

Introduction to Legal Research, Part 2

Reference Librarian

*Please log in to your Westlaw and Lexis accounts.
We will be using both in class today.*



Vehicular Burglary Assignment

- Full recap in class on Tuesday, October 19
- Any questions regarding secondary sources or statutes?



Video Lectures You Have Watched

- Researching Case Law, Part 1: Court Structure and Case Citations
- Researching Case Law, Part 2: Finding Cases
- Key Numbers & Headnotes
- Advanced Search

What We Will Cover



- Finding case law on Westlaw and Lexis
- Using Topic and Key Numbers on Westlaw and headnotes on Lexis to find other relevant cases
- Advanced Search tools

Hypothetical

Jordan and Sydney are professional dog handlers in Southern California, well-respected for their showing of Weimaraners at famous events like the Westminster Kennel Club dog show. The two have always been friendly rivals, but after losing to Jordan last year, Sydney's behavior began to change.

- Four times when Jordan took his dogs to the grooming salon, Sydney's car was already there even though she lived nowhere in the area. Each time, she watched him and the dogs arrive, then drove away laughing.
- Around that same time, Jordan received 10 or 20 phone calls where the caller played audio of dogs angrily barking.
- Once the caller said in a quiet voice, "You'll never make it to Westminster again."
- After losing to Jordan yet another time Sydney yelled, "I will end this one way or another!" Another competitor overheard and told Sydney her comment was inappropriate, to which she replied, "What? It's not like I was threatening to kill anyone."

Did Sydney's actions amount to enough of a credible threat to constitute criminal stalking in California?

Class Exercise: Finding Case Law on Westlaw and Lexis

Using either [Westlaw](#) or [Lexis](#), take 5 minutes to find one case that you think is relevant to our scenario. Be ready to describe how you located that case.

- Remember that it's easiest to start from cases that you've uncovered previously from secondary sources and statutory annotations.
- If you are keyword searching, remember to limit to the appropriate database and jurisdiction, in this case California state cases.

Takeaway Points: Finding Case Law

- It's generally easier to start with a secondary source or statutory annotation to direct your case law search.
- No matter the route you took, you would have come across some of the same cases that addressed what constitutes a "credible threat."
- This particular exercise was not an exhaustive look at searching.

Class Exercise: Using Headnotes to Find More Cases

Start with the case *People v. Lopez*, 240 Cal.App.4th 436 in either [Westlaw](#) or [Lexis](#). Take 5 minutes to identify the Topic and Key Number (Westlaw), or topic and subtopic (Lexis), that is most relevant to our issue of what constitutes a “credible threat.”

Use this method to find **two other California cases** relevant to our issue.

- Remember that the Topic and Key Numbers and topic and subtopics are listed in the headnotes at the beginning of the case.
- Each combination represents a unique collection of cases on that topic.

Takeaway Points: Using Headnotes to Find More Cases

- You can find West Topic and Key Numbers, and Lexis topics and subtopics, in the headnotes of a case, or sometimes in secondary sources.
- The West Topic and Key Number system can be an efficient way of finding cases by topic, regardless of the key terms used in the case.
- The Lexis headnote system is similar to the West Topic and Key Number system in theory, though the mechanics are different.

Class Exercise: Advanced Search

Take 5 minutes to run searches for cases on this topic using an advanced search. Recall some of the search terms that we came up with last Tuesday: **stalking, criminal, credible threat**—try using those same search terms as the basis of your search phrase, but this time join them with connectors.

Be prepared to talk about your search query—why you chose the terms and connectors that you did and how the search results compared to those from a similar natural language search.

Search		Lexis		Westlaw	
	Search Phrase	All Secondary	All Cases	All Secondary	All Cases
1.	stalking criminal credible threat <i>(natural language search)</i>	1,620	3,773	369	572
2.	stalking AND criminal AND credible AND threat	8,683	9,364	2,245	2,849
3.	stalking AND criminal AND "credible threat"	937	2,224	820	950
4.	stalking /p criminal /p "credible threat"	104	213	131	134
5.	stalking /s criminal /s "credible threat"	35	61	33	30
6.	stalking /2 criminal /2 "credible threat"	0	0	0	0

Takeaway Points: Advanced Search

- The connectors you choose can make a huge difference in both the quantity and relevance of search results, even if the search terms themselves remain the same.
- Getting too few search results is as much of a problem as getting too many—you might be excluding something extremely relevant without knowing it.

Research Steps We Covered

- Various ways to find case law:
 - Citations in secondary sources and statutory annotations
 - Keyword searches
 - West's Topic and Key Numbers, Lexis' topics and subtopics
- Advanced search phrases

Video Lectures to Watch Before the Next Class

- Working Through the Research Plan
- Citators