Case Law - Finding

In this part of the tutorial, you will get a broad overview of how to find cases when you either have a specific case citation or when you have nothing but a topic. More specific instruction on how to use these complex and powerful tools is contained in other tutorials and in class materials.

To retrieve a case by citation in either WestlawNext or Lexis Advance, enter the numerical reporter citation in the main search box and click search.

It is important to note that the citation we are referring to is not the case name – case names are usually not unique, whereas the numerical citation information is.

So, how do you find a case when you do not have a citation? Then, you will usually have to search by topic. There are several ways to do this.

You can use the main search box to conduct a basic keyword search, or you can use the advanced search features of WestlawNext or Lexis Advance.

You can also search for a relevant topical headnote or key number. We will cover this in part 4 of this tutorial series. You can also consult secondary sources. For more information, see our Secondary Sources tutorial. You can also see if your topic is covered by statute. If so, annotated statues provide you with relevant cases. For more information, see our statutes tutorial.

In a basic WestlawNext search, all jurisdictions and all core content types are searched by default.

A basic search entails entering terms that describe your topic into the main search box without any connectors or expanders. The results set for a search like this tends to be quite large. As such, using the example of finding cases on the Americans with Disabilities Act and professional golf, let’s search for U.S. Supreme Court cases on this topic. We will start by changing the jurisdiction.

Next we will enter a very simple, two-word search for **disabilities golf** in the search box.

The default for a keyword search in WestlawNext takes you to an overview of the results. The overview displays the two most algorithmically relevant cases and the most relevant document in each of the other content areas. Since we want to look at cases, we will click that content category in the left sidebar.
Now you are viewing the 20 U.S. Supreme Court cases mentioning disabilities and golf, starting with the Martin case which we found before by citation.

You can sort the results of your search in various ways, or search for terms within these results (which is useful for large results sets where you want to add different, more specific search terms without starting over completely).

You can also limit the results a number of other ways using the tools in the left-hand sidebar.

Now let’s try the same subject search using some of the advanced features on WestlawNext, starting with selecting a specific database. While you can search across all of the core content types in WestlawNext, it is often more efficient to search a specific database in order to preemptively limit your results to a more manageable number of relevant documents.

You can browse to a specific database and then search within it. For example, let’s find the database with U.S. Supreme Court cases.
Now you are searching only U.S. Supreme Court cases. Notice the “scope note” which tells you that this database has cases from 1790 to the present.

As you may have noticed, when you conduct a basic search you often get a lot of results, sometimes thousands. If you want a more manageable number of results and more control over your search, conduct a Terms and Connectors search instead. The best way to conduct a Terms and Connectors search is to select a database and then go to the Advanced Search tool. Starting from the U.S. Supreme Court database, let’s look at Advanced Search.

The Advanced Search tool breaks out the document components into a helpful form. WestlawNext provides you with a list of connectors and expanders that it recognizes. For example, here is how you would search for cases where the word disability appeared in the same paragraph as the word golf. Another way of using the Advanced Search tool within a specific database is that you can search within Document Fields. For example, rather than searching the full text of the opinion, you can search for terms in the Synopsis only. This is useful because if your terms appear in the summary, the topic is probably extensively discussed in the opinion. If you need additional help in parsing the names of the Document Fields, click on the example which labels and explains each field.

Now let’s look at the same processes in Lexis Advance. Similar to Westlaw, Lexis searches all content types and jurisdictions by default, and the default search type is a natural language search that does not require terms and connectors.

This time, we will narrow by both jurisdiction (Supreme Court) and content type (cases) at the same time.

As before, we will start with a very simple set of keywords. As we saw in Westlaw, the Martin case is ranked first. Lexis also allows you to sort and search within these results to further refine your research. The other ways in which you can narrow your results includes a timeline which shows a chart with the volume of cases per year on the y axis.
Just as in Westlaw, if you want a more tightly controlled search, you can use Lexis’ terms and connectors. Lexis’ terms and connectors are somewhat different from Westlaw’s, so let’s take a look.

Lexis’ Advanced Search functionality is available in two ways: first, you can use their form which is found under “Filters.” This search will find cases in the U.S. Supreme Court where the words “disability” and “golf” appear in the same paragraph.

Alternatively, if you know the Lexis terms and connectors, you can enter them straight into the search box. If you want a list of them, you can search the Lexis Help tool for “Connectors quick reference.” You can then print this cheat-sheet or save it as a pdf.