment, jurisdiction or LexisNexis Headnote and go!

F. New! Customize your report even more—all on one screen. Restrict by specific treatments, headnotes, jurisdictions or dates. Or find vital points of law or fact patterns within references.

G. Click on a treatment phrase, e.g., "followed by;" get a detailed definition. Or click the [Legend](#) link in the lower navigation bar.

H. *Shepard's* Table of Authorities identifies the cases *your* case cited and includes *Shepard's* Signal indicators to indicate the cases' treatment by other courts.

I. Click a pinpoint page number; move to that page within the reference. Click HN16 and move to that portion of the citing case where Headnote 16 issues are discussed.

J. The [Display Options](#) link lets you display or hide your citing references' *Shepard's* Signal indicators, pinpoint page numbers and headnote references.

K. Click on the citation and view the full text of the document you *Shepardized*™.

Navigating and Customizing Your Shepard's Report Using LexisNexis Headnotes

You've reviewed your *Shepard's* results for *McNeil v. Economic Laboratory, Inc.*, 800 F.2d 111 (1986). (Note that all parallel cites are checked even though you only entered 800 f2d 111.) The point of law you're researching is covered in LexisNexis Headnote 16 of *McNeil*.

Check your *Shepard's* Summary at the top of the report. Find LexisNexis Headnote 16. The link [HN16\(60\)](#) tells you immediately that LexisNexis Headnote 16 is referenced 60 times in citing cases.

To check the exact wording of LexisNexis Headnote 16 to refresh your memory as you research, click the [Show full text of headnotes](#) link at the bottom left of the *Shepard's* Summary.

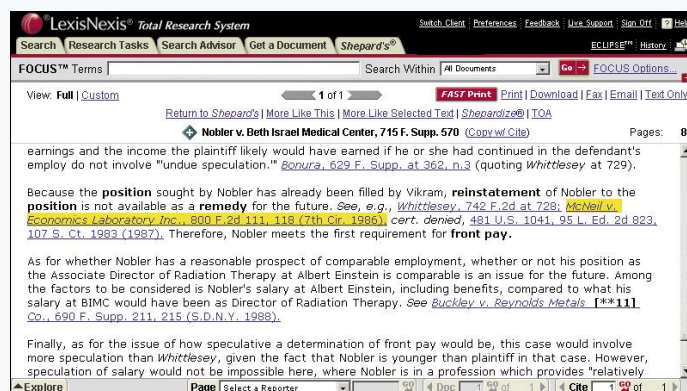
Navigate among the 60 citing references that discuss LexisNexis Headnote 16 by linking from the *Shepard's* Summary or from the lower navigation bar. Here's how:

To move among the citing references using the *Shepard's* Summary links, click a headnote link, e.g., [HN16\(60\)](#). You'll move to the first reference. (Use the lower navigation bar to move to the next citing reference.)



To move to the exact location within the full-text reference where LexisNexis Headnote 16 is first cited, click the highlighted [HN16](#) link at the end of the reference cite.

Now you're at the portion of the citing case that discusses your case's Headnote 16. (To return to your *Shepard's* report, click the [Return to Shepard's](#) link at the top of the screen.)



To navigate LexisNexis Headnote citing references using the lower navigation bar, click the drop-down menu next to Cites. Choose a LexisNexis Headnote, e.g., HN16(60) and move directly to the first reference.

Also move among your chosen references:

- To move to the next citing reference: click on the **right arrow** at the end of the bar.
- To move to the previous citing reference: click on the **left arrow**.
- To move to a specific reference, e.g., 14 of 60: **ENTER: 14** and click **GO**.



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Navigating and Customizing Your *Shepard's* Report Using LexisNexis Headnotes—continued from page 05:109

Customize Your *Shepard's* Report: All Your Options Are on One Screen

To restrict your *Shepard's* report to specific:

- Treatment phrases
- Jurisdictions
- Law reviews
- Statutes
- Treatises and other analytical materials
- Headnotes (LexisNexis Headnotes as well as other publisher's headnotes)
- Dates

Just click the **FOCUS™ –Restrict By** link at the top of your *Shepard's* report.

Then click the box(es) next to your options. Select as many options as you need.

You can also use the FOCUS feature. Just enter your search words in the FOCUS terms box, e.g., ENTER: *front pay /30 future loss*

When you've finished selecting restrictions and/or adding search words, click **APPLY**.

TIP: Use Custom Restrictions first to select jurisdictions, treatments and/or date ranges most relevant to your research. Then use the FOCUS feature to zero in on your topic, either point of law or fact pattern.

The screenshot shows the LexisNexis Total Research System interface. At the top, there are navigation tabs: Search, Research Tasks, Search Advisor, Get a Document, and Shepard's. The main content area is titled "FOCUS™ - Restrict By: 800 12 d 111". Below this, there is a search bar with the text "No negative subsequent appellate history." and an "Apply" button. The "Type:" field is set to "Analysis, Focus, Jurisdictions, Headnotes, Date". The "Restrict By:" field is set to "Followed AND LexisNexis Headnotes: HN16 AND FOCUS Terms front pay /30 future loss".

The interface is divided into several sections for selecting restrictions:

- Analyses available in FULL:** Includes options for Negative (Distinguished (6), Overruled (2)), Positive (Followed (9)), and Other (Concurring Opinion (1), Dissenting Op. (2), Explained (1)).
- FOCUS Terms:** A text box containing "front pay /30 future loss". A "FOCUS HINT" explains that the search will only identify citing references.
- Jurisdictions available in FULL:** Includes Federal (2nd, 4th, 5th, 6th, 7th, 8th, 10th, 11th, D.C. Circuits) and State (California, Colorado, Connecticut, Delaware, Illinois, Iowa, Minnesota, Ohio, Tennessee, Wisconsin) options.
- Headnotes available in FULL:** Includes LexisNexis (HN2, HN3, HN4, HN5, HN6, HN7, HN8, HN9, HN10, HN11, HN12, HN13, HN14, HN15, HN16, HN17, HN18, HN19, HN20, HN21, HN22, HN23, HN24, HN25, HN26, HN27, HN28, HN29, HN30) and F.2d (1-14) options.
- Dates:** Includes a dropdown for "No additional date restrictions" and a "From: To:" field for 4-digit years.

FYI Flash

New LexisNexis Instructor's Manual Ready for Law Schools

Legal Research on LexisNexis®: An Instructor's Manual is now available on CD-ROM and online. These materials update the 2004 *Lessons in Legal Research Manual* and are intended for reference as Legal Research Instructors prepare for the Fall 2005 semester.

Each chapter is modifiable to meet individual course needs and cover these research topics:

- Legal Citation
- Case Law Research
- *Shepard's* Citations Service
- Secondary Sources

- Statutory Research
- Legislative History
- Administrative Law

This CD-ROM reference tool has been mailed to law schools. If you have not received a copy, request one with the order form. Or download these materials directly from the Teaching LexisNexis page on the LexisNexis Law School Web site. Go to www.lexisnexis.com/lawschool/class/ltr

Customize Your *Shepard's* Table of Authorities More Easily

Many of the features and functionality of *Shepard's* Citations Service are available through *Shepard's* Table of Authorities. That includes *Shepard's* Signal indicators, “pinpoint” page citations ... and a new customization/restriction screen.

To find out more about requesting a *Shepard's* Table of Authorities report, go to page 05:112.

Here's what your *Shepard's* Table of Authorities report might look like: (Once you've reviewed your Table of Authorities results, you can restrict your report view; just click the [FOCUS™-Restrict By](#) link.)

- A** Click on the [Shepardize](#) link to retrieve your case's *Shepard's* report. If you have already *Shepardized* the case and wish to return to your *Shepard's* report, click the [Return to Shepard's](#) link (not shown).
- B** Click on [FOCUS™-Restrict By](#) to search for fact patterns or legal concepts within the table's references. Also restrict your report to specific treatments, jurisdictions, etc.
- C** Click on the pinpoint cite to move to the full text of the case. (Click on the page cite to move directly to that internal page.)
- D** The Orange Q symbol shows that a citing court has questioned the validity of your case, which is strong negative treatment.
- E** Display the parallel cites. (Default is to hide.)
- F** Enter a cite to see another case's Table of Authorities.
- G** Click the box next to each reference you want to print, download or e-mail*. Then click that function's link, e.g., [Print](#), located at the top of the screen.

*according to your LexisNexis subscription agreement

E-Newsletter Premieres for Law School Faculty

New for 2005 – 2006 is a national Faculty e-newsletter. Sent on a quarterly basis, faculty will receive relevant and timely information regarding enhancements to www.lexis.com, new teaching and professional development tools, and tips and strategies on how to utilize the LexisNexis resources available to law schools.

To receive this newsletter, simply sign up via the [Subscribe](#) link on the law school faculty home page located at www.lexisnexis.com/lawschool

Shepard's Table of Authorities: A Litigator's Secret Weapon

By Linda Hutchinson, LexisNexis Senior Librarian Relations Consultant

When evaluating the precedential value of a case, the savvy litigator analyzes the *underpinnings* of that case in addition to the case's history and citing references.

What legal authorities did the judge rely on in coming to his or her decision? Have any of the cases that formed the basis of the opinion since been overturned? What impact does any change in treatment of the underlying cases have on the precedential value of your case with respect to your legal issue?

Shepard's Table of Authorities can help your litigators make these assessments. 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.

Additionally *Shepard's* Table of Authorities provides reports on:

- cases cited within law reviews that are available through the LexisNexis services.
- cases cited within Matthew Bender® treatises, which are available online through the LexisNexis services exclusively.

There are three ways to request a Table of Authorities report:

1. If you are viewing a case, click on the [TOA](#) link above the case citation (and below the [lexis.com Print](#) link).
2. If you are not viewing a case, click on the *Shepard's* tab. Next click the Table of Authorities tab. Enter the case citation.
3. Or, if you are looking at a *Shepard's* report for a case, click on the [TOA](#) link in the report heading.

The features and functionality that make *Shepard's* so powerful can also be invoked while using the Table of Authorities: *Shepard's* Signal indicators, "pinpoint" page citations, the ability to print Table of Authorities reports, and the FOCUS feature to find citing references with specific words of interest..

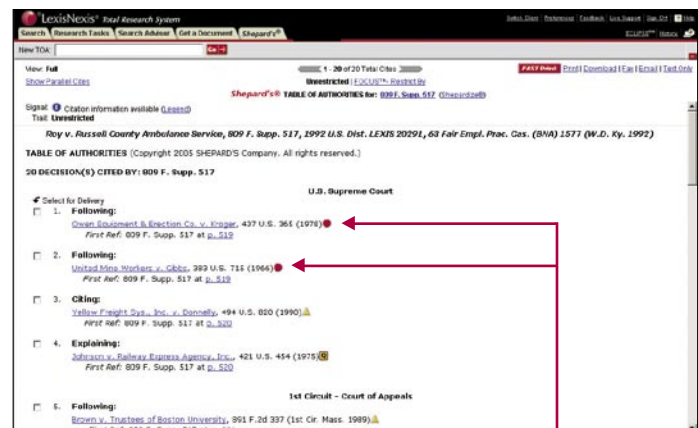
Access the FOCUS feature in a Table of Authorities report by clicking on the [FOCUS™-Restrict By](#) link. The FOCUS feature can be used to search for fact patterns or legal concepts within the cases cited in the report. Click on the pinpoint cites to link to the full text of the cases cited in the Table of Authorities report. Did the case rely on another case that is now in jeopardy? The *Shepard's* Signal indicators in the Table of Authorities report can help attorneys make that determination.



Linda Hutchinson

Shepard's Table of Authorities brings the power of *Shepard's* to bear on the task of assessing whether the precedential value of your case has "eroded from within."

If I am tasked with helping a litigator evaluate whether a case is still good law, I suggest retrieving a *Shepard's* report for the case. The litigator can examine how the case's history and citing references affect its precedential value. Then I introduce my secret weapon—*Shepard's* Table of Authorities—to ensure that the litigator's analysis includes a consideration of the precedential impact of the legal authorities underpinning the case.



While this case shows no immediate weaknesses, its TOA reports shows it followed two cases with serious subsequent negative treatment.

Take A Tour of *Shepard's* Table of Authorities

Go to <http://web.lexis.com/help/multimedia/tour.htm> and click on *Shepard's* Table of Authorities. The online tour will show you Table of Authorities features in detail. For more about utilizing *Shepard's* as a validation or research tool, please contact your LexisNexis Librarian Relations Consultant or LexisNexis account executive.

LexisNexis News & Business Sources ... Now More Than Twice the Resources

LexisNexis® now offers the legal marketplace **twice** the news and business sources of any online provider, including Westlaw® ... about **9,000 more news sources**.

You can conduct research—broad and deep—with premiere, full-text resources from around the globe, including *The Wall Street Journal*®, *The New York Times*®, *Los Angeles Times*®, *The Times*® (London), Reuters® and Dow Jones® news service, and many more.*

Or hone in on that make-or-break detail ... that obscure reference ... that impossible-to-find fact your lawyers' work demands.

With just-added niche content—more than 430 new abstracted sources and 250+ new selected full-text sources in addition to the 20,000+ sources already available—you can get an insider's look at thousands of companies, industries, professions and trades worldwide. Also delve into a variety of professional and medical journals.

For a complete list of the nearly 700 new additions, go to: www.lexisnexis.com/newscontent

The new, selected full-text sources can be found on the News & Business tab. They are available in the following group sources:

- Mega News, All;
- Mega News, Most Recent Two Years; or
- Mega News, Most Recent 90 Days

The 400+ abstracted sources can be found by selecting **Mega News, Abstracts** from the News & Business tab.

In addition to mega group files, these individual and publisher group files contain the new abstracted and full-text sources:

- ProQuest Datatimes (PRQDT)
- Indian Business Insight (IBI)
- Aii Data Processing Abstracts (ADPABS)
- Elsevier Engineering Abstracts (EEIABS)

- Gale Abstracts (GLABS)
- IT Midia Abstracts (ITMABS)
- ProQuest Abstracts (PRQABS)
- Elsevier Science Abstracts (ESABS)
- Federal Government Broadcast Alerts Abstracts (FGBABS)
- Novecon Abstracts (INJABS)
- LANS English Abstracts Service (LANABS)
- Dunya Abstracts (DNYABS)
- Region-Inform English Abstracts (RGIABS)
- NE Asia Online Abstracts (NKBABS)

To select files, go to the Find a Source tab. Enter the source name. Or click the “short name” button and enter the *library; file name*, e.g., to go to Elsevier Science Abstracts, ENTER: MEGANW;ESABS

Use the LexisNexis SmartIndexing Technology™ subject, company, people or geographic terms you've found most effective when researching these new sources. For example:

SEARCH: *terms(direct to consumer drug marketing)*

Or, if you are familiar with the abstracted resource and its publisher's indexing terms, you can use them as well with the TERMS segment.

These additions further solidify LexisNexis as the leader in online news sources. LexisNexis offers the legal market an **exclusive combination** of news, business and financial publications, including the full text of the **Top 100 U.S. newspapers**, **50 newswires** not found on competing online sources plus premier financial and business publications and **6,500+ international titles**, including *The Financial Times*®, *The Times* (London), and *South China Post*.

Find separate source groupings for six world regions—Americas (non-United States), Asia Pacific, Europe, European Union, Middle East and Africa. Also find a group source for each nation—more than 100 total.

*These new News and Business sources provided via Factiva® are not available to corporate legal subscribers.

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New Associates Arriving Soon? We're Here to Help.

To ensure the new associates in your law firm get the LexisNexis skills they need (and enjoy learning along the way), your LexisNexis account representative will be in contact with you soon to review and finalize your firm's LexisNexis fall associate program.

Our goal is to help you get your new associates up to speed as quickly as possible. That's why LexisNexis provides a valuable training package as well as:

- Training sessions to walk new associates through the easy-to-use LexisNexis® Total Research System
- A complete list of shortcuts for researching in their specific areas of law
- Specialized research tips that show associates "tricks-of-the-trade" for doing highly efficient, cost-effective research

In addition to helping them refine their research skills, we'll keep your fall associates motivated by offering them extra support and incentives for doing cost-effective research and attending extra training sessions. Stay tuned!

September's Web Seminar Covers Privacy, Public Records ... Don't Miss It!

The Fall 2005 LexisNexis Information Professional Web Seminar Series kicks off **Thursday, September 15 (2 p.m. EST)**, exploring a controversial topic that the entire information community is discussing.

Listen in to *Privacy Law and Public Records: A Balancing Act* as we discuss ongoing efforts at LexisNexis to protect consumer privacy and concerns regarding access to sensitive personal information while still providing data to those who have a legitimate need for it.

In addition to reviewing more details on LexisNexis policies, you'll learn about the various resources and public record files available to you for finding information. Plus get tips for using the billions of well-organized public records, court filings, agency and business documents quickly, easily and responsibly. LexisNexis Librarian Relations Consultants **Alfreda Russell** and **Julie Webster-Matthews** will host.

Register now for *Privacy Law and Public Records: A Balancing Act* at www.lexisnexis.com/webseminars This seminar—and all LexisNexis Information Professional Web Seminars—are FREE.

After registering, you'll receive an e-mail confirmation. On September 14, watch for a reminder e-mail with instructions on how to gain access to the seminar recording and materials. Each seminar will be recorded, and the recording will be made available along with the presentation.

While you're registering ... consider the rest of the Fall Web Seminar Series. Seminars are always on the third Thursday at 2 p.m. ET. On Oct. 20, join us for *Marketing the Library: Tips, Tools & Strategies for Success*. On Nov. 17, register for *LexisNexis Year in Review: A Top Ten Countdown*.

LexisNexis® Information Professional Update

Newsletter editions are also available at
<http://www.lexisnexis.com/infopro/current/newsletter>

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