

# The Canadian Abridgment BULLETIN

Highlighting new developments and providing research tips for users of the Canadian Abridgment



## FROM THE PUBLISHER

*In this issue of the Bulletin, we announce the publication of our two new Abridgment reference guides: the updated **Short Guide to the Canadian Abridgment**, which for the first time provides tips on how to use the components of the Abridgment both in print and online; and the **Quick Reference Guide to the Canadian Abridgment**, which illustrates print research processes in an easy-to-use flow chart format. We tell you about the September launch of our three-year Reconsolidation of the Canadian Case Citations project, and update you on recent developments in our growing Abridgment eDigest collection, including the launch of four new eDigest titles in August. Inside, you will find the second in our series of user tips for electronic research on WestlaweCARSWELL. This issue focuses on noting up case law and legislation by citation using KeyCiteCanada. Finally, we update you on the remaining Third Edition title to be sent to you in 2007, which will complete our long-term project of transitioning the Case Digests component of the Abridgment from Second to Third Edition.*

*I welcome any comments or suggestions that you have concerning The Canadian Abridgment.*

*Rachel Francis*

Rachel Francis, B.A. (Hon.), LL.B.  
Director, Legal Strategic Market Group

## New Canadian Abridgment User Guides: Short Guide and Quick Reference Guide

We are pleased to announce new editions of two reference guides to aid in understanding the components and research functions of the Canadian Abridgment.

The **Short Guide to the Canadian Abridgment and Related Products** is a research guide to all current components of the Canadian Abridgment. This latest edition of the Guide for the first time demonstrates how to use the components of the Abridgment both in print and online in WestlaweCARSWELL. Designed for use as a teaching aid and reference tool, the Guide illustrates the Canadian Abridgment services in relation to the following research tasks:

- To find case law by legal issue
- To find case law by case name

- To find case law considering a word or phrase
- To find the history and judicial treatment of a case
- To find the judicial treatment of a statute, regulation or rule of practice
- To find legislative history
- To find legal literature

For each research task, the Short Guide contains a description of the appropriate print product, along with illustrations and complete instructions of the two-step research process. This is followed by a description of the equivalent online component of the Canadian Abridgment, with detailed instructions and screen captures explaining the corresponding functions and steps to online research on WestlaweCARSWELL.

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Don't forget... you can now reach the Abridgment Helpline by e-mail at:  
[Carswell.Abridgment@thomson.com](mailto:Carswell.Abridgment@thomson.com)

LawSource	CriminalSource	FamilySource	InsolvencySource	IPSource
<ul style="list-style-type: none"> <li>• Aboriginal Law</li> <li>• Administrative Law</li> <li>• Bankruptcy and Insolvency</li> <li>• Business Associations</li> <li>• Commercial Law</li> <li>• Constitutional Law and Human Rights</li> <li>• Construction Law</li> <li>• Contracts</li> <li>• Damages</li> <li>• Employment Law</li> <li>• Environmental Law</li> <li>• Estates and Trusts</li> <li>• Evidence</li> <li>• Family Law                             <ul style="list-style-type: none"> <li>◦ Atlantic</li> <li>◦ Ontario</li> <li>◦ Western</li> </ul> </li> <li>• Impaired Driving</li> <li>• Insurance</li> <li>• Intellectual Property (including Information Technology)</li> <li>• Labour Law</li> <li>• Motor Vehicles</li> <li>• Municipal Law</li> <li>• Natural Resources</li> <li>• Practice</li> <li>• Privacy</li> <li>• Professional Responsibility</li> <li>• Real Property</li> <li>• Torts</li> <li>• Young Offenders</li> </ul>	<ul style="list-style-type: none"> <li>• Constitutional Law and Human Rights</li> <li>• Evidence</li> <li>• Impaired Driving</li> <li>• Motor Vehicles</li> <li>• Young Offenders</li> </ul>	<ul style="list-style-type: none"> <li>• Family Law                             <ul style="list-style-type: none"> <li>◦ Atlantic</li> <li>◦ Ontario</li> <li>◦ Western</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Bankruptcy and Insolvency</li> </ul>	<ul style="list-style-type: none"> <li>• Intellectual Property (including Information Technology)</li> </ul>



## Abridgment eDigests Update: Four New Topics Launched in August

Earlier this year, we announced four new topics to be added to our Abridgment eDigest collection. These new topics, selected based on recommendations from our users, were launched in August 2007. The new titles are:

- Construction Law
- Contracts
- Intellectual Property (including Information Technology)
- Motor Vehicles

In addition, the Constitutional Law eDigest title was revised to add cases digested under the Human Rights subject heading. The revised title “Constitutional Law and Human Rights” was launched in August, at the same time as the four new titles.

The addition of these titles brings our growing eDigest collection to a total of twenty-nine topics. We continue to work on expanding our collection of titles and welcome feedback from our users on current or future eDigest topics.

# Finding the History and Judicial Treatment of Case Law and Legislation:

## Noting Up Using Find/KeyCite a Document on WestlaweCARSWELL

In this issue of the Bulletin, we continue our series of user tips for electronic research using components of the Canadian Abridgment online. This article provides an overview on using the **Find/KeyCite a Document** function to locate and note up case law and legislation by citation on WestlaweCARSWELL.

### 1 How To Find the History and Judicial Treatment of a Case (“Noting Up” a Case):

From the Home page of LawSource and most other WestlaweCARSWELL services, you can find any Canadian case by entering all or part of the citation. By linking to the **Find** page on all WestlaweCARSWELL services, you can also find foreign cases by citation.

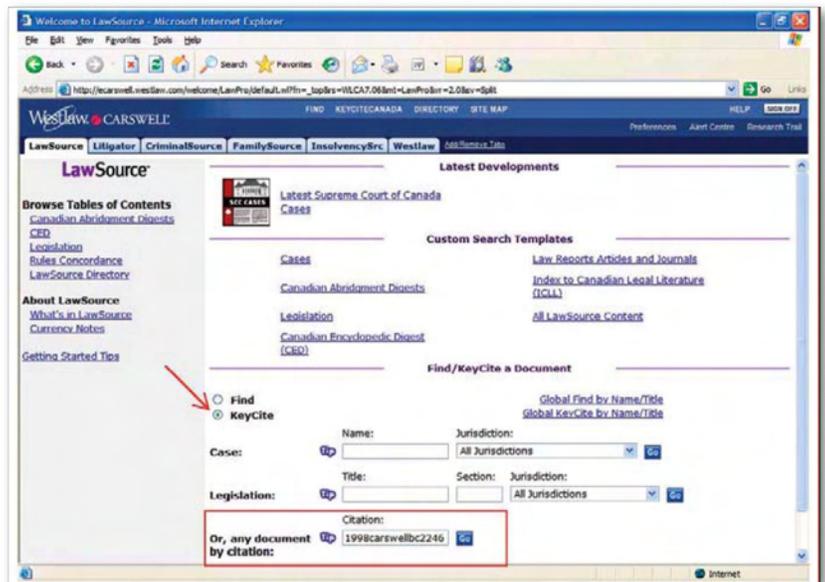
You can find the history and judicial treatment of case law by noting up a case with KeyCiteCanada. KeyCiting a case involves retrieving the appellate history plus all citing references of a case, including judicial treatments and secondary references. In addition to the information available in the print volumes of the Canadian Case Citations, KeyCiteCanada includes:

- “Referred to” (less important) case treatments
- Citing references in commentary, the Canadian Encyclopedic Digest and the Index to Canadian Legal Literature
- Judicial treatments in other Commonwealth cases
- The ability to limit results: by date, jurisdiction, document type or by any words used in the citing documents

#### A. To Note Up a Case by Citation

1. In the **Find/KeyCite a Document** section of the home page, select the **KeyCite** button.
2. Enter the complete citation in the **Citation** box, e.g. “1998 CarswellBC 2246”.
3. Click **GO**.

Illustration 1.1: Using the Find/KeyCite a Document template to note up a case by citation.



**RESEARCH TIP:** The citation box is not sensitive to spacing, capitalization or punctuation used for abbreviation. However, when a form of punctuation is an essential part of a citation style, it should be included, e.g.: “rsc1985cc-46s16”.

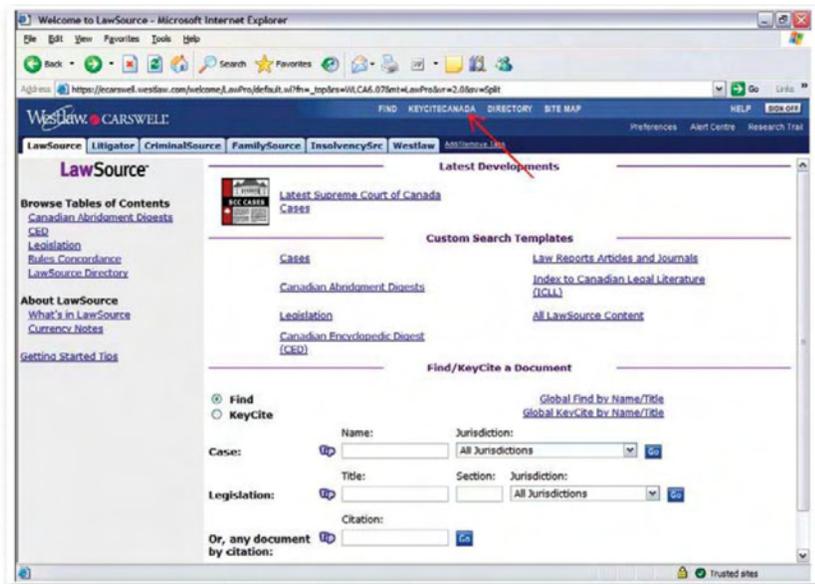
When searching case law, do not include the year of the decision (entered in parenthesis) in the citation entry. For example: when searching for: (1959) 38 C.B.R. 91, enter as: “38 CBR 91”.

**RESEARCH TIP:** To KeyCite a document by citation, you may also use the *KeyCiteCanada* link accessible from the Navigation bar.

**B. To Note Up a Non-Canadian Case by Citation**

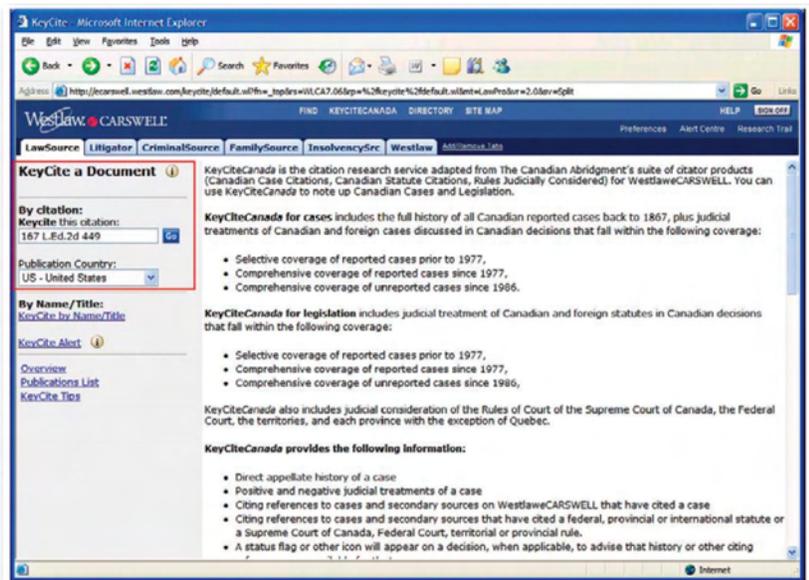
1. Go to the Global KeyCite page by clicking on the *KeyCiteCanada* link at the top of the home page.

*Illustration 1.2: Accessing the KeyCiteCanada template to note up a foreign case.*



*Illustration 1.3: Noting up a foreign case by citation.*

2. Enter all or part of the citation in the **By citation** box, e.g. “167 L.Ed.2d 449”.
3. Select the country of origin from the dropdown list in the **Publication Country** box, e.g. US – United States.
4. Click **GO**.



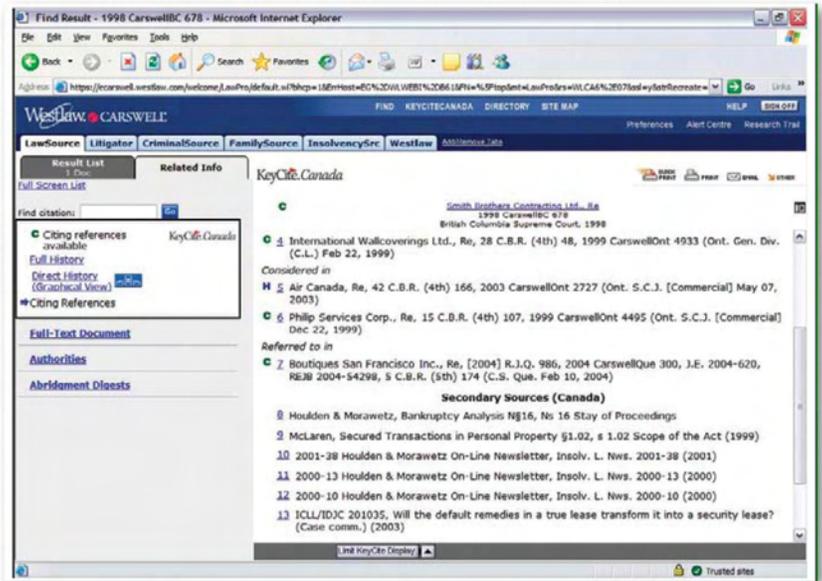
## KeyCiteCanada Results

Your KeyCiteCanada results are displayed in the right frame. KeyCiteCanada information is displayed in a white box on the left frame.

Click the Full History link to retrieve the direct appellate history of the KeyCited case, plus any negative citing references and/or recently added treatments to that case. To view the full text of a listed referring case, click on its number link.

Click the Citing References link to retrieve all judicial treatments and citing references from secondary sources for the KeyCited case. To view the full text of a listed document, click on its number link.

Illustration 1.4: KeyCiteCanada Results.



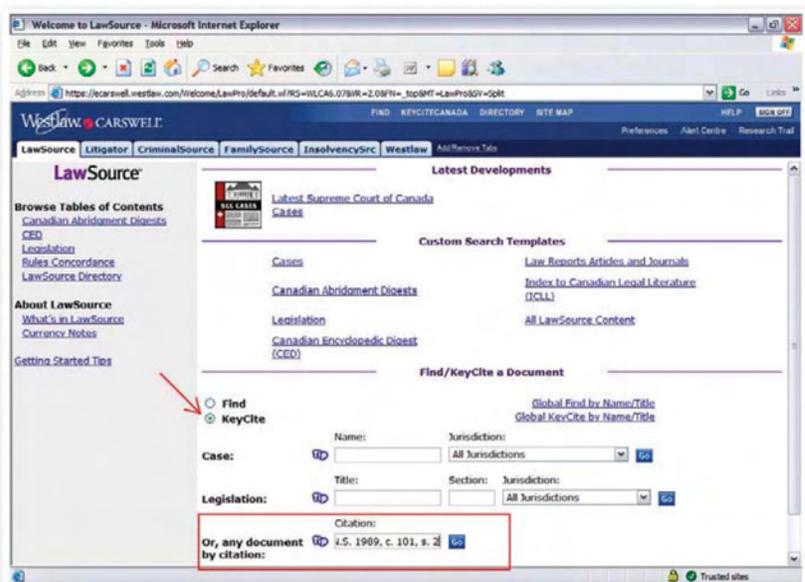
## 2 How To Find the Judicial Treatment of a Statute Section or Rule of Practice (“Noting Up” a Statute or Rule):

From the Home page of LawSource and most other WestlaweCARSWELL services, you can find Canadian and foreign legislation by entering the citation.

You can find the judicial treatment of Canadian and foreign statutes and rules using KeyCiteCanada. You can also find analysis in legislation annotations and other selected commentary.

### A. To Note Up a Statute or Rule by Citation

Illustration 2.1: Using the KeyCite a Document template to note up legislation by citation.



1. In the Find/KeyCite a Document section at the bottom of the home page, select the **KeyCite** button.
2. Enter the citation in the **Citation** box, e.g. “R.S.N.S. 1989, c. 101, s. 2”.
3. Click **GO**.

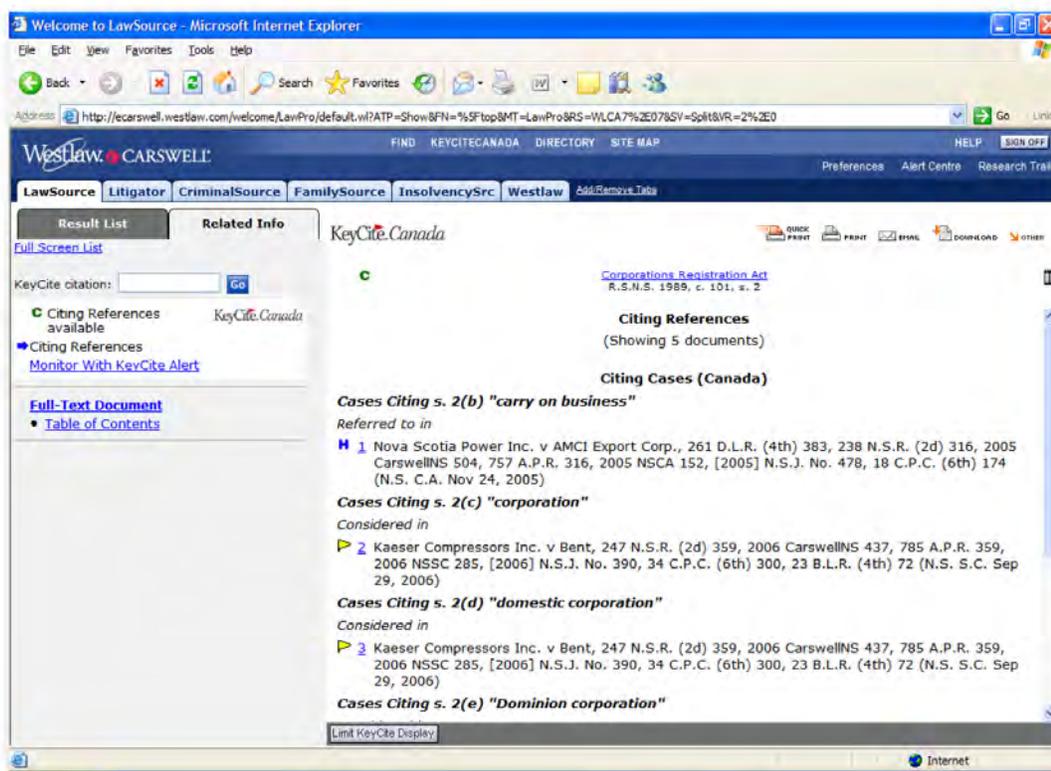
**RESEARCH TIP:** To retrieve U.S. state statutes and rules, type “xx-st” (where xx is the state’s two-letter postal abbreviation) to display a citation template.

## KeyCiteCanada Results

KeyCiteCanada Results for legislation includes the following treatment information:

- *Unconstitutional*: a section of a statute or rule has been found by the court considering it to be unconstitutional or invalid, in whole or in part
- *Considered*: a section of a statute or rule has been analyzed or interpreted in a particular decision
- *Pursuant To*: a proceeding was undertaken pursuant to a section of a statute or rule
- *Referred To*: a section of a statute or rule has been mentioned by the court, but not commented upon

Illustration 2.2: KeyCiteCanada Results for KeyCited legislation.



To view the full text of a listed document, click on its number link.

**RESEARCH TIP:** You may limit citing references you wish to appear in the list of KeyCiteCanada citing references by court level, jurisdiction or document type. Click on “Limit KeyCite Display” at the bottom of the page.

# Reconsolidation of the Canadian Case Citations

We are pleased to announce that the Reconsolidation of the Canadian Case Citations has begun, with the first 10 hardcover volumes covering the letters A-C shipped to customers in September. Over the next two years, customers will receive reconsolidated hardcover volumes covering the remaining letters. When the reconsolidation is completed, it will consist of 30 main work volumes, each with a single annual supplement.

## Why is the Reconsolidation necessary?

In the current updating system, each hardcover main work volume is updated by a single cumulative annual supplement volume, which updates it to the previous June. Each year, the annual softcover volumes become larger as more material is added. At this point, the annual supplement volumes have become too large to be contained in a single volume. In order to maintain the simplicity of the current supplementation system, we must reconsolidate the hardcover volumes, incorporating the material from the annual supplement volumes. This publication pattern ensures that only two steps are required to note up any decision current to the previous June. In order to spread the cost of the reconsolidated volumes, we are issuing the new volumes over a three-year period. During this transitional period, and when the consolidation is completed, the publication pattern and updating process of Canadian Case Citations will remain the same as it is now.

## What went into preparing the Reconsolidation?

In preparing this Reconsolidation, our editorial staff has thoroughly reviewed the existing Canadian Case Citations main work and supplements to ensure the integrity of the information in it. You will find that a number of significant enhancements to help locate cases have been made since the last reconsolidation of the main work in 1998.

Their work includes:

- removal of duplicate entries
- greater standardization of case names and citations
- addition of many history linkages (particularly in old cases)
- corrections of typos in case names
- improved sorting to help you find similar or related cases more easily

In this Reconsolidation, we have greatly expanded the scope of “See” references, and, for the first time, have also included “See also” references, which cross-reference variations and acronyms of common names appearing as parties in the cases referenced.

We trust that these editorial enhancements will make it easier for you to find cases you wish to note up. If you have any questions about the Reconsolidation of the Canadian Case Citations, please call **The Canadian Abridgment Editorial Helpdesk** at 1-800-463-4106 or (416) 298-5140 (in Toronto).

*continued from page 1...*

The **Quick Reference Guide to the Abridgment and Related Products** provides a quick overview of the print research process. For each research task, the Quick Reference Guide describes the appropriate print product and provides a flow chart illustration of the steps involved in a complete search.

These research tools will prove a valuable reference in understanding the Abridgment suite of products, and assist in teaching the many research functions the Abridgment provides.

If you would like to order copies of the Short Guide or the Quick Reference Guide, please contact **Carswell Customer Relations** at 1-800-387-5164 (in Toronto, at 416-609-3800), or by email at [carswell.orders@thomson.com](mailto:carswell.orders@thomson.com).

## Update on the Third Edition

### Transition to the Third Edition to be Completed in December 2007

The Canadian Abridgment's four-year project of transitioning from Second to Third Edition will be complete by the end of this year.

The final Third Edition title, **Criminal Law**, will be released in December 2007. By the end of this year, the *Case Digests* component of the Canadian Abridgment will consist of 156 hardcover volumes, and all Second Edition titles will have been replaced by Third Edition volumes.

### Highlights of the New Criminal Law Title

The new Criminal Law title will include and replace the remaining Second Edition titles Criminal law (Volumes R9, R10, R11) and Narcotic and Drug Control (R28). This new title represents a major reworking of the criminal law subject titles by our legal editorial team, including:

- New sub-classifications for several classifications that had attracted over 1,000 digests, with breakdowns to help users isolate similar fact situations
- Re-ordering of Charter digests to match the Charter sections, with section numbers now appearing in the Key phrases
- Standardized use of "youth offender" to describe the accused
- The addition of several new classifications for greater specificity when researching

We trust that these improvements will enhance the speed and accuracy of your criminal law research.

## The Canadian Abridgment Helpline

Since 1992 Carswell has provided a toll-free Helpline to connect you with our Abridgment experts. Our bilingual Helpline representatives can assist you in:

- Using both print and electronic Abridgment editions effectively
- Integrating the various Abridgment components
- Maximizing your research strategies
- Learning more about our upcoming publications

We are proud of our Abridgment Helpline representatives, who are experienced legal researchers. They are part of Carswell's Customer Relations team, participating in our training and support initiatives, and they will be pleased to assist you with all of your Abridgment needs.

In Toronto, call **(416) 298-5140**

Outside Toronto, call **1-800-463-4106**

or E-mail us at [Carswell.Abridgment@thomson.com](mailto:Carswell.Abridgment@thomson.com)

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