

LOIS Law Instructions

Type URL: www.loislaw.com

Type in User Name and Password. The license is for 20 concurrent users and the User Name indicates this.

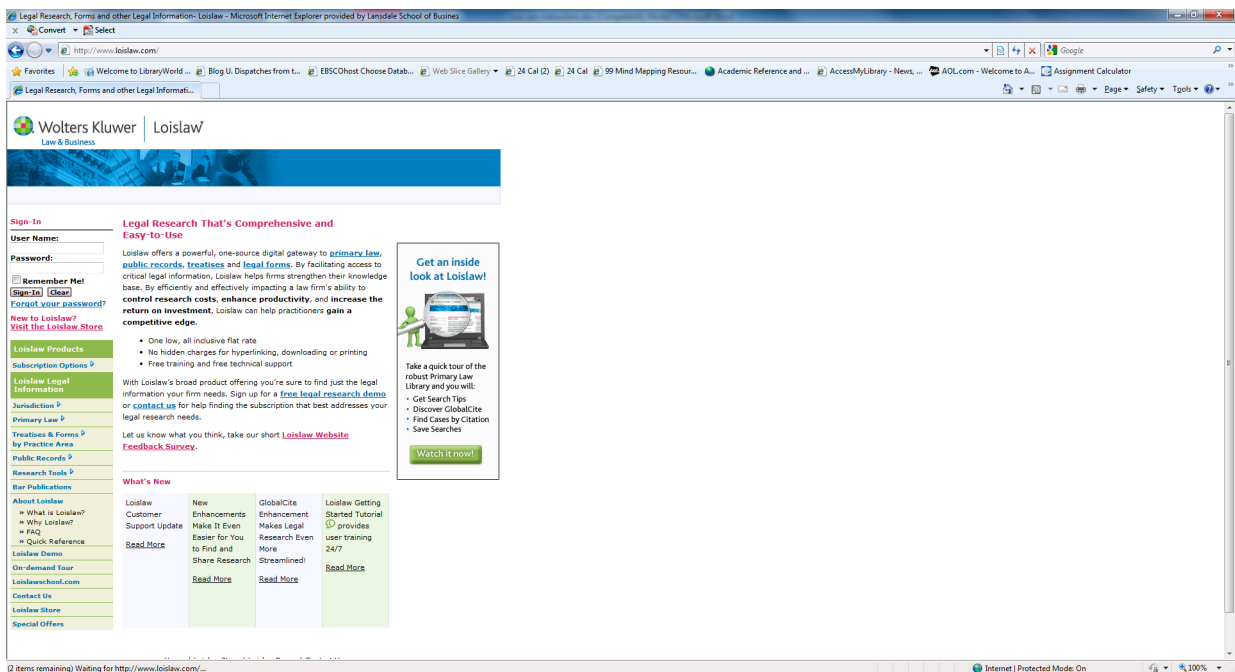
User Name: Supplied by librarian

Password: Supplied by librarian. This password applies to all User Names

Example:

User Name: *****

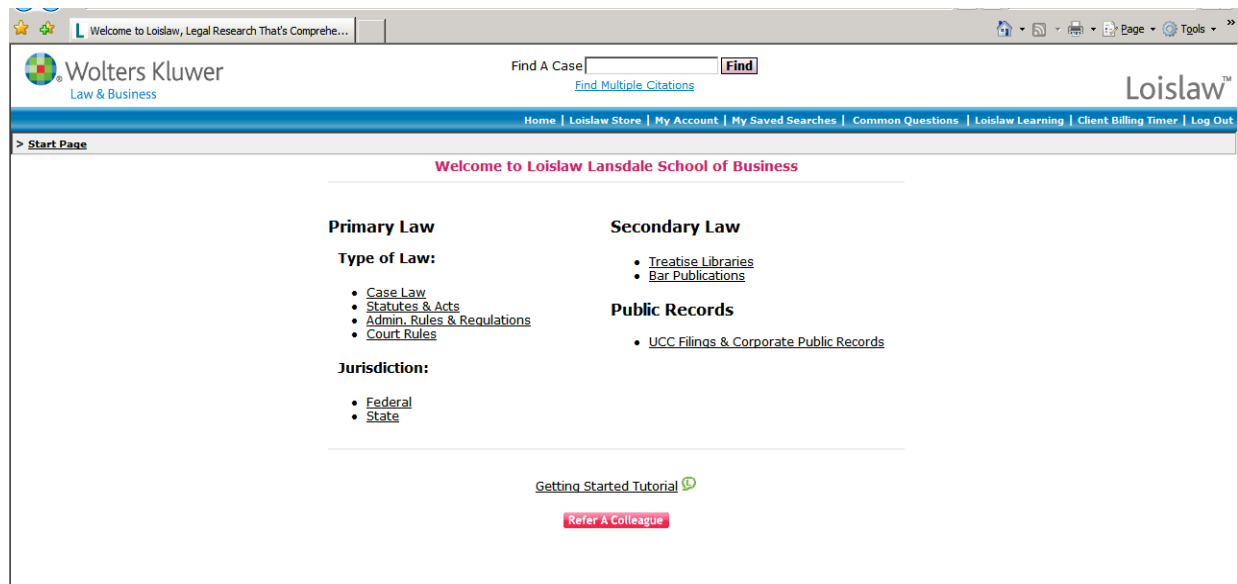
Password: *****



Personal Start Page

After logging on to Loislaw, subscribers arrive at the Personal Start Page. The Start Page reflects the major divisions of Loislaw's content: primary law, secondary sources, and featured products.

The primary law includes cases, statutes and acts, and rules and regulations; primary law is grouped by type of law and by jurisdiction.



The Four-Step Search Process

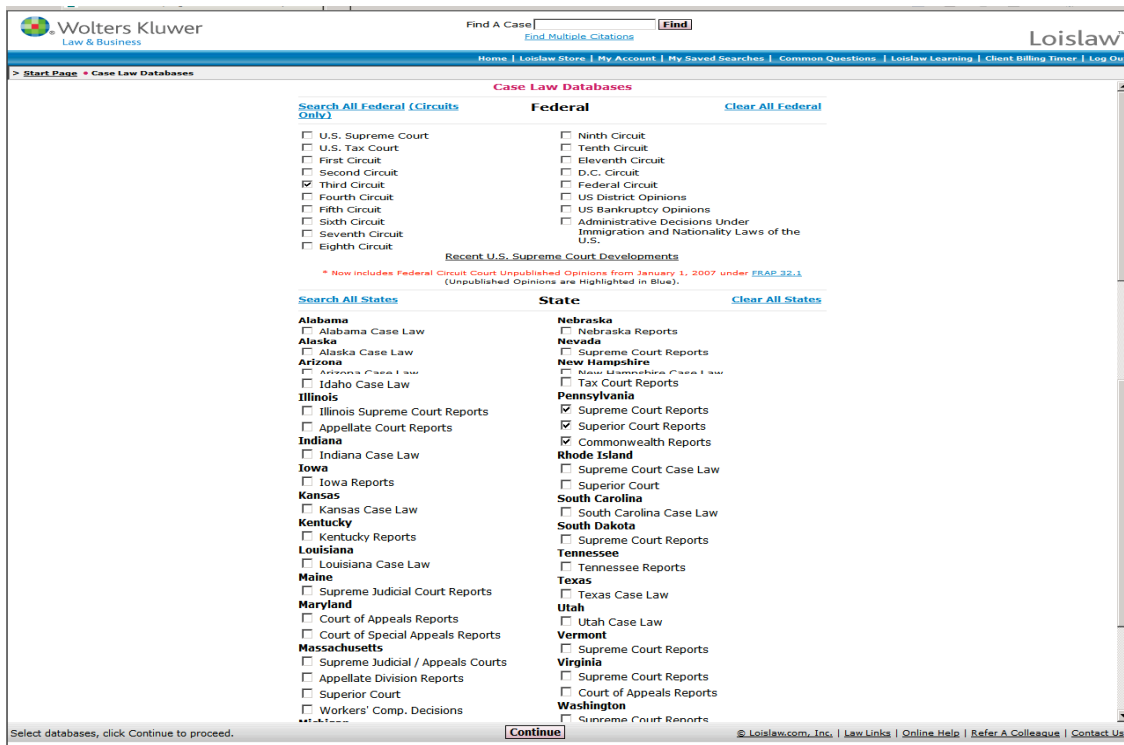
After displaying the Personal Start Page, Loislaw guides subscribers through a fourstep search process. Each step leads to more focused content and culminates in the retrieval of particular, relevant documents. The steps include:

- 1) Choose a database;
- 2) Construct a search;
- 3) Evaluate results; and
- 4) View documents.

On the Start Page, choose a type of law or jurisdiction. After selecting a general area of content, subscribers then choose a database.

Step 1. Choose a database

A database is Loislaw's standard unit of searchable information. Select one or more databases on the Choose a Database page by checking the box to the left of the database title. At least one database must be selected. Click Continue when all selections have been made. Choose one or more databases by checking the box to the left of the database title.



Step 2. Construct a search

Enter search criteria into the Search Page for a given database (or range of databases). Search criteria typically include keywords, but can become more complex to facilitate more focused searches.

Note that Search Pages are organized into fields. Fields represent units of text within the documents that make up a database; a given field is marked off from other parts of a document to facilitate quick and targeted searching.

For a given database (or set of databases), Loislaw will define which fields are available for targeted searching and present them together on the Search Page. Each available field is associated with a text box. When constructing a search, enter search criteria—for instance, a docket number or an official citation—into the appropriate text box, according to its label. (Enter criteria into the Search Entire Document box to search all available fields simultaneously.)

Click Run Search to execute a search, or Clear All Fields to begin again.

The Search screen will appear. Formulate your search.

A. Basic Tips for Boolean Searching

1. Begin with a simple search.

Keep search expressions simple. Start with two or three keywords, like "landlord" and "deposit." If the search produces too many results, try adding another keyword, perhaps "landlord" and "deposit" and "damages," to focus the search and narrow the range of hits. When formulating a search expression, consider:

- the facts of the case;
- the cause of action or legal principle; and
- the remedy to be illustrated.

2. Use caution with terms that might narrow research.

Certain keywords can narrow results inappropriately. If a search appears to return fewer documents than expected, one or more keywords might be limiting the hits. Try omitting a keyword, or replace it with a more general synonym.

For example, the word 'automobile' might limit search results in many contexts; try using 'automobile or vehicle or car or truck' instead, and group the search criteria as follows.

(automobile or vehicle or car or truck) and dr?nk*

Note the use of the wildcard and expander: *dr?nk** retrieves 'drunk,' 'drunken,' 'drink,' 'drinking,' etc. Depending upon results, try another search and substitute 'intoxication' for 'dr?nk*'. The related word 'intoxication' might broaden the number of hits or vary the list of relevant results.

3. Search specific fields whenever possible.

Searching fields—as opposed to searching the entire text—may improve results. If possible, search more than one field at a time.

For example, if users know the date range and subject matter of a case in advance, the following fields on a case law Search Page might produce the best results:

Date Range: between |01| |01| |1990| AND |12| |31| |1999|
Text of Majority Opinion = landlord and deposit and damages

Note that the Search Entire Document field may be combined with any other field. The sample search above could be expanded to find the same keywords in a dissenting or concurring opinion (in addition to the majority opinion), as follows:

Search Entire Document = landlord and deposit and damages
Date Range: between |01| |01| |1990| AND |12| |31| |1999|

4. When searching for proper names, use the near connector.

Proper names—for example, the names of appellants or judges, or the names of buildings and landmarks—often appear inconsistently in the law. For example, some jurisdictions use middle initials in reference to judges, whereas others use the judges' full names. Still others might use first and middle initials only. To cover the range of options, use the 'near' connector when searching for names. For example, type "william near3 johnson" to find "William P. Johnson," "William Paul Johnson," "Johnson, William P.," and other variations. For more discussion on connectors, see [Connectors](#) and [Multiple connectors, parentheses, and search priority](#).

5. Narrow the search criteria if results are too numerous.

If a search returns too many documents, the search criteria are probably too broad. To narrow the search:

- add another keyword using the 'and' or 'not' connector;
- exchange one or more keywords with a more narrow synonym;
- replace the 'and' connector with 'near' (or 'nearx');
- exclude a common or broad keyword using the 'not' connector; or
- enter search criteria in multiple fields.

Loislaw also offers Search Within a Search, a special tool for narrowing a body results. See [Search Within a Search](#) for more details.

6. Expand the search criteria if results are too few.

If a search returns too few documents, the search criteria are probably too narrow. To broaden the search:

- add an expander (' * ') to find more variants of a keyword;
- use a broader synonym in place of a keyword;
- search for a specific phrase using quotation marks; or
- remove a keyword.

7. If phrase searching produces too few (or no) results, use the 'near' connector.

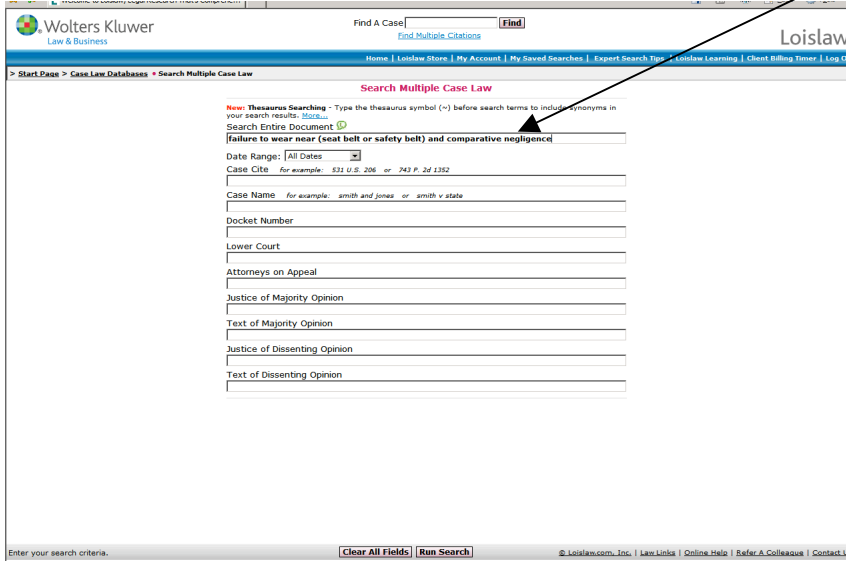
Phrases generally known to exist in the law may not always be retrieved by phrase searching. Insert the 'near' connector between words in a phrase to retrieve different variants. For example, the search phrase 'child custody' finds only the text "child custody". The search phrase 'child near4 custody' finds "the mother had custody of her child" as well as "child custody". For more information on connectors and phrase searching, see [Connectors and phrase searching with quotation marks](#).

Crash Course on Connectors

Connectors allow users to combine two or more keywords in a search expression. See the chart below for a quick description of the major connectors and their functions.

Connector	Shortcut Symbol	Effect
AND	&	Returns document containing both search terms
OR		Returns document containing either term
NOT	%	Returns document containing the initial term, but no term following "NOT"
NEAR	/	Returns document containing both terms within 20 words of each other
NEARX	/X	Returns document containing both terms within X number of words of each other
THESAURUS	~	Returns document containing the term following the tilde (~) plus synonyms of that term
"x x"	"	Returns document containing an exact phrase

To find records for the search “Can a claimant’s failure to wear their seat belt be used as evidence of comparative negligence?”, use Boolean operatives:
failure to wear near (seat belt or safety belt) and comparative negligence



B. Find a case by citation

1. Enter an official citation into Find A Case near the top of the Loislaw screen.

Example

Find A Case

531 U.S. 98

or

531us98

Note that Find A Case does not require a formal official citation. Users may omit spaces and punctuation, or enter lower case characters, for easier retrieval of case law.

Type a citation into the Case Cite dialog box on the Search Page. Click Run Search near the bottom of the window. Loislaw will retrieve the case and display a Results List page that contains the title, citation, date, and a textual excerpt or headnote. From the Results List, click the hyperlinked case name and citation to retrieve the full text of the opinion.

Note that both official and parallel citations are searched simultaneously from the Case Cite dialog box.

The forgiving feature of citation searches: 'normalization' of citations

The Case Cite dialog box does not require a strict match between a user's entry and a valid official citation. While the entry needs to approximate the form of an official citation, Find A Case will often work without regard to case differences, punctuation, or minor typos: users may actually omit periods or spaces (for example), or use lower case letters for the abbreviation of a reporter, and still retrieve the correct document.

The process of matching a casual entry to an official citation is called 'normalization.' The same operation is performed by Find A Case, Loislaw's shortcut tool for citation searches that is always available at the top of the screen.

Case law citations from virtually all American reporters and jurisdictions are recognized and normalized through the Case Cite dialog box.

While Loislaw will normalize casual abbreviations and punctuation, note that Loislaw does not change an invalid volume or page number to conform with a valid citation. If the Search Page returns "Note: Your search found no hits," check the citation again and make sure that volume and page numbers are correct. For more information regarding the reporters included in a database, click Currency near the bottom right of the Search Page.

2. Find a case by citation

Enter an official citation into "Find A Case" near the top of the Loislaw screen.

3. Find a case by name

Enter the plaintiff and defendant names into the Case Name field on a case law Search Page.

Example

Case Name

Bush v. Gore

Subscribers may enter a casual case name (e.g., the last names of a plaintiff and defendant in the form "Smith v. Jones") in the Case Name field. Searching by casual case name in this manner can produce multiple results, and may not be as precise as a citation search. (Note for example that entering "Roe v. Wade" into the U.S. Supreme Court Reports Search Page returns more cases than just the landmark decision at 410 U.S. 113.) However, the option of using a casual name is handy when the official citation is not known (or perhaps more complex to type than the casual reference).

The Case Name field also encompasses the full names of all parties as listed in the decision, in addition to the casual reference. Search for minor parties, the full titles of parties, the names of affiliated institutions or agencies, etc., all from the Case Name box.

4. Find a statute by citation

Enter an official citation into the Heading field on a Search Page for statutes.

Example

Heading

26 U.S.C. § 1

Section symbol shortcut

The section symbol (§) may be entered by engaging the Num Lock key, holding down the Alt key, and typing the number 21.

5. Find primary law by keyword

Enter keywords into the Search Entire Document field on any Search Page throughout the website.

Examples

Search Entire Document

pharmaceutical near10 patent

Text of Majority Opinion

eminent domain near (sell or lease)

Several different fields may be searched by keyword. Enter single or multiple keywords (and connectors) in any of the following fields to search the text of an opinion: Search Entire Text, Text of Majority Opinion, Text of Dissenting Opinion, etc.

In addition to the main text of an opinion, Loislaw typically offers several other fields for targeted keyword searching. For example, searches may be conducted against the Plaintiff & Defendant Names field or Appellant/Appellee Names field. Type a name into the appropriate dialog box from the Search Page to search one of these fields.

When searching for proper names in these fields, consider using the near connector to find different versions of the name.

Please note that the structure of case law will vary from one jurisdiction to another. Loislaw tailors each Search Page for a given jurisdiction, and will only display text boxes for the fields available within that jurisdiction's reporter(s). Choosing multiple case law may limit the available fields to 'Search Entire Text' only.

6. Find a case by docket number.

Enter a docket number in the Docket Number dialog box to retrieve a case when the permanent citation is not known (or not yet assigned). Searching this field may be necessary when a case has been issued as a slip opinion, but has not yet received final pagination or an official citation.

7. Find a case by date range.

Cases are dated differently, depending upon the publishing standards and policies of a given jurisdiction. Loislaw offers date-field searching according to the protocols set by the jurisdiction. In any given jurisdiction, date fields may include:

- date of submission or filing;
- date of argument; or
- date of decision.

On each Search Page for case law databases, Loislaw offers a Date Range search. The Date Range is preconfigured to search several different default date ranges.

To find cases dated within a certain span of time, use the Date Range drop-down menu.

Note that the Date Range drop-down menu may be used alone, for simple date searching, or in combination with other fields, for delimiting a keyword search by date.

For **simple date-range searching**, select one of the following time periods:

- within 1 month;
- within 3 months;
- within 6 months;
- within 1 year;
- within 3 years; or
- within 10 years.

Then click Run Search near the bottom of the window.

For more **complex date-range searching** involving other fields, enter a keyword into a text field and then select a date range from the drop-down menu. For example, to find all cases in the last six months whose majority opinion was written by a given justice, enter the name of the justice in the Justice of Majority Opinion field, and also select "within 6 months" from the Date Range drop-down menu. Click Run Search near the bottom of the screen to see all majority opinions written by that particular justice within the last 6 months.

Please note that the default Date Range is set to "All Dates". Unless this default setting is changed by the user, the Search Page will not evaluate results chronologically and the date will not affect results.

For particularly nuanced and targeted searching, users may customize the date-range by selecting "between" from the drop-down menu. Loislaw exposes text boxes for entering the start date and end date of a custom search. The custom date search is inclusive, so the results can include not only cases from intervening dates, but also cases bearing the start date and end date.

The "between" setting accommodates date-range searching that extends farther into the past than three or six months (or any other predefined range). To confine a search to cases from a single day, enter the same date in both the start date and end date.

8. Searching multiple fields from the Search page

Many searches may be performed across multiple fields on a given Search Page. The possibilities are practically infinite; a few possible combinations are explained below.

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> Start Page > Case Law Databases > Search Multiple Case Law

Search Multiple Case Law

New: Thesaurus Searching - Type the thesaurus symbol (-) before search terms to include synonyms in your search results. [More...](#)

Search Entire Document

failure to wear near (seat belt or safety belt) and comparative negligence

Date Range:

Published Opinions Unpublished Opinions Both [What's This?](#)

Case Cite for example: 531 U.S. 206 or 743 P.2d 1352

Case Name for example: smith and jones or smith v state

GRIM v. BETZ

Docket Number

Lower Court

Attorneys on Appeal

Justice of Majority Opinion

Text of Majority Opinion

Justice of Dissenting Opinion

Text of Dissenting Opinion

Enter your search criteria.

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Step 3. Evaluate results

A. Results

Click on Run Search. After subscribers run a search, Loislaw scans all selected databases and returns a list of results. Results of the search will be displayed in reverse chronological order. The highlighted phrases refer to instances of search terms found in the record.

> Start Page > Case Law Databases > Search Multiple Case Law > Results List: failure to wear NEAR/20 (seat belt OR safety belt) AND comparative negligence (1 found)

Result List

1 found (1 - 1 shown)

Search: failure to wear NEAR/20 (seat belt OR safety belt) AND comparative negligence Results sorted in reverse chronological order.

#1

Pennsylvania Superior Court Reports
[GRIM v. BETZ, 372 Pa. Super. 614 \(1988\)](#)
Filed April 8, 1988.

... for leave to file an amended answer, with new matter pleading the affirmative defense of comparative negligence. Appellants now contend that the denial constituted an abuse of discretion on the ... Susan Grim and plaintiff Gloria Grim may be comparatively negligent for their failure to wear their seat belts. Betz and Dallas request leave to file an Amended Answer with New Matter so as to ... Pa.R.C.P. 2252(d) and also to plead Susan Grim's and Page 618 Gloria Grim's comparative negligence as an affirmative defense. Appellant Freightliner Corporation joined in this petition, and filed a ... demonstrating a causal connection between the plaintiff's injuries and plaintiff's failure to wear a seat belt, it was not error on the part of the trial court to refuse to instruct the jury that the ... The import of the amendments is clear: the legislature has decided that a defense of comparative negligence in the form of a "seat belt defense", premised on either the failure of an adult to employ ...

B. Searching within results.

Clicking on the hypertext links in the record will retrieve related cases.

Wolters Kluwer Law & Business

Find A Case Find

Home | Loislaw Store | My Account | My Saved Searches | Common Questions | Loislaw Learning | Client Billing Timer | Log Out

> Start Page > Case Law Databases > Search Multiple Case Law > Results List: failure to wear NEAR/20 (seat belt OR safety belt) AND comparative negligence AND Grim v betz (1 found) > Result #1: Pennsylvania Superior Court Reports - GRIM v. BETZ, 372 Pa. Super. 614 (1988)

Prev. Result Prev. Doc << < > >> Next Doc Next Result

The courts of this Commonwealth have been liberal in permitting the amendment of pleadings. *Gallo v. Yamaha Motor Corp., U.S.A.*, 335 Pa. Super. 311, 484 A.2d 148, 150 (1984); *Tanner v. Allstate Ins. Co.*, 321 Pa. Super. 132, 467 A.2d 1164, 1167 (1983). Their discretion, however, is not unfettered; a defendant will not be permitted to amend his answer, to plead a new defense, where surprise or prejudice to the plaintiff will result, or where the proposed amendment is against a positive rule of law. *Posternack v. American Casualty Co.*, 421 Pa. 21, 218 A.2d 350, 351-52 (1960); *Goodrich Amram 2d* § 1033.7.

Appellants contend that the trial court erred in finding that their request to amend, in order to plead a "seat belt defense", was contrary to a positive rule of law. Appellants cite to the decision in *Parise v. Fehnel*, 267 Pa. Super. 79, 406 A.2d 345 (1979), in support of their

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position that the availability of a "seat belt defense" remains an open question in Pennsylvania. In *Parise*, a panel of this Court held that, in the absence of expert testimony demonstrating a causal connection between the plaintiff's injuries and plaintiff's failure to wear a seat belt, it was not error on the part of the trial court to refuse to instruct the jury that the failure to use a seat belt could be evidence of contributory negligence on the issue of damages. *Id.*, 406 A.2d at p. 347. However, *Parise* also contained the following language with respect to the existence, per se, of a "seat belt defense":

"Our decision today should not be seen as foreclosing the possibility of a so-called "seat belt defense" in future cases. . . . (t)he New Jersey Superior Court said that it might have allowed the defendant a seat belt defense if he had introduced expert testimony showing a relationship between the plaintiff's injuries and his failure to use seat belts (cites omitted). . . . That is our position."

(Emphasis supplied.)

Id. As such, it would appear that appellants are substantially

GlobalCite - 11 Save Search New Window Print Doc

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C. Searching for cases with GlobalCite

1. Find all indexed cases that cite the active document.

To retrieve a list of all indexed cases that cite the active document, click the GlobalCite button near the bottom of the View Document window.

When viewing the full text of a case, users can retrieve a list of all indexed primary law (including other cases, statutes, regulations, and acts) that cite the case being viewed. GlobalCite provides annotation-quality insight into a case's subsequent treatment by other citing courts. It also sheds light on a case's interpretation in regulations and legislative acts, for example. Wherever another law-making body cites the case, GlobalCite is there.

The screenshot displays the 'GlobalCite Results List' for the case 'GRIM v. BETZ, 372 Pa. Super. 614 (1988)'. The interface includes a search bar with the text 'Search Within GlobalCite Results' and a 'Search For:' field. Below the search bar, there are radio buttons for 'Cases Reverse Chronological Order' (selected) and 'Cases Chronological Order'. The results are numbered 1 through 4, each showing the case name, date, and a snippet of text. The first result is 'NICOLA v. NICOLA, 449 Pa. Super. 293 (1996)', the second is 'SOLOSOSKI BY SOLOSOSKI v. YUHAS, 657 A.2d 137 (Pa. Commw. 1995)', the third is 'NOLL BY NOLL v. HARRISBURG AREA Y.M.C.A., 537 Pa. 274 (1994)', and the fourth is 'KOLBECK v. GENERAL MOTORS CORP., (E.D.Pa. 1990)'. The interface also includes a 'Provide Your Feedback' link and a 'Search Within GlobalCite Results' button at the bottom.

2. Find all indexed cases that cite a particular statute.

To retrieve a list of all indexed cases that cite a statute, click the GlobalCite button near the bottom of the View Document window displaying a statute.

GlobalCite returns results for all types of primary law and other documents indexed into Loislaw's permanent collection. To view cases only, click **Cases Only Chronological Order** near the top of the GlobalCite Results List. For more information on ordering search results in GlobalCite, see [The GlobalCite Results List](#).

Step 4. View documents

After users select a document from the Results List, Loislaw displays its full text in the View Document window. The View Document window has several features and tools that facilitate quick navigation and assessment of a document's relevance.

A. Highlighting of hits

Each occurrence of a search term is called a hit. In the View Document window, hits are displayed with a yellow highlighted background. After retrieving the full text of a document, Loislaw scrolls to the first hit and displays the term in context. Quick reference to hits can help determine whether a document is pertinent to the legal question at hand. Subscribers may navigate from one hit to the next by clicking the navigation tool bar above the document.

B. Using the navigation tool bar

A navigation tool bar appears directly above the document text. It contains buttons for moving within the active document, and for loading and viewing other documents from the results list.

C. Prev. Result / Next Result

Moves sequentially by document, forward or backward, within the list of search results.

D. Prev. Document / Next Document

Moves sequentially by document, forward or backward, within the database.

E. Top of document / Bottom of document |< >|

Moves to the top or bottom of the active document.

F. First hit in document / Last hit in document << >>

Moves directly to the first or last hit in the active document.

Navigation tool bar Breadcrumb navigation bar or TOC trail Search hits displayed with yellow background

G. Previous hit / Next hit < >

Moves to the nearest hit (or cluster of hits) above or below those currently visible in the active document.

Please note that for case law, navigating by Next and Previous Document is not supported, as sequentially ordered cases are not likely to be relevant.

H. Recalling the Results List

Above the document navigation buttons, users will find a series of links that retrace the search process and culminate in the current document. Each link represents a stage of the process; each entry is separated by a greater-than sign (>) pointing to the next step of the search. Taken together, the links comprise the 'breadcrumb navigation bar' or 'TOC trail' (for Table of Contents). Breadcrumb navigation allows users to return to a prior step in the search process.

To return to the list of search results, click Results List.

I. Printing documents

To print the active document, click Print Doc near the bottom of the screen.

J. Viewing documents in a new window

Click New Window near the bottom of the screen to view the active document in a new browser window. The New Window function allows users to see a document and the original Results List simultaneously. An important document can be retained in a new window while users browse backward or try a different search in the main window.