

# KeyCite—A New Electronic Citation Service

Technology Editor Mark Giangrande takes us on a tour of this next-generation legal research product. Plus, we get to take a peek at what West is working on for the near future.

On July 21, West Group introduced KeyCite, a new electronic citator product that will have great impact on the legal research process. Scores of attorneys, law students, and librarians have grown up with *Shepard's Citations*. The words "Shepard's" and "Shepardizing" are in the legal lexicon as synonymous with checking the quality of cited authority. KeyCite is the first new product that can mount a serious challenge to the Shepard's monopoly on citation services.



Shepard's, in its electronic iteration, has always maintained a compatibility with its print counterpart. Many other electronic products that are available online and in CD-ROM format are similar in that they have been not much more than automated versions of print materials. Because of this, much of the legal research technology developed in the past several years tended to augment the familiar book model when text was ported to a digital medium. With the appearance of unreported cases in searchable full text, electronic versions of primary law databases expanded beyond the traditional printed reporter,

becoming unique legal compendiums of their own. KeyCite recognizes this in a way that Shepard's has not. KeyCite is one of the first new electronic products to appear on the horizon that does more than simply automate the traditional strategies of research and practice. In another sense, it is a product that will move legal research several steps away from book methods by creating a strategy that is unique to electronic research.

## How It Works

A researcher invokes KeyCite from a button on the Westmate toolbar. If a case is on the screen, then that is assumed as the default. Otherwise, a new citation may be entered directly into a dialogue box. The display gives options for displaying the full history of the case, the negative history only, omitting minor history, and citations to the case. Citations are organized in four groups indicating the depth of the citing authority's treatment of the original case. KeyCite uses a rating system of one to four stars, with four stars meaning "examined," three stars meaning "discussed," two stars meaning "cited," and one star meaning "mentioned."

The authority of a cite is given through visual cues. A pennant will appear in the title area of a displayed case, or next to a citation in a list. A red pennant means the case has been overruled or is no longer good law for at least one of its points. A yellow pennant means the case has some type of negative history of which a

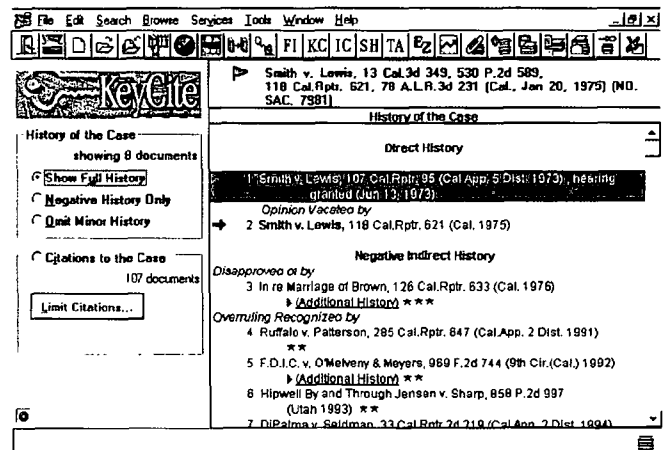
researcher should be aware. A blue "H" indicates that there is some direct history for the case that is not ordinarily negative. A quotation mark to the right of a citation in a list indicates that the citing case has quoted language from the cited case. Each citation listing is a hyperlink to the full text of the citing decision. Jumping to the text of the citing case leads directly to the reference; the title of the cited case and any quoted text is highlighted in red letters. Additional references are easily located by clicking on the "next term" button in Westmate. KeyCite can also generate a table of authorities within a cited document by invoking the "TA" button immediately to the right of the "KC" button.

KeyCite is impressive in the tight integration it has with WESTLAW and other West Group electronic products. It takes full advantage of the ability to include and link to other relevant documents in the WESTLAW database. These relevant documents include unreported cases, slip opinions, and non-case material such as law review articles, ALR annotations, and full-text treatises. Links to materials mounted on the system are active. Any case may be KeyCited almost immediately after it appears online. This means that virtually all decisions in the WESTLAW database may be checked for citation history and quality.

KeyCite also ties into the West key numbering system. Citation lists can be generated from headnotes, or the citation list can be limited by key numbers by selecting options from the screen. As the list of headnotes appears, there are short statements that indicate the number of citations for a particular headnote. Perhaps "even unreported decisions or decisions without headnotes can be topically categorized based on the headnotes in the cases cited."

West has indicated that clients who own CD-versions of a database will not be charged to view a case that appears in their subscription, even though the online product is linked to WESTLAW rather than to their locally mounted databases. The

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company views this as an accounting issue rather than a technical one, in that it knows what information its customers have licensed from West.

To use KeyCite, a researcher needs to use Westmate 6.3 or "Classic" Westmate (version 5.x). In Westmate 6.3, the KeyCite features are activated through the "KC" and "TA" buttons on the toolbar. Classic Westmate has clickable prompts at strategic locations that can invoke KeyCite. There is also a Web version that is available through Netscape Navigator or Microsoft Explorer and most other Web browsers. KeyCite is also available for DOS users. It is available to Mac users and on the Web (at www.keycite.com). Pricing is competitive with Shepard's online service through WESTLAW. All customers will be able to use KeyCite free through November 30, when the pricing plan goes into effect. WESTLAW will still offer the electronic version of *Shepard's Citations* for its customers.

### Other West Group Technology Plans

Last April, West sponsored the 10th Annual Editors' Exchange in San Diego, California. Editors and writers from major legal publications attended sessions that gave a window on some of the technology that will be available in the next one to two years. President and CEO Brian Hall spoke about several company product initiatives, while West Technical Managers demonstrated some developing products. These included the next versions of Westmate, WESTLAW access through the Internet, and use of push/pull technology. Hall outlined a strategy that firmly describes West as an information service company—a sharp contrast to the company's former view of itself as a bookseller.

One somewhat provocative statement from Hall was that West Group is no longer placing resources into developing new print products. The comment arose in regard to a discussion of titles that are respected publications, but not strong sellers in the book market. *Corpus Juris Secundum* (CJS) is a specific example of this kind of title. AALL Spectrum asked Hall about these and other issues.

**AALL Spectrum:** You've indicated that West Group is not putting any more money into developing new print products. What does this mean for marginal print products now? CJS is an example that came up in the discussion. There is the impression that CJS doesn't sell. This question is not specifically about CJS, but about products that are venerable but unprofitable. Does the company have any long-term strategy on discontinuing those kinds of products?

**Brian Hall:** Our position is to invest in products that our customers need and want. The majority of product development is invested in non-print products. However, we are very much involved in print product development and will continue to be involved as long as the market demands it. We have no plans to discontinue CJS or any other "venerable" publications. But we are continually evaluating the profitability of our publications and will make the best business decisions in the future, making sure that our customers' needs are the priority. We view technology as a real driver of change in today's legal practice. Legal professionals want to increase their productivity, and to do that they need fully integrated products.

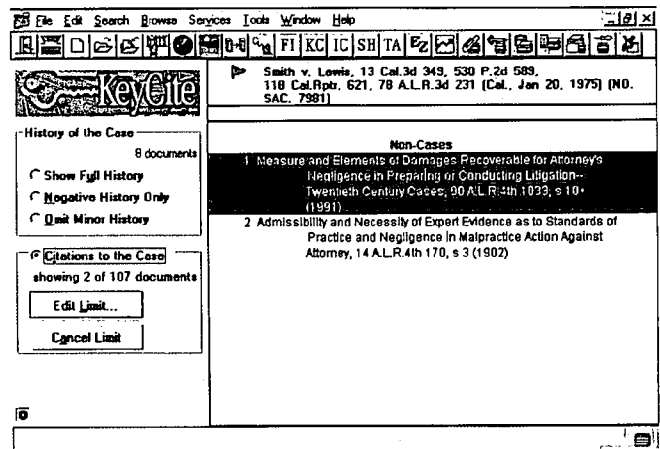
**AALL Spectrum:** With the strategy aimed clearly at technological delivery systems and products, there is the thought that electronic search strategy may not be efficient to find all possible or relevant documents in a database. There have been studies that have suggested as much. Has the company considered this as part of its strategy?

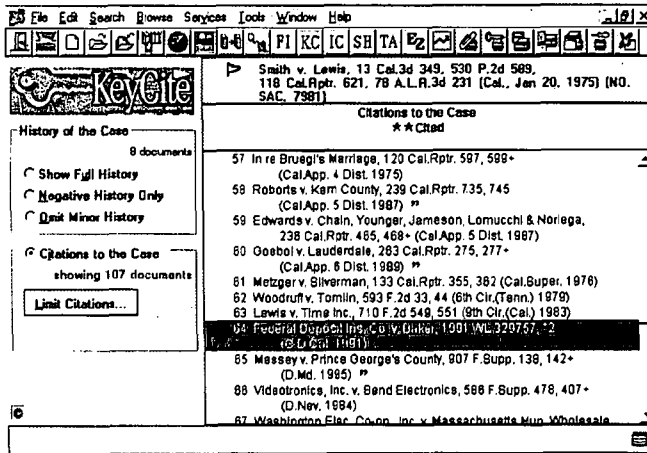
**Brian Hall:** A logical concern, but fortunately for West Group customers, West provides an unparalleled set of search and document-finding tools. These searching tools combine the power of technology with the expertise of West's legal editors. We offer customers a range of products that provide different approaches for finding relevant documents. For example, WESTLAW and West's CD-ROM products offer both Natural Language and Boolean searching, EZ ACCESS, citators and hypertext links. Our print and electronic products include their own set of tools, including West's Key Number System and digests. All of these search tools complement one another and together create a fully integrated research system. It is definitely part of West Group's strategy to provide the most accurate and comprehensive search results. But we don't advocate just one search tool. Instead, we offer a menu of tools that researchers can use in combination to get the best results. And look for other new and fully integrated search vehicles from West Group in the near future.

**AALL Spectrum:** Last year the company announced that products would be available in both PREMISE and Folio. Comments from librarians indicate that this is not the case. How committed is the company going to be to this announcement? How does Folio fit into West Group's tech strategy, particularly since LEXIS-NEXIS has effectively sold the company?

**Brian Hall:** It takes considerable effort and time to cross-publish on all platforms. We continue to pursue this goal by prioritizing our efforts according to market feedback. We are actively cross-publishing CD-ROM products and will continue to do so as long as the market demands it. For example, *USCA, McKinney's Consolidated Laws of New York Annotated* and West's *California Codes Annotated* have been produced using FolioViews, and *American Law Reports* (ALR) is now available on PREMISE. We are, however, pursuing development of a single platform (code-named "Trinity") that will unify the different CD-ROM platforms. This product will be another means of delivering information by bringing together these multiple interfaces.

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## Electronic Capabilities and Strategies for the Future

West Group technicians demonstrated a prototype of the Trinity Interface as WESTMATE would appear through it. The look and feel is similar to framed pages from a Web site where the user can customize what elements of the WESTLAW service will display in each of the frames. Trinity is expected to reach the market around the summer of 1998. The Windows 95 version of Westmate is expected around the end of this year.

Other developments that WESTLAW technical managers discussed included how WESTLAW and other West electronic products could operate in the ActiveX and Java platforms that are built into the next version of Windows. Under the ActiveX/Java model, almost everything becomes an object that can be linked to other objects, no matter where they are located.

For example, someone who creates a memo in Microsoft Word or WordPerfect may cite a case or other document that appears on WESTLAW. By manipulating a WESTLAW control panel program, the creator of that memo can determine whether or not the citations are also active links to the full text of the cited document on WESTLAW directly from the word processing document. If a document's creator e-mails that document to another person and

that person views the memo in his word processing application, the links would still be active to the full text online, whether or not the second person has a subscription to WESTLAW. West Group representatives were clear to indicate that the technology for this capability was more than viable, but the company had not worked out the obvious marketing issues for this ability other than to say that under present thinking, the end user would be responsible for any access costs.

West is also looking at "push/pull" technologies as potential information strategies. "Pull" technologies are those where a researcher gathers information from specifically selected sources. In Microsoft Explorer or Netscape Navigator, a user gets Web pages from a server and views them. Internet clients who access news, sports, and other current information, which is displayed on the user's screen, exemplify "push" technology. Information is updated at regular intervals. As these clients are customizable, a user may select what information comes across. In the case of legal research, push technology products can include later case/statute services, legislative updates, current events, or any other kind of information that the market demands.

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