Introducing the Basics 2015-2016

WestlawNext® Canada
Academic Quick Reference Guide

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Accessing WestlawNext Canada

As a law student, you get complementary access to WestlawNext Canada. Go to: www.westlawnextcanada.com/login. Enter your OnePass username and password into the fields provided (ask your librarian for your OnePass registration key to register and create your username and password) and then select Sign On. Enter a new Client ID into the field or select an existing one from the list and select Continue. The Client ID is a mandatory field, used by lawyers to identify the client for which the research is being done. You may enter your initials, your topic of research, or anything you wish, up to 35 alphanumeric characters.

Using the Home Page

You can search, find, browse or KeyCite (note up) all from the Home page. You can also access international materials, tools, product information and subscription pages.

TIP: To return to the Home page, regardless of where you are within the service, select the WestlawNext Canada logo located in the upper left corner.

Figure 1: WestlawNext Canada Home page

Access folders, your history and the sign off button at the top of any page and your preferences and online Help from the bottom of any page.

Subscription Pages

The Source service(s) to which you subscribe appear in the My Subscriptions section on the right side of the Home page. Select the link to access a subscription’s Home page and search the content within it.
Find or KeyCite (note up) by Name

To find or KeyCite by name a case, statute, regulation or rule or to find a CRA document by its unique number:

1. Select the Find and KeyCite by Name tab on the Home page.
2. Select a link to access a search template.
3. Complete the template and then select Search.

OR

To retrieve a case by name using auto-suggest, enter the case name into the search box on the main Home page. Click on the desired name.

Find or KeyCite (note up) by Citation

To retrieve a document by citation, enter the citation into the search box. Example: 16 ccli 4th 47.

Note: The citation field is not sensitive to spacing, capitalization or punctuation used for abbreviations for citations.

KeyCiting (Noting up)

KeyCite Canada is the citation research service adapted from The Canadian Abridgment’s suite of citator products (Canadian Case Citations, Canadian Statute Citations, Rules Judicially Considered, Regulations Judicially Considered) for WestlawNext Canada. You can use KeyCite Canada to note up Cases and Legislation.

KeyCite Flags alert you to history and citing references that may impact the validity of that document.

Flags/Icons

- A red flag warns that the case may not be good law, indicating that the decision has been reversed, overruled, or has not been followed within the same jurisdiction or by the Supreme Court of Canada.
- A yellow flag warns that the decision has some negative history or treatment, but has not been reversed or overruled. A yellow flag is also displayed if a treatment has been recently added, and has not yet been editorially analyzed.
- A blue H indicates that the decision has some history.
- A green C indicates that the decision has no history, but there are treating cases or other citing references to the decision. For legislation, a green C indicates that the legislative provision has treating cases or other citing references.

Note: The most negative treatment is displayed at the top of the case and includes a link to the underlying document, if available.

To access specific KeyCite Canada information:

- Select the KeyCite flag while viewing a case or legislative provision.
- Select the History and Citing References tabs at the top of the case or legislative provision.

Tip: Select the Powered by KeyCite Canada logo at the top of any case or legislation to view general information about KeyCite Canada.

Figure 2: KeyCite tabs for 2004 SCC 68 decision
History

Select the History tab to view the direct history of a case. Direct history is also displayed in graphical view on the right side.

Citing References

Select the Citing References tab to view a list of cases and secondary sources where the case or legislative provision has been cited. The number indicated on the tab specifies the number of documents citing this case.

Figure 3: Citing Reference page for the 2004 SCC 68 decision

To change the order in which the citing references are displayed, choose an option from the Sort By drop-down list on the toolbar. The Depth of Treatment provides a visual on how extensive the discussion is about the cited case.

To narrow the list of citing references:

- Enter terms into the Search within results text box on the left side.
- Select a document type on the left side, for example, Cases and Decisions. You can further narrow this list by using the filters from the Narrow section on the left side, for example, Jurisdiction.
Searching

Use the search box to simultaneously search the Primary Sources, Commentary and Court Documents in WestlawNext Canada.

1. Enter your search terms into the search box. **Note:** If your search does not contain any recognized Boolean connectors (ex: /p, /s, %, +20), the search runs a plain language search. (See Boolean Connectors on page 8 for more information.)

2. Select Search.

**Note:** If you ran a plain language search but intended it to be run as a Boolean query, a prompt would appear at the top of the results list inviting you to re-run the search as a Boolean Terms & Connectors search. You can change your search default in your preferences to always run a Boolean Terms & Connectors search. Select *Preferences* at the bottom of any page and then select the *Search* tab to access this option.

Searching Specific Content

1. Select the content you want to search from the Home page. Example: *Cases and Decisions.* A tab appears above the search box to indicate the content you are searching.

2. Enter your search into the search box and select **Search.**

   Alternatively, you can select **Advanced** to retrieve a customized template with pre-defined fields.

Viewing a Search Result

Result Page

After your search is run, an overview of the search result is displayed in the right side. Select a content category on the left side to display the result list for that category.

**Note:** If you selected specific content to search, such as *Cases and Decisions*, the result list for that content type appears.

![Figure 4: Cases and Decisions result list](image-url)
Result Page Options

- By default, documents are ranked by relevance. To change the default ranking, choose an option from the Sort by drop-down list located on the document toolbar.
- Select the View Detail icon ( ) located on the document toolbar to choose from three levels of detail. Details vary by document type and may include the document title and citation, search terms in context, and a document summary.

Narrowing your Search Results List

You can narrow your results by selecting a content category on the left side. Example: Cases and Decisions. Once you’ve selected a category, additional customized filters appear in the Narrow section located below the content categories.

Applying Filters

To enable multiple filters to be applied at the same time, select Select Multiple Filters, if necessary.

Select the filters you want and then select Apply Filters.

To apply one filter at a time, select Cancel, if necessary, and then choose the filter you wish to apply. The result list automatically updates to display only those results that match your filter option.

Select Undo Filter to return to the full result list.
Viewing a Document from a Result List

To view a document in your search result, select the document’s title. Each document in a search result contains highlighted search terms for easy browsing and links to cited documents.

The document toolbar for a case provides several navigational and other tools. They are:

1. **Return to list**: Select to view the Result List.
2. **Previous / Next Navigation**: Select to view the next or previous document in your search result.
3. **Term Navigation**: Select to view the portions of each document that contain your search terms.
4. **PDF or Original Decision**: Retrieve the original decision in PDF format, where available.
5. **Switch between Languages**: Select this button to switch between languages, where available.
6. **Go to**: Jump to a specific portion of the document (i.e. headnote, counsel, opinion).
7. **Create KeyCite Alert Entry (        )**: Select to create a KeyCite Alert entry for the document. Complete the steps in the KeyCite Alert wizard and select **Finish** to save your entry in the KeyCite Alert Directory on WestlawNext Canada.
8. **Search Text in the Document**: Enter search terms to search within the document.
9. **Display Options**: Adjust the document font styles, sizes and margins
10. **Add a Document Note**: Add a note to the top of the document or show or hide notes you’ve already added.
11. **Save to Folder**: Save the document to a folder.
12. **Email, Print, Download**: Email, print or download the document. You can also send it to Case Notebook.
13. **Full Screen Mode**: Expands the document view for easier viewing of annotations.
**Boolean Connectors**

To trigger a Terms & Connectors search, use recognized Boolean connectors (e.g.: ex: /p, /s, %, +20) or enter the Advanced command `adv:` into the search box. Examples: `burden +s proof prov!` or `adv: picketing and (mall “shopping centre”)`

**Note:** OR, AND, &, or a phrase within quotation marks, will not automatically trigger a Boolean search. For example, “unlawful assembly” of groups of three or more on streets or sidewalks.

### Search Connectors

<table>
<thead>
<tr>
<th>Connector</th>
<th>Symbol</th>
<th>Retrieves</th>
</tr>
</thead>
<tbody>
<tr>
<td>AND</td>
<td>&amp;</td>
<td>Search terms in the same document: narcotics &amp; warrant</td>
</tr>
<tr>
<td>OR</td>
<td>(space)</td>
<td>Either search term or both: car automobile</td>
</tr>
<tr>
<td>Phrase</td>
<td>&quot; &quot;</td>
<td>Search terms appearing in the same order as in the quotation marks: “just cause”</td>
</tr>
<tr>
<td>/s</td>
<td></td>
<td>Search terms in the same sentence: design /s defect</td>
</tr>
<tr>
<td>/p</td>
<td></td>
<td>Search terms in the same paragraph: hearsay /p utterance</td>
</tr>
<tr>
<td>+s</td>
<td></td>
<td>The first term preceding the second within the same sentence: Wolfe +s island</td>
</tr>
<tr>
<td>+p</td>
<td></td>
<td>The first term preceding the second within the same paragraph: ti(mikkelson +p mikkelson)</td>
</tr>
</tbody>
</table>

**Note:** When you want to specify that the same term appears at least twice in a sentence or paragraph, use the +s or +p connector. For example, the query `ti(mikkelson +p mikkelson)` retrieves documents in which the name Mikkelson occurs twice in the title field.

| /n        |        | Search terms within “n” terms of each other (where “n” is a number): support /3 payment |
| +n        |        | The first term preceding the second by “n” terms (where “n” is a number): justice +3 McLachlin |

### BUT NOT

| %         |        | Documents not containing the term or terms following the % symbol: (support /3 payment % spousal) Use the % connector with caution; it may cause relevant documents to be excluded from your search result. |

### Root Expander

To retrieve words with variant endings, use the root expander (!). When you place an exclamation point (!) at the end of a root term, you retrieve all possible endings of that root. For example, obey! retrieves obey, obeys, obeyed and obeying.

### Universal Character

The universal character (*) represents one character. You can place the universal character within or at the end of a term. When you place the universal character within a term, it requires that a character appear in that position. For example, feast* retrieves feast but not feat.

When you place the universal character at the end of a term, you specify the maximum length of that term. For example, object*** retrieves object, objects, objected, objective, objection and objecting but not objectionable.
Turning Off Plurals and Equivalents
WestlawNext Canada automatically retrieves plurals when you enter the singular form of a term. You can turn off plurals of a particular term by placing the # symbol in front of the term. To retrieve damage but not damages, type #damage. Placing the # symbol in front of a term also turns off the automatic retrieval of equivalencies. To retrieve perm but not permanent, type #perm.

Order of processing
Symbols in a query are processed in the following order:

“”; space (or); +n; /n; +s; /s; +p; /p; & (and); %

Parentheses can be used to change the order of the sort.

Adding Notes and Copying with Reference

- To add a general note to the top of the document: Select the Annotations icon ( ) on the document toolbar and choose Add Note. The Notes box is displayed at the top of the document. Type a note into the text box and select Save.
- To add a note to the right of selected text: Select the text where you want to insert the note and choose Add a Note from the pop-up menu. Enter a note into the text box and select Save.
- To highlight text: Select the text you want to highlight and choose Highlight from the pop-up menu.
- To copy text with the document reference: Select the text you wish to copy and choose Copy with Reference from the pop-up menu. Go to your Word document or email and select Paste. The text you highlighted will be copied along with the name of the document and any relevant citations.

Figure 7: Adding Notes and Copying with Reference
Browsing Specific Content

To retrieve documents or access the Table of Contents for a content-type select a link on the All Content page in the Browse section of the Home page. There are four broad categories from which to choose: Primary Sources, Commentary, Court Documents and Finding Tools. Example: *Canadian Abridgment Digests*

![Figure 8: Canadian Abridgment Digests page](image)

Browsing Statutes, Rules and Regulations

Starting from the Browse section of the Home page, you can retrieve statutes, rules and regulations in several ways:

- Select the All Content tab, and then select Statutes and Regulations or Rules. Next, select a jurisdiction and then select the applicable link.
- Select the Source tab (i.e. FamilySource) in the My Subscriptions section on the right side of the Home page to access links to statutes, rules and regulations for a specific area of law.

While viewing the text of a statutory provision, you can navigate to the next and previous sections by selecting the arrows next to the section symbol (§) on the document toolbar.

To return to the Table of Contents, select Table of Contents on the document toolbar.

Combining Browsing and Searching

At any point while browsing WestlawNext Canada content you can enter keywords into the search box located at the top of the page to search the categories displayed. You can use the checkboxes, where available, to further narrow your search to specific sub-categories (See Figure 8).

The tab located above the search box indicates the content you are searching (See Figure 8).
Delivering Results

To print, email, or download a document or a list of documents, complete these steps:

1. Select the **Print, Email** or **Download** icon on the toolbar, or select the arrow next to the delivery icon and choose your option from the menu.

   ![Figure 9: Delivery Options](image)

   **Note:** WestlawNext Canada remembers your preference making that delivery method your new default.

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. Select the **View Delivery Queue icon** to display the items in the delivery queue, Select an item to print or download it.

Research History

To return to previous work, select **History** located in the upper right corner of any page. A list of the four most recent documents you have viewed and searches you have run is displayed. Select a link to return to a document or search. You can also select **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.

You can keyword search the full text of any documents or use filters to find specific documents or searches within History.

**Notes:** Although history is saved for up to one year, you can display it for a specific time period by choosing an option from the **Date** drop-down list on the left side.

You can also access your most recent searches by selecting the **Recent Searches** icon located next to the search box.
Folders

WestlawNext Canada helps you organize and manage your research by storing your documents and text snippets into folders. Case law and legislation documents that are added to folders will always reflect the current state of the law. Folders and any linked documents remain indefinitely.

Saving to a Folder

To save the document you are viewing into a folder, select the **Save to Folder** icon ( ) on the document toolbar. Select the folder in which you want to save the document and select **Save**.

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

To save selected text (snippets) into your current folder, highlight the text you want to save and choose **Save to** … from the pop-up menu.

To view documents and snippets you have saved into your current folder, select your current folder. To view documents/snippets saved into another folder, select **Folders** at the top of any page and then select the name of the folder containing the documents.

Changing and Creating New Folders

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

- Select **Folders** at the top of any page. The Folders page is displayed. Select **New** on the left side. The New Folder dialog box is displayed. Enter the name of the folder into the **Folder Name** text box, select a location for the new folder, and select **OK**.

- While viewing a document or a result list, select the **Save to Folder** icon, and then select **New Folder**. Enter the name of the folder into the **Folder Name** text box, select a location for the folder, and select **OK**.

The current folder is the folder that is displayed on the right side of the Home page and at the top of all other pages.

To change the current folder, select the current folder and then select the **Change Folder** icon ( ). The Change Folder dialog box is displayed. Select the folder you want and then select **OK**.

Document Icons

WestlawNext Canada utilizes a variety of document icons. They are:

- **Eyeglasses**: Indicates that you’ve viewed the document within the last 30 days.
- **Added to folder**: Indicates that you have added the document to a folder.
- **Annotation**: Indicates that you have added a note to the document.
- **Annotation in Folder**: Add a note to a document within a folder.
- **KeyCite**: A variety of icons appear to indicate the status of the case or statutory provision. ( , , and ).
- **Memos**: Indicates the case has associated legal memos.
- **Court Documents**: Indicates the case has associated court documents (motions, facta and pleadings).
What’s included in my Subscription?

To determine what content is included in your subscription, select the Product Information tab on the Home page and see the My Content page.

Where can I find Help?

• Contact Carswell Technical or Reference Support, 24/7 at: 1.800.387.5164
• Access online Help and the Getting Started tutorial located at the bottom of any page.

• Go to the Carswell Learning Centre www.carswell.com/learning to access User Guides, Quick Reference Cards and video tutorials or to sign up for a live public Webinar facilitated by a Carswell Certified Professional Learning Consultant.
• Go to WestlawNext Canada www.westlawnextCanada.com/academic to learn more about the service.
## Glossary of Terms

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Appeal</strong></td>
<td>Resort to a higher court/tribunal to review the decision of a lower court/tribunal</td>
</tr>
<tr>
<td><strong>Canadian Abridgment Digests</strong></td>
<td>A comprehensive collection of more than 700,000 digests of Canadian case law organized by legal issue according to a single taxonomy (The Key Classification System). Exclusive to Carswell, it covers virtually every case reported in Canada since 1803 and every unreported case received from the courts since 1986, with the exception of Quebec civil law cases.</td>
</tr>
<tr>
<td><strong>Canadian Encyclopedic Digest</strong></td>
<td>Comprehensive statements of the law on more than 225 subject titles on every aspect of Canadian law and practice, linking to thousands of case law authorities and statutory provisions and the relevant classification in The Canadian Abridgment Case Digests.</td>
</tr>
<tr>
<td><strong>Case</strong></td>
<td>See Judgment.</td>
</tr>
<tr>
<td><strong>Citation</strong></td>
<td>Identifier for a case, legislation or article; based on where it has been published, either in print or online. Note that documents can have more than one citation if they have been published in more than one place. These are known as parallel citations.</td>
</tr>
<tr>
<td><strong>Citing References</strong></td>
<td>Documents (e.g. cases, articles, court documents) referring to the case or legislative section you are looking at and whether they have followed, considered, referred to or distinguished the case or legislative section you are looking at. See Judicial Treatments.</td>
</tr>
<tr>
<td><strong>Commentary</strong></td>
<td>(Also called Secondary Sources.) Authored works such as texts, practice guides, annotations, newsletters and articles.</td>
</tr>
<tr>
<td><strong>Decision</strong></td>
<td>See Judgment.</td>
</tr>
<tr>
<td><strong>Full History</strong></td>
<td>(Also called case history or direct history.) The path a case has taken through the court system; has it been appealed, affirmed, reversed or had additional reasons given.</td>
</tr>
<tr>
<td><strong>Headnote</strong></td>
<td>A summary of the key issues and facts in a case which appears at the beginning of a case, written by the publisher.</td>
</tr>
<tr>
<td><strong>Judgment</strong></td>
<td>(Also called decision or case.) A final determination by the court of a matter brought before it.</td>
</tr>
<tr>
<td><strong>Judicial Treatments</strong></td>
<td>A list of judgments that cite another case, accompanied by an indication of whether they have followed, considered, referred to or distinguished the case or legislative section you are looking at.</td>
</tr>
<tr>
<td><strong>KeyCite</strong></td>
<td>Provides you with the Full History and the Citing References for a case. Used for Noting up.</td>
</tr>
<tr>
<td><strong>Legislation</strong></td>
<td>Includes statutes (laws or acts), regulations (how statutes are to be implemented) and rules (procedural instructions for court proceedings.)</td>
</tr>
<tr>
<td><strong>Noting up</strong></td>
<td>(Also called Judicial Treatment. See also Full History and Citing References.) Finding any subsequent cases that have referred to the case or legislation in question. Also, for cases, determining the full history of the case.</td>
</tr>
<tr>
<td><strong>Precedent</strong></td>
<td>A legal case establishing a principle or rule that a court or other judicial body may use when deciding subsequent cases with similar issues or facts.</td>
</tr>
<tr>
<td><strong>Reported Decisions</strong></td>
<td>Cases that have been selected to be published in a law report series. Unreported cases are decisions that have not been published in a print law report series.</td>
</tr>
<tr>
<td><strong>Secondary Sources</strong></td>
<td>(Also called Commentary.) Works written by authors (as opposed to cases or legislation).</td>
</tr>
<tr>
<td><strong>Style of Cause</strong></td>
<td>The case name for a cause of action or lawsuit; a description of the parties involved.</td>
</tr>
</tbody>
</table>
Canada’s Most Advanced Legal Search Engine

You Ask
Plain language or Boolean, our search engine understands what you’re asking for.

We Search
Across multiple content types through our unmatched legal content collection.

You Find
Exactly the results you need, relevant for your legal issue. No more, no less.

You Deliver
Better answers in less time.

Specialty Solutions
Our practice-specific products have been developed specifically to match how research is done in each practice area.

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Estates&TrustsSource™

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InsolvencySource™
IPSource™
LabourSource™

LawSource™
Litigator
SecuritiesSource™

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