

# FASTCASE USER GUIDE

## Mars Edition



### TRY THE FASTCASE MOBILE APP

Fastcase for iPhone®, iPad®, and Android® devices



Fastcase's completely free mobile applications use smart search technology from Fastcase's full-featured legal research platform, including **Authority Check**. View recent searches and favorite documents anywhere. Because it is both comprehensive and free, the Fastcase app consistently tops "best-of" lists for lawyers on the go.

Search Fastcase on the Apple App Store or Google Play Store for more information.

Visit [fastcase.com/mobile-sync](http://fastcase.com/mobile-sync) for instructions on how to sync your mobile account with a bar association account.

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# 1 | GETTING STARTED

## Logging In

- If you are a free trial user, or you have purchased a subscription directly from Fastcase, log in at [fastcase.com/login](https://fastcase.com/login) using your email address as your username and the password you created at signup.
- If you access Fastcase through a bar or other membership association, log in to Fastcase by visiting your association's website, logging in with your bar association credentials, and clicking on the Fastcase link or logo.

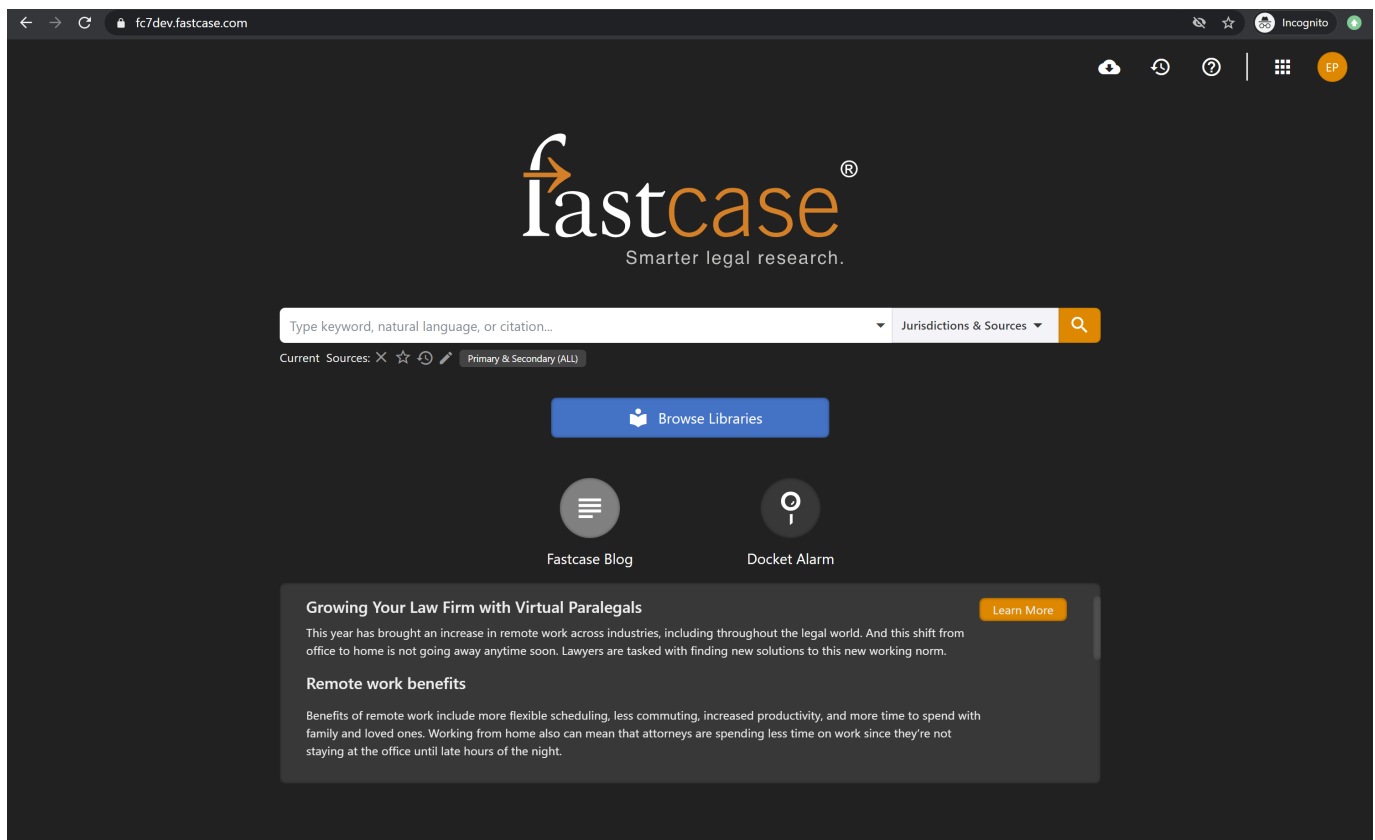
## Password

- Retail subscribers: you can change your Fastcase password by going to the **Account** menu in the upper right corner, then selecting **Account Management**.
- Bar association subscribers: Your log in information is controlled and maintained by your bar association. Contact the association directly for assistance.

## Personalized Start Page

Your research begins on a personalized start page. On the top right of this page, you will find your recent search history, help & support, and favorites.

You can always navigate back to this page by clicking on the Fastcase logo in the top left corner.



Basic Search

Quickly pull up any document you already have in mind using the search bar at the top of the page. Use a case citation or enter a keyword search.

Type keyword, natural language, or citation...

Jurisdictions & Sources

Current Sources: X ☆ ↺ ✎ Primary & Secondary (ALL)

Browse Libraries

Type Ahead

Type ahead is a predictive algorithm that makes suggestions for any term that you enter into any search window in Fastcase. As you enter letters, Type ahead will make suggestions for search phrases and specific documents based off of what information you have already entered. Just click on one of the suggestions to run that search.

liab		
Suggested Terms	liability	
	liable	
	liability policy	
	liability insurance	
	liability coverage	
	liability release	
	liability insurance coverage	
	liability waiver	
Suggested Documents	LA CC Art. 2315 Liability for acts causing damages (Lo...	Statutes
	Ala. Code 32-1-2 Liability for injury or death of guest. ...	Statutes
	Liabo v. Wayzata Nissan, LLC, 707 N.W.2d 715 (Minn., ...	Case Law
	Binswanger v. Liability Assur. Corp., Ltd., 28 S.W.2d 44...	Case Law
	Haw. Rev. Stat. 0425E-0509 Liability for improper distri...	Statutes
	La. Sec. 23:632 Liability of employer for failure to pay; ...	Statutes
	Liability Investigative Fund Effort, Inc. v. Medical Malpr...	Case Law
	Liabos v. Harman, 215 So.2d 487 (Fla. App., 1968)	Case Law
	WV Code 55-7-13c Liability to be several; amount of j...	Statutes
	Miss. Code § 71-3-7 Liability for payment of compens...	Statutes

## 2 | SEARCH TECHNIQUES

### Search Methods

There are three ways to search for cases on Fastcase: by **Keyword**, **Natural Language** or **Citation Lookup**.

#### Keyword Search (with Boolean operators)

Searching by **Keyword** using Boolean operators is the most powerful and flexible way to search for electronic information. It is also very easy to use. Fastcase uses the standard Boolean operators described below:

OPERATOR	EXAMPLE	DESCRIPTION
<b>AND, &amp;</b>	copyright <b>AND</b> preemption	Results must contain <i>both</i> the words “copyright” and “preemption”
<b>OR</b>	landlord <b>OR</b> lessor	Results must contain <i>either</i> the word “landlord” <i>or</i> the word “lessor.” (They may contain both words).
<b>NOT</b>	vehicle <b>NOT</b> car	Results <i>must contain</i> the word “vehicle” but <i>must not contain</i> the word “car.”
<b>w/3, /3</b>	capital <b>w/3</b> punishment	Results must contain the word “capital” within 3 words of the word “punishment.” The number indicates the maximum distance apart for the terms.
<b>*, !</b>	litig*	Results must contain some variation of the stem “litig” such as litigation, litigated, litigator, etc.
<b>?</b>	advis?r	The ? works as a single letter wildcard. Results must contain some variation of the word advis_r, such as adviser or advisor.
<b>“ ”</b>	“felony murder”	Results must contain the precise phrase “felony murder.”
<b>( )</b>	(security OR pledge) AND assignment	Parentheses are used to define the order of operations when you use multiple Boolean operators.

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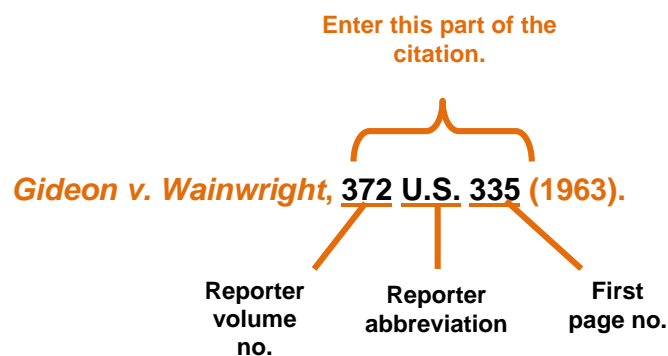
Examples of the operators are also visible in the **Boolean Search Tips** box on the [Settings](#) page.

Here are a few more things to keep in mind when you are performing a keyword search on Fastcase:

- Our search engine automatically omits certain common words (e.g., the, it, etc.) from your query. The search runs more efficiently without these common “noise” words.
- Fastcase uses an “implied AND” operator. This means that if there are multiple words in your search query and you do not specify a Boolean operator to connect them, Fastcase will treat your search as if you had placed an “AND” between each term. For example, if you type: summary judgment order, Fastcase will read that as: summary AND judgment AND order. Only cases containing ALL of those terms will be returned as results. If you would like to search for cases that contain the exact phrase “summary judgment order” (where those three words will appear in documents directly next to each other and in the same order), you should put the phrase in quotation marks.
- At the moment, our search engine will accommodate a search up to 500 words long. For the purposes of search length, a Boolean operator counts as a word.

### Citation Lookup

- Pull up a case using the reporter citation by entering the reporter volume number, the reporter abbreviation, and the first page number.



### Natural Language Search

Natural language searches are much less precise than **Keyword** searches, but they are a good place to start if you are new to legal research, or if you are delving into a new area of the law. There are a few important aspects of a **Natural Language Search** that you should bear in mind:

- The results are the cases with the highest relevance scores based on your overall mix of search terms.
  - Your search results may not contain each and every one of your search terms.
-

### 3 | SEARCH OPTIONS

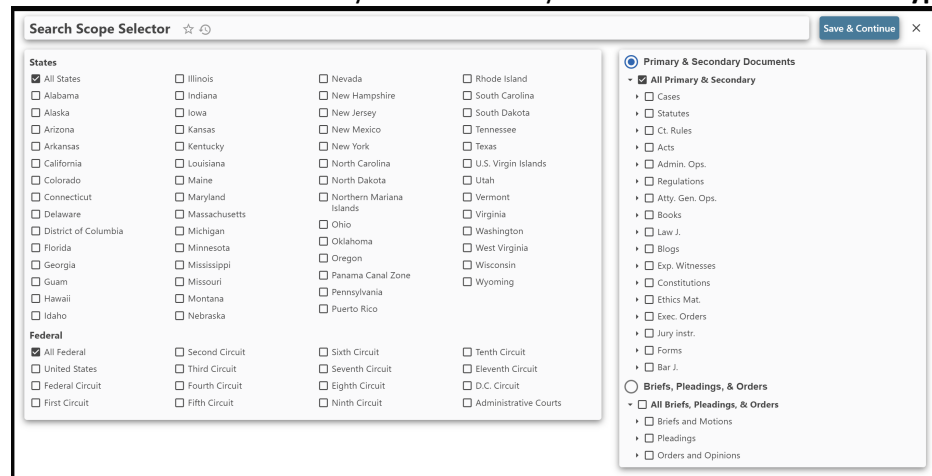
#### Selecting a Specific Jurisdiction Before Running Your Search

- Click on the **Jurisdiction & Sources** button.



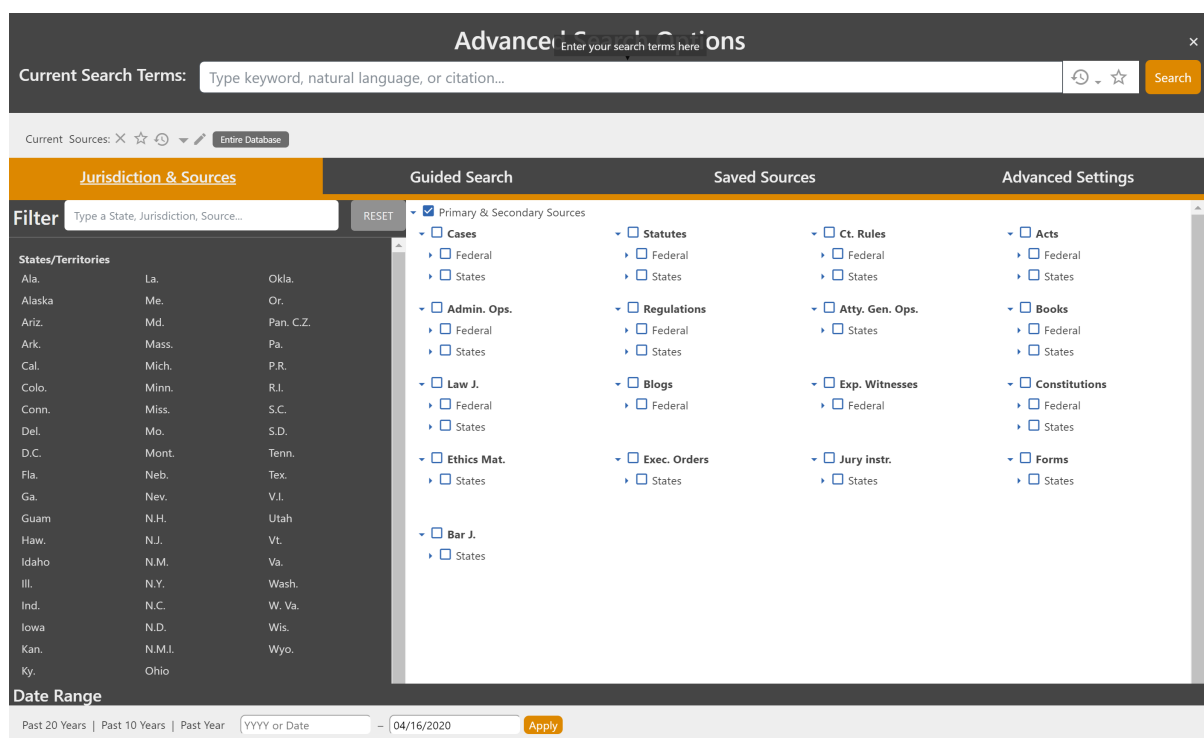
The screenshot shows the top search bar with the placeholder text "Type keyword, natural language, or citation...". To the right of the search bar is a dropdown menu labeled "Jurisdictions & Sources" with a magnifying glass icon. Below the search bar, there is a row of icons for "Current Sources" (a close icon, a star, a clock, and a pencil) followed by a button labeled "Primary & Secondary (ALL)".

- You can then select a library one of two ways: **Jurisdiction** or **Document Type**.



The screenshot shows the "Search Scope Selector" dialog box. It has a title bar with a star icon and a "Save & Continue" button. The dialog is divided into two main sections. The left section, titled "States", contains a grid of checkboxes for various states and territories, including All States, Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Guam, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Northern Mariana Islands, Ohio, Oklahoma, Oregon, Panama Canal Zone, Pennsylvania, Puerto Rico, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, U.S. Virgin Islands, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming. The right section, titled "Primary & Secondary Documents", contains a list of document types with checkboxes, including All Primary & Secondary, Cases, Statutes, Ct. Rules, Acts, Admin. Ops., Regulations, Atty. Gen. Ops., Books, Law J., Blogs, Exp. Witnesses, Constitutions, Ethics Mat., Exec. Orders, Jury Instr., Forms, and Bar J. Below this list is a section for "Briefs, Pleadings, & Orders" with checkboxes for All Briefs, Pleadings, & Orders, Briefs and Motions, Pleadings, and Orders and Opinions.

- Click on the document type to filter by document type.
- Type a jurisdiction to filter by jurisdiction, then select the specific jurisdiction that you are interested in.
- You can select as many libraries as you would like and you can select libraries across different levels and jurisdictions.
- Once selected, the current libraries will show next to the Current Scope button underneath the search box
- You can also adjust what types of materials to exclude in your search results by clicking on the "settings" button under account settings.

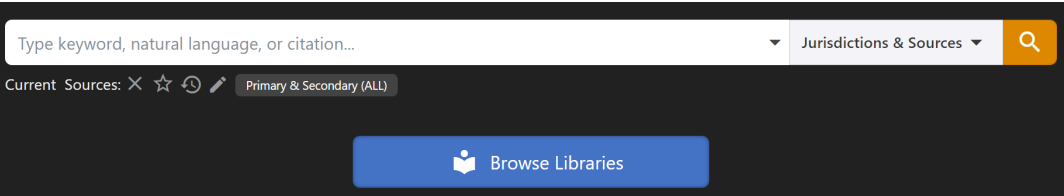


The screenshot shows the "Advanced Search Options" dialog box. It has a title bar with a close icon. The dialog is divided into several sections. At the top, there is a search bar with the placeholder text "Type keyword, natural language, or citation..." and a "Search" button. Below the search bar, there is a row of icons for "Current Sources" (a close icon, a star, a clock, and a pencil) followed by a button labeled "Entire Database". The main body of the dialog is divided into four tabs: "Jurisdiction & Sources", "Guided Search", "Saved Sources", and "Advanced Settings". The "Jurisdiction & Sources" tab is currently selected. It contains a "Filter" section with a text input field labeled "Type a State, Jurisdiction, Source..." and a "RESET" button. Below the filter is a list of "States/Territories" with checkboxes for each. The "Guided Search" section contains a list of document types with checkboxes, including Primary & Secondary Sources, Cases, Statutes, Admin. Ops., Regulations, Law J., Blogs, Ethics Mat., Exec. Orders, Bar J., Ct. Rules, Atty. Gen. Ops., Exp. Witnesses, Jury Instr., Books, Constitutions, Forms, and Orders and Opinions. The "Saved Sources" section is empty. The "Advanced Settings" section is empty. At the bottom of the dialog, there is a "Date Range" section with a dropdown menu for "Past 20 Years", "Past 10 Years", "Past Year", and a text input field for "YYYY or Date" with a date of "04/16/2020" and an "Apply" button.

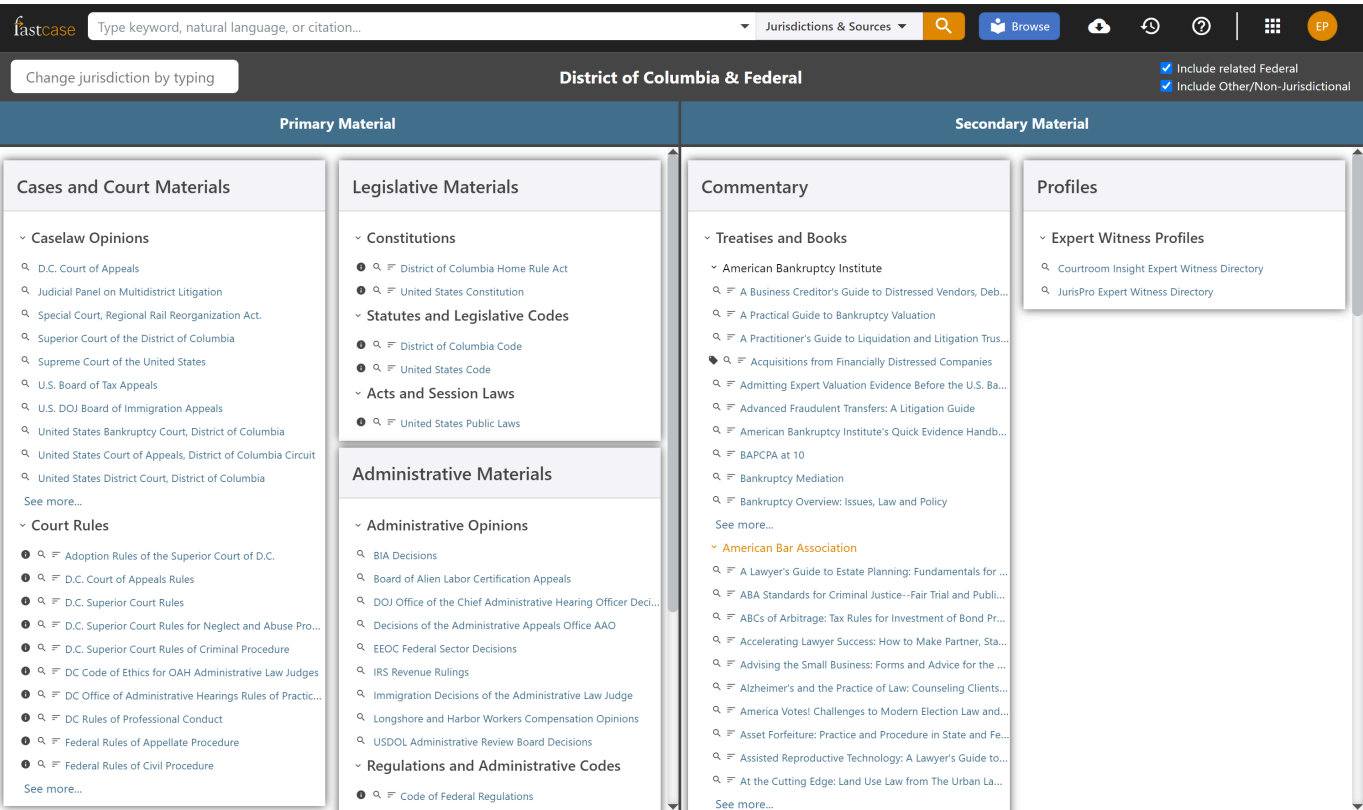
Browse Documents Using Outline View

In addition to searching, Fastcase also allows you to browse primary and secondary content in our **Outline View**

- To get started, click on the **Browse** button



- This will display your default jurisdiction. Once you have selected a jurisdiction, you will can then select the document type you are interested in viewing.



- Navigate through the outline by clicking on the drop down buttons next to the section you are interested in.

Outline of Maryland Code

▼ Maryland Code (2019 Edition)

▼ Agriculture (Title 1 to Title 16)

> Title 1 Definitions; General Provisions (Subtitle 1 to Subtitle 3)

> Title 2 Department of Agriculture (Subtitle 1 to Subtitle 19)

> Title 3 Regulation of Livestock and Poultry (Subtitle 1 to Subtitle 10)

> Title 4 Regulation of Livestock, Poultry Products, and Eggs (Subtitle 1 to Subtitle 3)

> Title 5 Pesticide and Pest Control (Subtitle 1 to Subtitle 10)



> Title 6 Commercial Feed and Fertilizer and Agricultural Liming Materials (Subtitle 1 to Subtitle 5)



## 4|VIEWING DOCUMENTS

### View the Full Document Text

- After you successfully perform a search, you are taken to the results screen listing the search results based on your search query.
- To access the full text of a document from the search results list, click on the blue hyperlinked heading of the document.

 3. Jackson v. Virginia, 443 U.S. 307, 99 S.Ct. 2781, 61 L.Ed.2d 560 (1979) 

Case




Jun 28, 1979




Cited Anywhere: 68.2k




Cited Here: 2.14k

..., or in the commission of, or attempt to commit, **arson**, rape, robbery, burglary or abduction . . . is murder of the first degree, punishable as a Class 2 felony. "All murder other than capital murder and murder in the first degree is murder of the second degree and is punishable as a Class 3 felony." Class 2 felonies carry a term of 20 years to life. § 18.2-10(b) (1975). The sentence for Class 3 felonies...

- Your search terms will be highlighted in the text of the case.

 < Doc >  

 arson X murder X Highlight Terms  

 Jackson v. Virginia, 443 U.S. 307, 99 S.Ct. 2781, 61 L.Ed.2d 560 (1979)  

Argued March 21, 1979.

Decided June 28, 1979.

Rehearing Denied Oct. 1, 1979.

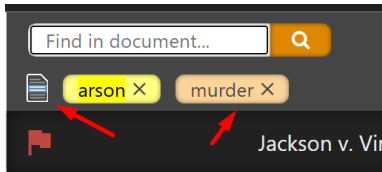
See 444 U.S. 890, 100 S.Ct. 195.

*Syllabus*

Petitioner was convicted of first-degree **murder** after a bench trial in a Virginia court, and his motion and petition in the state courts to set aside the conviction on the ground that there was insufficient evidence of premeditation, a necessary element of first-degree **murder**, were denied. He then brought a habeas corpus

## Navigate Within a Document

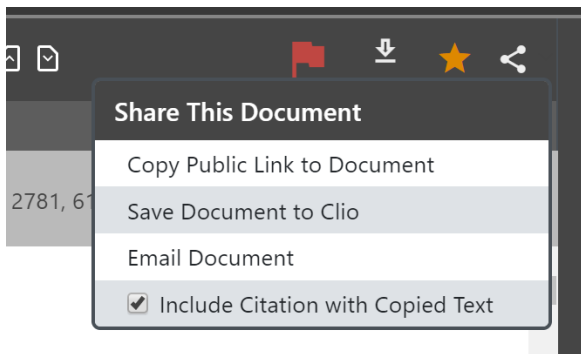
Click on the highlighted term to navigate.



- Jump to the paragraph with the densest concentration of search terms by clicking the button that looks like a document.

## Copy and Paste

Fastcase can help you save time drafting legal briefs and other pleadings with handy copying tools.



- When you copy the text of the document you are viewing to your clipboard, by default Fastcase will attach the citation of a case.

-You can change that setting by clicking on the **Share** button at the top right of the screen.

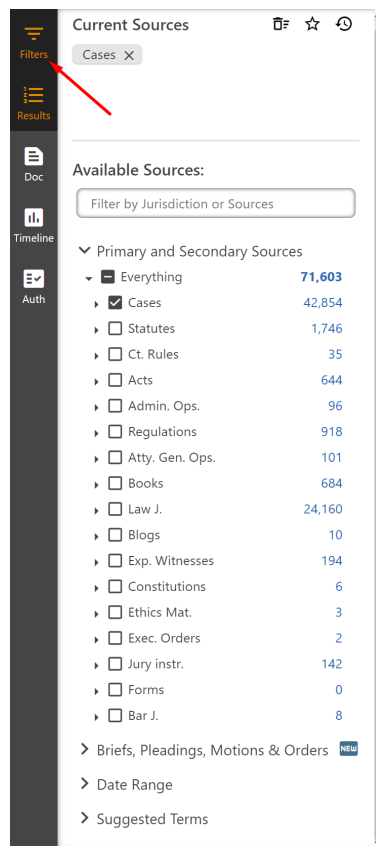
- Next, open the brief or pleading that you are working on in the appropriate word processing program (e.g., MS Word or Word Perfect).
- Then use your program's paste function to paste the text into your document. If you are using MS Word, you can paste using the shortcut **Ctrl+V**.

## 5|CUSTOMIZING YOUR CASELAW SEARCH RESULTS

Fastcase gives you nearly complete control over the way your search results are displayed. You can filter your results, sort your results six different ways, and see further search suggestions for your search.

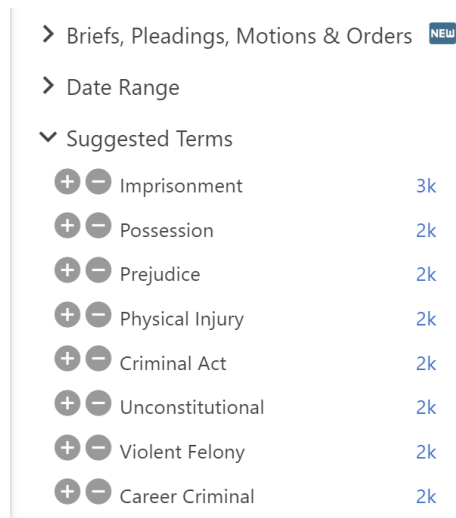
### Filter Case Results by Jurisdiction , Authority Level, or Document Type

- Easily filter your results down to cases from one jurisdiction using the **Filters** on the left. You can see the filters panel at any time by clicking on the filter button on the left.



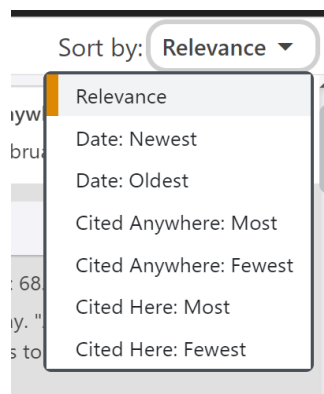
## The Suggested Terms list

- The suggested terms list is an algorithm that runs in tandem with your search, looking for legal terms of art and other phrases that are present in your relevant documents. This list is located at the bottom of the filters panel.
- The displayed terms can then be added as a search term to your current search to focus your search further.
  - **Include:** click on the plus sign to add the term to your search phrase
  - **Exclude:** click on the minus sign to exclude that term from your results.
- The number of results that would be affected by that term is located on the right.



## Sort Case Results to Suit Your Needs

- You have complete control over the way your search results are displayed. Choose the results view that is best suited to your research project.
- At the top right of the results is the sort drop down. Documents can be sorted by:
  - **Relevance.**
  - **Date.**
  - **Total Cites.**
  - **Cited in Results**



## Fastcase Relevance Score

- Fastcase's smart search technology assigns a **Relevance Score** (0%-100%) to each document in your search results based on the search terms used in the query.
- The score is displayed on the left side of the case.
- The purpose of the Fastcase **Relevance Score** is to tell you which documents on your list of search results are more likely to contain a substantive discussion of the search terms you entered. The higher the percentage, the more likely that the document contains a substantive discussion of the topic.
- By default, your search results will be displayed in the **Relevance Score** order (meaning the case with the highest relevance score is at the top of the list).

## Fastcase Relevance Customization

- Fastcase is the first legal research system to make our relevance algorithm transparent and modifiable by you the user.
- To view the settings, click on the account button, then select "settings".
- The purpose of each of the sliders displayed is to adjust how much impact the different factors in the algorithm have in the content. Adjusting the factors does not change what documents are shown, but does change what order the documents are shown in when sorted by Relevance. The factors are:
  - **Document properties**
    - **Responsiveness:** Documents that have the search terms close together are preferred.
    - **Importance:** Cases that are cited many times are preferred.
    - **Authority:** Cases from sources of higher authority are preferred.
    - **Date:** More recent cases are preferred.
  - **Document Usage**
    - **Frequently Read:** Favors documents that are read more often by Fastcase users.
    - **Frequently Favorited:** Favors documents that are saved more often by Fastcase users.
    - **Frequently Printed:** Favors documents that are printed more often by Fastcase users.
    - **Frequently Emailed:** Favors documents that are emailed more often by Fastcase users.
- You can set up a combination that meets your preferences, or use the default settings.

The screenshot shows the 'Advanced Search Options' dialog box. At the top, it displays 'Current Search Terms: arson' with a search button. Below this are tabs for 'Jurisdiction & Sources', 'Guided Search', 'Saved Sources', and 'Advanced Settings' (which is selected). The 'Advanced Settings' tab contains two sections: 'Document Properties' and 'Document Usage'. Each section has four sliders with numerical values on the right. The 'Document Properties' section includes 'Responsiveness' (value 9), 'Importance' (value 6), 'Authority' (value 4), and 'Date' (value 1). The 'Document Usage' section includes 'Frequently Read' (value 2), 'Frequently Favorited' (value 3), 'Frequently Downloaded' (value 1), and 'Frequently Emailed' (value 1). Each slider has a description of what it favors.

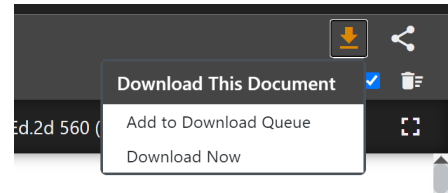
Section	Factor	Description	Value
Document Properties	Responsiveness	Favors documents that have many of your search terms close together.	9
	Importance	Favors documents that have been cited many times.	6
	Authority	Favors documents from sources with greater precedential value, like supreme court decisions or constitutions.	4
	Date	Favors more recent documents.	1
Document Usage	Frequently Read	Favors documents that are read more often by Fastcase users.	2
	Frequently Favorited	Favors documents that are saved more often by Fastcase users.	3
	Frequently Downloaded	Favors documents that are printed more often by Fastcase users.	1
	Frequently Emailed	Favors documents that are emailed more often by Fastcase users.	1

## 6|PRINTING & DOWNLOADING DOCUMENTS

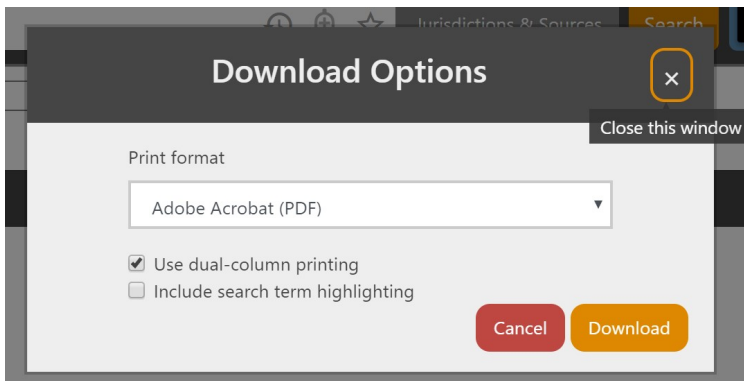
Fastcase gives you the ability to save and print clean, professional-looking documents in single- or dual-column format.

### Downloading a Single Document

- Click the **Download** icon on your toolbar. Then click "Download Now"



- Make your formatting selections:
  - Choose whether to highlight search terms.
  - Choose single- or dual-column formatting.
  - Choose a file format: Microsoft Word (DOC) or Adobe Acrobat (PDF).

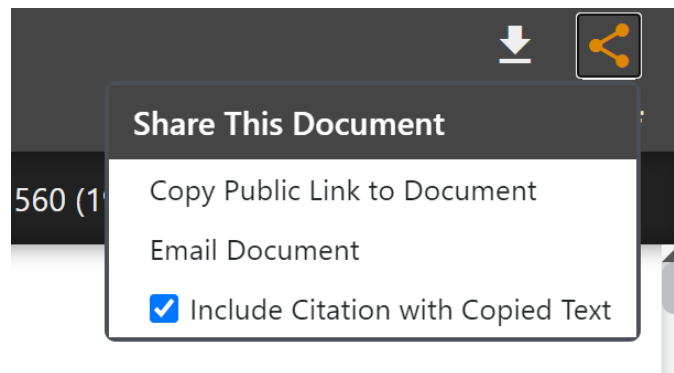


- Click the **Download** link. Your browser will begin to download the file onto your computer.
  - Once the download is complete, open the file using the appropriate application for the file format you selected.
  - Now you can print and/or save the file like any other document on your computer.
-

## Email a Case

Fastcase allows you to email a document to any email address with just two clicks.

- Start by clicking on the **Share** link on the toolbar when you are viewing a document. Then select **Email Document**.



- Enter the email address you would like the document sent to.
- The document you selected will be sent in rich text format within the body of the email.
- **Note:** You can also download the case using the **Download** button and then email it as an attachment.

## Email Document

×

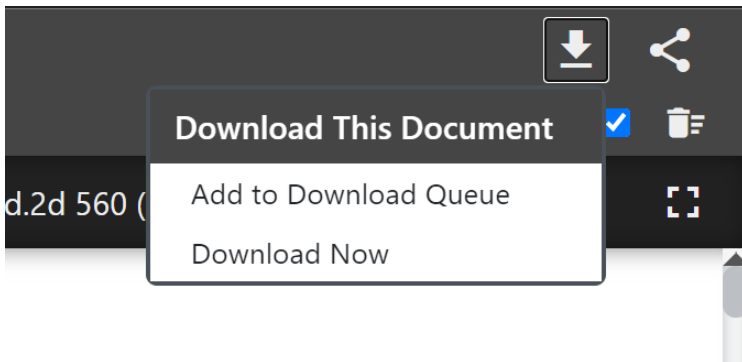
To:

Cancel

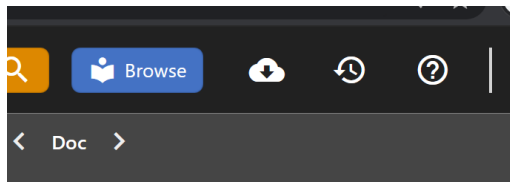
Send

## Batch Retrieval and Downloading Cases

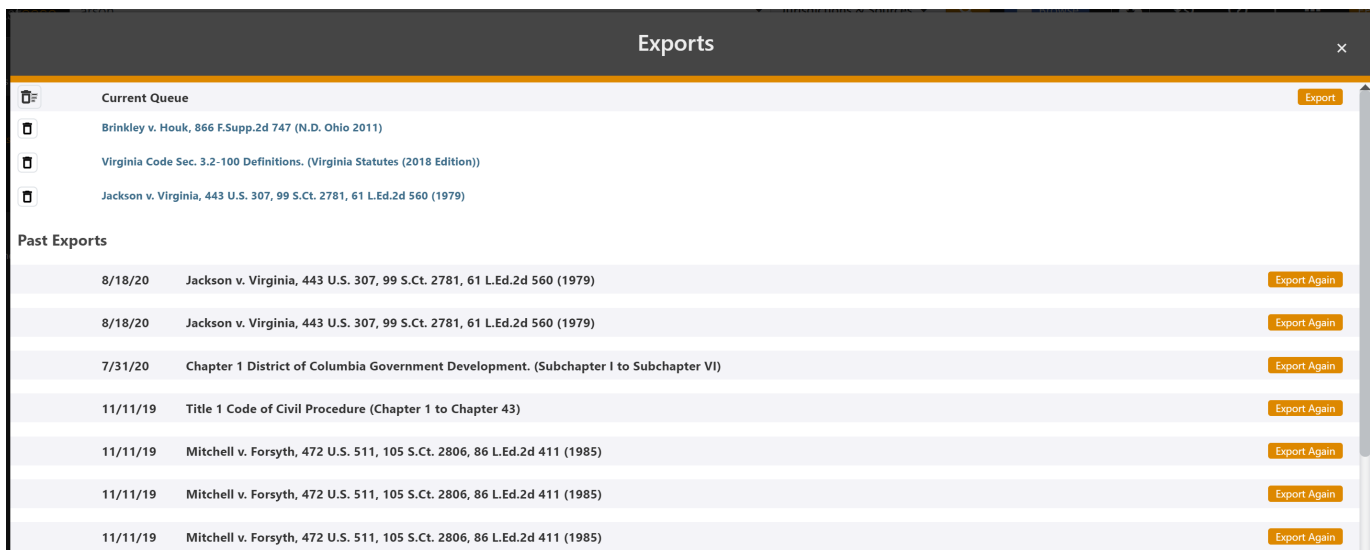
- Batch printing allows you to download and print up to fifty documents as a single document.
- To add a case to your **Download Queue** from the document view page, click on the download icon.
- When you click the download icon, the icon will change color from blue to orange.
- You can add up to 50 total documents to your download queue at a time.



- To download, select the **View Download Queue** icon.



- You will have an opportunity to review the cases in your **Download Queue**. To remove a case from the queue, click the trashcan icon on the left.
- Click the **Export** button





- Make your formatting selections, just as you would with a single case.
- Click **Download**. Your browser will begin to download the file onto your computer.

### Download Options

×

Batch name

Download format

Adobe Acrobat (PDF) ▼

☐ Use dual-column formatting

☒ Single file

☐ Zip archive

Cancel

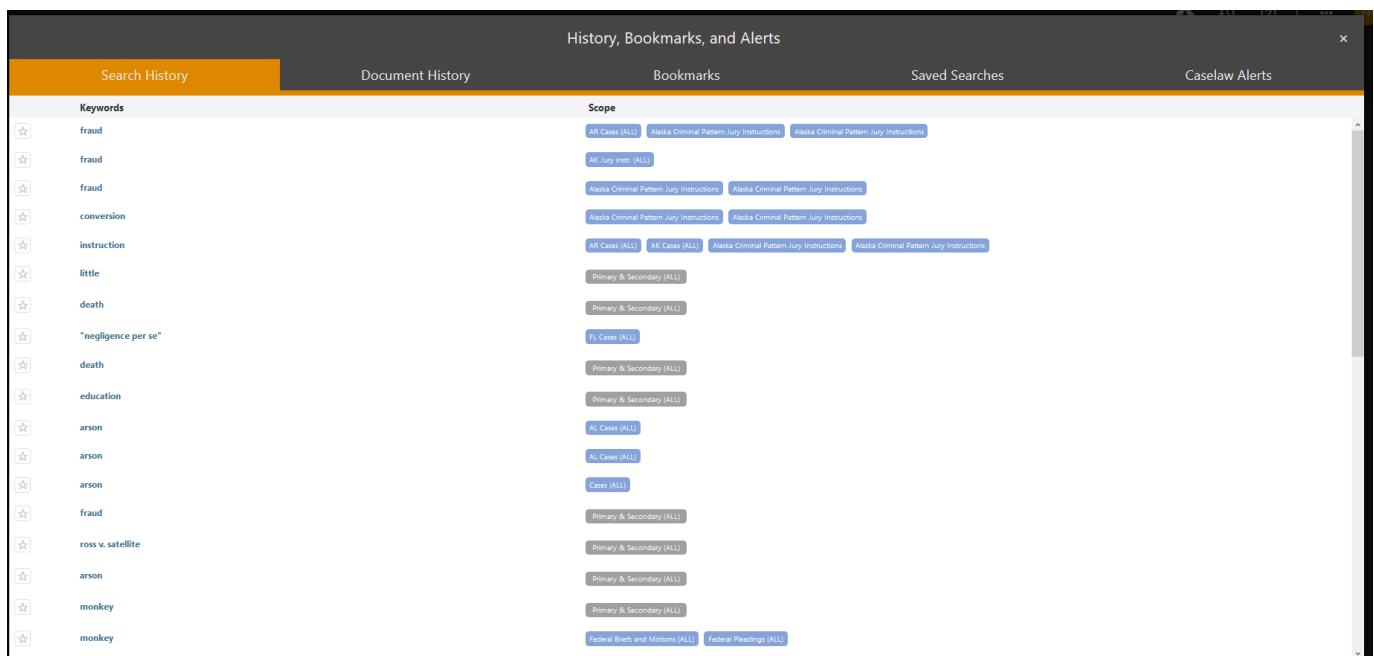
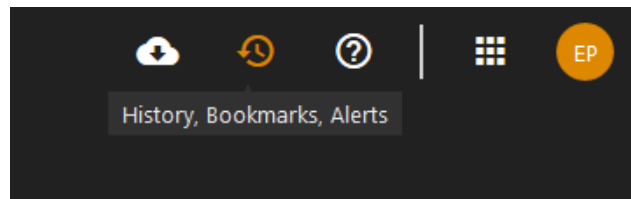
Download

## 7 | PERSONALIZED FEATURES

Fastcase dynamically tracks what you are searching for and uses this information to tweak your user interface, with the goal of making your research more efficient. Fastcase also lets you set certain display preferences.

### Recent Searches

- To view recent searches, select the **History, Bookmarks, Alerts** button from the menu.
- The searches are listed according to the search terms you used
- If you click on the search terms, you will be taken to the results.



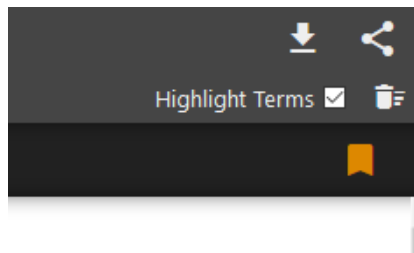
- Fastcase automatically tracks recent documents that you have viewed and stores them in your personalized library for easy access.

- 

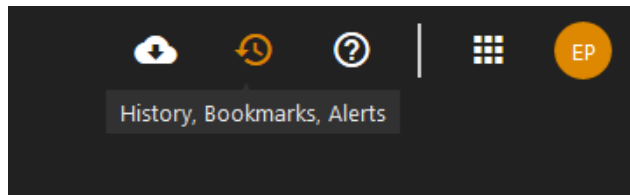
Search History	Document History	Bookmarks	Saved Searches	Caselaw Alerts
<b>Document</b>				
<p><b>Ohio v. Roberts</b>, 448 U.S. 56, 100 S.Ct. 2531, 65 L.Ed.2d 597 (1980)</p> <p>This case presents issues concerning the constitutional propriety of the introduction in evidence of the preliminary hearing testimony of a witness not produced at the defendant's subsequent state criminal trial... Local police arrested respondent, Herschel Roberts, on January 7, 1975, in Lake County, Ohio. Roberts was charged with forgery of a check in the name of Bernard Isaacs, and with possession of stolen credit cards belonging to Isaacs and his wife Amy... A preliminary hearing</p>				
<p><b>Jackson v. Virginia</b>, 443 U.S. 307, 99 S.Ct. 2781, 61 L.Ed.2d 560 (1979)</p> <p>The Constitution prohibits the conviction of any person except upon proof of guilt beyond a reasonable doubt. In re Winship, 397 U.S. 358, 90 S.Ct. 1066, 25 L.Ed.2d 366. The question in this case is what standard is to be applied in a federal habeas corpus proceeding when the claim is made that a person has been convicted in a state court upon insufficient evidence.... The petitioner was convicted after a bench trial in the Circuit Court of chesterfield County, Va., of the fir</p>				
<p><b>Bell Atl. Corp. v. Twombly</b>, 127 S. Ct. 1955, 167 L. Ed. 2d 929, 550 U.S. 544 (2007)</p> <p>550 U.S. 544 127 S.Ct. 1955 167 L.Ed.2d 929 BELL ATLANTIC CORPORATION, et al., Petitioners v. WILLIAM TWOMBLY, et al. No. 05-1126 SUPREME COURT OF THE UNITED STATES November 27, 2006, Argued May 21, 2007, Decided Michael Kellogg argued the cause for petitioners. Thomas O. Barnett argued the cause for the United States, as amicus curiae, by special leave of court. J. Douglas Richards argued the cause for respondents. Souter, J., del</p>				
<p><b>Littler on Background Screening ABOUT THE AUTHORS</b></p> <p>About the Authors Philip L. Gordon is a shareholder in the Denver office of Littler Mendelson, P.C., the largest U.S.-based law firm exclusively devoted to representing management in labor and employment law. He also co-chairs Littler's Privacy and Background Checks Practice Group. Philip has years of experience litigating privacy-based claims and counseling clients on all aspects of workplace privacy and information security. He has provided advice to businesses of a</p>				
<p><b>Littler on District of Columbia COVERAGE (Littler on District of Columbia 2020)</b></p> <p>Coverage Scope of Discussion. This publication is designed to help employers operating in a state to identify and apply various state employment law requirements. It follows the chronology of employment—tracking requirements from pre-hire, time of hire, during employment, and the end of employment. Because employers are subject to both federal and state employment laws, each section provides a brief overview of federal law and then summarizes applicable state law. Alt</p>				
<p><b>Ferox, LLC v. ConSeal Int'l, Inc.</b>, 175 F.Supp.3d 1363 (S.D. Fla. 2016)</p> <p>[175 F.Supp.3d 1363] Charles L. Roberts, Wasatch-IP, a Professional Corporation, Salt Lake City, UT, Jeffrey T. Kuntz, Kevin Patrick Crosby, GrayRobinson, P.A., Fort Lauderdale, FL, Kirk R. Harris, Maschoff Brennan, Park City, UT, for Plaintiff/Counter-Defendant. Joshua David Martin, Johnson &amp; Martin, P.A., Fort Lauderdale, FL, for Defendants/Counter-Plaintiff. ORDER DARRIN P. GAYLES, UNITED STATES DISTRICT JUDGE THIS CAUSE comes before the Court on two Motions for Summary Judgment: one file</p>				
<p><b>Town, Inc. v. Hidden America Corp.</b>, 513 F.Supp.2d 1345 (S.D. Fla. 2007)</p>				

### Favorite Documents:

- Fastcase allows you to save documents for later reference. To save a document, click the **Bookmark** icon at the top right of the document.



- To retrieve your saved documents, select the **History and Favorites** button from the menu.



History, Bookmarks, and Alerts	
Search History	Document History
Bookmarks	Saved Searches
Caselaw Alerts	

Document
American Home Assur. Co. v. Cohen, 815 F.Supp. 365 (W.D. Wash. 1993)
Artson, LLC v. Hudson, 322 Ga. App. 859, 747 S.E.2d 68 (Ga. App. 2013)
Goodwin v. Colorado Mortgage Investment Co of London, 110 U.S. 1, 3 S.Ct. 473, 28 L.Ed. 47 (1884)
Harrington v. Richter, 131 S.Ct. 770, 178 L. Ed. 2d 624, 562 U.S. 86 (2011)
Jackson v. Virginia, 443 U.S. 307, 99 S.Ct. 2781, 61 L.Ed.2d 560 (1979)
Miller-El v. Cockrell, 537 U. S. 322 (2003)
Norman v. Jones Lang Lasalle Americas, Inc., 627 S.E.2d 382, 277 Ga.App. 621 (Ga. App. 2006)
ORS 137.464 Administrative assessment of defendant's mental capacity (Oregon Revised Statutes (2019 Edition))
People v. Gookby, 166 Cal.Rptr.3d 697 (Cal. App. 2014)
People v. Steanhouse, 500 Mich. 453, 902 N.W.2d 327 (Mich. 2017)
Rawling v. Louisville Fire Arson Squad, 980 F.2d 731 (6th Cir. 1992)
State v. Hendrickson, 584 N.W.2d 774 (Minn. App. 1998)
State v. Menard, 888 A.2d 57 (R.I. 2005)
U.S. v. Banner, 356 F.3d 478 (2nd Cir. 2004)
U.S. v. Patel, 370 F.3d 108 (1st Cir. 2004)
Whitehouse v. Priority Home Care Inc., 2011 NY Slip Op 52519, 36 Misc.3d 1214, 957 N.Y.S.2d 267 (N.Y. Sup. Ct. 2011)

## Highlighting Search Terms

- By default, Fastcase highlights each of your search terms when you view the full text of a document. Each term will be highlighted in a different color so that you can see the occurrence of each search item. You can turn highlighting off for each term separately by clicking the "x" next to that term.



## Searching a Document

- You can search within a document for any term. Click on the find in document box, enter your search term, and hit the **Search** button to locate that term.



## 8| USING AUTHORITY CHECK

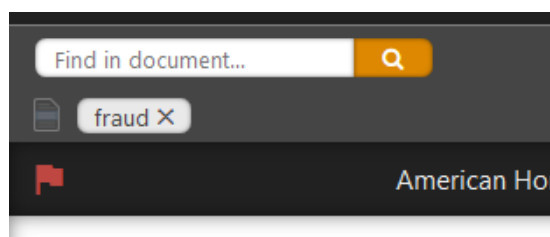
### Overview

**Authority Check** is Fastcase's integrated citation analysis tool. You can use **Authority Check** in many ways, including:

- To generate a list of later citing cases to find related authority on your topic.
- To prioritize your research by identifying the most frequently cited cases within your list of results.

### Generate a List of Later Citing Cases

- Start by pulling up the case you are interested in. Make sure you are on the page with the full text of the case.
- Above the case you will see a flag. The flag will be red if there has been any negative interpretation.
- Click on the flag to generate the **Authority Check Report** with a list of later citing cases. The report will load on the left side of the screen.



Scroll down to see all later citing cases.

Authority Check

Ohio v. Roberts, 448 U.S. 56, 100 S.Ct. 2531, 65 L.Ed.2d 597 (1980)

Filter by Jurisdiction

Sort by: Relevance

Negative Treatment (1)

Citations (10)

American Home Assur. Co. v. Cohen, 815 F.Supp. 365 (W.D. Wash. 1993)

W.D. Wash. Federal District Case Mar 3, 1993 Cited: 10

...American Home Assur. Co. v. Cohen, 815 F.Supp. 365 (W.D. Wash. 1993) 815 F. Supp. 365 AMERICAN HOME ASSURANCE CO., Plaintiff, v. David COHEN dba Totem Lake Counseling Services, Theresa D. Scott and...

Peder v. Scottsdale Indem. Co. (W.D. Wash. 2019)

W.D. Wash. Federal District Case Aug 8, 2019 Cited: 0

... U.S. 64, 78 (1938)); see MKB Constructors v. Am. Zurich Ins. Co., 49 F. Supp. 3d 814, 832-33 (W.D. Wash. 2014). "Under Washington law, the interpretation of an insurance contract is a matter of law." **Am. Home Assur. Co. v. Cohen, 815 F. Supp. 365, 368 (W.D. Wash. 1993), aff'd and remanded, 67 F.3d 305 (9th Cir. 1995)** (citing McDonald v. State Farm Fire and Cas. Co., 119 Wn. 2d 724, 730 (1992)). "Summary judgment is proper unless an ambiguity in the contract exists and contradictory evidence is introduced to clarif...

American Home Assur. Co. v. Pope, 591 F.3d 992 (8th Cir. 2010)

8th Cir. Federal Appellate Case Jan 11, 2010 Cited: 6

... added)). In summary, we conclude the American Home insurance policy exclusion for knowingly wrongful acts is ambiguous. See also Am. Home Assurance Co. v. Cohen, **815 F.Supp. 365**, 369 (W.D.Wash.1993) (holding a similar wrongful act exclusion in an American Home policy ambiguous for other reasons), aff'd, 67 F.3d 305 (9th Cir. 1995...

Phen v. Progressive Northern Ins. Co., 2003 SD 133, 672 N.W.2d 52 (S.D. 2003)

SD State Supreme Case Nov 12, 2003 Cited: 15

... Cohen, **815 F.Supp. 365**, 370 (W.D.Wash.1993) (quoting Brown v. Snohomish County Physicians Corp., 120 Wash.2d 747, 845 P.2d 334, 338 (1993)). We have also recognized "[t]hat a policy [is] reflected by the established trend ... of the decisions of the courts..." Bartron v. Codrington County, 68 S.D. 309, 323, 2 N.W.2d 337, 343-44 (1942). Consequently, Progressive...

American Home Assur. Co. v. Stephens, 130 F.3d 123 (5th Cir. 1997)

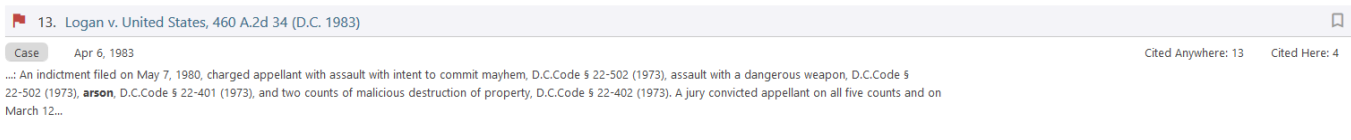
5th Cir. Federal Appellate Case Dec 11, 1997 Cited: 6

... 1979), 5 Id. 576 S.W.2d at 890, 6 Tex.Civ.Prac. & Rem.Code § 81.001-81.009, 7 Id. §§ 81.002, 81.004, 8 Id. § 81.003, 9 Id. § 81.006, 10 Id. 11 American Home Assurance Co. v. Cohen, **815 F.Supp. 365** (W.D.Wash.1993), 12 Tex.Admin.Code tit. 22, § 681, et seq.; Licensed Professional Counselor Act...

Allstate Ins. Co. v. Forest Lynn Homeowners Ass'n, 892 F. Supp. 1310 (W.D. Wash. 1995)

## Identify Frequently Cited Cases

- On the results page, the number to the right of the date for each case corresponds to the number of times the case has been subsequently cited in other cases.

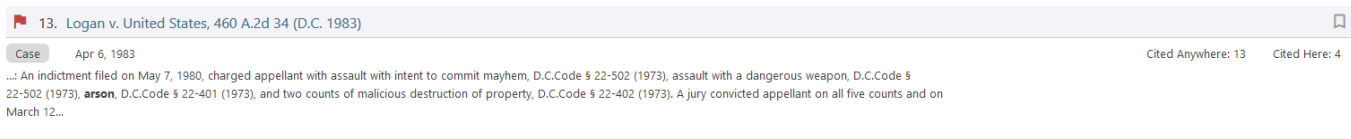


- You can sort the most frequently cited cases overall to the top of the list by clicking on the header labeled "Total Cites"
- You can sort the most frequently cited cases by other cases in the current search to the top of the list by clicking on the "Cited in Results" header.

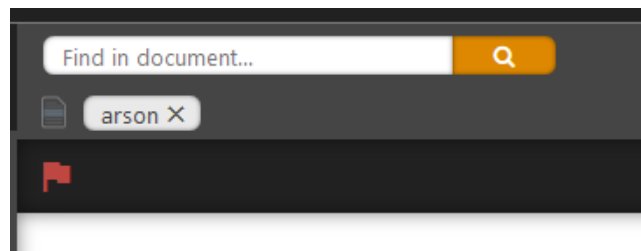
## Identify Negative Citation History

The *Bluebook* requires that courts indicate negative history of cases cited within opinions. The Fastcase **Bad Law Bot** takes advantage of this data by using algorithms to find these negative citation histories, then flags those cases and provides links to those cases.

Here, we looked up *Logan v. United States*, 460A.2d 34 (DC 1983). Note the red flag next to the case name, indicating negative citation history for the case.



Another Example is *Ohio v. Roberts*, 100 S.Ct. 2531. Once you click on *Roberts*, you will notice that there's a red flag at the top left of the screen.



To see the cases that indicate negative citation history for *Roberts*, simply click on the red flag and the **Authority Check Report** will open on the left.

Here's what the **Authority Check Report** looks like for *Roberts*:

Doc

Auth

Authority Check

Ohio v. Roberts, 448 U.S. 56, 100 S.Ct. 2531, 65 L.Ed.2d 597 (1980)

Filter by Jurisdiction

Sort by: Relevance

Negative Treatment

State v. Jones, 568 S.W.3d 101 (Tenn. 2019)

TN

State Supreme

Case

Jan 30, 2019

Cited: 3

...v. Armes, 607 S.W.2d 234, 236-37 (Tenn. 1980) ). "The ultimate question is whether the witness is unavailable despite good-faith efforts undertaken prior to trial to locate and present that witness." **Ohio v. Roberts, 448 U.S. 56, 74, 100 S.Ct. 2531, 65 L.Ed.2d 597 (1980), overruled on other grounds by Crawford, 541 U.S. 36, 124 S.Ct. 1354.** "Good faith" contemplates " [t]he lengths to which the prosecution must go to produce a witness ... [and] is a question of reasonableness." " Id. (quoting Calif...

State v. Copeland, 353 Or 816, 306 P.3d 610 (Or. 2013)

OR

State Supreme

Case

Jul 25, 2013

Cited: 19

...testify at trial violates a defendant's confrontation rights unless the declarant is unavailable and the out-of-court statements have adequate indicia of reliability. Id. at 648, 705 P.2d 694 (citing **Ohio v. Roberts, 448 U.S. 56, 66, 100 S.Ct. 2531, 65 L.Ed.2d 597 (1980), overruled by Crawford v. Washington, 541 U.S. 36, 43-50, 124 S.Ct. 1354, 158 L.Ed.2d 177 (2004)**). In particular, we applied the following analysis of the United States Supreme Court as articulated in Roberts[353 Or. 824]"The Confrontation Clause operates in two separate ways to restrict the ra...

United States v. Burden, 934 F.3d 675 (D.C. Cir. 2019)

D.C. Cir.

Federal Appellate

Case

Aug 20, 2019

Cited: 2

...e, good-faith efforts after it deported Yindeear-Rom sufficed. As a general matter, a witness is considered unavailable only if the prosecution cannot procure her with good-faith, reasonable efforts. **See Ohio v. Roberts, 448 U.S. 56, 74, 100 S.Ct. 2531, 65 L.Ed.2d 597 (1980), abrogated in part on other grounds by Crawford, 541 U.S. 36, 124 S.Ct. 1354, 158 L.Ed.2d 177.** It is the prosecution's burden to establish that its actions meet that test. Id. at 74-75, 100 S.Ct. 2531. "The law does not require the doing...

United States v. Smith, 928 F.3d 1215 (11th Cir. 2019)

11th Cir.

Federal Appellate

Case

Jul 2, 2019

Cited: 1

... in the courtroom serves many important purposes, including allowing the jury to observe closely the witness's demeanor, expressions, and intonations, and thereby determine the witness's credibility. **See Ohio v. Roberts, 448 U.S. 56, 63-64, 100 S. Ct. 2531, 2537-38, 65 L.Ed.2d 597 (1980), abrogated in part on other grounds by Crawford, 541 U.S. at 60-69, 124 S. Ct. at 1369-74.** The Supreme Court has emphasized that in-court confrontation not only allows the defendant to test the witness's recollection, but also compels the...

State v. Harris, 362 Or 55, 404 P.3d 926 (Or. 2017)

OR

State Supreme

Case

Oct 19, 2017

Cited: 9

...Addressing the question whether admission of that hearsay evidence violated the defendant's [362 Or. 64] Article I, section 11, confrontation rights, this court expressly adopted the reasoning of the **United States Supreme Court in Ohio v. Roberts, 448 U.S. 56, 100 S.Ct. 2531, 65 L.Ed.2d 597 (1980), overruled by Crawford v. Washington, 541 U.S. 36, 43-50, 124 S.Ct. 1354, 158 L.Ed.2d 177 (2004)**.In Roberts, the Supreme Court had articulated a

**Bad Law Bot** finds negative citation history by taking all the cases that have cited *Roberts* and examining how they've cited to *Roberts*. If a court has negatively cited to *Roberts*, **Bad Law Bot** will link you to that case. Keep in mind that **Bad Law Bot** determines negative case history by using algorithms, so the report is constantly updating.

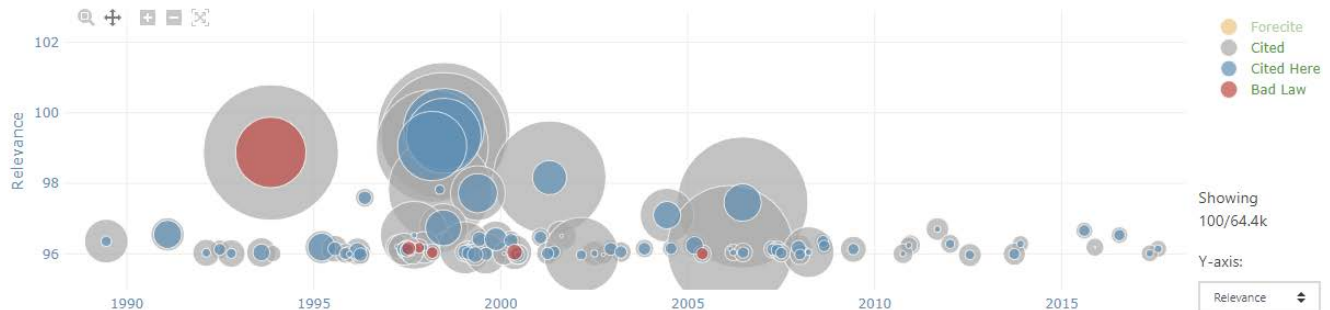


## 9|USING THE INTERACTIVE TIMELINE

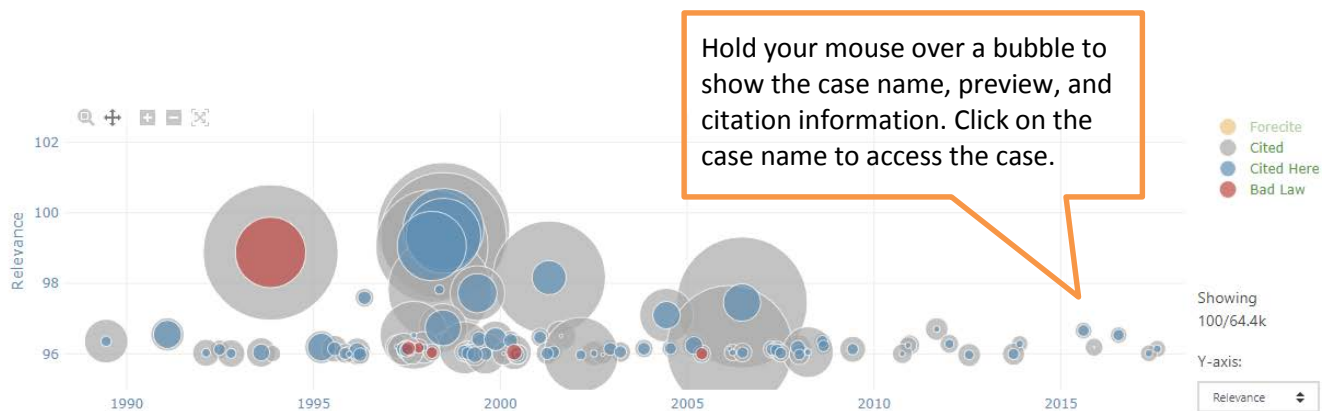
The **Interactive Timeline** is a powerful data visualization tool unique to Fastcase. By allowing you to view up to four different attributes of each case at a time, your search results jump off the page.

### Reading the Timeline

- To access the **Interactive Timeline**, start by running a search and viewing your search results. On the bottom of the results page you will see the **Interactive Timeline**. By default, your timeline will be in **Relevance View**.



- Each case in your search results is represented on the **Interactive Timeline** by a gray circle.
- The **Interactive Timeline** tells you at least four things about each case:
  - The date of each decision (x-axis).
  - The **Relevance Score** of each decision (y-axis).
  - The number of times each case was cited overall (diameter of gray circles)
  - The number of times each case was cited for your search terms (diameter of blue circles).
  - The red circle indicates that a case has negative interpretation and is no longer considered good case law.

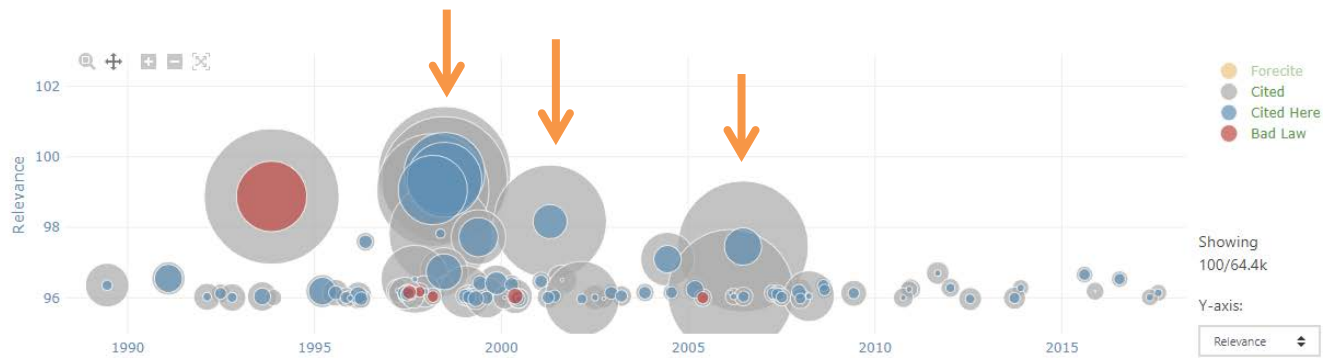


### Identifying Authoritative Cases

By illustrating how relevant each case is based on your search terms, how many times each case has been cited by subsequent cases, the **Interactive Timeline** quickly identifies seminal and authoritative cases.

- For the best results, first make sure that you are in **Relevance View**.
- Then look for cases with large diameters that appear towards the top of the page since frequently cited cases with high **Relevance Scores** are the most likely to be authoritative.

- Here is an illustrative example: if you perform a keyword search for "sexual harrassment" and open the **Interactive Timeline** in **Relevance View**, you will see something that looks like this:



- It is easy to spot authoritative cases on the timeline – look for circles with large blue and gray diameters as well as circles that appear higher up than other contemporaneous cases.
- On the timeline pictured above, these three cases – all key sexual harrassment cases– stand out.

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  - ✓ Full Court Press
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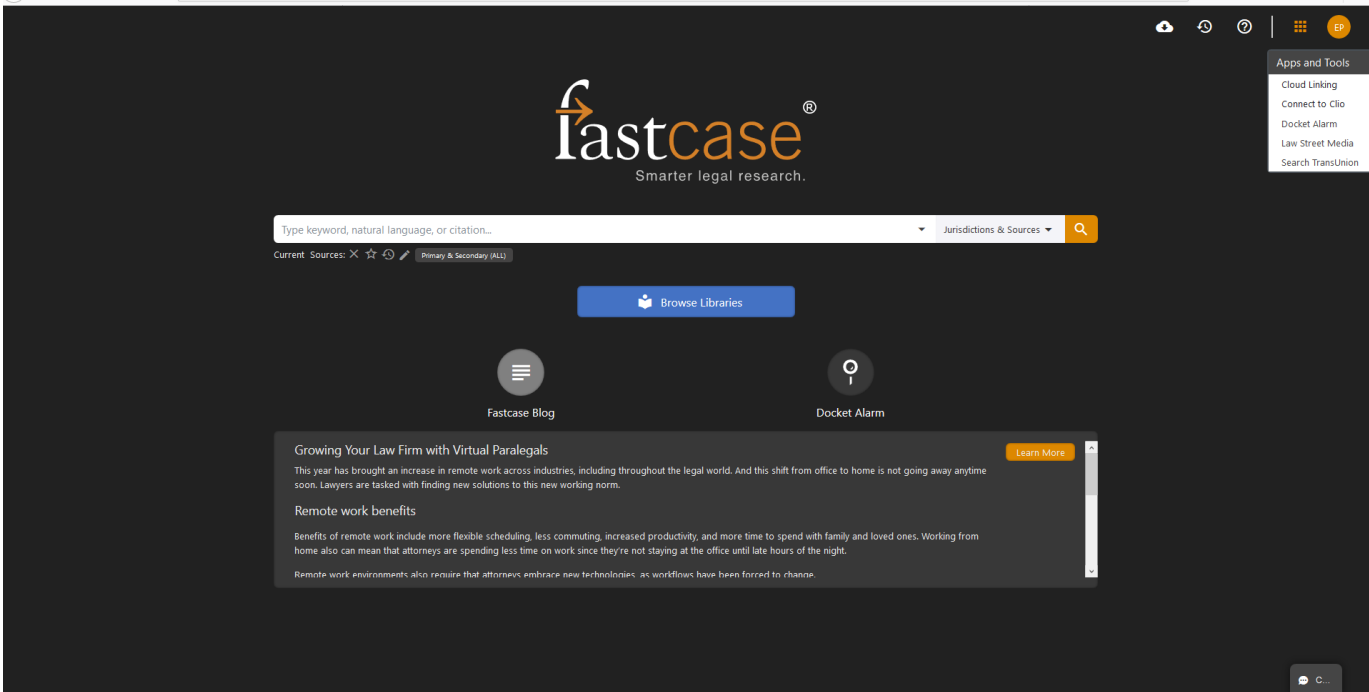
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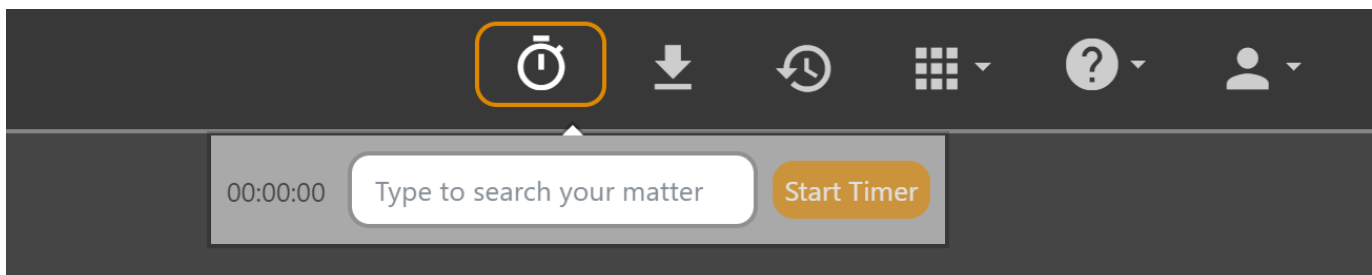
If you use Clio's Cloud-Based Practice Management Software you can link your Clio account to Fastcase to quickly record billable hours as you research.

From within Fastcase, select **Connect to Clio** from the **Apps and Tools** menu. You will be redirected to the Clio site and prompted to login. Click the large green button that reads **Yes, Let's Connect**.



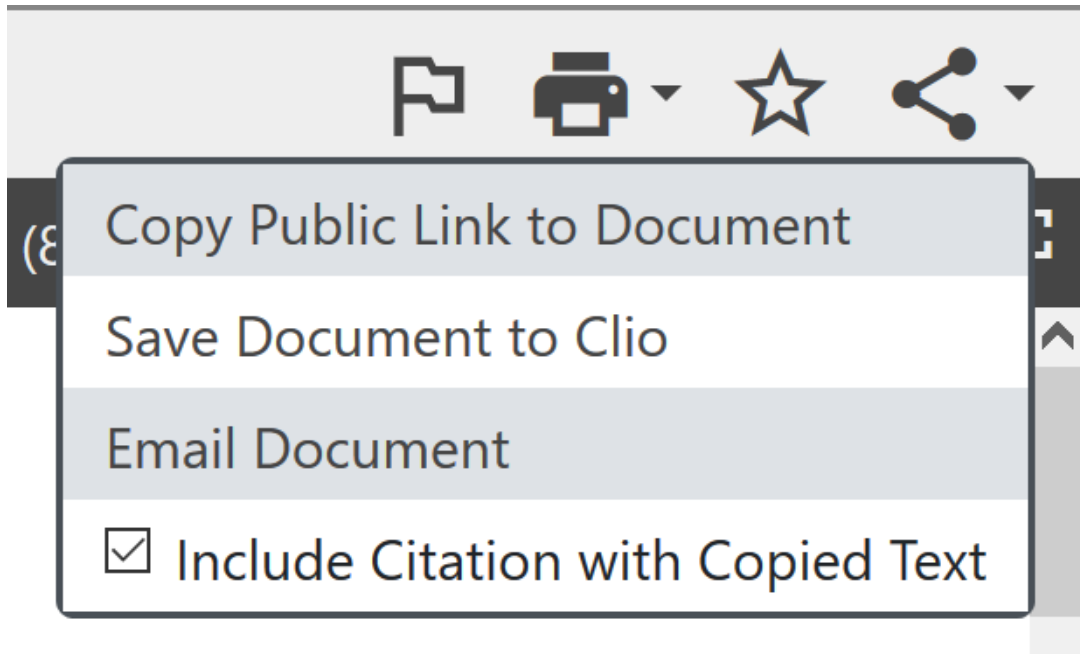
## Track Your Billable Research Time

When you connect your Clio account to Fastcase, you will see a "stopwatch" icon. This timer will allow you to select different Clio matters and set a timer for each client as you work. Start the timer by clicking the orange "start timer" button. Clicking the stop button will automatically save your billable research time to Clio.



## Saving a Document to a Matter in Clio

You can also save a document directly from Fastcase into a matter in Clio. Simply click on the **Share** icon in the upper right corner of the screen.



You can then select a document format as well as which matter you would like to save the document to.

Save to Clio

Print format

Adobe Acrobat (PDF)

☒ Use dual-column printing

☐ Include search term highlighting

Matter: 00005-Wilson

Cancel

Save

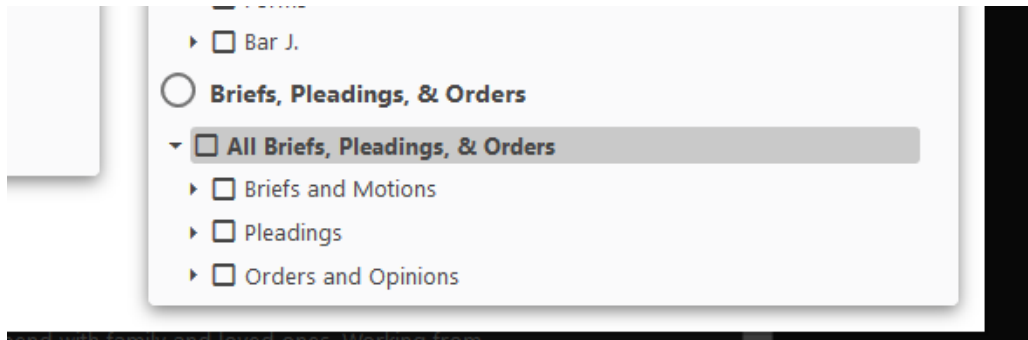
## 1 2 | Docket Alarm

### What is Docket Alarm?

Docket Alarm is a docket research and analytics platform. Users can conduct full-text searches and set up alerts and tracking for cases across federal courts and a growing list of state courts.

### Seeing Docket Alarm Results in Fastcase

Docket Alarm can be selected as an option from the Jurisdiction and Sources page. You can search all briefs, pleadings and orders, or just one category at a time.



### Getting More Information about Docket Alarm

Please visit the Docket Alarm main webpage at [www.docketalarm.com](http://www.docketalarm.com) or contact the Support Team.

## 13 | SUPPORT

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