



Idaho Courts – February 1st, 2012 Webinar

Agenda:

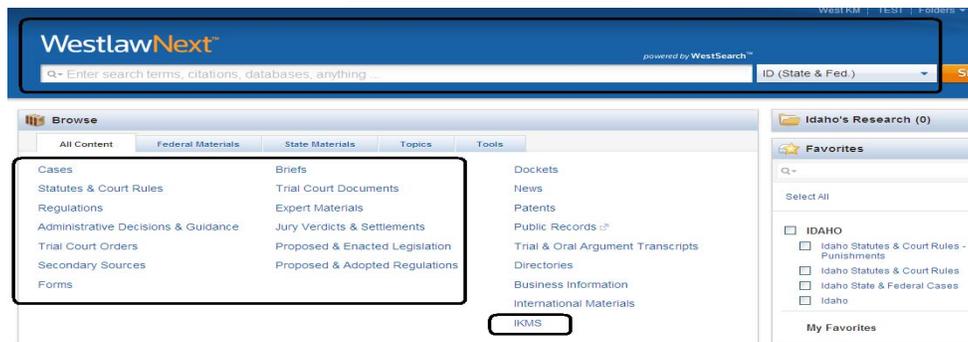
- Transitioning from Westlaw.com to WestlawNext
 - WestSearch
- IKMS: Locating Internal Documents within WestlawNext
- Idaho Court's WestlawNext In-Plan Content
- Your Idaho Westlaw Team

Presented by:

- Laura Nelimark (Westlaw Account Manager)

Transitioning from Westlaw.com to WestlawNext

www.next.westlaw.com



1. Intro—Why transition?

- a. Easier to use
- b. Dramatically improves searching
- c. Helps analyze and organize results

2. Where did I start?/Where do I start?

- a. Before: Select tab, choose a database, write query
- b. Now: Single search box that will search across all core content sets of WestlawNext
 - i. Can use the box to search, find by citation, identify a content set, KeyCite, find by party names
 - ii. Can still select a jurisdiction for search
 - iii. Single search box will be visible from any screen on WestlawNext
 - iv. To return to home screen, click on WestlawNext icon
- c. Benefit: Be confident, missing nothing!
- d. *EXAMPLE: Show Idaho tab on westlaw.com and compare to Westlaw Next home screen with Idaho State and Federal selected."*

3. WestSearch – (Refer to page 4 of outline)

4. How did I write a search query?/How do I write a search query?

- a. Before: Natural Language or Terms & Connectors
- b. Now: Searching using plain language gives you full benefit of WestSearch
 - i. Still have the option to search using terms & connectors or use the Advance link for a template to terms & connectors
- c. Before: Used templates to find a case by party name and retrieved no results or too many
- d. Now just type party name search separated by v. into the single search box and receive results as though used template
- e. Benefit: Constructing a search is easy!
- f. *EXAMPLE: Enter in "Crawford v Washington" in WestlawNext, and compare by showing "Find a case by party name" tool in westlaw.com*

5. What content did I search?/What content am I searching?

- a. Before: Searching only the databases that you have selected
- b. Now: Search all content on WestlawNext in a single search. Your results are comprehensive, organized by content sets, and easy to review/filter
- c. Benefit: Everything at your fingertips in a single search!
- d. *EXAMPLE: Show where user would select databases on westlaw.com*

6. I wanted to start with cases, what did I do?/I want to start with cases, what do I do?

- a. Before: Select the specific database; limited ability to sort order; limited ability to narrow
- b. Now: Can select the case content from search results on left panel
 - i. Options for order of search results
 - ii. Able to use filters on left panel to narrow results
- c. Benefit: Easy to find what you need!

- d. *EXAMPLE: In WestlawNext, click on Cases to show how easy it is to start the research with cases, then click on Search within Results and type in admis!*

7. How did I know I was viewing good law?/How will I know that I am viewing good law?

- a. Before: Relied on four symbols (red flag yellow flag, green C, blue H); KeyCite tools harder to locate in left panel
- b. Now: Simplified to just red and yellow flag (no C or H); most severe treatment listed immediately below citation, KeyCite tools centrally tabbed across the top of a document, better organized, and easier to review
 - i. Negative Treatment: columns stating precisely what the negative treatment was; depth of treatment bar (rather than depth of treatment stars)
 - ii. History: graphical and linear view in same location; graphical view marked with letters to indicate relationships between stages of case; able to hover over graphical view to see enlargement
 - iii. Citing References: filters immediately visible on left by type of document (no need to use Limit KeyCite Display); Narrow box on left panel to search within results, ability to sort column heading allowing to organize by date or depth, hover over headnote to see what the citing reference discussed in the case you are reviewing, etc.
- c. Benefit: Confident relying on good law!
- d. *EXAMPLE: Click into Crawford v. Washington – Click into Citing References, Click on Cases, Click on + next to State, place a check mark next to Idaho*

8. I regularly use a specific set of statutes, what was the easiest way to locate and search it?

- a. Before: Could save the full database as a favorite database and search within it; or could go in to the Table of Contents when available select the subset interested in and then search only with the terms & connectors option
- b. Now: Able to set a subset of a database, such as a Title as a favorite and then search within it using either plain language or terms & connectors; it can be always available on home screen. Search specific content you create in Favorites. Note the top allows to search that content specifically rather than the full capacity of WestlawNext
- c. Benefit: Save time!
- d. *EXAMPLE: Go into WL.com Idaho tab and click on the Table of Content for the statutes. Go to the Criminal law title 18 and open it. Now go into WestlawNext, and run a search in my Favorites for title 18 Crimes & Punishments.*

9. How did I keep track of my research?

- a. Before: Research Trail saved research for 14 days; able to go in individually and email a particular research trail
- b. Now: My Research saves research for 1 year; it is searchable; allows organization of research in to Folders, email, print, download, etc.
- c. Benefit: Save time!
- d. *EXAMPLE: In Westlaw.com, click on research trail and “List of all research trails” to show functionality. Then in Next, click on “History” and show ability to filter and search within it. Also show folders organizational system.*

10. How did I move text from Westlaw into my document?/ How do I move text from Westlaw into my document?

- a. Before: Highlight/block text you wish to move, select Copy w/Reference from Tools pull-down menu, separate box appears with text to be copied, click Copy button, go to document, paste text into document.
- b. Now: Highlight/block text, menu appears automatically, select Copy w/Reference, text added to Clipboard, paste into document.
- c. Benefit: Same functionality with fewer steps.
- d. *EXAMPLE: Go back into Crawford v. Washington case. Use “Copy with Reference tool” by highlighting specific content, select Copy with Reference (Standard), open up a Word document and right click and paste into new document.*

1. WestlawNext is powered by WestSearch.

WestSearch™ is the world's most advanced legal search engine. It leverages over 100 years of West's editorial analysis of the law, and it emulates the best practices of experienced legal researchers.

Key components of WestSearch™:

- **West Key Number System®** – This is the foundation of WestSearch™. Because thousands of West attorney editors have read, summarized and classified the law by topic for over 100 years, WestSearch™ can identify the topics of law best represented by the terms of your search and return highly relevant documents for those topics, even if the documents don't have the terms you put into the search box.
- **KeyCite®** – KeyCite maps the citation network among all federal and state cases in the West National Reporter System™ (as well as over 1 million unpublished cases), federal and state statutes, and thousands of secondary source publications. WestSearch™ analyzes the rich connections among documents, making your results more inclusive and bringing the most relevant documents to the top of the list.
- **West Secondary Sources** – With thousands of practice guides, legal encyclopedias, and authoritative treatises, WestSearch™ can find primary law that is heavily discussed in each jurisdiction and detect similar phrases that apply to your concepts

Whether you run a precise Boolean Terms & Connectors search or just enter simple descriptive terms, WestSearch™ employs West's editorial assets much like an expert researcher would – only faster – to find the best documents for your research. It also learns from the research of professional users of WestlawNext™, so that the great results you get today just get better and better.

2. Comparing Westlaw.com to WestlawNext Results

- a. Before: Results only from the selected database; if natural language search sorted by Best match; if terms & connectors search organized chronologically
- b. Now: Search results from all core content sets on WestlawNext; ability to select order of organization (for example by relevance rather than by date)
 - i. What is “best” is vastly differently defined allowing for significantly better results
 - ii. New WestSearch search engine leverages exclusives from Westlaw including KeyCite, KeyNumbers, extensive document linking, editorial enhancements, and more behind the scenes to pull relevant documents
- c. Benefit: Less effort, better results!
- d. *EXAMPLE: Enter the following search: “Whether 911 statements are considered testimonial”.*
 - i. *Westlaw.com - Idaho tab, search Idaho State and Federal → Seminal case Crawford v. Washington is result 41*
 - ii. *WestlawNext – search Idaho (State & Fed.) → Seminal case Crawford v. Washington is result 1*

IKMS: Locating Internal Documents within WestlawNext

1. Access internal documents within WestlawNext

- a. Simply run your search and on the left side of your results, IKMS will list out internal documents that match your search terms

WestlawNext powered by WestSearch™

Q- whether 911 statements are considered testimonial ID (State & Fed.) SEARCH advanced

VIEW: Overview 14, Cases 56, Statutes 39, Regulations 50, Administrative Decisions & Guidance 10,000, Trial Court Orders 20, Secondary Sources 282, Forms 1, Briefs 105, Trial Court Documents 20, Expert Materials 751, Jury Verdicts & Settlements 43, Proposed & Enacted Legislation 1,176, Proposed & Adopted Regulations 7,066, All Results 19,709, **IKMS 100**

NARROW: Search within results

IKMS (100) Sort by: Relevancy

- Select all items | No items selected
- PRESIDING OVER CAPITAL CASE - CHAP 6 Trial Matters Unique to Capital Cases**
Modified Date: 1/26/2010 4:43:43 PM | File Name: PRESIDING OVER CAPITAL CASE - CHAP 6 Trial Matters Unique to Capital Cases | Library Group: Bench Guide
...v. Roberts held that the Confrontation Clause permitted a hearsay **statement to be** used as evidence against a criminal defendant either...
- Child Witnesses in Sex Abuse Cases - Rammell-Dickson - June 2010**
Modified Date: 2/10/2011 3:23:16 PM | File Name: Child Witnesses in Sex Abuse Cases - Rammell-Dickson - June 2010 | Library Group: Opinion and Reference Bank - MJ
...(2007). If so, normal Crawford analysis would govern and the **testimonial statements** would not **be** admissible unless there **was** an opportunity...
- IJC 2010 Trial Evidence - Hearsay Rules**
Modified Date: 3/3/2011 3:01:22 PM | File Name: IJC 2010 Trial Evidence - Hearsay Rules | Library Group: Conferences and Seminars
...Idaho Constitution. The Confrontation Clause requires the exclusion of a **testimonial statement** against an accused, no matter how reliable a court...
- NJO | 2010 Practical Trial Evidence - Lansing & Clark**
Modified Date: 3/4/2011 12:50:03 PM | File Name: NJO | 2010 Practical Trial Evidence - Lansing & Clark | Library Group: Conferences and Seminars
...threshold question in Confrontation Clause analysis is whether the out-of-court **statement was testimonial**. Crawford tells us that **testimonial** hearsay encompasses more...

2. Easily identify when an Internal Document has cited a case or document in your result list

- a. KM icon next to a result illustrates that an internal document has cited that result. Simply click on the KM icon to view the list of KM citing references.

VIEW: Overview 14, Cases 56, Statutes 39, Regulations 50, Administrative Decisions & Guidance 10,000, Trial Court Orders 20, Secondary Sources 282, Forms 1, Briefs 105, Trial Court Documents 20, Expert Materials 751, Jury Verdicts & Settlements 43, Proposed & Enacted Legislation 1,176, Proposed & Adopted Regulations 7,066, All Results 19,609, **IKMS 100**

Cases (56) Sort by: Relevance

- Select all items | No items selected
- 1. Crawford v. Washington**
Supreme Court of the United States | March 08, 2004 | 541 U.S. 36
CRIMINAL JUSTICE - Confrontation. Admission of out-of-court **statements** by defendant's wife to police violated Confrontation Clause.
...To add insult to injury, some of the courts that admit untested **testimonial statements** find reliability in the very factors that make the **statements testimonial**...
... As far as I can tell, unsworn **testimonial statements** were treated no differently at common law than were nontestimonial **statements**, and it seems to me any classification of **statements** as **testimonial** beyond that of sworn affidavits and depositions will be somewhat arbitrary, merely a proxy for what the Framers might have intended had such evidence been liberally admitted as substantive evidence like it is today.4...
- 2. Davis v. Washington**
Supreme Court of the United States | June 19, 2006 | 547 U.S. 813
CRIMINAL JUSTICE - Confrontation. **Statements** made during police interrogation conducted in emergency are nontestimonial for purposes of Confrontation Clause.
...(b) The question in Davis, therefore, is whether, objectively **considered**, the interrogation during the **911** call produced **testimonial** statements...

3. Search only in IKMS by clicking on IKMS from Browse and search box is specified for internal document searching only.

WestlawNext All Content **IKMS** Q- Search IKMS

Home
IKMS ★
Other Idaho Resource Material ⓘ

Library Group

- Bench Guide
- Clerks Manual
- Conferences and Seminars
- Jury Instructions - effective Sept 1, 2010
- Jury Instructions - old
- Opinion and Reference Bank - MJ
- Opinion Bank - DJ

Idaho Court's WestlawNext In-Plan Content

1. Go To Tools from the WestlawNext home page under "Browse"

Q- Enter search terms, citations, databases, anything ... ID (State & Fed.)

Browse

All Content Federal Materials State Materials Topics **Tools**

West Key
West Key Number System
Access the most comprehensive and widely-used indexing system for caselaw materials to make your legal research easier, more accurate, and more relevant.

General Counsel Resources
Access a library of resources organized specifically for corporate legal professionals.

Pricing Guide
Subscriber Pricing Guide
See hourly and transactional pricing information for WestlawNext content and services.

My Content
Access a comprehensive list of content included in your organization's WestlawNext subscription.

Idaho's Research (0)

Favorites

Select All

IDAHO

- Idaho Statutes & Court Rules Punishments
- Idaho Statutes & Court Rules
- Idaho State & Federal Cases
- Idaho

My Favorites

Frequently Used Items

- IKMS
- Jury Instructions - effective Se
- Clerks Manual
- Bench Guide
- Conferences and Seminars

Matter Benchmark Reports
Create and customize benchmark reports to effectively evaluate, manage and negotiate fees and expenses. Learn more

2. Click on "My Content"

3. Sort by Name or Content Type

All Content ID SUPREME COURT WestlawNext Content

WestlawNext[®] Q- Enter search terms, citations, databases, anything ... SEARCH

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Sorting By: Name Download PDF

0-9

- 10th Circuit Federal & State Cases
- 11th Circuit Federal & State Cases

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Sorting By: Content Type Download PDF

- All
- Administrative Decisions & Guidance
- Briefs
- Cases
- Dockets
- Forms
- Jury Verdicts & Settlements
- Miscellaneous Content
- News
- Proposed & Adopted Regulations
- Proposed & Enacted Legislation
- Regulations
- Secondary Sources
- Statutes
- Trial Court Documents
- Trial Court Orders
- Alaska Attorney General Opinions
- Alaska Environmental Administrative Decisions
- Alaska Insurance Bulletins
- Alaska Judicial Ethics Opinions
- Alaska Labor Relations and Attorney General Opinions
- Alaska Labor Relations Decisions
- Alaska Legal Ethics Opinions

Your Idaho Account Team



Kristin Boisjoli
Government Consultant
Direct Dial: : 651-244-2344
1-800-328-9352, ext. 42344
kristin.boisjolie@thomsonreuters.com

Westlaw/WestlawNext, CLEAR, Books, Solutions Software



Laura Nelimark-Keyes, JD
Account Manager
Direct Dial: 651-244-2244
1-800-328-9378, ext. 4-2244
laura.keyes@thomsonreuters.com

ACCOUNT MANAGEMENT & TRAINING



Nathan Grein, JD
Regional Inside Manager
Direct Dial: 651 848-4884
1-800-328-9378, ext. 8-4884

nathan.grein@thomsonreuters.com

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