



## LCLL@Large: Legal News and Notes

### Using Fastcase for Legal Research in Oregon, Part I

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In September 2009, the Oregon State Bar began providing online access to the Fastcase service as part of a membership benefit to all Oregon State Bar members. Fastcase replaced the Casemaker service, which many bar members had used for several years. While the content of both services are similar, there are also significant differences – some of which require that users adapt to different features and results in using the FASTCASE service.

There are ways to use some of the features on Fastcase more effectively. Users should be aware of some of the differences between Fastcase and other more traditional computerized legal research services, such as Lexis or Westlaw. Included here is an outline of some of those differences, along with some suggestions about how, in some instances, users can achieve better results. The next issue of LCLL@Large will feature some suggestions about how to better utilize such features such as Citation Lookup, and others. There are also Fastcase User Guides, downloadable for free from their web site at: [www.fastcase.com/support/](http://www.fastcase.com/support/) that provide helpful search hints and further explain features.

- Use the Advanced Search feature instead of the Quick Search feature; this screen provides searchers with more options for limiting or refining keyword searches. Click on the Advanced Search feature on the main search page, or at the least, check the box which will display the search connectors—with examples—that can be used to develop searches under BASIC SEARCH.
- The search engine for Fastcase operates more like Google than, well, Google. Which means that searches using use fewer and more precise terms get better results. (See later section on Ranking by Relevance in this article.). There is also a natural language option for infrequent users more comfortable with typing in a search request as a question. But natural language searches are not necessarily as effective as using Boolean (keyword with connectors) searches, particularly with a search engine that emphasizes “relevance” as the key feature.
- Complex keyword searches (e.g., the ( ) connector) don’t work well; some connectors simply can’t be used together. The user guide does offer some advice about this, although not a satisfactory work around, if you need to use a combination of multiple synonyms. Try Customer Support (at 1-866-773-2782) instead.

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**“If you wish to forget anything on the spot, make a note that this thing is to be remembered.”**

**Edgar Allan Poe**

*Author, 1809-1849*

*From the Democratic Review,  
November 1844*



#### Newsletter Highlights

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**Research Hint:** LawSource, Inc. is now offering various links to primary and secondary sources available for free online. Called American Law Sources On-Line (ALSO), it provides links to pages which explain how the U.S. legal system works, (as well as the Canadian and Mexican legal systems), by linking to government or non-profit resources. There are also links to commentary and practice aids (such as forms) available at no charge or else for a reasonable charge, again using government and non-profit sources.

LawSource, Inc. is a California company based in Oakland (incorporated in 2001). The ALSO web site provides some of the same links as other academic or government sources, many of which are included at this location. However, there is a definite effort here to include links to non-commercial sources, which distinguishes this from other sites. The ALSO site also offers links to explanations about how legal systems operate, and provides research guidelines at: [www.lawsources.com/ALSO/](http://www.lawsources.com/ALSO/)

### Finding Court Rules /Base Fines in Oregon

The web site for the Oregon Courts system contains a wealth of information, although finding it can often be a problem. But you will find a number of unexpected resources by clicking on the Materials and Resources tab, then to Court Forms or Court Rules on the main page.

For example, do you know how to find the base fines for particular traffic or wildlife offenses in Oregon? Or the rules for professional conduct for attorneys? Would you think to check the Oregon Justice Department site to find this information? Just go to: <http://www.ojd.state.or.us/Web/OJDPublications.nsf/Rules?OpenPage>

and select either "base fines" or "rules of professional conduct" from the pull-down menu there. Then click on the VIEW button to pull up the document. You can also use SHIFT-CTRL-F to search for words within the .pdf document. (And thanks to Laura Orr for the tip on locating base fines.)

### RCW Archive Now Available—

Need older versions of the Washington Revised Code? Archived versions of this annual publication are now available online from 2002 forward at the Washington State Code Reviser's web site. Click here for more information .

### My Corner of the Universe



I've accepted the fact that I am approaching an age where jokes about "senior moments" are not so humorous as when I was in my late forties or early fifties. Nowadays, as I approach the "Big Six-0" I find that these senior moments remarks are maybe not a laughing matter anymore. In fact when hearing them I sometimes experience an "uh oh" moment, wondering whether my co-workers or colleagues are trying to tell me something.

And just when I think my mind is becoming too fossilized to keep up with a plethora of new tech apps sprouting everywhere, I then encounter the recent news about the Library of Congress accepting responsibility for digitally preserving billions of "tweets" (140 characters - or less! - text messages) sent through the Twitter service. This is part of the library's National Digital Information Infrastructure and Preservation Program (Of course, the Library of Congress has long filled in as a national repository for all types of materials in addition to books, all reflecting our national history and culture. Check out their exhibitions link!)

But Holy Keyword Search Engine, Batman! Imagine the work involved in trying organize all that material so someone else can find one piece of it in the future? Just thinking about that triggers another senior, curmudgeonly moment. Dagnabbit, I'm definitely getting too old for this — *Linda Falken*



**Need a small conference room for meeting with 2-3 other people? Call the Law Library staff about scheduling a meeting in the library. Call 541-682-4337 or send a request via e-mail to [lawlib@co.lane.or.us](mailto:lawlib@co.lane.or.us).**



#### **IMPROVEMENTS ON PUBLIC ACCESS TO FEDERAL COURTS**

On March 16, 2010, the Judicial Conference of the United States approved some new policies regarding the affordability and accessibility of federal court information. Click [here](#) to look at the U.S. Courts press release about this.

Among the improvements approved were two changes to the billing policies for PACER (Public Access to Electronic Court Records). The first will allow courts on a selective basis to make digital audio recordings of court hearings available online through PACER for \$2.40 per audio file (formerly these were available only through a court clerk's office for \$26.00). Another will be to expand the minimum billing level for PACER use from \$10.00 per year to \$10.00 per quarter. In other words, if PACER subscribers use less than \$10.00 in a three month period (instead of a year), they will not be billed.

#### **Fastcase FAQ, cont.**

- Search results are ranked by “relevance” as the default, not by date or jurisdiction. Relevance means that cases which have the highest number of occurrences of any and all of your search terms will be highest on the results list. But since “relevance” (by number of search word hits) does not always uncover the most relevant or useful case, you may want to use the Results pull down menu to re-sort the list by date or court, to determine a chronology. And you can use the “most relevant” navigation guide (at the top of the page for an individual document) to skip to the paragraph or sentence with the densest concentration of your keywords. This helps in determining quickly if a particular document is on point. If not, consider changing your keywords or adding other restrictions to your original search.
- There is no field searching capability (and no headnotes in Oregon cases). This can make it more difficult to find search terms in a particular segment of a document (e.g., title, names, synopsis, etc). Thus it is very important that searchers select keywords and phrases very carefully, and focus on how to be as precise as possible in their language.
- The Fastcase Citation Authority service is NOT a citation service which provides information about how a subsequent case treats the case being cited. What the Citation Authority service does is to simply find all subsequent cases that cite to an earlier case. It is then the responsibility of the searcher to read the relevant sections of each citing case pulled up by Case Authority, and to determine how the earlier case was treated. Use navigational tools at the top of the screen to jump to the NEXT TERM or to the MOST RELEVANT term within an individual document.

If you have other questions about using FASTCASE, contact Linda Falken at 541-682-4113 for more information or to schedule a one-on-one training session.



## **New Acquisitions and Updates Received in the Lane County Law Library as of 4/20/10**

**California Civil Practice Statutes and Rules, Annotated.** Desktop ed., 2010. Thomson/West, Egan, MN, 2010.

**California Civil Jury Instructions**, by Judicial Council of California. 2010 spring Ed., Thomson/West, Egan, MN, 2010 .

**California Family Laws and Rules**, Desktop ed., 2010. Thomson/West, Egan, MN, 2010.

**California Vehicle Code**, Desktop ed., 2010. Thomson/West, Egan, MN 2010.

**Can I Help You? Practical Tips for Communicating with Clients Who Have Hidden Disabilities.** CLE program material, Oregon State Bar, Tigard, OR, 2009.

**The Disciplinary Process: How It Works and How to Avoid It.** CLE program material, Oregon State Bar, Tigard, OR, 2009.

**Elder Law: Issues and Answers.** CLE program material, Oregon State Bar, Tigard, OR 2009.

**Exposing Deceptive Defense Doctors**, by D. C. Sims. James Publishing, Costa Mesa, CA, 2009.

**Grandparents' Rights**, by T. Truly. 4th ed. Sphinx Publishing, Naperville, IL, 2005.

**How to File for Chapter 7 Bankruptcy**, by Elias, Renauer, and Leonard. 16th ed., Nolo Press, Berkeley, CA 2010.

**Make Your Own Living Trust**, by D. Clifford. 9th ed., Nolo Press, Berkeley, CA, 2009.

**Nursing Homes and Assisted Living Facilities**, by L. Connell. Sphinx Publishing, Naperville, IL, 2004.

**Revised Code of Washington**, Statute Law Committee, 2008 ed, with 2009 supplement. Olympia, WA 2009.

**Washington Practice Series**, vols. On Family Law and Community Property, Probate, and Civil Procedure and Forms, Thomson/West., 1997—updated with pocket parts.

Click [here](#) to check our online catalog for other items.