WESTLAW

Sign on from the Law Library’s web site at
http://lawlibrary.uoregon.edu/main.html under ONLINE INDEXES AND
DATABASES. Use EITHER your password given by Westlaw or the Username
and Password that you’ve customized. Recommend Mozilla Firefox as your
browser.

Survival Guide tab. Lots of help:
General Research – Research Guide/Skills (more than you will ever want to
know), How to Find. . . .

Legal Writing – Black’s Law Dictionary
Maps – Federal Court, National Reporter System.
Advanced Research —Retrieve the Constitution

Westlaw Research tab to go to Welcome Screen
• Suggest Law School tab
• Shortcuts (left frame). Edit Shortcuts to include Definitions (to get Black’s
Law Dictionary)
• Research Trail – keeps track of research for 14 days
• DIRECTORY – takes you to entry point for all Westlaw databases
• Help (top right) for Live Chat

I. FINDING CASES, STATUTES, ETC. (QUICK METHOD)
Go back to Law School tab to get back to Shortcuts.

Find a Case by Party Name
Sutton v. United Air Lines, a U.S. Supreme Court case. When in doubt about
jurisdiction, use All U.S. Federal & State Cases.

Find by Citation if you know a case citation, public law citation, statute citation,
etc.
Find the Sutton v. United Air Lines case, 527 U.S. 471
Find PL 110-325 (ADA Amendments Act of 2008)
Find PL 101-336 (Americans with Disabilities Act of 1990)
See directly below text of §12102 for new language incorporating 2008
amendments to ADA.

Find Federal Statutes by Popular Name
Name Table
Find the **Americans with Disabilities Act of 1990**
This shows the public law (PL) which enacted the ADA, as well as cross referencing where sections of the PL were codified in the United States Code.
Find the **ADA Amendments Act of 2008**
Find the **Individuals with Disabilities Education Act (IDEA)**

II. CHOOSING A DATABASE AND SEARCHING
Consider when choosing a database:
• statute – federal or state
• judicial decision – what jurisdiction
• administrative agency regulation or decision
• topical materials or treatises
• law journal articles

**Natural Language Searching** *
• Good for secondary materials such as treatises and law review articles
• Helps with terms for terms and connectors searching
• Use Best to scroll to highest concentration of search terms
• **Most relevant results appear first ➔ less relevant**
• Use Edit Search to modify search and run again
• Locate in Result to search within a search

**Terms & Connectors (Boolean) Searching**
What are the most important terms from the facts and issues? What terms are unique?
• Plurals and possessives automatically retrieved, unless irregular plural ending
• Use hyphen with compound words, to get all variations, e.g. step-parent
• Best to also include phrase as alternative search term, e.g. ADA or “Americans with Disabilities Act”
• **Connectors:** "", OR (= space), +n, /n, +s, /s, +p, /p, &, %
  ° How close should terms appear relative to one another on the page of the document(s) you’re searching for?
  ° Default connector = space = OR
• **Most recent documents appear first ➔ older ➔ oldest**
• Use Edit Search to modify search and run again
• Locate in Result to search within a search

III. SAMPLE SEARCHES
**Searching for Cases**
**Natural Language**
What are reasonable accommodations for students under the Americans with Disabilities Act?
Must movie theaters or sports arenas provide for wheelchair seating?

**Terms & Connectors**
Notice connectors & expanders list; related terms, field options.
"reasonable accommodation" /p student /p ("Americans with disabilities act" OR ADA)
"movie theater" OR "sports arena" OR "stadium seating" /p ("Americans with disabilities act" OR ADA)

**Searching for Statutes with Cases Interpreting Statutes**

**Natural Language**
What reasonable accommodations must an employer make for an employee in a wheelchair?

**Terms & Connectors**
"Americans with disabilities" OR ADA /s “reasonable accommodation” /p employee & wheelchair

**Searching for Law Review Articles** (Coverage begins in the late 1980s.)
All Databases → Legal Periodicals & Current Awareness → Journals & Law Reviews U.S. (JLR)

**Natural Language**
May an employer refuse to hire a person with a disability?

**Terms & Connectors**
“otherwise qualified” /s “reasonable accommodation” /s employ!

Too many results? Try limiting by Term Frequency so each term appears in each document at least 10 times.

**IV. UPDATING YOUR RESEARCH (KeyCite)**

**KeyCite 42 U.S.C. §12102.** Notice Proposed Legislation and Bill Drafts. 2008 amendments greatly expanded definition of disability. Other parts of §12102 were recodified at 42 U.S.C. §12103. Also note yellow cautionary flag. H.R. 3195 was being considered in the House, but S. 3406 was passed by both houses of Congress instead, and became PL 110-325.

**KeyCite Sutton v. United Air Lines, 527 U.S. 471.** Notice that Sutton has a yellow flag, indicating negative treatment but not overruled or reversed. Look at Negative Citing References Ragusa and Verhoff. Ragusa says Sutton has been overruled by recently enacted amendments to the ADA. Verhoff says that Congress expressly “rejected Sutton’s instruction that
courts must consider the effects of ameliorative medications and devices” in determining if a plaintiff is disabled under the ADA. *Verhoff* goes on to say that while Congress overturned the Supreme Court’s reasoning in *Sutton*, it left the holding intact by ordering courts to consider ameliorative effects . . . . Both *Ragusa* and *Verhoff* cite PL 110-325 (ADA Amendments Act of 2008).

V. POTENTIALLY USEFUL DATABASES

All Databases → Topical Practice Areas → Civil Rights → Americans with Disabilities Act (cases, statutes, regulations, some texts & periodicals, treatises)
All Databases → Topical Practice Areas → Education (ditto)
All Databases → Topical Practice Areas → Labor and Employment (ditto)

• Click on [1] for database scope information

Sample searches in Education Folder

**Natural Language** (Federal Education Cases (FED-CS)):
IDEA individuals with disabilities act and least restrictive environment
Rehabilitation act disparate impact

**Terms & Connectors** (Federal Education Cases (FED-CS)):
“individuals with disabilities education act” /s “least restrictive environment”
“rehabilitation act” /p “disparate impact”

All Databases → Forms, Treatises, CLEs, Practice Guides
Search for ADA in rectangle to find:
• ADA Compliance Guide
• Workplace Accommodations under the ADA
• Public Accommodations under the ADA
Search for *athletics & disability*. Then Locate in Result *arena or stadium*.

Search for Education in rectangle to find:
• Education Law, First Amendment, Due Process and Discrimination
• Disability Law Deskbook: The ADA in the Workplace

VI. RESEARCH TRAIL, PRINTING/EMAILING RESULTS, AND SIGN OFF

*Advantage of Terms & Connectors over Natural Language searching is that you can be more assured that results are exactly what you specify. You control the terms and how closely they appear to each other. In Natural Language the search is taking place "behind the scenes" via an algorithm determining important
terms, level of concentration of terms within a document, and how closely terms appear to each other.

RELEVANT LAWS
Below are some important acts with their United States Code cite and the public law which enacted them.
Individuals with Disabilities Education Act (IDEA): 20 USC §§1400-1482 (PL 91-230)
Fair Housing Act: 42 USC §§3601-3619 (PL 90-284)

HELPFUL WEB SITES
Law Library’s web site for signing on to electronic databases:
http://lawlibrary.uoregon.edu/main.html
Law Library Research Guides: http://lawlibrary.uoregon.edu/guides.html
Cornell’s Legal Information Institute Wex site (legal topics explained):
http://topics.law.cornell.edu/wex/category/overview
And http://topics.law.cornell.edu/wex/disability_law
Guide to Disability Rights Laws from the DOJ: http://www.ada.gov/cguide.htm
United States Constitution from GPO Access:
Amendments to the Constitution from GPO Access: