LexisNexis®

Lexis+®

LexCite™ Legislation Citator Leading Cases FAQs

Contents

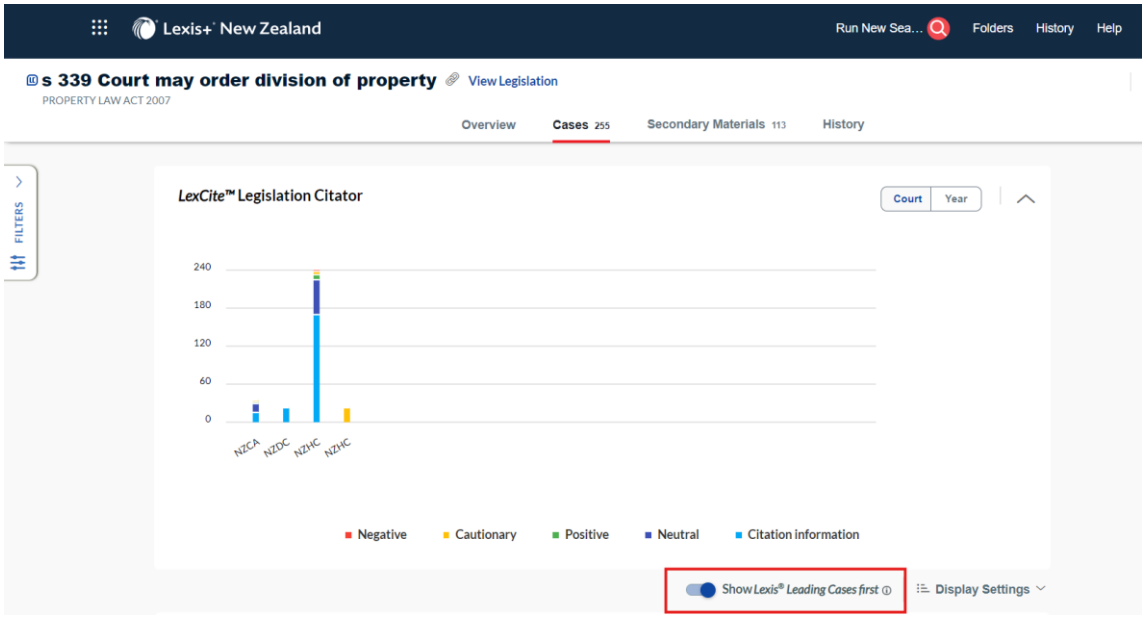
1. Aim 3
2. Location 3
3. Overview 3
4. Coverage 5
5. FAQs 5
   5.1. “Citation Score Rank” – what does it mean and how is it calculated? 5
   5.2. What citations are taken into account? 5
   5.3. How are citation counts calculated? 6
   5.4. How are Leading Cases ranked? 6
   5.5. What cases are flagged as “Leading Cases”? 6
   5.6. “Other recommended cases” – what does that mean? (Upcoming feature) 6
   5.7. What cases are included in LexCite™ Legislation citator? 6
   5.8. How do I get to a citator document? 6
6. Glossary 8
   6.1. Case citation count 8
   6.2. Case citation rate (CCR) 8
   6.3. Secondary materials citation count 8
   6.4. Citation score rank 8
7. Appendix A – Scope 9

1. Aim

- Easily identify cases of importance to a legislative section where case lists are lengthy and research time is limited – based on objective citation analytics
- Streamline further research by embedding citing references into case lists at point of need
- Reduce research time and increase research confidence

2. Location

LexCite™ Legislation citator – Cases tab > Display Settings > Switch: Show/Hide Lexis® Leading Cases first



3. Overview

This feature embeds a citation analytics layer into case lists in LexCite™ Legislation Citator. It provides a transparent method to identify leading cases for a legislative provision based on contextual and objective citation analytics – taking into consideration co-citations from both secondary materials and cases.

The hierarchy of the court and timeframe since the decision was handed down are also considered in the ranking.

Every case* in a citator case list is given a contextual citation score and an algorithm is applied to indicate relative importance. The citation analytics layer uses this score to rank the relative importance of a case to the legislative provision.

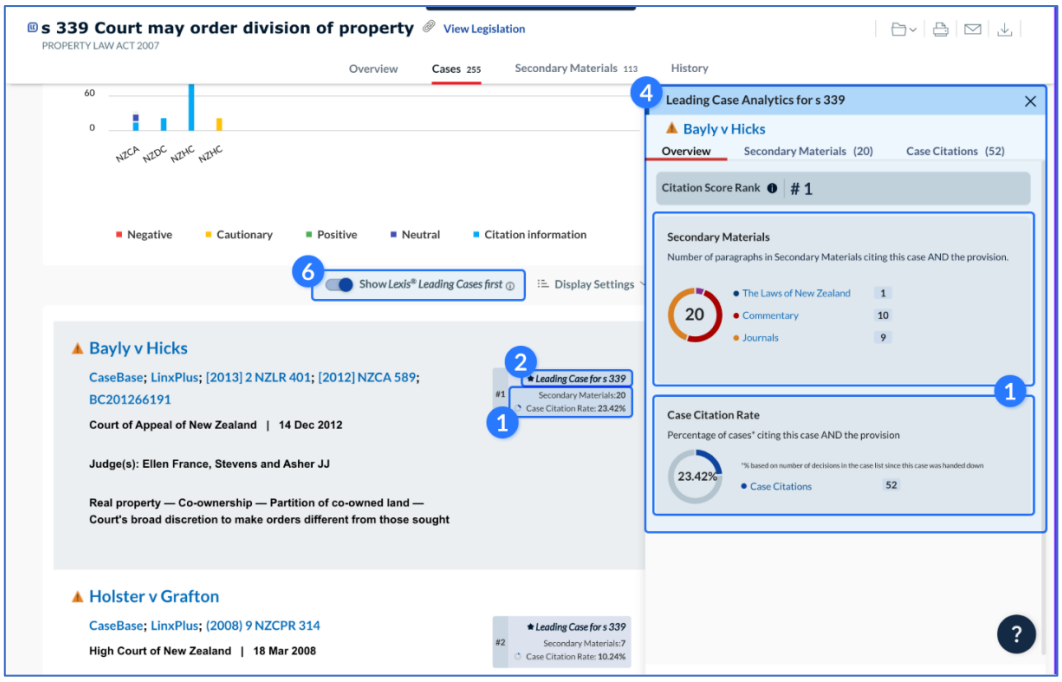
*NB Cases with a LinxPlus citation only do not receive a ranking. Ranking is based on analytics from CaseBase data

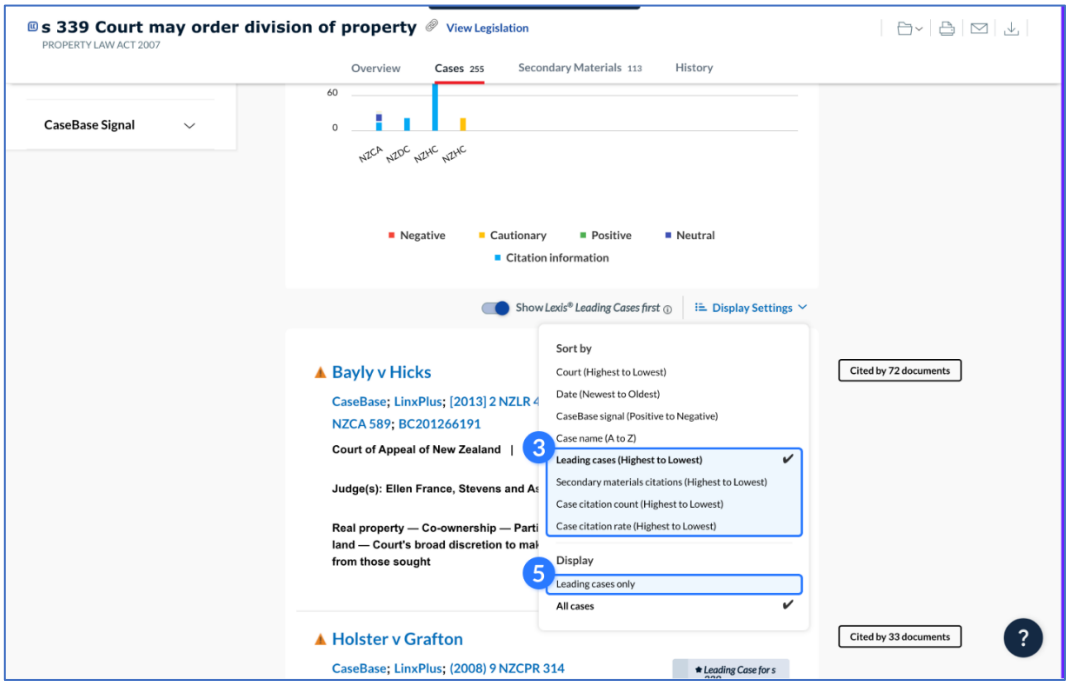
The feature includes:

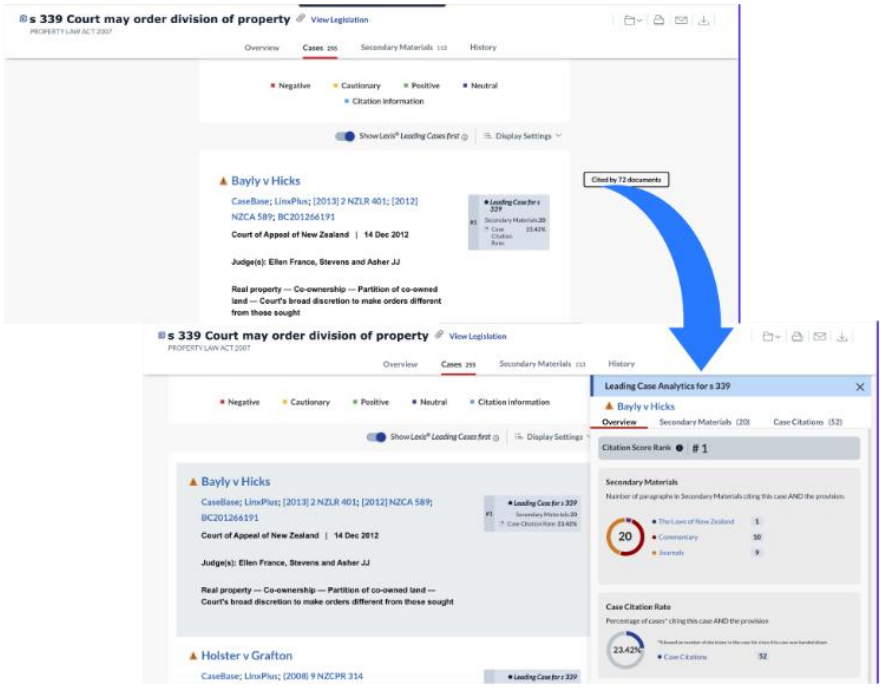
1. citation score information for each case
2. a flag on significant cases to identify a “Leading Case” for the provision
3. sort mechanisms to rank the entire case list, including by:
    - Leading Cases (Highest to Lowest)

- Secondary materials citation count (Highest to Lowest)
- Case citation count (Highest to Lowest)
- Case citation rate (Highest to Lowest)

4. an interactive analytics panel for each case showing citation references (cases and secondary materials) with links for streamlined access where a subscription is held; and
5. a display option to show only Leading Cases in the case list
6. a “Show Lexis Leading Cases” toggle to arrange the case list showing Leading Cases first with just one click







RECOMMENDATION *Recent cases may not have had time to build a citation score rank (ie through subsequent citations in cases and secondary materials). We recommend cross-checking the most recent cases - particularly in the appellate jurisdiction - as an essential step in the research process. To assist, the case list is sorted by "Date (Newest to Oldest)" by default.*

Tip: *Sorting by "Case citation rate (Highest to Lowest)" may also surface more recent cases of significance to the section*

4. Coverage

The Lexis® Leading Cases feature will be added progressively to all current Acts and Subordinate Legislation citator documents (Cases sub-tab). See Appendix A for a list of the instruments that have the feature added to date.

5. FAQs

5.1. "Citation Score Rank" – what does it mean and how is it calculated?

A citation score is generated for each case* in a citator list. The citation score considers the co-citation instances in legal judgments and secondary materials (ie the number of times the case AND the provision have been cited together), the hierarchy of the court, the time period since the decision was handed down and subsequent contextual case citation rate. All cases in the list are assigned a relative rank based on this normalised citation score – from "1" highest through to lowest – to indicate relative importance to the provision based on the objective citation data.

*NB Cases with a LinxPlus citation only do not receive a ranking. Ranking is based on analytics from CaseBase data

5.2. What citations are taken into account?

Citations are extracted and co-citation patterns analysed from the following sources:

- CaseBase Case Citator
- Laws of New Zealand

- LexisNexis Annotated Legislation products
- LexisNexis Commentary products
- LexisNexis dictionaries
- CaseBase Journal Articles (coverage includes journals from LexisNexis and a wide range of other publishers)

5.3. How are citation counts calculated?

For details, see the Glossary: Case citation count, Case citation rate (CCR) and Secondary materials citation count

For scope, see What citations are taken into account?

5.4. How are Leading Cases ranked?

For each case in the provision case list, the following factors are taken into account:

- Case citation count (contextual)
- Case citation rate (contextual)
- Secondary Materials citation count (contextual)
- Hierarchy of court

An algorithm normalises the factors above, applies a weighting and ranks the list accordingly. Where two cases have the same citation score or where there is no subsequent citation of a case, the ranking order will be based on the hierarchy of the court with most recent decision first.

5.5. What cases are flagged as "Leading Cases"?

An algorithm flags select cases in the list as 'Leading Cases' - based on the ranked citation score, total size of the case list and relative scale between citation scores. Up to 10% of the case list may be flagged as a Leading Case – up to a maximum of 20 cases.

Note, regardless of the flagging system, the entire case list is ranked with the objective citation metrics when the Lexis® Leading Cases toggle is switched on – so customers are still able to see non-flagged cases to assess importance to their research.

5.6. "Other recommended cases" – what does that mean? (Upcoming feature)

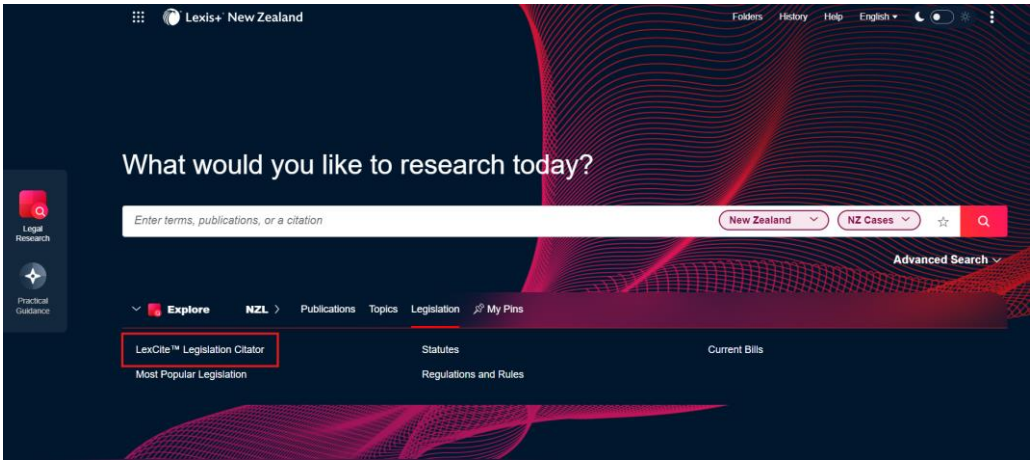
These are cases that are not in the main citator case list as they do not cite the provision. We recommend review of these cases - they are frequently cited in conjunction with the provision and co-citation pattern analysis suggests potential importance. For example, these additional cases may be historically significant to the development of the provision, including in a preceding Act or where there has been provision renumbering.

5.7. What cases are included in LexCite™ Legislation citator?

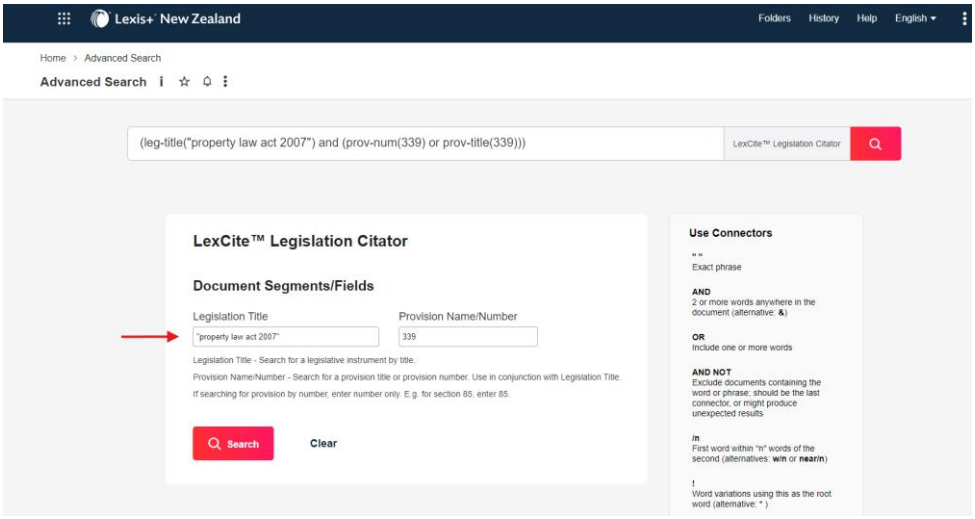
Scope is aligned with CaseBase. A case is included in the citator if the section is cited in the case's CaseBase entry ("Legislation considered by this case"). Cases with a LinxPlus only citation are also surfaced in the citator case list but will not have citation metrics attached.

5.8. How do I get to a citator document?

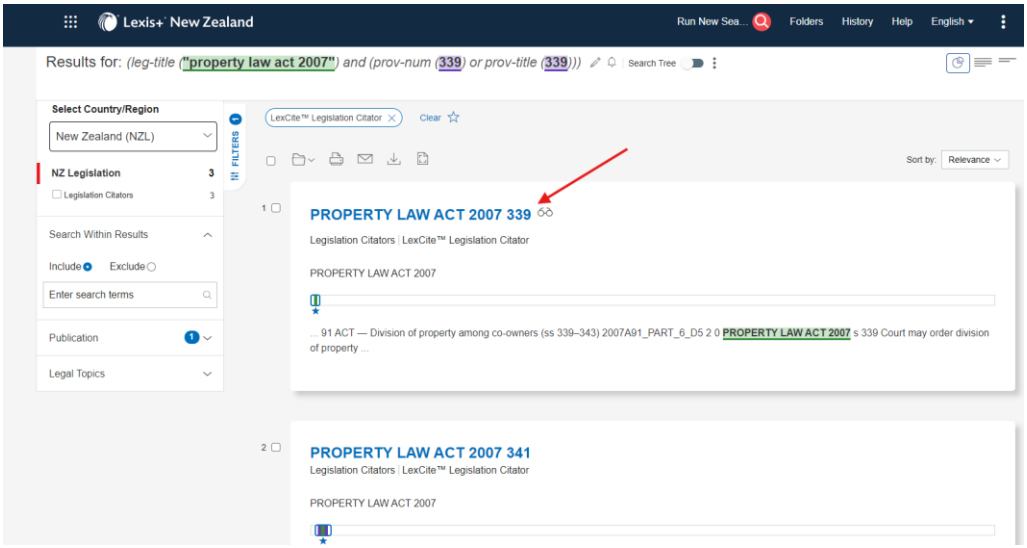
1. On the Lexis+ ® homepage, click on the "LexCite ™ Legislation Citator" link in Explore > Legislation tab.



2. Type in the Act name and section



3. Select the citator report from the results list



6. Glossary

6.1. Case citation count

The number of cases where this case AND the provision are cited together.

NB Even if the case is referenced multiple times *within* a case, the case citation count is counted as "1" for this metric.

6.2. Case citation rate (CCR)

The number of cases where the case AND the provision are cited together – expressed as a percentage of cases *since the judgment date of the case.*

Example: X v Y case was decided in August 2015 and cited the provision of interest (eg Fictional Act 2010 s 9). Since that time there have been 10 more cases that have cited the provision of interest (Fictional Act 2010 s 9) and are included in the citator case list. Of these 10 cases, 4 have cited the case (X v Y). The case citation rate for X v Y would be 40% (that is 4 out of 10 cases citing Fictional Act s 9 have cited X v Y since it was decided)

Recommendation: CCR can be an indicator of a more recent case being of importance. Even if a case has not had time to be considered in secondary material citations, it may have been cited in subsequent recent judgments. Use the Sort Mechanism (in Display Settings) to sort by "Case citation rate (Highest to Lowest)"

6.3. Secondary materials citation count

The number of paragraphs the case AND the provision have been cited together in a secondary materials source.

NB Even if the case is referenced multiple times *within* a paragraph, the secondary materials citation count is counted as "1" for this metric.

For Journals the count is on a per article basis (regardless of citation frequency *within* the article)

6.4. Citation score rank

A numeric ranking for each case* in a citator list indicating relevant importance of the case compared to other cases on the list based on subsequent citation data (ranking "1" highest through to lowest). The ranking considers the co-citation instances in legal judgments and secondary materials (ie the number of times the case AND the provision have been cited together), the hierarchy of the court, the time period since the decision was handed down and subsequent contextual case citation rate.

*NB Cases with a LinxPlus citation only do not receive a ranking. Ranking is based on analytics from CaseBase data

7. Appendix A – Scope

Instruments with Lexis® Leading Cases feature added

Last updated: 2 July 2024

All current Acts and Subordinate Legislation citator documents will have the Lexis® Leading Cases feature added to the Cases tab. This feature will be added progressively. Instruments that have the Lexis® Leading Cases feature added to date include:

Instrument Name
Companies Act 1993
Contract and Commercial Law Act 2017
Employment Relations Act 2000
Evidence Act 2006
Property (Relationships) Act 1976
Property Law Act 2007
Resource Management Act 1991
Trusts Act 2019
Unit Titles Act 2010