



KEY POINTS

A LEGAL RESEARCH NEWSLETTER FOR STATE
AND LOCAL GOVERNMENT FROM WEST

Volume 28, Number 1
January/February 2010

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Organs of Justice

*“Litigant, n. A person about to give up his
skin for the hope of retaining his bones.”*

— Ambrose Bierce

TABLE OF CONTENTS SERVICE: CONTEXT PLUS EFFICIENCY

**The Table of Contents service can give you the big picture
in seconds.**

When online research arrived on the scene, new users worried how they would survive without a table of contents. How would they quickly see how a publication was laid out or whether nearby sections were better than the section they were viewing?

In came the Table of Contents service (TOC)—and out went the worries. The TOC offers every benefit of a printed table of contents, and then some.

Whenever you use Westlaw to consult the *United States Code Annotated*® (USCA®), the *Code of Federal Regulations*, the *RIA*® *Internal Revenue Manual*, or any of hundreds of treatises, you can use the TOC to:

- view the headings and section names from the publication
- see the section you are viewing in context (where does it appear in the publication?)
- run a search restricted to a specific chapter or subchapter
- print or e-mail a specific chapter or subchapter

To access the TOC for a database on Westlaw, first access the database (e.g., USCA). If the TOC is available for the database, a *Table of Contents* link is displayed at the top of the Search page. Click this link to display the table of contents. (If you are viewing the text of a section, click **Table of Contents** on the Links tab.)

To browse the table of contents, click the plus (+) and minus (–) symbols. To retrieve a specific section, click the section name.

To use the TOC to retrieve more than one section of a publication or entire titles, chapters, or subchapters, select the check boxes next to the sections, titles, chapters, or subchapters, and click **Search**. The Table of Contents search page is displayed. Click **Search** again. If you want to retrieve only those sections that contain specific terms, type a terms and connectors query in the *Add search terms and connectors* text box before you click **Search**.



PRESIDENTIAL DOCUMENTS: "KIND OF COOL."

Executive orders and other presidential documents can be helpful legislative history research tools and, in some cases, the governing law.

Clinton adviser Paul Begala once described the executive order as follows: "Stroke of the pen. Law of the land. Kind of cool."^{*}

Cool or not, executive orders and other presidential documents (e.g., signing statements) are essential resources in legal research. These documents are the governing law in various corners of environmental law, imported property, foreign relations, Native American rights, national security, and other areas. In addition, researchers and courts can practically and productively use presidential messages as an aid in statutory interpretation.[†]

If you have access to Westlaw, you can retrieve a wide range of presidential documents in seconds.

What's on Westlaw?

Databases on Westlaw that contain documents from or about the president include the following:

- Federal Register 1981–Current (FR) (All executive orders, proclamations, trade agreement letters, reorganization plans, and other presidential documents are published in the *Federal Register*.)
- Daily Compilation of Presidential Documents (WCPD)
- Daily Presidential Documents (PRES-DAILY)
- Obama Presidential Documents (PRES-OBAMA)
- Presidential Documents (PRES)
- U.S. Code Congressional and Administrative News–Executive Orders (USCCAN-EO)
- U.S. Code Congressional and Administrative News–Presidential Messages and Signing Statements (USCCAN-MSG)
- U.S. Code Congressional and Administrative News–Presidential Proclamations (USCCAN-PROC)
- White House Press Releases and Documents (WHPRESSREL)

How Do I Retrieve a Specific Executive Order?

If you know the citation of an executive order, you can quickly retrieve the order using the Find service. For example, to retrieve Exec. Order No. 13,505 (Mar. 9, 2009), type the citation (e.g., **eo 13505**) in the *Find this document by citation* text box and click **Go**.

How Do I Search for Presidential Documents by Topic?

To search for presidential documents on a particular topic, run a search in one of the databases listed above. To focus your search, consider using a field restriction. For example, when searching the PRES database, you could use a caption field (ca) restriction, e.g., **ca("stem cell")**.

To retrieve presidential documents that pertain to a public law or a USCA section you are viewing, click **Presidential Messages** (for a public law) or **Reports and Related Materials** (for a USCA section) on the Links tab. Links to executive orders and presidential messages may also be displayed in law review articles and treatise sections that discuss your issue.

The screenshot shows a document titled "Exec. Order No. 13505" with the subtitle "Executive Order 13505 Removing Barriers to Responsible Scientific Research Involving Human Stem Cells" and a date of "March 9, 2009 (Approx. 1 page)". Below the title, it provides the citation "Exec. Order No. 13,505, 2009 WL 604340 (Pres.Exec.Order), 74 FR 10667 Executive Order 13505". The main text begins with "Removing Barriers to Responsible Scientific Research Involving Human Stem Cells" and "March 9, 2009". A key section is marked with a purple asterisk: "*10667 By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows: Section 1. Policy. Research involving human embryonic stem cells and human non-embryonic stem cells has the potential to lead to better understanding and treatment of many disabling diseases and conditions. Advances over the past decade in this promising scientific field have been encouraging, leading to broad agreement in the scientific community that the research should be supported by Federal funds. For the past 8 years, the authority of the Department of Health and Human Services, including the National Institutes of Health (NIH), to fund and conduct human embryonic stem cell research has been limited by Presidential actions. The purpose of this order is to remove these limitations on scientific inquiry, to expand NIH support for the exploration of human stem cell research, and in so doing to enhance the contribution of America's scientists to important new discoveries and new therapies for the benefit of humankind. Sec. 2. Research. The Secretary of Health and Human Services (Secretary), through the Director of NIH, may support and conduct responsible, scientifically worthy human stem cell research, including human embryonic stem cell research, to the extent permitted by law. Sec. 3. Guidance. Within 120 days from the date of this order, the Secretary, through the Director of

Executive order

^{*} James Bennet, *True to Form, Clinton Shifts Energies Back To U.S. Focus*, N.Y. TIMES, July 5, 1998.

[†] Kathryn Marie Dessayer, Note, *The First Word: The President's Place in "Legislative History,"* 89 MICH. L. REV. 399 (1990).



Link to presidential messages

How Do I Know Whether an Executive Order Has Been Revoked or Superseded?

KeyCite® history is available for the *Federal Register*, where executive orders are published. To view the KeyCite history result for the executive order you are viewing, click **History** on the Links tab or click the KeyCite status flag at the top of the document.

An executive order that revokes or supersedes a previous order may contain a link to the full text of the previous order. Click the link to view the previous order in the Link Viewer.

If you have questions or need search assistance, call the West Reference Attorneys at 1-800-REF-ATTY (1-800-733-2889).

KeyCite history result



Advanced SEARCH TIP

Clearing the Check Boxes at the KeyCite Limits: Document Type Page?

Q: In many places on Westlaw (and elsewhere on the Internet), I can clear several check boxes simultaneously. So why can't I clear all the check boxes simultaneously at the KeyCite Limits: Document Type page? I think some sort of *Clear All* link could save me a little time when I only want one or two document types.

A: Try it now. You can now click **Clear All** to clear all check boxes at the KeyCite Limits: Document Type page simultaneously.