

# Law Librarians

in the new millennium

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A publication from West Librarian Relations

## Where, When, and What Do I File?

by Jay Shuck, *West Customer and Product Documentation*

**KeyRules brings you everything you need for a procedure in a specific jurisdiction—in one document and in one search.**

Suppose your firm had to file a motion for summary judgment in an unfamiliar California court. Chances are you couldn't file a single piece of paper until you undertook some sprawling, time-consuming research: You'd need all applicable court rules—in California and in the appropriate county court—governing timing, burden of proof, format, service, hearing procedures, and other requirements. You'd need to know all applicable deadlines, and retrieve any forms, checklists, and practice tips available. You might spend hours searching and reading.

At least that was the situation *last year*.

Meet KeyRules, a tool recently released on Westlaw®. With KeyRules, you run only one search via a user-friendly template. KeyRules gathers

all applicable rules governing common federal and state court procedures and condenses them in a single easy-to-read document. The document contains links to all cited rules, as well as the Westlaw Legal Calendaring product. KeyRules draws on the editorial expertise of West editors, as well as on a wide range of Westlaw content.

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Search

Selected Databases: KeyRules - California - State Superior Court (KEYRULES-CA)

Terms and Connectors | Natural Language | **Template**

Choose a Court: Superior Court, Ventura County [Search Westlaw]

Choose a Document Type: Search Motions, Oppositions, and Replies

Motions, Oppositions, and Replies

- Select All
- Demurrer
- Opposition to Demurrer
- Reply in Support of Demurrer
- Motion to Compel Discovery
- Opposition to Motion to Compel Discovery
- Reply in Support of Motion to Compel Discovery
- Motion for Continuance / Extension of Time
- Opposition to Motion for Continuance / Extension of Time
- Reply in Support of Motion for Continuance / Extension of Time
- Motion for Leave to Amend
- Opposition to Motion for Leave to Amend
- Reply in Support of Motion for Leave to Amend
- Motion for Leave to File Cross-Complaint
- Opposition to Motion for Leave to File Cross-Complaint
- Reply in Support of Motion for Leave to File Cross-Complaint
- Motion in Limine
- Opposition to Motion in Limine
- Motion for Preliminary Injunction
- Motion to Quash
- Opposition to Motion to Quash
- Reply in Support of Motion to Quash
- Motion for Sanctions
- Opposition to Motion for Sanctions
- Reply in Support of Motion for Sanctions
- Motion to Strike
- Opposition to Motion to Strike
- Reply in Support of Motion to Strike

KEY RULES-CA search template

# Dear Colleague

a letter from Lori



**Lori Hedstrom**  
Marketing Manager  
Librarian Relations

Summer is finally here, and that means summer clerks and associates, SLA, and AALL! Be sure to check in with your West librarian relations manager and account manager for activities and assistance relevant to your library. These are all great opportunities to promote your services, add to your knowledge, catch up with colleagues, and share successes.

Public speaking is most people's greatest fear, including librarians who are asked to give presentations at conferences, workplace meetings, or chapter events. Aleta Benjamin's helpful hints will be useful to anyone worrying that he or she does not have the requisite expertise to ensure success. Her commonsense, encouraging approach ("you have the perfect skills and training to tackle this") reminds us that becoming an instant expert is, in fact, what we do!

You have long relied on Westlaw as one of the most comprehensive resources available for research. You already know the breadth of content online; our recent developments have focused on ways to help you use that content more effectively. A great example is the new KeyRules tool. This feature allows you to run one search, which retrieves one document containing links to all cited rules in a jurisdiction, as well as West editorial enhancements. A very different time-saver is the new tabbed Subprime page, which brings together cases and other court documents, statutes and regulations, editorial summaries and current awareness, public records and more! With either tool, a researcher can access a specific content set without having to guess at database identifiers or wonder whether relevant sources might have been missed.

Librarian Relations Manager Nikki Shenk shares her perspective on the need for law firm, government, and academic librarians to work together to improve research skills of new researchers. In her previous positions as an assistant director of IT at a law school and West academic account manager, she has worked in diverse environments that enable her to assist librarians in any type of organization. These experiences make her a valued partner to librarians in Pennsylvania, New Jersey, and Delaware.

We hope to see you at SLA and AALL this year and encourage you to visit our booths in the exhibit halls and attend the programs and events we sponsor. It is our privilege to support the law librarian profession, and we look forward to seeing many of you soon!

Sincerely,

A handwritten signature in black ink that reads "Lori Hedstrom".

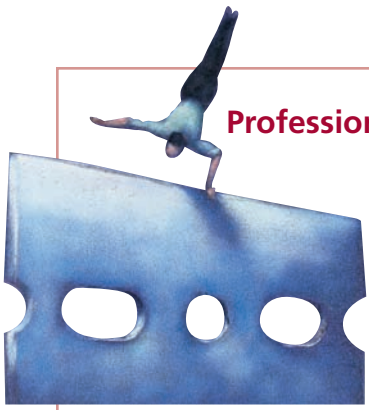
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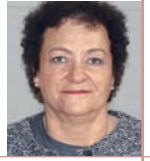
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You can also contact Lori Hedstrom, Marketing Manager, Librarian Relations, at [lori.hedstrom@thomsonreuters.com](mailto:lori.hedstrom@thomsonreuters.com).



# How to Become an Instant Expert

by Aleta Benjamin



Law librarians are well-positioned to become authorities when the need arises.

**D**o you ever get a request where you not only don't know the answer, you don't even recognize the underlying topic? This is actually one of my favorite things about being a law librarian: being able to answer a question quickly and correctly after starting from zero.

So when I was approached to speak on the topic of "How to Become an Instant Expert" for a Southern California Association of Law Libraries (SCALL) Institute, I thought it would be easy. I soon came to realize I would be presenting to a roomful of skilled researchers.

I would have to become an instant expert—on being an instant expert.

What really is an "instant expert" and why would you want to be one? One definition says it all: An instant expert is "someone who must learn a great deal about a subject in a relatively short time (usually under a deadline of some sort)."<sup>\*</sup> There appears to be a continuum for how expert you need to be—from a little bit to sufficiently knowledgeable to keep your employer state of the art. (One of the ways to gauge how much expertise is enough is to look at the reason for the request.)

As I prepared for my talk, I looked to the big picture and focused on overarching principles I thought were helpful. Here are the maxims I distilled from my experience:

### Don't panic!

Don't absorb your requester's angst. You know much more than you think you do, and you have the perfect skills and training to tackle this kind of problem. To stay calm is itself a skill, and you must cultivate it. Being calm will also help to increase your credibility.

### Don't reinvent the wheel

Find out what else your requester knows that he or she is not telling you—a time frame, a jurisdiction, a spelling.

<sup>\*</sup>Stephen J. Spignesi, *How to Be an Instant Expert: Six Steps on Being an Authority on Any Subject*, Career Press (2000).

If you are lucky enough to work with other librarians, you have a mechanism to see if anyone else worked on this topic or if the requester has asked more than one person at the same time. Make good use of guides like Zimmerman's Research Guide or the Law-lib archives.

### Learn the lingo

Be on the lookout for "terms of art." One of my favorite examples is gaming versus gambling; one is legal and one is not. You can waste a lot of time and energy pursuing the wrong term, so use Web search engines or encyclopedias to distill the language down to the useful terms. And check your spelling!

This also helps when you are trying to get help from a human source; you can demonstrate that you have done your homework and are coming to them looking for more sophisticated information. You don't want to sound like you want them to do your work for you.

### Let it percolate

Once you have done your "broad sweep" searching, then evaluate your materials. When you keep bumping into the same release, article, report, or agency, it is a signal you have probably gotten to the right place. If you have the luxury of a little more time, step away and do something else. Look at it with a fresh eye. Go to lunch and return to it another time.

### Know when to stop!

Most people don't need everything on a topic—they just need enough to answer their question. In their eyes, that is when expert status is achieved, and that is what counts. Be very careful about librarian overkill—don't deluge them with everything you find. One exception is when you find additional information that they might be unaware of, e.g., they ask for a particular bill and you discover there are four variations also pending.

As Samuel Johnson said, "Knowledge is of two kinds. We know a subject ourselves, or we know where we can find information upon it." ♦♦

Aleta Benjamin is the Legal Research Specialist for the Capital Group Companies in Los Angeles. Her e-mail address is [Aleta\\_Benjamin@capgroup.com](mailto:Aleta_Benjamin@capgroup.com).

# Where, When, and What Do I File? continued from page 1

“Before KeyRules, attorneys and librarians had to gather information from various sources,” says Steve Schneider, manager of litigation product development at West. “Much of it is in Westlaw Statutes Plus®, but it might be 100 different documents you have to read and digest and understand. We’re pulling that all together in one place for you and giving you just the information you need.”

You can access KeyRules from several locations on Westlaw, including the tabbed Litigation and State Litigation pages, selected state jurisdictional pages (including the California, Florida, Illinois, Michigan, Missouri, Ohio, Pennsylvania, Texas, Virginia, and Washington pages), the Litigation subdirectory of the Westlaw Directory, and the Links tab for a court rule or procedural statute you are viewing. In the alternative, you can access the search template by typing a database identifier, e.g., *keyrules-all* or *keyrules-ca*, in the *Search for a database* text box.

At the search template, select a court and document type and click **Search Westlaw**. You retrieve a document containing easy-to-read analysis of applicable rules and judicial holdings, as well as a checklist of tasks, forms, and timing considerations. The document also contains links to Westlaw Legal Calendaring, underlying rules, treatise sections, and forms.

“The big issue for attorneys and librarians at firms is where to find out everything they needed to do to file pleadings or motions in a particular jurisdiction, say, in Alameda County, California,” says Schneider. “They’d

The screenshot shows the KeyRules interface for California Superior Court, Ventura County. On the left is a navigation pane with sections: Full Screen List, Edit Search, Full-Text Document (with sub-sections A-I), and Related Rules. The main content area is titled 'F. Filing and Service Requirements' and lists filing requirements (1. Filing Requirements) with sub-points a, b, c, d, and i. Below this is a section titled 'I. Checklist' with sub-section 1) 'Matters to be considered by moving party' and a list of items a) through c) with checkboxes.

*Forms and Service Requirements section*

This close-up shows the 'I. Checklist' section. It includes sub-section 1) 'Matters to be considered by moving party' with a list of items: a) Required Documents (with sub-items 1) Notice of Motion, 2) Statement of undisputed material facts, 3) Memorandum), b) Supplemental documents (with sub-items 1) Affidavit, 2) Declarations, 3) Depositions, 4) Answers to interrogatories and admissions, 5) Proposed order, 6) Request for judicial notice), and c) Time for making motion (with sub-item 1) At any time after sixty (60) days have passed from commencement of the action).

*Checklist section*

need to know matters such as how to file, where to serve process, and how to format the documents [e.g., what size paper], as well as general tips on filing. With KeyRules, you get all of that in one place; you even get a checklist listing all the information you need to file.”

### Easy to navigate

You can quickly navigate the KeyRules document using the section outline. For example, suppose you are viewing a lengthy KeyRules document and you decide you want only the portion that deals with the required documents or the format. Click **Section Outline** in the left frame of the KeyRules document. The section names (e.g., *Documents*) are displayed in the left frame, along with short descriptions of each section (e.g., *What documents need to be filed?*). To display a particular section in the right frame, click the section name in the left frame.

KeyRules is currently available for motions, pleadings, and filings in all federal district courts, the Court of Federal Claims, and in selected state and local courts in California, Florida, Illinois, Michigan, Missouri, Ohio, Pennsylvania, Texas, Virginia, and Washington. As of June 19, 2008, all bankruptcy courts in the nation are covered, too.

### Search example

Suppose your firm represents an individual who is being sued in a Philadelphia County, Pa., court and you want to file a motion for leave to amend.

To learn which documents you will need to file to satisfy all Pennsylvania state and Philadelphia County requirements, access the KeyRules–Pennsylvania–State Courts of Common Pleas database (KEYRULES-PA). At the search template, select **Court of Common Pleas (Philadelphia County)** from the *Choose a Court* drop-down list, and select **Search Motions, Oppositions, and Replies** from the *Choose a Document Type* drop-down list. A list of common motions, oppositions, and replies is displayed. Select the check box next to **Motion for Leave to Amend**. Click **Search Westlaw**.

Official Court of Common Pleas of Philadelphia County cover sheet

# Starting Them on the **Right Foot**

by Jay Shuck, *West Customer and Product Documentation*

**West Librarian Relations Manager Nikki Shenk looks to the law school/law firm partnership to ensure law students and new associates are ready for the real world.**

According to a 2007 survey of Chicago-area lawyers, 54 percent of respondents believed that new attorneys “seldom” or “never” were aware of helpful print resources. In a similar 2007 study of Chicago-area law librarians, 71 percent of respondents believed that new attorneys were not able to research effectively and efficiently prior to in-house training.\*

None of this would surprise the law librarian community.



Nikki Shenk

The solution, says West Librarian Relations Manager Nikki Shenk, is not necessarily to overhaul legal research instruction in law schools but to rearrange priorities there. “The law firm librarians complain that new associates didn’t learn enough in law school. But law students do get the background. Law schools may not emphasize the legal research portion or give it enough priority, sometimes offering only one semester of legal research.”

The solution almost certainly will involve the guidance of law librarians—from law schools and hiring organizations alike. “I really think they do need to work together,” Shenk says. “Academic law librarians are the bridge to the workplace. They understand how law offices work and they try to prepare the students for it. Law firms can communicate with law schools about what needs to improve. For example, one law firm went to a nearby law school and said, essentially, we won’t hire anyone from this law school until you improve your legal research program. The school ended up completely changing the structure of their program. The firms have the power to do that in law schools.”

\* See Ian Gallacher, “Who Are Those Guys?: The Results of a Survey Studying the Information Literacy of Incoming Law Students, 44 CAL. W. L. REV. 151, 152, n.5 (2007).

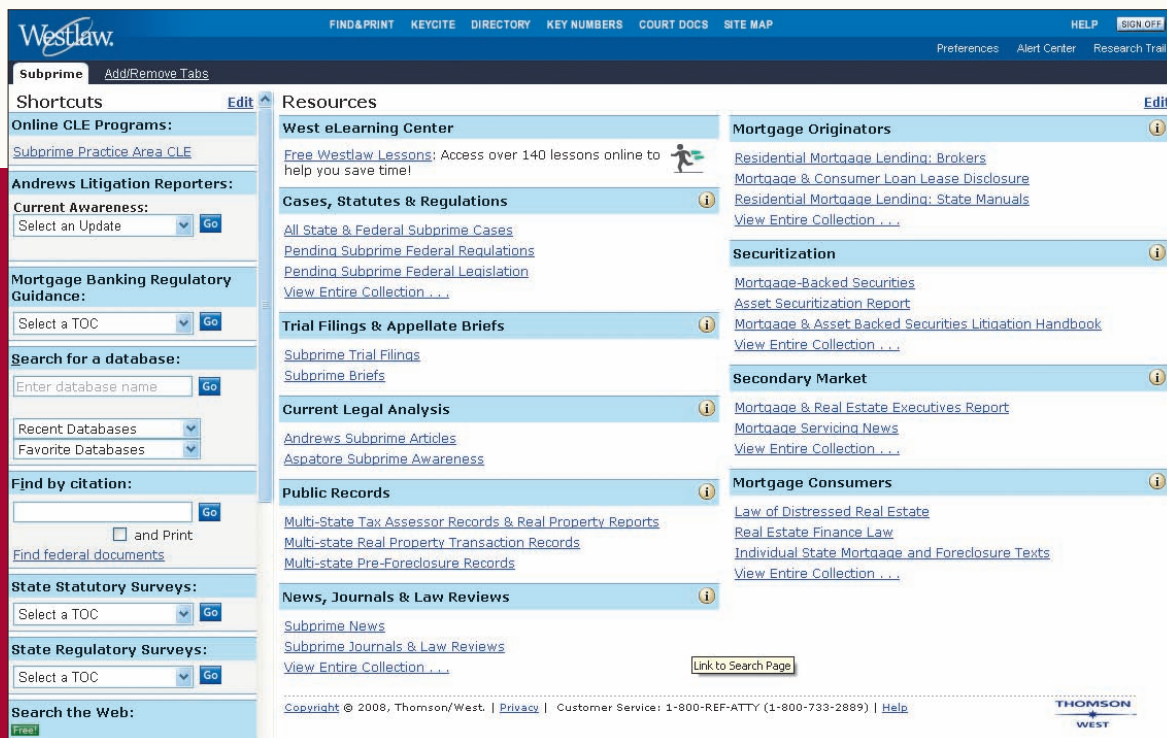
She says cost-effective research is one area in which the academic and law firm librarians help each other. “Academic librarians basically manage the passwords and try to prepare them for the real world,” Shenk observes. “On the law firm side, the librarians also manage the passwords, but with cost recovery in mind. They’re just different aspects of the same goal: to improve their patrons’ awareness of financial realities.”

Shenk serves law librarians in Pennsylvania, New Jersey, and Delaware, and is well-positioned to help the cause. With previous positions as Westlaw law student rep at her alma mater Dickinson School of Law, assistant director of IT at Dickinson, and West academic account manager, she is quite familiar with the challenges of training tech-savvy law students and associates. (It doesn’t hurt that Shenk, a certified Microsoft® Office User Specialist, is tech-savvy herself.)

Like all West librarian relations managers, Shenk has a close relationship with product developers at West (such as former West Librarian Relations Manager Stephanie Fox). She believes this relationship ensures that development is responsive to the needs of working librarians. “It’s amazing to have a direct line with programmers, especially in such a huge corporation,” she says. “For instance, we told the developers that librarians wanted ResultsPlus® next to their Westlaw WebPlus results. ResultsPlus appeared there within a month! When we have access, librarians have that access, too.”

She spends her time doing trainings, acting as a “conciierge” for law librarians (addressing concerns about passwords, billing, and research, among other issues), and strengthening the connection between West and the law librarian community.

“I like the customer-facing side of my job, because I like to help people,” she says. “At West, I’m like a reference librarian for a gigantic library of West publications and services. So it’s the best of both worlds.” ♦♦



Subprime page on Westlaw

# Where **Subprime** is Prime by Jay Shuck, West Customer and Product Documentation

The tabbed Subprime page in Westlaw lets you research subprime mortgage issues without the runaround.

The subprime mortgage mess is all over the news. You'd therefore think it would be easy to use Westlaw to find resources such as the governing law, legal analysis, litigation documents, and news articles pertaining to subprime lending. In fact, you'd think that anything having to do with the subject would be in one convenient spot.

And thanks to the new tabbed Subprime page, you'd be right.

For litigators and other professionals in the field, the Subprime page is a major time-saver. No longer do you have to scour the Westlaw Directory for relevant databases (few of which contain the words *banking* or *subprime* in the name). On the new Subprime page, a wide variety of essential materials—cases and court filings, banking statutes and regulations, summaries of federal and state mortgage lending laws, public records, analytical materials, and more—are gathered together in one place.

In addition, the page offers instant access to the following:

- the table of contents of almost 100 major federal statutes and regulations
- more than 40 multistate statutory and regulatory surveys
- search pages for searching several mortgage and banking publications simultaneously
- current federal and state banking compliance updates
- articles from *Andrews Bank and Lender Liability Litigation Reporter* and other current awareness materials

Select the page as you would any other tabbed page on Westlaw: Click **Add/Remove Tabs** at the top of any Westlaw page and click **Subprime** in the *Topical* section of the Manage Tabs page. ☞

## We're Online!



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# Your Dedicated IAM

by Jennifer Coleman, *West Inside Account Management*

## A new resource joins your team.

In today's changing, global world, there is a growing need for convenient Westlaw trainings and updates. West understands that the attorneys and paralegals at your firm are often on the road, in court, or otherwise unavailable for on-site training by West account managers and representatives. With that in mind, West is pleased to announce the newest addition to your Westlaw account team—your dedicated Inside Account Manager (IAM).

Your dedicated IAM is a law school graduate and skilled Westlaw trainer, with Westlaw expertise in multiple practice areas. IAM professionals offer a flexible way to ensure that your firm is using Westlaw in the most efficient and cost-effective manner possible.

IAMs conduct just-in-time training consultations—complimentary, concise (10- to 15-minutes) sessions covering general Westlaw tips, research shortcuts, and up-to-date information about materials available on Westlaw. These customized telephone sessions may focus on underutilized content in your firm's subscription or on a specific practice area. IAMs are also able to train on West products such as LiveNote™, BriefTools®, West CiteAdvisor<sup>SM</sup>, West km®, and other new tools and can conduct customized webinars in specific practice areas.

To learn more about the newest addition to your Westlaw account team and how he or she can benefit your firm, call 1-800-328-0109. We look forward to speaking with you! ♦♦

