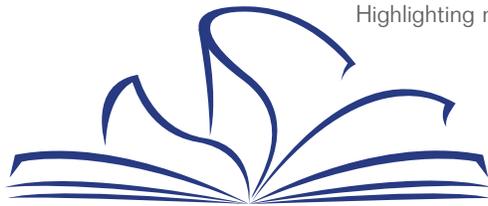


The Canadian Abridgment BULLETIN

May 2010 — Issue 50

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



KeyCite Canada Introduces Citation Frequency Notes A New Strategy for Finding Important Cases

FROM THE PUBLISHER

In this issue of the Bulletin, we focus on a new enhancement to be added to the online implementation of Carswell's Canadian Case Citations citator, KeyCite Canada. Citation frequency notes aim at streamlining research by telling you how many times judicial decisions in your results have been judicially cited as precedent.

I welcome any comments or suggestions that you have concerning any of the components of The Canadian Abridgment, in print or online.

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

With the increase in case law over the past few years and the availability of all unreported case law in online services for the past number of years, you are often faced with a large number of decisions in viewing search results and KeyCite results lists. In an increasing number of cases it is impractical to view all relevant results. For example, when KeyCiting the landmark *R. v. Oakes* decision, you will get a result list of over 1,500 cases; determining which of these decisions to review can be challenging and time consuming. KeyCite Limits assists you in narrowing down an extensive list by allowing you to limit your results by document type, date, and jurisdiction. Using the KeyCite Limits "locate" function, to restrict results to decisions containing key words or phrases can be an

especially powerful tool in targeting relevant decisions.

Our newest feature, Citation Frequency Notes, offers an additional strategy for reducing results to a manageable number without overlooking any important decision. By providing you with information as to whether and how many times a decision in your result list has itself been cited as precedent, citation frequency notes can point you in the direction of the most significant cases. Using this feature to limit results, either on its own or in combination with other strategies, will help you to make intelligent choices as to which of many relevant cases you need to consult, thus saving research time and strengthening the quality of your legal arguments.

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- KeyCite Canada Introduces Citation Frequency Notes 1

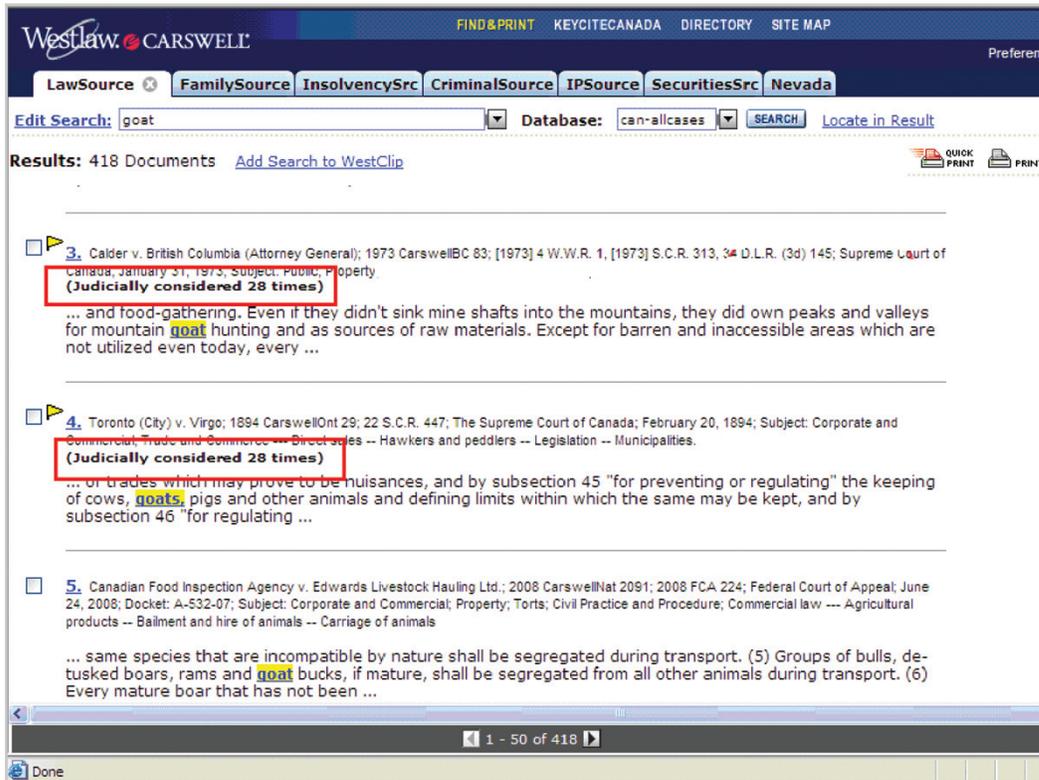
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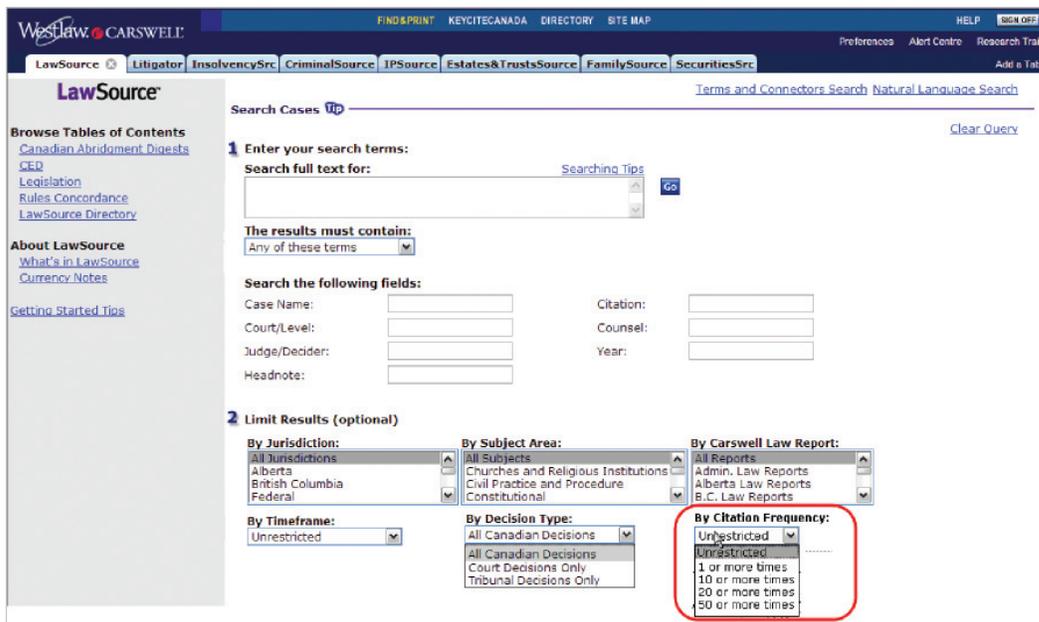
Custom Search Templates and Result Lists

When you perform any search that retrieves case law, citation frequency notes will appear in the result list beside each decision that has been the subject of judicial consideration.



Citation Frequency Drop-Down Menu

From the drop-down menu on the custom search template, you can also limit your search results returned based on citation frequency:



KeyCite Results

When you retrieve a KeyCite result, citation frequency notes will appear for all Canadian decisions in the KeyCite Result List.

The screenshot shows the KeyCite Canada interface for the case *R. v. M. (A.)*, 2008 CarswellOnt 2258. The page title is "Citing References (Showing 22 documents)". It is divided into three sections:

- Negative and Cautionary Cases (Canada)**: Recently added (treatment not yet designated). One case is listed: *R. v W. (J.J.)*, 2008 CarswellAlta 1601, 2008 ABPC 275 (Alta. Prov. Ct. Oct 03, 2008).
- Positive & Neutral Cases (Canada)**: Followed in. One case is listed: *R. v Mahmood*, 2008 CarswellOnt 5907 (Ont. S.C.J. Oct 09, 2008) with a note "(Judicially considered 4 times)".
- Considered in**: Two cases are listed: *R. v D. (R.M.)*, 2008 CarswellNS 473, 2008 NSPC 52 (N.S. Prov. Ct. Jul 24, 2008) and *R. v Bramley*, 2008 CarswellSask 353, 2008 SKPC 82 (Sask. Prov. Jun 03, 2008).
- Referred to in**: Two cases are listed: *R. v Poloni*, 2008 CarswellBC 1639, 2008 BCPC 219 (B.C. Prov. Ct. Jul 25, 2008) with a note "(Judicially considered 24 times)" and *R. v Kelsy*, 2008 CarswellOnt 3569, 77 W.C.B. (2d) 530, [2008] O.J. No. 2407 (Ont. S.C.J. Jun 17, 2008).

Using the Citation Frequency Limit in Conjunction with other Limits

With the introduction of Citation Frequency Notes you will be able to use the KeyCite Limits function to limit your KeyCite result list by citation frequency, either alone or in conjunction with other limits. Thus for example, you can restrict your results to decisions from B.C. which have been cited at least once.

Also, when you limit by citation frequency you will be able to specify that more recent decisions be retained in your result, regardless of whether they have yet been judicially cited. (eg. You can set up your search so you can retrieve only the cases that have been cited five or more times plus all cases decided in the last two years).

The screenshot shows the Westlaw Canada KeyCite Limits interface. The "KeyCite Limits" section is set for "1986 CarswellOnt 95". The "Caselaw Citation Frequency" section has "Unrestricted" selected. The "In addition, include Cases with decision date within the ..." dropdown menu is open, showing options: Unrestricted, Last Month, Last 3 Months, Last 6 Months, Last Year, Last 2 Years, and Last 3 Years. There are "Apply" and "Cancel" buttons at the bottom left. A "KeyCite Limits Tips" link is at the bottom left. A tip box on the right says: "Tip: Example of how to use both limits on this screen together with the rest of the Keycite limits [text TBD]".

Citation frequency notes will be available this Spring and will be included in all Westlaw Canada subscriptions.

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