

WestlawNext™

Getting Started on WestlawNext

Accessing WestlawNext

Signing On

Complete these steps to sign on to WestlawNext:

1. Go to next.westlaw.com. The WestlawNext sign-on page is displayed (Figure 1).
2. Type your OnePass username and password in the text boxes.
3. Select the **Remember my username** and **Remember my password** check boxes if you want your username and password automatically entered each time you sign on to WestlawNext.
Click **Forgot your username or password?** if you need assistance.
4. Click **Sign On**. At the Welcome page, do one of the following:
 - Type a client identifier in the *Client ID* text box or choose a client identifier from the drop-down list, then click **Continue**. The WestlawNext home page is displayed.
 - Click a link under *Return to your recent research*.

Figure 1. WestlawNext sign-on page

Activating Your Registration Key with OnePass

If you have an existing OnePass account, click [How do I edit or update my OnePass account?](#) to activate your registration key.

If you do not have an existing OnePass account, click [How do I activate my Registration Key?](#) to activate your registration key.

See the *Your WestlawNext Registration Key* quick reference guide for complete details about activating your registration key with OnePass.

Signing Off

To sign off from WestlawNext, click **Sign Off** at the top of any page. The time you spent on WestlawNext and the transactions you performed are displayed.

WestlawNext is available on the Web at next.westlaw.com.

For assistance using WestlawNext, call **1-800-WESTLAW** (1-800-937-8529).

For free reference materials, visit west.thomson.com/westlaw/guides.



Using the Home Page

At the home page (Figure 2), you can retrieve a document by citation or name or search for documents using the text box at the top of the page. You can also browse content using the links in the *Browse* section.

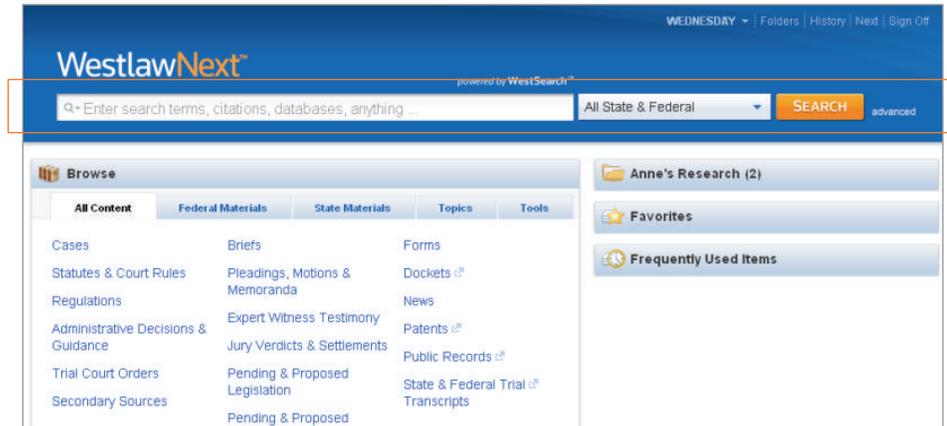


Figure 2. Home page

Retrieving Documents by Citation or Name

To retrieve documents by citation or name, do one of the following:

- To retrieve a document by citation, type the citation, e.g., **127 sct 2162**, in the text box and click **Search**.
- To retrieve multiple documents by citation, type the citations, separated by semicolons, in the text box and click **Search**.
- To retrieve a case by party name, type one or more parties' names, e.g., **rumsfeld v. hamdan**, in the text box; change the jurisdiction if necessary; and click **Search**. You can also use the title field (ti) to retrieve a case by party name, e.g., **ti(rumsfeld & hamdan)**. You will retrieve only those cases in which both *Rumsfeld* and *Hamdan* appear in the title of the case.

Researching a Legal Issue

When you run a search, you search all of the core legal content on WestlawNext by default. Core content comprises cases, statutes and court rules; regulations; trial court orders; secondary sources; briefs; administrative decisions and guidance; pleadings, motions, and memoranda; expert witness testimony; jury verdicts and settlements; pending and proposed legislation; and pending and proposed regulations.

Complete these steps to search for documents:

1. Type a Terms and Connectors query or terms describing your issue in the text box. WestlawNext recognizes whichever search format you use.
2. Leave the default jurisdiction or click the arrow to display the Jurisdiction selector. Select up to three jurisdictions and click **Save**.
3. Click **Search**.

Selecting Specific Content to Search

To select specific content to search, click a tab, e.g., **All Content**, in the *Browse* section. Then click a content category, e.g., **Cases**. A corresponding tabbed text box is displayed at the top of the page. Type your search in this text box, change the jurisdiction if necessary, and click **Search**.

Browsing Content

In addition to running a search, you can use the Browse feature to retrieve documents and to access the table of contents for statutes, regulations, and treatises. Simply click the category links on the tabs in the *Browse* section.

Browsing Cases

You can retrieve cases in several ways from the *Browse* section:

- Click the **All Content** tab, then click **Cases** to display the Cases page, which organizes cases under *Federal Cases by Court*, *Federal Cases by Circuit*, *Cases by State*, *Cases by U.S. Territory*, and *Cases by Topic* (Figure 3). Click the appropriate links to retrieve the cases you want.
- Click the **Federal Materials** tab to retrieve U.S. Supreme Court cases or cases from federal courts in a specific circuit or a specific state.
- Click the **State Materials** tab to view a list of states. Click a state name to retrieve cases from state or federal courts in that state.

When you click a link for a specific court, such as **U.S. Supreme Court**, a list of the 10 most recent cases from that court is displayed (Figure 4). A corresponding tabbed text box is displayed at the top of the page. You can search all cases from the court by typing a search in this text box and clicking **Search**.



Figure 3. Cases page



Figure 4. List of recent U.S. Supreme Court cases

Browsing Statutes and Court Rules

You can retrieve statutes and court rules in several ways from the *Browse* section:

- Click the **All Content** tab, then click **Statutes and Court Rules** to display the Statutes and Court Rules page (Figure 5). Click **United States Code Annotated (USCA)** to display the table of contents for the *United States Code Annotated*® (USCA®) (Figure 6), or click a state name to display the table of contents for that state's statutes and court rules.
- Click the **Federal Materials** tab, then click **United States Code Annotated (USCA)** to display the USCA table of contents.
- Click the **State Materials** tab to view a list of states. Click a state name, then click the link to statutes and court rules under *Statutes and Court Rules*. The table of contents is displayed.

To browse a table of contents, click the links. To run a search, type your search in the corresponding tabbed text box at the top of the page and click **Search**.

While viewing the text of a statute section, you can click the arrows next to the section symbol (§) on the document toolbar to view the next and previous sections. To return to the table of contents, click **Table of Contents** on the document toolbar.

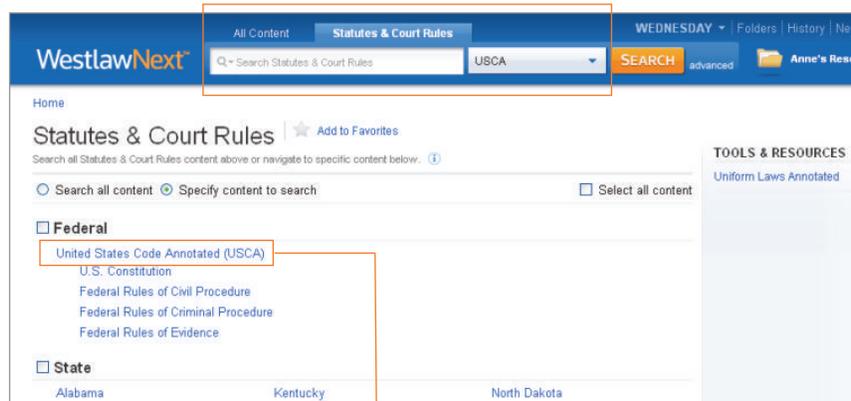


Figure 5. Statutes and Court Rules page

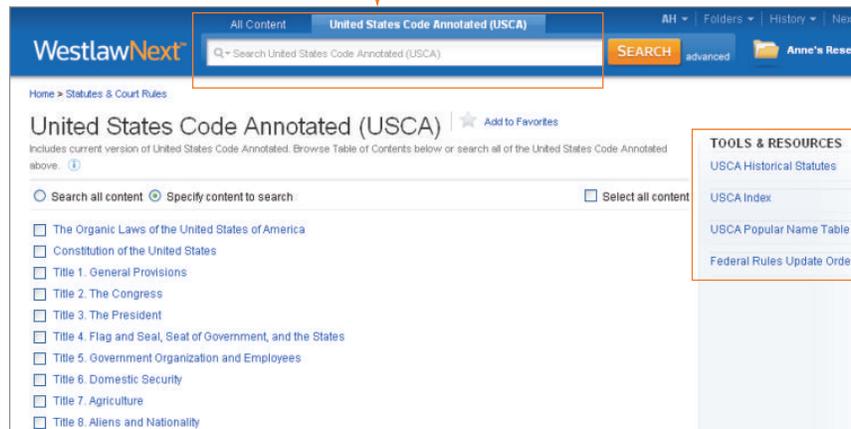


Figure 6. USCA table of contents

Viewing a Search Result

Result Page

After your search is run, the result page is displayed (Figure 7). The result page lists the citations of documents retrieved by your search and enables you to view your highlighted search terms in the context of surrounding terms.

Note If an overview of your search result is displayed after your search is run, click a content category in the left column, e.g., **Cases**, to display the result page for that content category.

The result page contains three columns:

- The left column lists the core content categories as well as available filters.
- The center column lists all documents in the category you selected in the left column.
- The right column lists a sampling of related documents from the following content categories: Secondary Sources; Briefs; and Pleadings Motions, and Memoranda.

Relevancy Ranking

By default, documents are ranked by relevancy. To change the default ranking, choose an option from the *Sort by* drop-down list at the top of the center column.

Result Page Options

- Click the **Details** icon (≡) at the result page to choose from three levels of detail. The type of detail varies by document type and may include the document title and citation, search terms in context, and a document summary.
- To change the number of documents that are displayed at the result page, choose a number from the drop-down list at the bottom of the page.

The screenshot shows the WestlawNext interface. At the top, the search query is "viewpoint discrimination by the" and the results are filtered to "All Federal". The main content area is titled "Cases (463)" and shows a list of search results. The first result, "Perry Educ. Ass'n v. Perry Local Educators' Ass'n", is selected. A "Sort by: Relevance" dropdown menu is visible above the results. On the right side, there is a "RELATED DOCUMENTS" section with a "Secondary Sources" category, listing "THE CABINING OF ROSENBERGER: LOCKE V. DAVEY AND THE BROAD NONDISCRIMINATION PRINCIPLE THAT NEVER WAS". A left-hand navigation pane shows various content categories and their counts, with "Cases" having 463 items.

Figure 7. Result page

Related Documents

When you are viewing the result page for a particular content category, e.g., Cases, a list of related documents from the Secondary Sources, Briefs, and Pleadings, Motions, and Memoranda content categories is displayed in the right column. To view the full text of a related document, click its title.

Narrowing a Search Result

After you select a content category at the result page, you can narrow your search result.

Searching Within Results

To narrow a search result by searching within the result, type your terms in the *Search within results* text box under *Narrow* in the left column and click **Search**. Both your original search terms and the terms used to narrow your result are highlighted in the documents.

To undo a search within a result, click **Undo search within** in the left column.

Filtering Search Results

You can narrow a search result by selecting a filter under *Narrow* in the left column (Figure 8). Filters vary by document type. For example, the filters available for cases include jurisdiction, date, reported status, topic, judge, attorney, law firm, key number, party and docket number. To undo all filters you have added, click **Undo Filters** under *Narrow*.

The screenshot displays a search result page with a 'NARROW:' sidebar on the left and search results on the right. The sidebar includes a 'Search within results' box and several filter categories:

- Jurisdiction:** Federal (6,862), State (3,135), Territory Northern Mariana Islands (1), Supreme Ct.
- Date:** All
- Reported Status:** Reported (4,153), Unreported (5,845)
- Topic:** Criminal (1,066), Civil (8,934)
- Judge:** Select
- Attorney:** Select

The search results on the right include:

- United States Court of Appeals, Sixth Circuit** | September 24, 2003 | 345 F.3d 390
LABOR AND EMPLOYMENT - Discrimination. Evidence supported jury's finding that employee was terminated in retaliation for taking FMLA leave.
...Former employee brought suit against former employer, alleging that his termination while on medical leave violated the Family Medical Leave Act (FMLA)....
...[30] The district court found that West acted in good faith because "they made their decision even before the medical leave was-the Family Medical Leave Act request was even put in...."
- Cooper v. T-Mobile USA, Inc.**
United States Court of Appeals, Ninth Circuit | December 01, 2008 | 302 Fed.Appx. 581
LABOR AND EMPLOYMENT - Discrimination. Employer did not interfere with former employee's rights under Family Medical Leave Act.
...Even if former employee established technical violation of Family Medical Leave Act (FMLA) by her former employer, employee would not be entitled to relief under Family Medical Leave Act (FMLA), where she suffered no detriment. 29 C.F.R. § 825.220(a)(1)....
...Background: Former employee brought action against her former employer, alleging that employer interfered with her rights under Family Medical Leave Act (FMLA) and Oregon Family Leave Act (OFLA)....
- Blohm v. Dillard's Inc.**
United States District Court, E.D. North Carolina, Western Division | April 06, 2000 | 95 F.Supp.2d 473
LABOR AND EMPLOYMENT - Discrimination. Employee did not show causal

On the far right, there are links to related legal topics such as 'Employees' Entitlement to Reinstatement Under § 104 (a), (b) of Family and Medical Leave Act (29 U.S.C.A. § 2614(a), (b))' and 'Cause of Action Under the Family and Medical Leave Act (29 U.S.C.A. §§ 2601 to 2654) for Unlawful Termination'.

Figure 8. Filters at a result page

Browsing Documents in a Result

To view a document in your search result (Figure 9), click the document's title. Each document in a search result contains highlighted search terms for easy browsing and links to cited documents. On the document toolbar for a case, you can do any of the following:

- To view the result list, click **Return to list**.
- To view the next or previous document in your search result, click the **Results** arrows.
- To view the portions of each document that contain your search terms, click the **Search Term** arrows.
- To view the place in a document where a specific print page begins, click **Page #**, then type a page number in the text box and click **Go**.
- To change display options, such as font and type size, click the **Display Options** icon (AA).
- To jump to a specific portion of a case, click **Skip to** and choose an option, e.g., **Opinion**, from the menu.
- To add a note to the document, click the **Annotations** icon (📝) and choose **Add Note** from the menu.

The screenshot displays the WestlawNext interface. At the top, the search bar contains 'family and medical leave' and the results are filtered to 'Fed. Ct. App.'. The main content area shows the document title 'Xin Liu v. Amway Corp.' and the court 'United States Court of Appeals, Ninth Circuit'. Below the title, a document toolbar includes a 'Return to list' button, a '1 of 1,920 results' indicator, a 'search term' field, a 'Page #' dropdown, a font size 'AA' icon, and a 'Skip to' dropdown. The document text is displayed in a large font, showing the case name 'XIN LIU, Plaintiff-Appellant, v. AMWAY CORPORATION; Does 1-50 Inclusive, Defendants-Appellees.' and the court 'United States Court of Appeals, Ninth Circuit.' To the right of the document text, a 'RELATED TOPICS' sidebar lists various legal issues such as 'Federal Civil Procedure', 'Labor and Employment', and 'Time Off; Leave'.

Figure 9. Case

Using Related Topics While Viewing a Document

When you are viewing a document, a list of related topics may be displayed in the right column. Each topic describes a legal issue discussed in the document. Click a topic to retrieve other documents pertaining to that topic.

Checking Citations in KeyCite®

Use KeyCite to help you determine whether a case, statute, regulation, or administrative decision is good law and to retrieve citing references.

KeyCite information is available for every case in West's® National Reporter System®; more than 1 million unpublished cases; federal statutes and regulations; statutes from all 50 states; administrative decisions from selected federal agencies; regulations and administrative decisions from selected states; patents issued by the U.S. Patent and Trademark Office; *American Law Reports* annotations; and articles from hundreds of law reviews.

Accessing KeyCite

There are several ways to access KeyCite information:

- While viewing a document with a KeyCite flag, click the flag.
- While viewing any document, click one of the following tabs at the top of the page: **Negative Treatment**, **History**, or **Citing References**.
- Type **kc** or **keycite** followed by a citation, e.g., **kc 93 sct 1817** or **keycite 93 sct 1817**, in the text box at the top of the page and click **Search**.

Viewing KeyCite Information for a Case

If a case has a red or yellow flag, the most negative treatment is displayed next to the flag at the top of the document (Figure 10). Most negative treatment consists of phrases such as *Overruled by*, *Abrogated by*, or *Distinguished by* and includes a link to the underlying document, if available.

KeyCite Status Flags

A red or yellow KeyCite status flag indicates that KeyCite information is available for the case.



A red flag warns that the case is no longer good law for at least one of the points of law it contains.



A yellow flag warns that the case has some negative history but has not been reversed or overruled.

Viewing Negative Direct History and Negative Citing References for a Case

Click the **Negative Treatment** tab to view negative direct history and negative citing references for a case. Negative citing references are listed in a table format. The depth of treatment bars in the *Depth* column indicate the extent to which the citing cases discuss the cited case, and the headnote numbers in the *Headnote(s)* column indicate which headnotes in the cited case contain the points of law discussed by the citing cases.

The screenshot shows the WestlawNext interface for the case *Ledbetter v. Goodyear Tire & Rubber Co., Inc.*. At the top, there is a search bar and navigation options. Below the search bar, the case name and citation (127 S.Ct. 2162) are displayed. A red flag icon is visible next to the case name, indicating a KeyCite status. Below the case name, there are tabs for 'Document', 'Filings (23)', 'Negative Treatment (63)', 'History (5)', and 'Citing References (2,744)'. The 'Negative Treatment' tab is selected, and a red box highlights the text 'Overturned Due to Legislative Action in Pub.L. 111-2 January 29, 2009'. Below this, the case details are shown, including the parties' names and the date of the decision. On the right side, there is a 'RELATED TOPICS' sidebar with links to 'Civil Rights', 'Remedies Under Federal Employment Discrimination Statutes', 'Notice of Equal Employment Opportunity Commission's Negative Determination of Charge', and 'Continuing Violation of Title VII Employment Discrimination Statute'.

Figure 10. Links to KeyCite information in case

Viewing History for a Case

Click the **History** tab to view the direct history of a case and related references. The cases included in the direct history and related references are listed in the left column. Direct history is also displayed in graphical view in the right column. You can restrict direct history by choosing an option from the drop-down list.

Viewing Citing References for a Case

Click the **Citing References** tab to view a list of cases, administrative materials, secondary sources, briefs, and other court documents that cite your case. To change the order in which the citing references are displayed, choose an option from the *Sort By* drop-down list on the toolbar.

To narrow the list of citing references,

- type terms in the *Search within results* text box in the left column.
- click a document type in the left column, e.g., **Briefs**. You can further narrow this list by selecting a filter under *Narrow* in the left column, e.g., **Jurisdiction**.

Viewing KeyCite Information for a Statute

If a statute has a red or yellow flag, the most negative treatment is displayed next to the flag at the top of the document (Figure 11). Most negative treatment consists of phrases such as *Unconstitutional* or *Preempted* or *Proposed Legislation* and includes a link to the underlying document, if available.

KeyCite Status Flags

A red or yellow KeyCite status flag indicates that KeyCite information is available for the statute.



A red flag indicates that the statute has been amended by a recent session law, repealed, superseded, or held unconstitutional or preempted in whole or in part.



A yellow flag indicates that the statute has been renumbered or transferred by a recent session law; that an uncodified session law or proposed legislation affecting the statute is available; that the statute was limited on constitutional or preemption grounds or its validity was otherwise called into doubt; or that a prior version of the statute received negative treatment from a court.

The screenshot shows the WestlawNext interface for a statute. At the top, there is a search bar and navigation options. The main content area displays the statute's title and history. A yellow flag icon is visible next to the text "Unconstitutional or Preempted". Below this, there is a link to "Prior Version Held Unconstitutional by Laro v. New Hampshire | 1st Cir. (N.H.) | Aug 06, 2001". The statute's citation is "29 U.S.C.A. § 2617" and the title is "§ 2617. Enforcement".

Figure 11. Links to KeyCite information in statute

KeyCite History for a Statute

Click the **History** tab to view history for a statute, which includes the following categories:

- **Graphical Statute**, which helps you track changes to a statute
- **Negative Treatment**, which includes cases affecting the validity of the statute, recent session laws that have amended or repealed the statute, and proposed legislation
- **Versions**, which includes prior versions of the statute
- **Legislative History Notes**, which describe the legislative changes affecting the section
- **Bill Drafts**, which includes drafts of bills introduced before a section was enacted into law
- **Reports and Related Materials**, which lists reports, journals, *Congressional Record* documents, presidential or executive messages, and testimony relevant to the section

Viewing Citing References for a Statute

Click the **Citing References** tab to view a list of cases that have affected the validity of the section, cases from USCA and state statute notes of decisions, cases on WestlawNext that are not included in notes of decisions, administrative decisions, *Federal Register* documents, secondary sources, briefs and other court documents, statutes, and administrative codes. To change the order in which the citing references are displayed, choose an option from the *Sort By* drop-down list on the toolbar.

To narrow the list of citing references, you can

- type terms in the *Search within results* text box in the left column.
- click a document type in the left column, e.g., **Cases**. You can further narrow this list by selecting a filter under *Narrow* in the left column, e.g., **Jurisdiction**.

Printing or Delivering Documents

To print, e-mail, or download a document or a list of documents, complete these steps:

1. Click the **Print**, **Email**, or **Download** icon on the toolbar, or click the arrow next to the delivery icon and choose **Print**, **Email**, or **Download** from the menu.
2. A dialog box is displayed with two or more tabs (Figure 12). These tabs include the
 - **Layout and Limits** tab. Select the check boxes for the elements you want to include in the document, such as highlighted search terms.
 - **Content to Append** tab. Select the check boxes for the content you want to append to the document, such as KeyCite information.
 - **Recipients** tab if you click the Email icon.
 - **Basics** tab if you click the Download icon.
3. Click **Print**, **Email**, or **Download**.

If you click **Print** or **Download**, a Preparing for Print or Preparing for Download dialog box is displayed. To continue your research and print or download documents at a later time, click **Minimize and Continue Researching**. Your request will be added to the delivery queue.

Using the Delivery Queue

Print and download requests are saved in the delivery queue in the lower-right corner of the page until midnight of the current day and can be printed or downloaded at any time prior to expiration. To display the items in the delivery queue, click the **View Delivery Queue** icon. Click an item to print or download it.

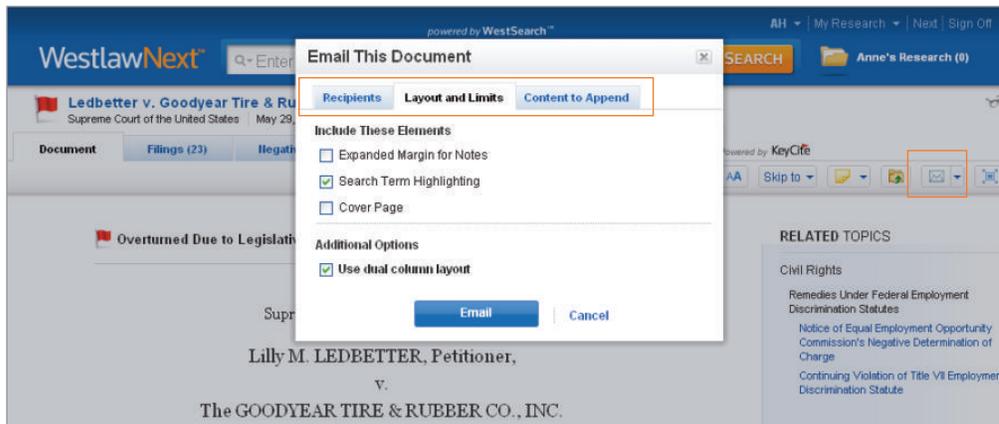


Figure 12. Email This Document dialog box

Copying and Pasting Text with the Citation

The Copy with Reference feature automatically inserts the correct citation when you copy and paste text from a case, statute, regulation, treatise, law review, or other document on WestlawNext into a brief or other legal document. To use Copy with Reference, select the text you want to copy, then choose **Copy with Reference** from the pop-up menu. A message is displayed confirming that the text has been copied. Click **Close**. Paste the copied text, which includes its citation, into your legal document.

Note Bluebook citation format is the default; you can choose other formats by clicking the arrow next to *Copy with Reference* in the pop-up menu.

Returning to Prior Research

To return to previous work, point to **History** at the top of any page. A list of the five most recent documents you have viewed and searches you have run is displayed (Figure 13). Click a link to return to a document or search. You can also click **View all** next to *Recent Documents* or *Recent Searches* to display the History page for a list of all the documents you have viewed and searches you have run.

Note Although research history is saved for up to one year, you can display history for a specific time period at the History page by choosing an option from the *Date* drop-down list in the left column, e.g., **Today**, **Last 30 Days**. You can also narrow the history displayed by using the filters in the left column under *Narrow*.



Figure 13. Recent documents and searches

Using Folders

Folders on WestlawNext allow you to organize and manage your research by storing your documents and text snippets in folders. (Searches are saved in History.) The active folder is the folder that is displayed on the right side of the home page and at the top of all other pages.

Saving Documents in a Folder

To save the document you are viewing in a folder, click the **Save to Folder** icon (📁) on the document toolbar. Select the folder in which you want to save the document and click **Save**. If the document is successfully saved in the folder, a confirmation message is displayed.

To save documents in a result list, select the check boxes next to the documents you want to save and click the **Save to Folder** icon. Select the folder in which you want to save the documents and click **Save**.

To view documents saved in your active folder, click your active folder. To view documents saved in another folder, click **Folders** at the top of the page. Then click the name of the folder containing the documents.

Saving Selected Text in a Folder

To save selected text in your active folder, select the text you want to save and choose **Save to ...** from the pop-up menu. A message is displayed confirming that the text has been saved.

To view text saved in our active folder, click your active folder. To view text saved in another folder, click **Folders** at the top of the page. Then click the name of the folder containing the text. The text is displayed as a snippet.

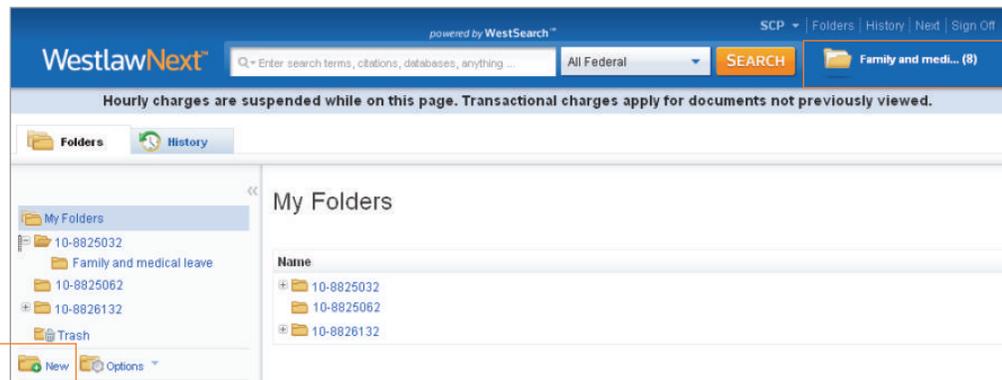


Figure 14. My Folders page

Managing Folders

To create a new folder, do one of the following:

- Click **Folders** at the top of the page. The My Folders page is displayed (Figure 14). Click **New** in the left column. The New Folder dialog box is displayed. Type the name of the folder in the *Folder Name* text box, select a location for the new folder, and click **OK**.
- While viewing a document or a result list, click the **Save to Folder** icon, then click **New Folder**. Type the name of the folder in the *Folder Name* text box, select a location for the new folder, and click **OK**.

To change the active folder, click the active folder and then click the **Change Folder** icon (📁). The Change Folder dialog box is displayed. Select the folder that you want to be the active folder and click **OK**.