

# Westlaw<sup>®</sup> Canada

## Quick Reference Card

### Pathways to the Law

#### Overview

Westlaw Canada is the only online research tool in Canada designed with the whole research process in mind – with the awareness that the goal of research is not just to find cases on point but rather to discover the law.

Westlaw Canada gives you everything you need to get the full picture of the law:

- **Primary Law** not only gives you the decisions and legislation that make up the law, it also includes supporting documents -- court filings, legislative history and pending legislation -- which lets you look behind decisions and current legislation to get a fuller picture.
- **Finding Tools** organize the law by issue and enable you to discover and tie together *all* the relevant authorities – The Canadian Encyclopedic Digest (CED), The Canadian Abridgment Digests, Citators (case and legislative), Words & Phrases and the Index to Canadian Legal Literature -- These research tools provide a valuable alternative or supplemental strategy to finding the law through keyword searching.
- **Commentary** explains the law in Canada – including the CED, leading loose leaf services, texts and law reviews and journals.

All of this material is tied together in an interface designed to *integrate* different information components to keep you moving on the right path towards your goal – to find not just the relevant primary law but to ensure the necessary context and to create a winning legal argument.

#### Pathways to Finding the Law

Choose the pathway that makes sense for the legal issue you are researching: you can begin your research broadly, getting an overview of the issue, or more narrowly, by finding a decision or legislative provision on point. No matter how you begin, Westlaw Canada's network of links ensures that you can move quickly and intuitively through all the relevant sources to get the full picture of the law.

Here are outlines of two possible strategies you may find useful. Within each of these strategies there may be various options you might use depending on the particular problem and the information you have.

##### Strategy A: Begin with an Overview:

- To get an overview of the issue ➤ Use the CED and other commentary
- To find case law by issue ➤ Use The Canadian Abridgment Digests
- To read relevant cases ➤ Use the full text case law
- To note up relevant cases ➤ Use KeyCite Canada
- Get legal analysis from secondary source citing references

OR

**Strategy B: Begin by finding a leading case:**

- Perform a keyword search to find cases on point
- Link to Abridgment digests to find cases on the same issue
- To read relevant cases ➤ Use the full text case law
- To note up relevant cases ➤ Use KeyCite Canada
- Put it all together with analysis from the CED and other secondary source citing references

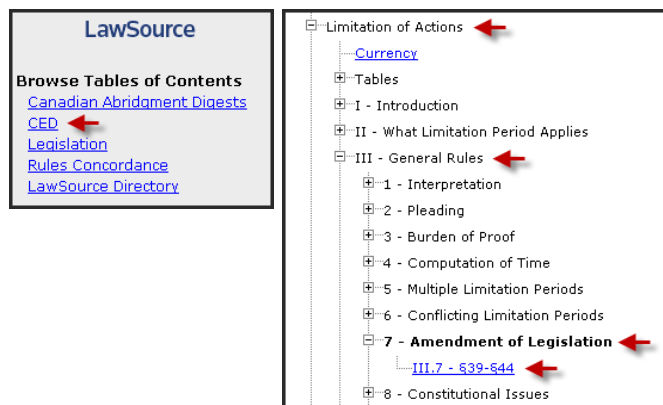
**Research Example (using LawSource)**

Toronto condo owners want to sue their builder for faulty construction and the municipality for faulty inspection of their condo building. Both the builders and the municipality claim it's too late for the owners to sue, according to the new limitation period. Here are the two research strategies you can use:

**STRATEGY A:**

**To get an overview of the issue:** Browse CED to get an overview of the issue by examining the law regarding limitation periods in Ontario in general and in particular, the effect of a change in the legislation.

- 1 Click [CED](#) in the **Browse Tables of Contents** section of the LawSource Home page.



- 2 Click the + buttons to open headings and drill down to the relevant classification.

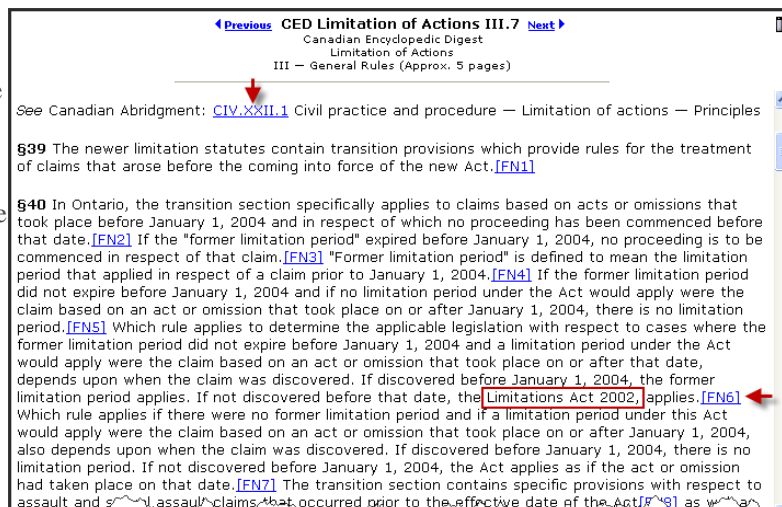
Click the hypertext link to retrieve the text.

Figure 1

Read up on the subject area, and find out what legislation governs. In this case, it is the *Ontario's Limitations Act, 2002*.

- 3 The CED not only provides comprehensive statements of the law, but it also provides footnotes to the applicable legislation and leading cases.

Click [FN6](#) to link to the footnote.



- 4 You can easily find all relevant Canadian cases by linking to the corresponding part of Carswell's Canadian Abridgment Digests.

Click [CIV.XXII.1](#) to link to the digests.

Figure 2

FN6  
footnote.

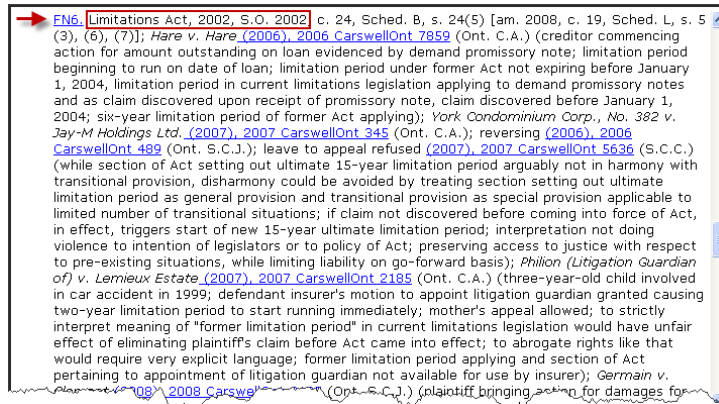


Figure 3

To find all case law by issue: Link to The Canadian Abridgment Digests from the CED (see step 4 on page 2) to review the cases on limitation periods. In one convenient compilation, The Canadian Abridgment allows you to find by topic, summaries of all Canadian cases on any topic along with links to the full-text case law in LawSource.

- 5 Click the + buttons to open headings and drill down to the relevant classification.

Click the hypertext link to retrieve all digests.

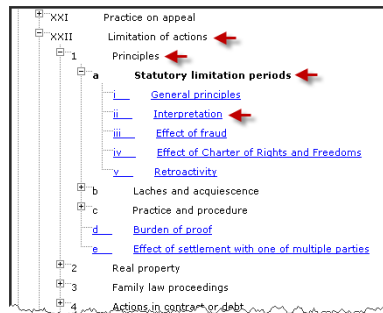


Figure 4

98 digest paragraphs listed for this classification: **Limitation of actions – Principles – Statutory limitation periods - Interpretation.** Scroll down the page to find case on point.

Digest paragraph summarizes the legal issue, provides a narrative summary of the facts, disposition, and reasoning of the court with respect to the legal issue.

- 6 Click the citation link to retrieve the full text.

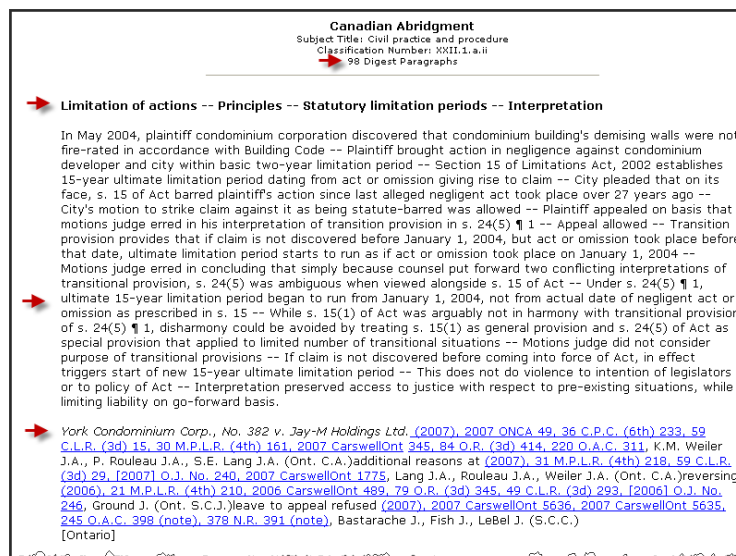
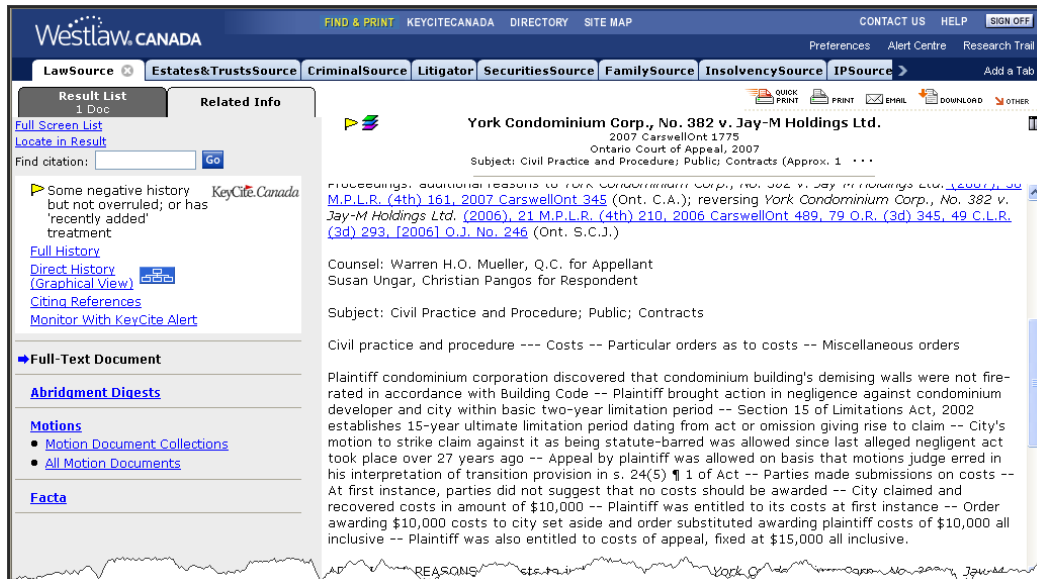


Figure 5

**Note:** Although the Abridgment lists many case digests for this classification, these digests are designed to let you skim through a large number of materials quickly. Also, you can easily narrow your list by search terms by using **Locate in Result**.

**To read relevant case law:** Link to the full text decision from the Abridgment paragraph's case citation.



Scroll down the right frame to review the full text decision.

Figure 6

**To note up relevant cases and legal analysis from secondary source citing references:** After you have read the decision in full, you can check whether it is still good law by examining the history of this case through KeyCite Canada and view not only cases but also underlying court documents and commentary that relate to it.

7 **Full History:** Click [Full History](#) to retrieve the direct appellate history of the case, any negative or cautionary citing references or cases recently added that cite the case.

**Direct History (Graphical View):** Click [Direct History \(Graphical View\)](#) to retrieve the case's direct history graphically.

**Citing References:** Click [Citing References](#) to retrieve all judicial treatments and secondary sources for the case.

**Monitor with KeyCite Alert:** Click [Monitor with KeyCite Alert](#) to automatically track this case for newly added citing references and receive results whenever and wherever you want, including wireless devices, email or fax.



Figure 7

**Note:** History shows additional reasons and that there was an application for leave to appeal this case. The leave was refused. There is no further direct history. However, note that the case was distinguished in a later Ontario case. You may want to read it.

**STRATEGY B:**

**Perform a keyword search to find cases on point:** Use the Cases custom search template on the LawSource Home page to search for relevant cases.

- 1 Click Cases to retrieve the search template.

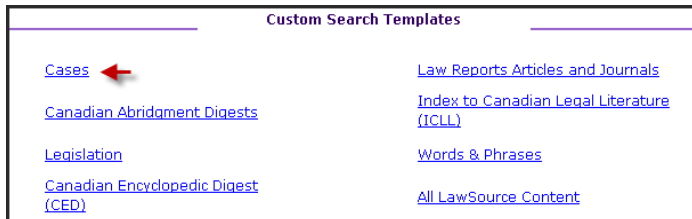


Figure 8

- 2 Enter your search terms into the **Search full text for** box. Use *The results must contain* drop-down list to select a connector.

Limit results to **Ontario** cases.

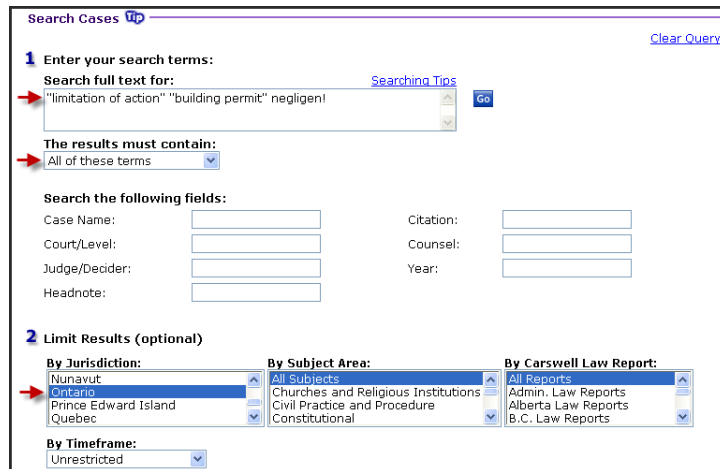
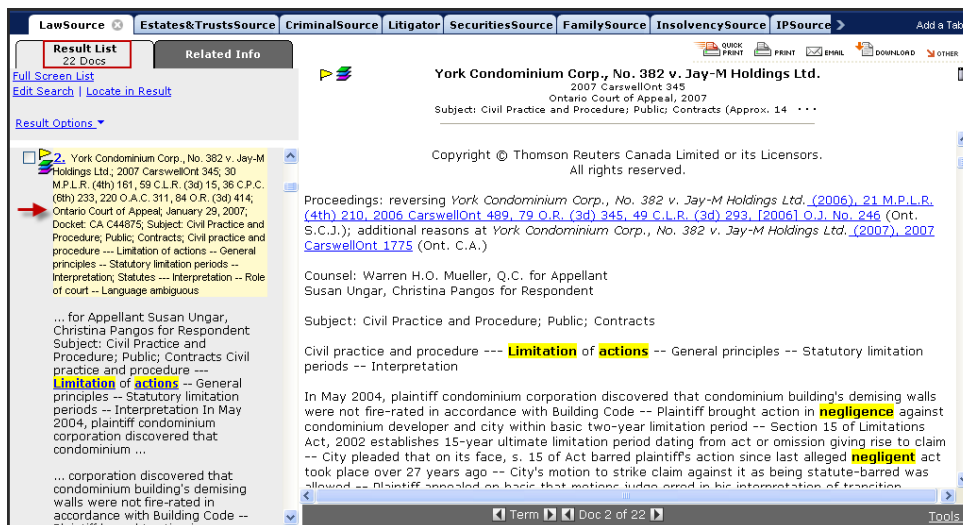


Figure 9

Review the Result List for cases on point.



- 3 Click the document hypertext link on the Result List to retrieve the full text decision.

Figure 10

Note up the case directly from the **Related Info** tab by using the KeyCite Canada links.

- 4 Use KeyCite Canada links to note up the case.

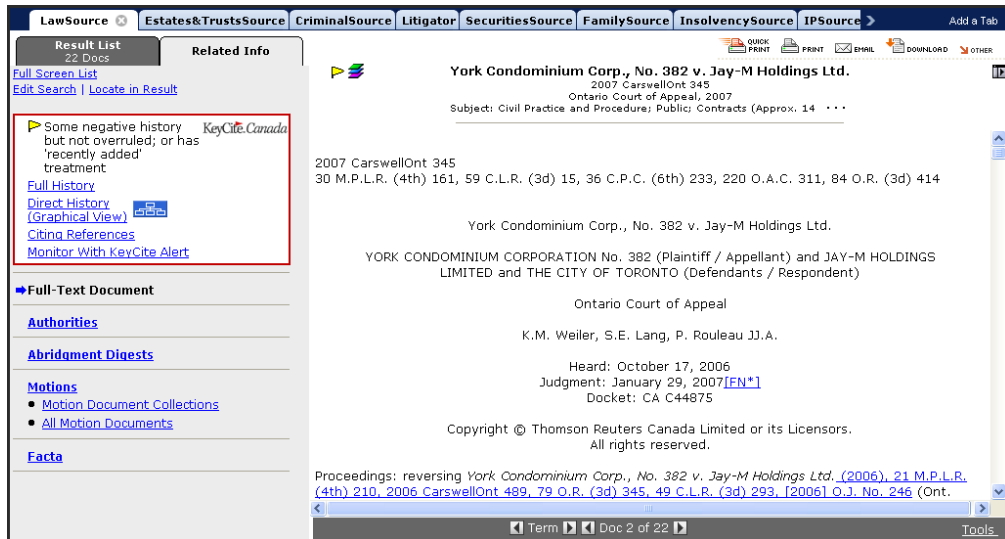


Figure 11

**Link to Abridgment Digests to find cases on the same issue:** Click the Abridgment Digests link on the **Related Info** tab of the displayed case to retrieve all digests for this case. Use the Abridgment Classification number link in the right frame to link to other cases on this same issue.

- 5 Click the Abridgment Digests link on the **Related Info** tab to retrieve digests for this case.
- 6 Click the Classification Number link in the right frame to retrieve cases on the same issue.

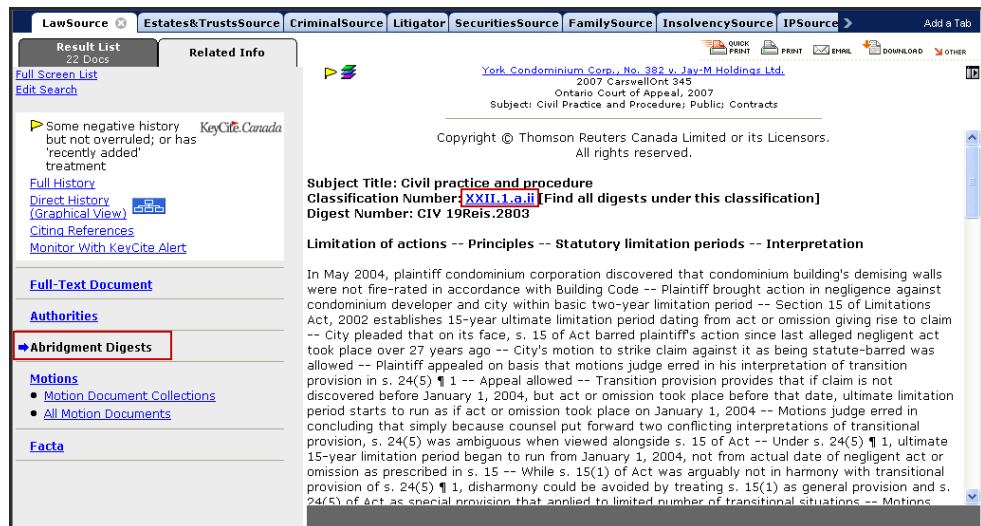


Figure 12

To continue research using the Abridgment Digests, proceed as shown in Strategy A.